

Planning and Orders Committee

Minutes of the meeting held on 1 September 2021

PRESENT: Councillor Richard Owain Jones (Vice-Chair in the Chair)

Councillors John Griffith, Glyn Haynes, T LI Hughes MBE, K P Hughes, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts and Robin Williams.

Councillor R A Dew – Portfolio Holder – Planning.

IN ATTENDANCE: Chief Planning Officer (DFJ),
Planning Enforcement Manager (SO),
Lead Case Officer Major Projects (IWJ),
Development Management Engineer (Highways) (IWH),
Legal Services Manager (RJ),
Committee Officer (MEH).

APOLOGIES: Councillors Nicola Roberts and Ieuan Williams.

ALSO PRESENT: Local Members: Councillors Llinos M Huws (application 7.4); Aled M Jones (applications 7.1 and 7.3); Carwyn Jones, Gary Pritchard and Alun Roberts (application 7.2); Dylan Rees (application 12.3); Margaret M Roberts (applications 7.3, 12.2 and 12.4).

Councillors Jeff Evans, R LI Jones, Dafydd R Thomas.

Team Leader (DPJ), Senior Planning Officers (CR & GJ).

In the absence of the Chair, the Vice-Chair, Councillor R O Jones was in the Chair. Councillor Robin Williams was elected to serve as a Vice-Chair for this meeting of the Committee only.

1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

None received.

3 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 28 July, 2021 were confirmed as correct.

4 SITE VISITS

The minutes of the virtual site visits held on 18 August, 2021 were confirmed as correct.

5 PUBLIC SPEAKING

There were Public Speakers in respect of applications 7.1 and 7.4.

6 APPLICATIONS THAT WILL BE DEFERRED

None were considered by the Planning and Orders Committee.

7 APPLICATIONS ARISING

7.1 FPL/2019/251/EIA – Full application for the erection of a free range poultry unit (egg production) together with a manure store, feeding bins and associated works at Cae Mawr, Llannerchymedd

The application was reported to the Planning and Orders Committee as it is accompanied by an Environment Impact Assessment and has also been called in to the Committee by a Local Member. At the meeting held on 28 July, 2021 it was resolved to visit the application site. A virtual site visit took place on 18 August, 2021.

Public Speakers

Ms Wendy Pugh, spoke against the application and she expressed that the Council are under pressure to approve the application as the applicant's agents would appeal any refusal of the application and would claim costs against the Authority. She said that there are numerous poultry units in Powys that are similar to this planning application and are detrimental to the environment with cases of air and water pollution. Ms Pugh urged the Committee to refuse the application as there is a threat to neighbouring properties with regard to avian flu (bird flu) and water pollution. She further said that there is a potential of other farming enterprises converting to poultry businesses on the Island; the Island would face a similar situation as Powys with extensive poultry units in the county. Ms Pugh said that it is important that Anglesey keeps a reputation of good food production and this application will provide zero jobs to the area as was stated in a letter by NRW to the Council in 2019 which referred that hard standing construction will entail on the farm at Cae Mawr and staff will be able to walk from the farm to manage the poultry business. She further said that there has been limited consultation with the neighbouring properties as regards to this development and it is understood that there will be changes to the access to the site. Ms Pugh had concerns as to whom the neighbouring community would be able to complain to if any issues arose from such a

development at Cae Mawr as it will have a detrimental effect on the area.

Councillor John Griffith questioned as to the opinion of the objector as to the size of the poultry shed at Cae Mawr. Ms Pugh responded that the size of the shed is extensive within the local countryside and will be visible from the road and a neighbouring property. She said that there are deep concerns in the area as to the odour that will entail from the site and she further said that she had been in contact with people across Wales who have such a development near their homes and who have commented on the effects of such poultry farms on the environment.

Ms Gail Jenkins spoke in support of the application and said that the applicants wish to extend their business venture at Cae Mawr and intend to be able to produce high standard local food whilst protecting the environment and wildlife together with being respectful to the local community. Through the planning process the applicants have considered the concerns of their neighbouring dwellings and have worked with the Planning Authority to address any issues. The application has received detailed scrutiny by all Statutory Consultees, the Planning Officer, and an Independent Consultant, since its validation on the 2nd March 2020. The comprehensive report of the Planning Officer recommends the development be permitted subject to planning conditions. The development is adjacent to the existing farm complex in line with national and local planning policies. The height of the building - to the eaves the proposed building is 3.5 metres, 6.39 m to the ridge this is lower than existing farm buildings and indeed lower than many agricultural buildings across the Isle of Anglesey. The buildings, and feed bins have been coloured Juniper Green to assist with their integration into the landscape. Additional landscaping has been proposed in the form of a new native species hedgerows, retaining, and allowing existing hedgerows to grow in height along the county highway to screen the development, extensive woodland planting and planting native species plants in existing hedgerows on the farm. The development is a state-of-the-art agricultural facility that will meet and exceed current legislation through innovation and technology.

