

Planning and Orders Committee

Minutes of the meeting held on 10 February 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE, K P Hughes, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts and Robin Williams.
- Councillor Richard A Dew – Portfolio Holder - Planning
- IN ATTENDANCE:** Development Management Manager (NJ),
Planning Built and Natural Environment Manager (JIW),
Planning Officer (CR),
Development Management Engineer (Highways) (JAR),
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillors Margaret M Roberts and Ieuan Williams (application 7.2); Dafydd R Thomas (application 12.3)
- Councillors Llinos M Huws, Aled M Jones, G O Jones, Bryan Owen, Bob Parry OBE FRAGS.

The Chair extended her best wishes to Mr John Alwyn Rowlands, Development Management Engineer (Highways) who will be leaving the Authority for a new post with Conwy County Borough Council.

1 APOLOGIES

None received.

2 DECLARATION OF INTEREST

Declarations of Interest received from the following :-

Councillor Glyn Haynes declared a personal and prejudicial interest in respect of application 12.6 – Garreglwyd Park, South Stack Road, Holyhead and left the meeting during discussions and voting thereon.

Councillor T LI Hughes MBE declared a personal and prejudicial interest in respect of application 12.6 – Garreglwyd Park, South Stack Road, Holyhead and left the meeting during discussions and voting thereon.

The Development Management Manager declared a personal and prejudicial interest in application 11.1 – Parciau, Llanddaniel and left the meeting during discussions.

3 MINUTES

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 13 January, 2021 were confirmed as correct.

4 SITE VISITS

The minutes of the virtual site visits held on 20 January, 2021 were confirmed as correct.

5 PUBLIC SPEAKING

There was no public speaking.

6 APPLICATIONS THAT WILL BE DEFERRED

None were considered by this meeting of the Planning and Orders Committee.

7 APPLICATIONS ARISING

7.1 FPL/2020/150 – Full application for the erection of 9 dwellings together with associated development on land at Bridge Street, Llangefni

The application was presented to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 13 January, 2021 the Committee resolved to visit the site. The virtual site visit subsequently took place on 20 January, 2021.

The Development Management Manager reported the application is for 9 dwellings together with associated development. She noted that there has been no objections to the application by neighbouring properties as part of the public consultation and the applicant has submitted amended plans which include a landscaping scheme together with affording Canolfan Ebenezer with 4 parking spaces. The recommendation is of approval of the application subject to a section 106 legal agreement relating to affordable housing.

The Chair and a Local Member said that she had called in the application due to local concerns but she is satisfied that adequate consultation has been afforded to the local residents.

Councillor Eric W Jones proposed that the application be approved and Councillor K P Hughes seconded the proposal of approval.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions contained therein.

7.2 FPL/2019/217 – Full application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to Craig y Don Estate and Cherry Tree Close, Benllech

The application was presented to the Planning and Orders Committee at the request of two Local Members. At the meeting held on 13 January, 2021 the Committee resolved to visit the site. The virtual site visit subsequently took place on 20 January, 2021.

Councillor Margaret M Roberts a Local Member said that she was supportive of affordable housing in principle as local people are often priced out of their own communities but this application site is located in wet marsh land and which is essential to wildlife habitat. She noted that this development is also outside the boundary of Benllech and traffic and over development in around Benllech are not going to be helped by this proposal and when added to previously approved development in the area. Councillor Roberts said that local school is currently near its capacity with only 11 spare places available.

Councillor Ieuan Williams a Local Member said that his objection to the application is due to the site being located within an AONB area and in a local wildlife zone and he referred to planning policy AMG 6 – protecting sites of regional or local significance within the Joint Local Development Plan which states that site which cause direct or indirect harm to the local wildlife site or regional demographic sites will be refused. Unless it can be proven that there is an overriding social environmental and/or economic need for the development and that there is no other suitable sites that would avoid having a detrimental effect on sites of local nature or conservation value or local geological importance. Councillor Williams further said that an email was distributed to the members of the Committee by Mr Richard Evans, a former Ecologist from Welsh Government who lives near the site; he clearly states that this site is an important wildlife site and needs to be protected. He further said that it is important to note that the Authority has voted to recognise that there is a climate crisis and protected species needs to be safeguarded.

