

Planning and Orders Committee

Minutes of the hybrid meeting held on 5 April 2023

- PRESENT:** Councillor Ken Taylor (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, Neville Evans, Trefor Lloyd Hughes, MBE, John I. Jones, R. Llewelyn Jones, Jackie Lewis, Dafydd Roberts, Robin Williams, Liz Wood.
- Local Members: Councillors Douglas Fowlie (for application 13.5), Llinos Medi (for application 8.6), Dylan Rees (for application 8.5)
- Councillor Nicola Roberts (Portfolio Member for Planning, Public Protection and Climate Change and Local Member for application 13.4)
- IN ATTENDANCE:** Development Management Manager (RLJ)
Group Engineer (Development Control and Traffic Management (AR)
Planning Portal & Systems Support Officer (MO)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** None received
- ALSO PRESENT:** Councillors Pip O'Neill, Ieuan Williams, Arfon Wyn, Senior Planning Officer (SOH), Senior Planning Officer (JR), Business Systems Manager (EW)
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1 ELECTION OF CHAIRPERSON

Councillor Ken Taylor was elected Chairperson of the Planning and Orders Committee and he thanked his fellow committee members for the honour and trust placed in him. He also thanked his predecessor, Councillor Neville Evans for his contribution during his tenure as Chair of the Committee.

2 APOLOGIES

None received.

3 DECLARATION OF INTEREST

Councillor Jeff Evans said that he wanted to indicate a declaration of interest with regard to applications 8.1, 8.2 and 8.3 and that further he was asking that consideration of these items be deferred because he did not consider it right, fair or just for any parties concerned that the applications be determined before the legal issues have been resolved.

The Chair advised that Members would have an opportunity to express their views on those applications at the appropriate time in the order of business.

4 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 1 March, 2023 were presented and confirmed as correct subject to amending the first sentence of the fourth paragraph at page 10 under application 7. 2 to read, "*Councillor Geraint Bebb said that during the site visit to the proposed application site that the land is very wet.*"

5 SITE VISITS

None convened since the previous meeting of the Planning and Orders.

6 PUBLIC SPEAKING

There were Public Speakers in respect of applications 13.4 and 13.6 on the agenda.

7 APPLICATIONS THAT WILL BE DEFERRED

None were considered by this meeting.

8 APPLICATIONS ARISING

Submitted for the Committee's information - A copy of a letter to Richard Buxton Solicitors dated 28 March, 2023 by Burges Salmon LLP addressing issues raised with regard to the implementation of the Land and Lakes permission under reference 46C427K/TR/EIA/CON.

The Legal Services Manager was invited by the Chair to explain the context to the letter by Burges Salmon LLP.

Councillor Jeff Evans raised a point of order saying that he wanted to speak about a deferral of applications 8.1, 8.2 and 8.3 and that he believed this should be heard before anyone else spoke on the matter especially as he had indicated an interest in those applications and would therefore be withdrawing from the meeting if they were discussed.

The Chair ruled that the Legal Services Manager would be speaking in advance of the consideration of applications 8.1, 8.2 and 8.3 and he assured Councillor Evans and other members of the Committee that they would be able to speak when those substantive items actually came to be considered.

The Legal Services Manager explained that Land and Lakes were granted planning permission to develop the Penrhos, Cae Glas and Kingsland sites several years ago. In January, 2023 the Council received a letter by Richard Buxton Solicitors which he understood was available on social media channels and was therefore public, which challenged the permission. In recognition of the significance of the application to local residents, the Council sought to respond to the letter in a way that was transparent and available to all interested parties. Working with Burges Salmon who have been engaged by the Council for many years to provide advice with regard to the Land and Lakes application, the letter which has been published as part of this meeting's documentation, was drafted. The Legal Services Manager said that he would not go into the letter in detail only to say that it was technical in its contents and that it responded to matters that were also technical in their nature. However, the conclusions set out at the end of the Burges

Salmon letter are couched in less technical terms and are clear, and they represent the Council's standpoint on the matter. A further letter from Richard Buxton Solicitors was received on 3 April, 2023 which he understood was also available on social media; this letter has been considered by Officers and has been discussed with Burges Salmon and the Officers are satisfied that it does not raise any new issues of substance nor alter the conclusions set out in the letter by Burges Salmon.