The unit is one of only a handful across Wales that will utilise ammonia scrubbers within to purify the air and extract ammonia prior to it entering the atmosphere reducing any negative impact on adjoining protected sites, in particular Llyn Alaw, as detailed in the ammonia modelling reports, NRW are the governing body in this regard and are supportive. A manure store is proposed, which will provide sealed poultry manure storage with six months capacity in line with the Water Resources (Control of Agricultural Pollution) Regulations 2021. The Highways Authority have considered the Transport Statement and a Highways Improvement plan is proposed to provide visibility splays in both directions, parking and turning areas on site. Over the course of a year the additional movements to the site will be 3.76, considered negligible. Noise, flies, odour and amenity have all been addressed and the Environmental Health Officer is supportive. The application is subject to lengthy detailed conditions proposed by the many Statutory Consultees who are all supportive. The applicants agree with all conditions. The proposal is in line with Planning

Policy Wales, TAN 6, TAN 23, and the polices of the Isle of Anglesey Joint Local Development Plan.

Councillor John Griffith questioned whether the access to the site is adequate to be able to sustain the amount of HGV's that will be travelling to and from the site on a regular basis in delivering feed and processing cycle of the poultry off site after a period of 14 months. He further questioned whether the access to the site is sustainable to alleviate any risk to motorist travelling past the site. Ms Jenkins responded that there are highways improvements within the application which has been supported by the Highways Authority. She noted that HGV's already visit the Cae Mawr farm with the delivery of feed for the farming enterprise of sheep and cattle that already exists on the farm. The visibility splay from the access of the farm will be enhanced and will have no impact on passing traffic.

Councillor John Griffith expressed that there is a risk of discharge of effluence from the site into the watercourses that could contaminate the drinking water at Llyn Alaw. Ms Jenkins responded that with regard to risk of pollution the application is supported by a Risk Pollution Plan and the development if granted approval would be regulated by the RSPCA with regard to the welfare standards and via Welsh Government as regards to compliance of regulations. She noted that a manure store will be located on site which has a six months capacity and will be a sealed unit with no possibility of rain water seeping into the manure store. The manure store has a manure drying system within the poultry production unit that alleviates ammonia. She further said that a Manure Management Plan is attached to the application which will restrict the spreading of manure on the land and 10 metres from the watercourses.

Councillor Dafydd Roberts questioned whether there are examples of similar process of ammonia scrubbing equipment on other poultry farms and whether they are efficient to alleviate odour which can be detrimental to neighbouring properties. Ms Jenkins responded that all the manure will be within a sealed unit and will only be spread on the land when required which could only be twice a year, the applicants wishes to be sensitive to their neighbouring properties. She gave an example of a similar poultry unit in Carmarthenshire area which is similar to this application and there have been no issues relating to odour and noise from that farm.

Councillor Aled M Jones, a Local Member said that this application has been submitted by a farming family who wish to ensure the future success of the farm for future generations. He noted that the proposed development will secure the 2 workers employed on the farm together with the creation of 2 jobs if this application was approved. The access to the farm will be enhanced as part of the planning conditions and a Transport Impact Assessment has been submitted with the application. The poultry shed will not be visible from the highway as it will not be any higher in height than the current buildings on site. Councillor Jones further said whilst the application site falls within the Llyn Alaw drinking water catchment area, NRW and Welsh Water have assessed the application together with regulated agricultural consultees.

The Chief Planning Officer reported that there are policy frameworks to support such agricultural developments within the countryside but it must consider the effects on the environment and amenities of the locality. The noise, odour and transports effects is highlighted within the report to the Committee. He said that on balance it is considered that the proposed development respect the main thrust of planning policy by providing an economic opportunity within the open countryside whilst also protecting the environment. The recommendation is therefore of approval with conditions as highlighted within the Officer's report.