Councillor Williams said that whilst supportive of affordable housing but not on incorrect sites. This site was put forward by the applicant as a candidate site within the Joint Local Development Plan and the reasons for refusing this site can be seen at SP 146 of the plan. He referred to Denbighshire County Council and Rhondda Cynon Taf's local development plans and noted that he will be applying to the Planning Policy Unit when the Joint Local Development Plan is reviewed that it includes similar wording as regards to protection of wildlife sites. He further noted that he is in opposition to the application due to overdevelopment. He noted that the Joint Local Development Plan has

indicative provision for development of dwellings in each community. The Benllech area has an indicative provision of 90 dwellings but Benllech has seen approval of 147 properties already which is 63% over the indicative provision. He further highlighted the traffic problems already in Benllech over the summer months and the local school is near capacity as is the doctor's surgery. Councillor Ieuan Williams considered that the application should be refused for the reasons given.

Councillor K P Hughes said that he welcomed the comments by the local members that they supported affordable housing and questioned as to the reasons Councillor Margaret M Roberts referred at the last meeting to such developments can create ghettos in places where there are little or no facilities for them. Councillor Roberts responded that when such a development is created at the edge of a village and with young families with no forms of transport, it can create a division within communities.

The Development Management Manager reported that the application is for the construction of 17 affordable dwellings together with associated developments and as noted the land is within the AONB and a wildlife site. The site has been assessed in line with housing policies and is found to be acceptable even though there has been concerns as to the number of dwellings on the site which has now been reduced from 29 to 17 dwellings to reflect the local need that exists in the area. The Joint Planning Unit agrees that it conforms to housing policies and there are no objections from the statutory consultees as regards to this development. She noted that the wildlife site is approximately 57.959 square meters and part of the application site which is located within the wildlife site is 7.847 metres square which is approximately 13.5% of the site. She noted that the email by Mr Roberts Evans referred to by Councillor I Williams is within the planning file of this application and she said that there is no reason to disagree with the comments within the correspondence. She read out part of the email which states 'the land has been neglected due to the lack of management and Gors Efail Newydd falls into this category. It has had limited management for many years as supported by the ecological survey'.

The Development Management Manger further said that whilst the land continues to deteriorate the planning authority does not have the authority to insist that it is managed appropriately. The Ecologist Officer has specified that the proposed development would be located within the worst part of the site and it is intended to impose a section 106 legal agreement on any approval of the application to insist on the management of the site for it to be restored as a wildlife site and ecological enhancement measures and to contribute towards open space together with affordable housing provision and play area facilities. There is no requirement for an educational contribution as a result of this application.

She referred to the local member's comments that the site lies within the AONB but the sheds and gardens of the existing dwellings near the site are on the boundary of the AONB and as part of this proposal there is an intention to landscape the boundary around this development to create a clear definitive edge around the new development. The existing dwellings near the site are

predominantly white in colour and it is intended that the proposed dwellings are to be a darker colour to be a more sympathetic edge of the settlement in comparison to the existing form of development. The Development Management Manager further said that as part of the planning policies there is no need to consider if there are other appropriate sites as part of the housing policies as this is an exception site. She further said that following the comments of NRW a condition will need to be attached as regards to a lighting plan.

The Development Management Manager said that the recommendation is of approval as there are no other sites available for such a development in the area.

Councillor Dafydd Roberts said that there is no mention of a future wildlife plan attached to the conditions attached to any approval of the application. The Development Management Manager responded that it is understood that there has been discussion between the developer and the landowner and there has been agreement between them regarding these measures. She referred to the report as regards to measures to include managing willows, conservation grazing and effective monitoring by vegetation surveys and reports and it will be part of the S106 legal agreement and a management plan will need to be formed as part of that legal agreement.