The Legal Service Manager advised that the matters raised in the letters do not involve applications 8.1, 8.2 and 8.3 on the agenda for this meeting, since these are about specific, detailed issues under the planning permission and Section 106 agreement. He clarified that the Council had not published the correspondence by Richard Buxton Solicitors as not having ownership of the correspondence it has not the right to do so, the correspondence in any case being accessible on social media.

8.1 46C427L/COMP – Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON at Land and Lakes, Penrhos Coastal Park, Holyhead

The application was reported to the Planning and Orders Committee as it related to the discharge of obligations of a Section 106 Agreement attached to the consent of an application which was accompanied by an Environmental Impact Assessment. It was therefore referred to the Committee for determination in accordance with paragraph 3.5.3.10 of the Council's Constitution.

Councillor Jeff Evans was at this point invited to speak by the Chair; Councillor Evans reiterated that he had declared an interest in this and subsequent applications 8.2 and 8.3 and would be leaving the meeting should they be discussed. He said that he would not be participating nor voting on the applications until all the legal arguments, issues and challenges had been fully considered and resolved to the satisfaction of all parties. He thought that taking this course was right, honest and fair and would allow everyone to be confident that planning matters take full and unbiased consideration of all persons' views whether they be for or against. That is why he was asking that applications 8.1, 8.2 and 8.3 be deferred until all the legal teams consider it right and appropriate to proceed. As there was not a joint opinion on how to proceed he felt he could not go forward on this matter as he thought it would be unfair to the public, to those who were for or against the proposal and to the Committee in being asked to vote on it.

In response to a question by Councillor Jeff Evans about whether it was appropriate for him to ask for a deferral, the Legal Services Manager advised that a proposal to that effect could be made and voted upon if it was seconded. Councillor Jeff Evans proposed that consideration of applications 8.1, 8.2 and 8.3 therefore be deferred and the proposal was seconded by Councillor R. Llewelyn Jones.

Councillor Robin Williams referred to an allegation made in a recent e-mail to the Committee's members about there being evidence to show what work had or had not been undertaken on the site and he asked that such evidence be made available to the Committee's members before the matter is considered further especially as the original consent for the Land and Lakes application and the discussions around it took place before the current Committee's membership was formed and he felt that he and most of his fellow members were therefore flying blind on this issue.

The Development Management Manager advised that the legal issues are outside of the three applications under consideration; a legal opinion has been obtained from Burges Salmon and the Council's standpoint has not changed. He confirmed that evidence

regarding work undertaken was available and is on file with the developer having submitted reports to demonstrate the work done; this has been taken into account by Burges Salmon in coming to their conclusions. The three applications presented to today's meeting are in connection with specific issues under the Section 106 agreement only and have nothing to do with the legality of the permission which has been considered and addressed by the Burges Salmon response to Richard Buxton Solicitors.

In response to a request for clarification by the Chair regarding the proposal to defer, specifically the deferment period, Councillor Jeff Evans said that he was asking that the three applications be deferred until such time that the legal issues on both sides have been considered be that for a month or longer. He wanted the solicitors on both sides to come to a conclusion that it is appropriate to move forward so that the Committee can then fairly come to a determination. Currently there remains a difference of opinion about the rightness or otherwise of the permission and what work has or has not been undertaken.

The Legal Services Manager advised that the proposal is in effect for an indeterminate deferral since planning process does not allow for some form of compromise over a permission that has already been issued. He explained that it had taken some months to come to this point because Officers had been carefully scrutinising the permission and conditions to establish whether there were any weaknesses and the conclusions are as outlined in the Burges Salmon letter. Land and Lakes have a right in law to their permission and the only mechanism available to challenge that would be by way of a judicial review of the decision through the courts which is not a matter before the Committee. To defer is therefore tantamount to not making a decision with regard to the three applications as a compromise between those who object to the permission and think it invalid and the Council which is of the view that matters pertaining to the permission are valid and proper, is improbable.

Councillor Robin Williams who had indicated his support for a deferral clarified that he did not appreciate that it might be indefinite thinking that any deferment would be for a month until the next meeting to allow the evidence to which he had referred to be presented and he was therefore withdrawing his support for the proposal.

Councillor Jeff Evans said that he thought a month should be a sufficient and would commit both sides to resolve matters at the earliest opportunity and he amended his proposal accordingly.

The Legal Services Manager further advised that he thought it would not be possible to act on a deferral on the terms proposed as it would be asking Officers to negotiate on something that is contrary to the requirements of the system and procedure and would place them in an impossible position and might even conflict with their professional standards requirements as legal and planning officers.