Councillor John Griffith and a Local Member gave an in-depth assessment of the concerns locally as regards to the detrimental impact upon the environment and on the nearby Llyn Alaw, SSSI and Ancient Woodland. Concerns also as regards to drainage and foul water from the site, the size of the shed to hold 32,000 poultry and the increase traffic and highway safety. He noted that the proposed development would have a detrimental impact upon the landscape and upon the tourism industry. Councillor Griffith referred that pollutants will occur in the air from the housing of poultry on the site which could affect the wildlife. He said that odour an amonia will come from the site that will affect the local residents and especially when the manure is spread on the land.

Councillor K P Hughes, and a Local Member said that whilst there are local concerns as regards to this development the statutory consultees have addressed these concerns as is noted within the Officer's report. He noted that concerns as regards to the drinking water at Llyn Alaw have been addressed by Welsh Water as all the mitigation measures have been addressed as regards to the manure control on the site. He considered that the local amenities will not be affected as there is adequate distance between neighbouring properties.

Councillor Eric W Jones said that there is emphasis now for food production and he noted that the applicants have said that they will use local contractors and builders to erect the shed and hard standings at Cae Mawr. Feeding for the poultry will also be sourced locally. Councillor Eric Jones proposed that the application be approve in accordance with the Officer's recommendation. Councillor K P Hughes seconded the proposal of approval.

Councillor John Griffith proposed to refuse the application contrary to the Officer's recommendation. There was no seconder to the proposal.

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

7.2 FPL/2019/338 – Full application for the part removal of the existing concrete sea defence wall and the erection of a replacement sea defence wall in its place on the boundary of Cerrig, Penmon

The application was reported to the Planning and Orders Committee at the request of the Local Members. At the Committee's 7 July, 2021 meeting it was resolved that a site visit was required. A virtual site visit was subsequently carried out on 21 July, 2021. The application was deferred at the previous meeting held on 28 July, 2021 following the receipt of amended plans which

change the design of the proposed sea wall from a sheet pile reinforced concrete plinth.

The Chief Planning Officer reported the applicant has indicated that if the application was to be approved by this Committee a request would be made to extend to working hours of the development from 6.00 a.m. to 9.00 p.m., Monday to Friday so as to complete the works as soon as possible. He noted that the site is located within the designated Special Area of Conservation (SAC), AONB, Site of Special Scientific Interest (SSSI) and within a Scheduled Monument Boundary. The site also lies within the Anglesey Coastal Management Area and the C2 Flood Zone. The Wales Coastal Path adjoins the application site also. The Planning Authority considers that the construction of private sea defence is acceptable, however such a sea defence will affect the area but the current sea defence wall is not of the highest standard at present. The Chief Planning Officer further reported that extensive consultation has taken place with statutory consultees as noted within the Planning Officer's report and it is considered on balance that the development is acceptable in planning terms. However, it is accepted that stringent control on works on the site will be required to protect the environment and a number of conditions have been attached to any approval of the application. The recommendation was of approval of the application.

Councillor Carwyn Jones, a Local Member said that whilst appreciating the Committee having had a virtual site visit to the site it does not compare to being on site to appreciate the sensitivity of the area in terms of biodiversity. The sea defence wall will be 7 metres in height and over 100 metres in length within a sensitive area of SSSI and SAC and serious damage will result as regards to a historical ecological site. The Ffordd Lleiniog Beach attracts geologist, historians and ecologist from across the World to visit this part of this important area with rock formations from the Ice Age. This site is of International importance and the damage of approving this application will never restore the site to its current position. Councillor Jones further expressed that there are 50 properties along the coastal area and he noted that a properties known as The Pines will be affected by this development due to the sea defence being erected and tidal erosion will occur.

Councillor Gary Pritchard, a Local Member said that he was given to understand that permission to use the car park for storage of heavy machinery at the Lleiniog Beach would have been refused and he was disappointed therefore that the application was before the Planning Committee for consideration. He noted that driving and dragging heavy machinery across the beach would have a detrimental effect on an important and significant beach at Lleiniog and there are serious concerns within the local community, local elected members and Community Council to the damage that will result to the Ice Age geological site that would be lost if this development was approved and would be environmental vandalism. He noted that Bangor University Geology Department regularly visit the site to educate and research the rock formation which is identified as the best example in Europe.

Councillor Alun Roberts, a Local Member reiterated his fellow Local Members concerns as regards to this controversial application as this area is of International importance due to the rock formation during the Ice Age. He noted that whilst he appreciated that the applicant wishes to defend his property from coastal erosion, detrimental effect to the area will be significant and will not be restored to its original state and will also affect marine processes. He further said that local concerns have been expressed that a comprehensive report on other neighbouring properties and land near the site has not been available. Allowing heavy machinery on the beach will have a detrimental effect on the beach which is of significant important due to sensitivity of the area and will not be able to be restored.