Councillor K P Hughes referred to the Authority's Local Development Plan and the aim of the people of Anglesey to be able to prosper. He said that he was surprised that two local members were against good quality affordable housing to address local need in the area. The Joint Local Development Plan has been adopted by this Council and opportunities to review the plan will not be possible for a number of years and therefore the Authority must conform to the planning policies within the Plan. He considered that the application will not have a detrimental effect on the local community and conform to local planning policies for affordable housing. Councillor K P Hughes proposed that the application be approved and Councillor Eric W Jones seconded the proposal.

Councillor Vaughan Hughes said that he as a local member has been in local meetings in Benllech regarding this application and the other two local members who have spoken at this meeting are expressing the views of the majority of the local community. He further said that the Joint Planning Policy Unit considers that there are better sites available and the definition of small development needs to be defined and Benllech is in danger of overdevelopment and effect the tourism in the area. He noted that the local primary school is full to capacity. Councillor Vaughan Hughes proposed that the application be refused and Councillor John Griffith seconded the proposal of refusal.

It was RESOLVED to refuse the application contrary to the Officer's recommendations as it is deemed that the application is contrary to planning policies AMG6 and TAI 16.

In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the

opportunity to prepare a report on the reasons given for approving the application.

8 ECONOMIC APPLICATIONS

None were considered by this meeting of the Planning and Orders Committee.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered by this meeting of the Planning and Orders Committee.

10 DEPARTURE APPLICATIONS

10.1 VAR/2020/60 – Application under Section 73A for the variation of condition (08) (Landscape scheme) and (09) (Approved drawings) of planning permission reference 32C128F (Erection of a dwelling) so as to allow amended design and submission of a landscape scheme after work has begun on land at Ty Newydd, Llanfair yn Neubwll

The application was presented to the Planning and Orders Committee as the application is a departure from the development plan which the Local Planning Authority is minded to approve.

The Development Management Manager reported that part of the dwelling and its curtilage is located outside the settlement boundary defined under the provisions of policy PCYFF1 of the Joint Local Development Plan and it is therefore a departure from the current development plan. Given that there is an extant planning permission for a residential dwelling on the site it does not lead to a recommendation of refusal in accordance with the provisions of policy PCYFF1. She further said that the public consultation period does not come to an end until 11 February, 2021 and requested that the Officers be afforded power to act following the public consultation period if no new representations have been received.

Councillor T LI Hughes MBE proposed that the application be approved and Councillor Dafydd Roberts seconded the proposal.

It was RESOLVED to approve the application and to grant the Officer's power to act following the statutory public consultation period coming to an end.

10.2 FPL//2020/249 – Full application for the erection of a dwelling together with associated development (so as to amend the design and siting approved under application reference 42C258A) on land to the rear of Tyddyn Orsedd, Rhoscefnidir

The application as presented to the Planning and Orders Committee as the application is contrary to policies of the Joint Local Development Plan in which the Local Planning Authority is minded to approve.

The Development Management Manager reported that the application has extant planning consent and it is considered that the amendments to the design would be an improvement to the previous approved application. There has been opposition to the application by local residents due to private rights in respect of drainage of surface water but these are legal matters outside the planning remit and would need agreement before developing the site. Condition 1 within the report needs to be amended to reflect that the development shall begin no later than 8 December, 2022 due to the fall-back position as the site has an extant planning permission.

Councillor Robin Williams proposed that the application be approved and Councillor Eric W Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the planning conditions contained within the written report and that Condition 1 within the report be amended to reflect that the development shall begin no later than 8 December, 2022 due to the fall-back position as the site has an extant planning permission.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 MAQ/2020/29 – Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend design and remove condition (08) (drainage in relation to highways) at Parciau, Llanddaniel

The application was presented to the Planning and Orders Committee as the applicants are relevant officers. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Having declared a prejudicial interest in this application, the Development Management Manager left the meeting during discussion and voting thereon.