Councillor Trefor Lloyd Hughes, MBE referred to the original application being a hybrid application with three elements to it namely Kingsland, Cae Glas and Penrhos and he sought clarification about the status of the Kingsland and Cae Glas elements and whether these had fallen through.

The Development Management Manager confirmed that the consent granted is a hybrid consent as although the majority of the consent is outline, some elements are for full consent the reason being that change of use i.e. for the listed buildings on the site cannot be dealt with under outline consent so those elements come under the full consent. The three applications submitted as part of the business of today's meeting refer to Penrhos alone; for the Kingsland and Cae Glas developments to go ahead would require a legal agreement between Land and Lakes and a new developer for the Wylfa Nuclear site which is unlikely in the short-term.

Councillor Trefor Lloyd Hughes, MBE therefore asked and it was confirmed that the matters under consideration today are the discharge of conditions in relation to the Penrhos site only and not the matter of the Land and Lakes planning consent. He further commented about correspondence that had come through to the Committee's members and felt that a month's deferral was required.

Councillor Robert Ll. Jones said that that the situation involves two sets of solicitors with two completely different opinions about the Land and Lakes consent with the Council taking the opinion of Burges Salmon because it keeps the consent alive. He referred to the letter by Burges Salmon as being complex saying that he could not come to a conclusion on the basis of the letter and emphasised that Members have to understand what they are being asked to determine. He felt that the matter was being pushed through when there is a great deal of local concern about Penrhos and that not enough regard had been paid to the correspondence and viewpoint put forward by Richard Buxton Solicitors.

The Legal Services Manager advised that Members did not have to fully understand all the legal points set out in the Burges Salmon letter as they were not required to come to any determination regarding them or the letter which had been submitted for information only. The applications to be determined relate to specific matters within the planning consent in respect of the Penrhos site and have nothing to do with the matters raised in the letter.

On being asked to confirm his proposal, Councillor Jeff Evans said that it was for a deferment of applications 8.1, 8.2 and 8.3 for a period of a month; Councillor R. Llewelyn Jones confirmed that he was seconding the proposal. In the ensuing vote on the matter, the proposal to defer applications 8.1, 8.2 and 8.3 for one month was carried.

It was resolved to defer consideration of the application for the reason given.

8.2 SI06/2020/3 – Submission of “Penrhos Coastal Park Welsh Language Scheme” under Section 1 (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.2.2 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008/Rev.03 dated 03/03/2016 at Land and Lakes, Penrhos Coastal Park, Holyhead

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

It was resolved to defer consideration of the application for the reason given.

- 1. 8.3 COMP/2021/1 – Submission of information necessary to discharge sections Schedule 8, Section 1, Clause 1.1 Car Parking and Public Access Strategy – Penrhos Coastal Park Phase; Schedule 8, Clause 12.2 Ancient Woodland Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 15, Clause 15.1 Green Linkages Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 17, Clause 17.1, SSI Management Scheme – Penrhos Coastal Park Phase; Section 8, Section 19, Clause 19.1 Ecological Survey and Monitoring Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 19, Clause 19.4 Ecological Compliance Audit – Penrhos Coastal Park Phase; Schedule 8, Section 20, Clause 20.1 Existing Tree Management Scheme –**

Penrhos Coastal Park Phase; Schedule 8, Section 21, Clause 21.1 Warden Service Appointment/Warden Service Annual Reporting – Penrhos Coastal Park Phase; Schedule 8, Section 21, Clause 21.2 Warden Service Security Obligations/AONB Impact and use of Green Linkages monitoring assessment – Penrhos Coastal Park Phase; Schedule 8, Section 21, Clause 21.3 Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase; Schedule 9, Section 3, Clause 3.1 Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase; Schedule 11, Section 1, Clause 1.1 Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EI/ECON at Land and Lakes, Penrhos Coastal Park, Holyhead

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

It was resolved to defer consideration of the application for the reason given.

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4. **8.4 HHP/2022/342 – Full application for alterations and extensions at Islwyn, Holyhead Road, Llanfairpwll**

The application was reported to the Planning and Orders Committee having been called in at the request of Councillor Robin Williams due to concerns that the development would impact the neighbouring property. At its meeting held on 1 March, 2023, the Committee resolved that a physical site visit be undertaken. However the application was withdrawn before the site visit was due to take place on 15 March, 2023.

Application withdrawn.