The Local Members expressed strongly that the application should be refused for the reasons given.

Councillor John Griffith referred that the applicant having expressed that if the application was approved that a request would be made to extend the working hours to 6.00 a.m. to 9.00 p.m. Councillor Griffith ascertained that if the works was to commence in the winter months there would be a need for flood lighting to carry out the work and this would have an effect on neighbouring properties. The Chief Planning Officer responded that there are a number of planning conditions that would need to be adhered to and also the developer would need to secure the use of the Lleiniog car park as a compound for the heavy machinery for the work to be able to commence but this is a matter outside planning permission. The Planning Officer said that a condition has been imposed for a Restoration Plan before commencement of work with regard to the car park. Councillor Griffith further said that the applicant has expressed that he is unable to use the land around his property for sea defence due to the different levels of the land and the beach. He questioned whether the Planning Officer has checked the level of the land and whether they agree with the statement by the applicant. The Chief Planning Officer responded that the statement by the applicant refers that it would be dangerous to carry out the works above the wall. He noted that rocks will be removed from under the wall which would result in weakening the wall. Councillor Griffith further questioned whether the footpath near the site will remain. The Chief Planning Officer responded that there will be no effect on the footpath.

Councillor Dafydd Roberts ascertained whether the applicant will mitigate any side effects on neighbouring properties as regards to this development of the sea wall defence as it will have an effect on the hydrodynamics of the sea. The Chief Planning Officer considered that such a condition would not be appropriate as there would need to be evidence that a direct link to the development would have an effect on other properties. The Legal Services Manager said that any displacement of sea defence ought to have been considered by NRW (as the relevant consultee) during the statutory consultation on the application. The Planning Officer said that a Marine License will be required which is regulated by Natural Resources Wales.

Councillor Eric Jones ascertained whether the applicant is the owner of the current sea wall. The Planning Officer responded that the applicant is the

owner of most of the sea defence wall but part of the wall is in the ownership of the Crown Estate. A Certificate B has been submitted with the application and it is understood that the applicant is in the process of purchasing a piece of land from the Crown Estate.

Councillor Robin Williams said that having listened to the concerns of the Local Members it proposed that the application be refused contrary to the Officer's recommendations. Councillor Glyn Haynes seconded the proposal of refusal.

In the subsequent vote the proposal to refuse the application contrary to the Officer's recommendation was carried by 6 votes.

Councillors K P Hughes and T LI Hughes MBE abstained from voting.

It was RESOLVED to refuse the application contrary to the Officer's recommendation as it was deemed that the development would have a detrimental effect on the sensitive area and there is a lack of assurances as to the side effects in the future of such a development. The development is considered contrary to policies PCYFF 2 and 3 and PS20 of the Joint Local Development Plan.

(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 in respect of the reason given for refusing the application).

7.3 VAR/2021/27 – Application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (conversion of a church into a dwelling together with a construction of a new vehicular access) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol

The application was reported to the Planning and Orders Committee having been called in by the Local Member due to highway and impact on the landscape surrounding the church. At the Committee's 2 June, 2021 meeting, members resolved to visit the site. A virtual site visit took place on 16 June, 2021. At the previous meeting held on 28 July, 2021 it was resolved to refuse the application contrary to the Officer's recommendation as it was deemed a turn circle is required in the interests of highways safety.

Councillor A M Jones, a Local Member asked the Committee to refuse the application for the variation of condition so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol as was resolved at the last meeting as it deemed essential to highways safety. He said that it was evident at the virtual site visit the applicant's vehicle coming into contact with stones alongside the boundary when turning his vehicle.

The Chief Planning Officer said that the Planning Officer's recommendation is to approve the application as it is considered that it is possible to manoeuvre a vehicle on site and the Highways Authority is in agreement. There is already

consent for the conversion of the Church with a parking space on site. The wall that the applicant's car came to contact with on the virtual site visit will be demolished as part of the planning approval.

Councillor R O Jones, the Vice-Chair in the Chair ascertained whether the proposal was for a one or two bedroomed accommodation; the development would need space for 1 ½ parking spaces if it was a 2 bedroomed dwelling. The Planning Officer confirmed that the development was for a two bedroomed dwelling.