The Planning Built and Natural Environment Manager reported that this application is to make minor amendments to the development permitted in August 2020. The amendments refer to amending the glazing to the study on the ground floor front elevation by bringing it in line with the front elevation and rather than a bi-folding door arrangement, the glazing is changed to a more conventional window design with a single glazed door opening. Additionally, the applicants seek to remove condition 8 of the previous approved application as regards to surface water from within the curtilage of the site and the Highways Authority has confirmed that the removal of the condition is acceptable.

Councillor Dafydd Roberts proposed that the application be approved and Councillor Eric W Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions contained within the written report.

11.2 VAR/2020/74 – Application under Section 73 for the variation of condition (06) of planning permission reference 45C83E (conversion of the existing workshop into three dwellings) so as to allow the addition of 2 porches at Tre Wen, Pen Lôn, Newborough

The application was presented to the Planning and Orders Committee as the applicant is related to a relevant officer. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution. The application is a departure from the development plan which the Local Planning Authority is minded to approve.

The Development Management Manager reported that the application is for the variation of condition (06) of planning permission 45C83E to allow the addition of 2 porches at the front of the dwellings. She noted that there was no opposition to the application by the statutory consultees or local residents but it is reported to the Committee as it is in contrary to planning policy TAI 7 of the JLDP. She further said that the public consultation period does not come to an end until 18 February, 2021 and requested that the Officer's be afforded power to act following the public consultation period if no new representations have been received.

Councillor Eric W Jones proposed that the application be approved and Councillor Dafydd Roberts seconded the proposal.

It was RESOLVED to approve the application and to grant the Officer's power to act following the statutory public consultation period coming to an end.

12 REMAINDER OF APPLICATIONS

12.1 OP/2020/6 – Outline application for the erection of 31 new residential dwellings together with full details of a new estate road at land adjacent to Roebuck Estate, Llanfachraeth

The application had been withdrawn.

12.2 FPL/2020/264 – Full application for the erection of 8 business units (Class B1, B2 and B8), construction of soft and hard landscaping together with associated works on land at former Heliport Site, Penrhos Industrial Estate, Penrhos, Holyhead

The application had been withdrawn.

12.3 FPL/2020/195 – Full application for alterations and extension at Sea Shanty Café, Lon St Ffraid, Trearddur Bay

The application was presented to the Planning and Orders Committee as the application encompasses Council owned land.

The Development Management Manager reported that discussions have been undertaken with the applicant as regards to mitigation and ecological issues together with loss of sand dune areas and potential impact on lizards. She noted that the Council's Ecological and Environmental Adviser has been in discussions with the applicant as regards to moving some of the sand dunes as there is a statutory obligation under the Environmental Wales Act in maintaining and enhancing biodiversity; however the applicant does not own adequate land to meet the criteria. The applicant has offered mitigation proposals under the decking area at the site but the Ecological and Environmental Adviser does not consider that those measures are appropriate nor effective as regards to this application. The Development Management Manager said that due to the objection as noted by the Ecological and Environmental Adviser the recommendation is now of refusal of the application and the application will need to be deferred so as to allow Officer's to prepare a report to the next meeting of this Committee.

Councillor John Griffith proposed to defer the application and Councillor Robin Williams seconded the proposal.

It was RESOLVED to defer the application for the reasons given.

12.4 HHP/2020/302 – Full application for alterations and extensions at 38 Lon Conwy, Benllech

The application was presented to the Planning and Orders Committee at the request of a Local Member.

The Development Management Manager reported that the application is for alterations and extensions to the dwelling including the erection of a new conservatory and new raised patio area towards the rear of the property. The application was called in to the Committee by a local member due to concerns regarding overlooking and loss of privacy to neighbouring gardens. She said that the neighbouring gardens are significantly overlooked already as the current terrace is higher and a condition is proposed to erect screening on both sides of the garden.

Councillor R O Jones proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions contained within the written report.