5. **8.5 FPL/2022/173 – Full application for the change of use of agricultural land to site 32 holiday lodges, reception building, construction of new vehicular access, construction of new on-site roads and parking areas and associated works on land adjacent to Lôn Penmynydd, Llangefni**

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 1 March, 2023, the Committee resolved to refuse the application contrary to the Officer's recommendation the reasons being that the proposal would not enhance the site and would be contrary to Policy PCYFF3 of the Joint Local Development Plan; the ecological report accompanying the planning application does not address the proposal's impact on red squirrels; the chalets could be used as residential dwellings in future and concerns regarding highway safety.

The Development Management Manager addressed the reasons cited for refusing the application at the previous meeting and described how the proposal complies with the criteria of Policy PCYFF 3 as set out in the report in being a high quality development on a site that is considered to be well designed incorporating a woodland to the North and South boundary of the site as well as planting around the site, a wildflower meadow, amenity grass and woodland planting. The landscaping scheme will provide a buffer to the existing treeline and will be a positive contribution towards biodiversity; if the site remains grazed by animals the existing trees and hedges would most likely degrade with little benefit to biodiversity on the site.

The proposal also provides a public footway from the site which would link to the existing public footway near the link road. The site has excellent connectivity to a bus route, cycle route and many shops within Llangefni town centre. The proposal is therefore considered to be compliant with Policy PCYFF 3 and a refusal on that basis cannot be justified.

As regards the concerns raised by the Committee about the proposal's impact on red squirrels the applicant has submitted a further ecological report. The Council's Ecologist and NRW were consulted, and it was noted that it is unlikely that the proposal will affect red squirrels as all but two trees on the site will be retained and the development is confined to an open agricultural field. The Ecologist makes further comments about the positive impact of the proposal on red squirrels as a result of new planting. A squirrel survey was undertaken on 12 March, 2023; the survey for dreys was negative and concluded that there will be no negative impact on red squirrels. The survey goes on to note that there will be an improvement in habitat connectivity as a result of new planting which will also be of benefit to the red squirrel. It is therefore considered that the proposal improves the biodiversity of the site and will have no impact on red squirrels.

The concerns raised at the previous meeting about the possible future use of the chalets as permanent residential units will be addressed by a planning condition which restricts their use to holiday use only and requires the applicant to keep an up to date register of all the chalets' occupiers. The applicant has confirmed that the site will be used for holiday letting use only and that there is no intention to sell the units, and he is willing to enter into a Section 106 agreement to keep the site as one planning unit. It is therefore considered that the Committee's concerns on this point have been addressed and is not a reason for refusing the application.

In terms of highway safety, following concerns raised about the timing of the original traffic survey conducted, a further speed survey was arranged by the applicant which was undertaken in February and was based on a worst case scenario. This survey showed that speeds were lower than those recorded in the original survey and that the visibility splay is adequate for the development. Part of the existing hedge to the east of the access will be moved back to ensure adequate visibility and the roundabout to the west will naturally slow traffic speeds in both directions. The Highways Service have confirmed that they are satisfied with the access and visibility arrangements. Consequently, it is not considered that highway safety is a sufficient reason to refuse the application and the Officer's recommendation remains one of approval.

Councillor Dylan Rees spoke as a Local Member and said that while the proposal is for 32 holiday lodges the further ecology report refers to a holiday lodge and caravan park development which intimates that the applicant has further designs in terms of what will be located on the site. Although he was glad that this report did consider the impact on red squirrels, he still had concerns on this point as the report cites the only evidence of a red squirrel as being a dead red squirrel found over 600m from the proposed development whereas local residents have seen red squirrels regularly coming to their gardens at much less distance than 600m from the site. The report states that 3,500 new native trees will be planted as a mitigation measure but does not specify whether any of those will be mature trees, as saplings will be of little or no benefit to red squirrels or other species for many years. He asked therefore that in the event the proposal is approved, any new tree planting will be of mature trees. Despite the comments of a member at the last meeting that the proposal complies with policy and legislation he maintained otherwise and was of the view that it fails to meet the requirements of Planning Policy Wales's TAN 5 in respect of Nature Conservation and Planning. He also highlighted one of the seven goals of the Well-being of Future Generations Act which was to promote a resilient Wales; according to the Future Generations Commissioner for Wales, this should be focused on enhancing a biodiverse natural environment with healthy functioning ecosystems as well as protecting natural green spaces. Councillor Rees said that the application is outside the permitted development boundary the whole point of which is to protect natural green space. One reason given for approving the proposal at last month's meeting was the economic benefits that it would bring to the area. However, his fellow ward member, Councillor Paul Ellis, a local businessman spoke against the application and has said that he cannot see the local

area benefitting economically from it. He therefore asked the Committee to adhere to its previous decision to refuse the application.