Councillor John Griffith proposed that the application be approved. Councillor Dafydd Roberts seconded the proposal of approval.

Councillor R O Jones proposed that the application be refused as he considered that a turntable needed to be on site contrary to the Officer's recommendation. There was no seconder to the proposal of refusal.

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

7.4 FPL/2020/215 – Full application for the erection of 23 dwellings (including 4 apartments) together with the creation of two new access and associated development on land adjacent to Lon Lwyd, Pentraeth

The application was presented to the Planning and Orders Committee at the request of a Local Member. At the Committee's 27 July, 2021 meeting, members resolved to visit the site. A virtual site visit took place on 18 August, 2021.

Public Speaker

Mr Tony Hughes, in support of the application said that the application is for the erection of 23 no affordable dwellings together with associated development including accesses, internal estate roads, public open space including community orchard and play areas, and soft/hard landscaping. The proposed development is supported by Policy TAI 16 of the Joint Local Development Plan. It will to provide 100% affordable housing for local people on land immediately adjacent to the village boundary as defined by the Local Development Plan. It has been confirmed by the Council's Housing Department that there is a significant need for all the affordable houses within the development, so much so that of 10 of the units will be constructed for the Councils Housing Service. There are no other available suitable sites which can provide this level of affordable homes either within, or adjacent to, the development boundary of Pentraeth. The proposed development is within the Anglesey Coastal AONB. The application is supported by Landscape Visual Appraisal (LVA) and it is considered by officers that the proposed development would not have a detrimental impact upon the surrounding landscape so as to make it unacceptable. A key benefit of the development will be the provision of land for a public open

space, play area and community orchard area, designed to enhance the site setting. In addition a commuted sum of £28,742.85 will be provided to equip the area. We agree with the Planning Officer's assessment that there is an identified need in Pentraeth for affordable dwellings with no alternative sites within the development boundary which can be delivered in a reasonable timescale to address the need. In respect of AONB impact, this part of Pentraeth is bounded by dwellings to one side and housing/employment land to the other. The proposed development includes sensitive boundary treatment, open space and landscaping which will help integrate the built form of the development boundary and AONB / open countryside when viewed from within the AONB. This view is supported by NRW and the Council's AONB Officer during the consultation responses who both offered no objection. The ambition of Welsh Government to increase supply and shorten the timescales for delivery of more housing including social rented across Wales, remains a high priority. The shortage of affordable housing is growing and ClwydAlyn support this planning application to meet the high need for affordable homes. New housing, also delivers many other benefits to local economies and communities including through material supplies, labour and skills, creating communities which contribute to the village economy and community retain Welsh speaker, support schools, apprenticeships and provide employment through long asset management. Overall ClwydAlyn are to invest over £60 million pounds with approximately £35 million in Welsh Government investment to deliver about 260 units in Ynys Mon for the next 5 to 7 years.

Councillor Margaret M Roberts, a Local Member expressed concerns as to the lack of information afforded as regards to this application. She ascertained whether there are assurances that the affordable housing will be for local people. She further said that the unreasonable house prices and influx of holiday homes throughout Britain is of immense concern and especially in Wales and Anglesey as the threat to the Welsh language is also of concerns. The Welsh Government and all residents identify the need to protect the Welsh language and she questioned whether this development would protect the Welsh language. Councillor Roberts said that the access to Lon Lwyd from the A5025 is extremely busy and especially during the summer months and the development of the site will increase traffic problems in the area. Local residents with children have expressed concerns as having to walk on a narrow pavement to take their children to Pentraeth Primary School and she questioned whether there is an intention to widen the pavement. She further said that the area is within an AONB with historical hedges which provides nesting for birds and other wildlife habitats. She said that much more information is needed before a decision is taken as regards to this application.

The Chief Planning Officer reported the application site is within the AONB and lies immediately adjacent to the settlement boundary of Pentraeth as identified within the Joint Local Development Plan. He noted that there are planning policies which allow for such development as they are for

affordable dwellings and that there is a local need within area. The Housing Service has conducted a housing needs assessment which has resulted in identifying local need for such affordable dwellings. The site is on the main Programme Development Plan (PDP) to receive Social Housing Grant by the Authority during 2021/22 and it is therefore considered there is a high element that this site will be brought forward within a reasonable timescale. He further said that it is considered that the development will merge into the area as it will fill in the gap between the development boundary of the village of Pentraeth. The Chief Planning Officer further reported that the application includes a Welsh Language Assessment which resulted that it would not have a detrimental effect on the language in the area. The recommendation is of approval of the application subject to a Section 106 agreement securing affordable housing and open space provision. The Planning Officer reported that planning policy TAI 16 of the Joint Local Development Plan is relevant to this application as all units would have to be affordable housing that meets a defined local need. A survey of housing need has been presented with the application and the Housing Service has confirmed that there is a need for such development of affordable housing in the area.