12.5 MAO/2020/31 – Minor amendments to scheme previously approved under planning permission FPL/2019/7 (erection of primary school) so as to amend cladding and remove 2 classrooms on land adjacent to Bryn Meurig, Llangefni

The application was presented to the Planning and Orders Committee as the County Council is the applicant.

The Development Management Manager reported that the application is for minor amendments to the application approved under planning permission FPL/2019/7 as the capacity of the new school will be less than originally envisaged and the amended application is to remove two classrooms from the western part of the school.

Councillor Vaughan Hughes proposed that the application be approved and Councillor R O Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions contained within the written report.

12.6 FPL/2020/258 – Full application for conversion of existing tennis court into 3G synthetic surface, replacing existing fencing with new 4.5 metre high fence together with replacing existing lighting with new LED lighting at Garreglwyd Park, South Stack Road, Holyhead

The application was presented to the Planning and Orders Committee as the Holyhead High School and Cybi Primary School will be using the facilities during school hours.

Having declared a prejudicial interest in this application, Councillor Glyn Haynes and Councillor T LI Hughes MBE left the meeting during discussion and voting thereon.

The Development Management Manager reported that the application has been submitted by the Holyhead Town Council to convert the existing tennis court into a 3G synthetic surface which will provide wider activities on the site. The existing fence will be replaced with a 4.5m high open steel mesh fence, which is the recommended height for a 3G pitch. The proposal also involves replacing the existing 8 floodlights with 4 LED floodlights which will be fixed to the existing columns. She said that there are 3 letters of objections to the application and a further letter of objection has been received with regard to concerns as to noise, anti-social behaviour, traffic and parking problems together with the loss of the tennis court. The application will afford tennis provision as part of the baseball provision on site. The Development Management Manager referred to concerns as to disturbance to local residents the site will be afforded to school pupils and the site will be monitored with a CCTV system that is currently on site and a booking procedure will be required for the use of the site. The proposed 4 LED floodlights will improve the current situation and allow light to be contained within the site.

Councillor R O Jones proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions contained within the written report.

12.7 VAR/2020/66 – Application under Section 73 for the removal of condition (10) (obscure glazed screen) of planning permission reference FPL/2019/134 (erection of 8 apartments) at former Primary School, Pentraeth Road, Menai Bridge

The application was presented to the Planning and Orders Committee at the request of two local members.

The Development Management Manager reported that the application is to remove condition (10) of the planning permission FPL/2019/134 which refers to obscured glazed panels on the first and second floor balconies on the western facing elevation of the application which forms part of apartments 6 and 8. The approved apartments are in an advanced stage of construction but are yet to be occupied. Balconies together with a large amount of glazing are predominately positioned on the southern elevation of the apartment block. Whilst the balcony at apartment 6 is only positioned on the southern elevation, the balcony at apartment 8 is a wraparound balcony positioned on both the southern and western elevations. The Committee were afforded pictures of the view from the apartments to the garden of the property Bryn Afon; the property has a terraced garden together with steps and the garage blocks any view to the back of the property at Bryn Afon. The Development Management Manager said that it is considered that there is no unacceptable overlooking to the neighbouring property the recommendation was of approval of the application.

Councillor Robin Williams and a local member said that it is evident from the photographs shown to the Committee that there is overlooking into the neighbouring dwelling and the condition imposed on the approved application was to secure obscured glazing and he did not consider that the occupants of apartments 6 and 8 would be disadvantaged with obscured glazing which overlooks the neighbouring property. Councillor Robin Williams proposed that the application be refused and Councillor K P Hughes seconded the proposal of refusal.

It was RESOLVED to refuse the application contrary to the Officer's recommendation due to unacceptable overlooking to the neighbouring property.

In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report on the reasons given for approving the application.

13 OTHER MATTERS

None were considered by this meeting of the Planning and Orders Committee.

**COUNCILLOR NICOLA ROBERTS
CHAIR**