Councillor Vaughan Hughes said that the applicants will need to sign a Section 106 agreement for the whole site to be affordable dwelling. He questioned as the prices that is expected to be for such affordable dwellings in this specific site. The Chief Planning Officer responded that the dwellings will be let for social rented accommodation, affordable rents or intermediate rents of which a share of the dwelling can be sold below the market value of the property. The prices of the dwellings has not been shared with the Planning Authority but there is a specific criteria as to whom is eligible for affordable housing. The Planning Officer said that there will a mixture of dwellings within the development with 2, 3 and 4 bedroom dwellings and the prices will vary.

Councillor T LI Hughes MBE ascertained whether the Social Housing Grant was guaranteed for the construction of this development. The Chief Planning Officer responded it is part of the Council's Development Plan for the Social Housing Grant.

Councillor K P Hughes proposed that the application be approved as there is a need for social housing across the Island and a housing needs survey has been undertaken within the Pentraeth area which has shown the need for affordable dwellings. Councillor Eric W Jones seconded the proposal of approval of the application.

Councillor Vaughan Hughes abstained from voting.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and that a Section 106 agreement be imposed that 100% of the development be

for affordable dwellings together with a play area and communal area as detailed in the report.

7.5 FPL/2021/111 – Full application for change of use of agricultural land into holiday chalet site, siting of 30 holiday chalets buildings, erection of reception building, engineering works to create lake, construction of private roads, construction of parking areas, soft and hard landscaping together with associated works on land at Penmynydd Farm, Caergeiliog

The application was reported to the Planning and Orders Committee as it has been called in by a Local Member. At the meeting held on 28 July, 2021 it was resolved to visit the application site. A virtual site visit took place on 18 August, 2021.

The Chief Planning Officer reported that additional information has been submitted by the applicants as was noted within the Planning Officer's report. An application for a similar proposal was refused by the Council and subsequent appeal was dismissed in February, 2020 on the basis that the proposed development was not deemed to be in a sustainable location as it is not so well served by local services and public transport for it to be described as accessible by means of active travel and public transport being instead of overly dependent on private car use. Some amendments to the proposal have been made with the introduction of a reception building and an on-site café and boating lake as well as cycle and canoe hire facilities. However, the inclusion of these retail elements to make the development more self-contained reinforces the Council's view that the proposal is located in an unsustainable location. Since the appeal was dismissed in February, 2020 the SPG on Tourism Facilities and Accommodation has been formally adopted by the Council and this lists factors that will be assessed in determining whether a development is high quality or not and includes as a consideration sites being in a sustainable location which serves to lend further weight to the objections on sustainability grounds. He further said that in planning terms the proposal has not materially changed and the proposed development is therefore deemed to be still situated in an unsustainable location making it reliant on private car use. The recommendation is to refuse the application.

Councillor Llinos M Huws, a Local Member said that the recommendation of the Officer's in respect of the previous application that was refused was due to environmental issues and not sustainability issues. However, during the appeal process the Planning Inspector had raised issues of sustainability issues on the site. The applicant's has included within the proposed application on-site facilities, however he would like to have seen the visitors to the site having been able to help the local economy with shopping locally in the area. She further noted that the VOSA site is located at the entrance to the Penmynydd Farm, Caergeiliog at it is evident that the access to the site is convenient. Councillor Huws further referred that the Planning Inspector during the appeal process visited Caergeiliog village rather than the village of Bodedern where there is a butcher, shop, garage and hairdressers. A footpath has also been developed as part of the Route to Schools grant that was afforded to the Authority to the village of Bodedern. She further said that the applicant

considers that the development of such a facility will alleviate the problem of local properties been purchases for holiday facilities and would result in the availability of houses to be purchased by local residents. The Chief Planning Officer said that the previous application was deemed unsustainable by the Planning Officers. He accepted that the VOSA site is located at the entrance of the proposed site and is accessible from the A55 but it is evident that visitors to the site would be dependent on using their cars.

Councillor John Griffith and a Local Member referred to appeals recently on other facilities on the Island as regards to sustainability and environmental issues. Councillor Griffith ascertained the view of the Planning Officer's in this regard. The Chief Planning Officer responded that this application needs to be considered by the Committee in respect of its own merit. He expressed that this application is a substantial application in respect of its size and the applications that the Elected Member has referred to are different within planning context.

Councillor K P Hughes and a Local Member said that as in the last meeting he took a different view to that of the Officer on the basis of policy. National policy guidelines recognise the importance of tourism development to the rural economy as long as developments are in a suitable location. The JLDP notes that new developments should be in a location that is unobtrusive which means that it is well screened by existing landscape features without too many features that are not natural. Councillor Hughes expressed that the application site is within a sustainable area and is located in an unobtrusive area and lends itself to this type of development. The Planning Inspector had no concerns on this point and disagreed with the Officer's standpoint at the time concluding instead that the development was appropriate in its location and would not have a harmful impact on the character or appearance of the surrounding countryside. There has been reference to road safety concerns for pedestrians, however, Highways Authority does not share these concerns as there has been the construction of a footpath towards the village of Bodedern and along Junction 4 of the A55 and is recognised as a safe route to schools. Councillor Hughes considered that there is no planning reasons to refuse the application and proposed that the application be approved contrary to the Planning Officer's recommendation. Councillor Eric W Jones seconded the proposal of approving the application.

Councillor Robin Williams proposed that the application be refused in accordance with the Officer's recommendation. Councillor John Griffith seconded the proposal of refusal.

In the subsequent vote the proposal to refuse the application in accordance with the recommendation of the Officer's was carried by 6 votes to 2.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation.

8 ECONOMIC APPLICATIONS

8.1 FPL/2021/100 – Full application for the erection of 6 business units (Use Class B1, B2 and B8) together with associated development on Plot 1 Tregarnedd Industrial Park, Llangefni

The application was reported to the Planning and Orders Committee as the Council has submitted the application.

The Planning Enforcement Manager reported that the proposed development is considered to be acceptable and conforms with planning policies. As noted in the report NRW have raised concerns in relation to the potential impact of the development upon protected species but these concerns can be overcome through imposing appropriate conditions.

Councillor Eric W Jones proposed that the application be approved and Councillor T LI Hughes MBE seconded the proposal.

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 VAR/2021/48 – Application under Section 73A for the variation of condition (06) (Approved Plans) of planning permission reference VAR/2020/76 (Erection of a dwelling) so as to amend the design on land adjacent to Brynteg, Llansadwrn

The application was reported to the Planning and Orders Committee as the proposal is contrary to planning policies of the Joint Local Development Plan which the Local Planning Authority is minded to approve.

The Planning Enforcement Manager reported that the application is made under Section 73A for the variation of condition (06) a condition on the previous permission VAR/2020/76 so as to amend the design of the dwelling at Brynteg, Llansadwrn. The application is contrary to Policy TAI 6 of the Joint Local Development Plan, however a fall-back position exists as the site benefits from an extant planning permission.

Councillor K P Hughes proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

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

10.2 VAR/2021/51 – Application under Section 73 for the variation of condition (13) (approved plans) of planning permission reference 36C328B (erection of dwelling and garage) so as to allow amended garage plans on land adjacent to Bodafon, Llangristiolus

The application was reported to the Planning and Orders Committee as the proposal is contrary to planning policies of the Joint Local Development Plan which the Local Planning Authority is minded to approve.

The Planning Enforcement Manager reported that the application is made under Section 73A for the variation of condition (06) a condition on the previous permission 36C328B to allow an amended design for the proposed garage, to slightly increase the footprint to incorporate a second floor for a home office and studio/gym. He noted that the previous planning permission has been lawfully implemented and as there remains a 'fall-back position' the proposal is considered acceptable and represents an overall improvement to the previously approved plans.

Councillor Eric W Jones proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

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

10.3 VAR/2021/22 – Application under Section 73 for the removal of condition (02) (flood defence structure) of planning permission reference 49C289K/VAR at Cleifiog Fawr, Gorad Road, Valley

The application was reported to the Planning and Orders Committee as the proposal is contrary to planning policies of the Joint Local Development Plan and the Local Planning Authority is minded to approve the application.

The Planning Enforcement Manager reported that the application is made under Section 73 for the removal of condition (02) (flood defence structure) of planning permission reference 49C289K/VAR. He noted that NRW have confirmed that they are satisfied with the Addendum Flood Consequence Assessment which is a revision of the previously compiled report from 2016. NRW have also confirmed that they are satisfied with the finished floor level being set a 3.82m Above Ordnance Datum.

Councillor John Griffith said that flooding occurs near this area as the land is below sea level. The Planning Enforcement Manager responded that NRW have been consulted as regards to this application and are satisfied as is noted within the Officer's report to the Committee.

Councillor John Griffith proposed that the application be approved and Councillor T LI Hughes MBE seconded the proposal.

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12 REMAINDER OF APPLICATIONS

12.1 FPL/2021/144 – Full application for part demolition works together with alterations and extensions to create additional units at Llys y Gwynt, Llanfawr Close, Holyhead

The application was reported to the Planning and Orders Committee at the request of a local Member.

Councillor Glyn Haynes proposed that a virtual visit be conducted so as to allow the Committee to view the site in its context. Councillor T LI Hughes MBE seconded the proposal of a site visit.

It was RESOLVED that a virtual site visit be carried out in accordance with the Local Member's request for the reasons given.

12.2 FPL/2021/145 – Full application for the siting of 2 shepherd huts at Rhosydd, Brynteg

The application was reported to the Planning and Orders Committee at the request of a local Member.

Councillor Margaret M Roberts, a local member requested that a virtual site visit be conducted to allow the Committee to view the site in its context.

Councillor Robin Williams proposed that a virtual site visit be conducted and Councillor T LI Hughes MBE seconded the proposal of a site visit.

It was RESOLVED that a virtual site visit be carried out in accordance with the Local Member's request for the reasons given.

12.3 HHP/2021/183 – Full application for alterations and extensions together with the erection of a garden room at Dirion Dir, Llangefni

The application was reported to the Planning and Orders Committee at the request of a local Member.

Councillor Dylan Rees, a local member requested that a virtual site visit be conducted to allow the Committee to view the site in its context.

Councillor Robin Williams proposed that a virtual site visit be conducted and Councillor K P Hughes seconded the proposal.

It was RESOLVED that a virtual site visit be carried out in accordance with the Local Member's request for the reasons given.

12.4 HHP/2021/157 – Full application for alterations and extensions at The Old Smithy, Marianglas

The application was reported to the Planning and Orders Committee at the request of a local Member.

Councillor Margaret M Roberts, a local member requested that a virtual site visit be conducted to allow the Committee to view the site in its context.

Councillor John Griffith proposed that a virtual site visit be conducted and Councillor Vaughan Hughes seconded the proposal of a site visit.

It was RESOLVED that a virtual site visit be carried out in accordance with the Local Member's request for the reasons given.

13 OTHER MATTERS

13.1 FPL/2021/198 – Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit together with associated works on land at Bryn Gollen Newydd, Llannerchymedd

The Chief Planning Officer reported that the application is a repeat application of the one refused by the Committee at its meeting held on 7 July, 2021 for the retention of the existing structure that has been built without planning permission and the continuation of the works for the erection of a new holiday unit together with associated works. No new material planning considerations arise from those dealt with in the refused application. He further reported that Section 70B(4)(b) of the Town and Country Planning Act 1990 gives local planning authorities the right to decline to determine planning applications that have been refused by them within which an appeal in respect of a similar application can be made to the Welsh Ministers under Section 78 has not expired; the appeal process is still valid for the applicant to appeal the decision. The recommendation was that the Planning Authority decline to determine the application before the Committee.

Councillor K P Hughes expressed that following information from planning experts he considered that the Planning Authority has a duty to determine applications received. He noted that similar applications have been determined in the past which have gone to appeal such as an application at Cae'r Ddol, Bodorgan when the planning authority considered that the application was not within a sustainable area and would be dependent on the use of private vehicles but the Planning Inspector disagreed. Councillor Hughes gave this examples as these are similar applications for holiday units within the open countryside. He noted that there has been no objection locally

to this application neither from the Community Council and he considered that it was within a sustainable area. Councillor Hughes proposed that the application be deferred to allow the rights of the applicant and his agent to speak on this application. Councillor John Griffith seconded the proposal of deferring the application.

Councillor Dafydd Roberts proposed to support the recommendation of the Officer's to decline to determine the application. There was no seconder to the proposal.

It was RESOLVED to refuse the recommendation to decline to determine the application by Officer's.

(In accordance with the decision, a report on the substantive application together with a recommendation by Officers will be brought before the Committee).

**COUNCILLOR R O JONES
VICE-CHAIR IN THE CHAIR**