The Development Management Manager responded to the points made saying that the further ecology report recognises that red squirrels do move around; the application site is an open agricultural field defined by existing trees and hedgerows which are of poor quality. It is the Officer's view that the proposal and the landscaping and woodland scheme which forms part of it will enhance the biodiversity of the site and also contribute to achieving the goals of the Well-being of Future Generations Act. Policy does not require holiday accommodation to be sited within a development boundary which requirement applies more specifically to housing developments. Proposals such as that under consideration would usually be located outside the development boundary but would be expected to demonstrate good connectivity with the surrounding community.

Councillor Nicola Roberts, Portfolio Member for Planning referred to the local objections to the proposal saying that although she thought the development was a quality development, local residents believe it is in the wrong location.

Councillor Jackie Lewis thought that the proposal in being a high-quality development would improve the site; the Highways Authority was accepting of the proposal and it was likely to create employment opportunities. It had sustainable links with Llangefni and could bring visitors into the town. She therefore proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Liz Wood.

Councillor Geraint Bebb proposed that the Committee's previous refusal of the application be reaffirmed as he believed the proposal to be contrary to criteria 6, 9, 10, 11, 12 and 13 of Policy PS5; Policy PS14 in not protecting the natural environment and being over reliant on tourism which also goes against Policy TWR 1; Policy PCYFF 1 in being outside the development boundary; criteria 3 and 4 of Policy PCYFF 2; Policy PCYFF 3 in not giving sufficient consideration to its natural environment context nor improving the character or appearance of the site; Policy PCYFF 4 and Policy AMG 5. Councillor John I. Jones seconded the proposal of refusal.

The Development Management Manager reiterated the merits of the proposal as regards its green and environmental credentials saying that the Council's Highways Authority, Ecologist and Landscape Officer as well as Welsh Water and NRW were satisfied with the proposal. The policy context has been considered by the Planning Service as well as the Joint Planning Policy Unit and the proposal is considered compliant.

Councillor Dafydd Roberts thought the proposed development did not comply with criterion 2 of Policy PCYFF 3 in not respecting its context and place within the local landscape and in changing the character of the area. He felt the proposal was inappropriate for this location.

Councillor Jeff Evans thought the benefits outweighed the disadvantages the proposed development being more than a standard development and likely to attract visitors who more than likely would shop in Llangefni town and make use of its facilities.

In response to further comments the Development Management Manager confirmed that the proposal's impact on the Welsh language had been considered and due to the holiday usage involving temporary stays it was not considered that it would have an impact on the community.

In the ensuing vote, the proposal to approve the application in accordance with the Officer's recommendation was carried.

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

8.6 FPL/2020/247 – Full application for the erection of 9 dwellings together with associated works on land adjacent to Y Bryn Estate, Llanfaethlu

The application was reported to the Planning and Orders Committee as it had originally been called in for the Committee's determination by a former Councillor and Local Member. The planning application was approved by the Committee at its meeting in April, 2021 subject to conditions and the completion of a legal agreement. Following this resolution an amended ownership Certificate C was submitted by the applicant giving notice to the Council as landowner. The application was subsequently referred back to the July 2021 meeting of the Committee at which it was approved. The legal agreement has yet to be completed. However, as amended plans have been received, it is considered necessary to publicise, consult and further report to the Planning and Orders Committee in light of these proposed changes.

Councillor Llinos Medi, a Local Member referred to the planning history of the application site and said that it had over time been discussed extensively by the Community Council. She highlighted that the amended plans had only been issued for consultation and publicity on 17 March and that a meeting of the Community Council had taken place on 3 April, after which she was beginning to receive expressions of concern by neighbours saying that the application had been unclear. Councillor Llinos Medi also spoke about historic drainage and sewerage problems in the village of Llanfaethlu and said that there were serious concerns within the community on that basis. She felt that neither she nor the community had had sufficient time to formulate a viewpoint and case regarding the application and she was therefore requesting that consideration of the application be deferred for a month to allow the community council time to scrutinise the application in accordance with timescales.

The Development Management Manager acknowledged the point being made and confirmed that he had no objection in principle to a deferral recognising that the consultation/publicity period did not expire until the 7th April. He explained that the Officer's recommendation would have been to approve the application subject to no new matters being raised before the expiry of the consultation period. He advised however that the proposal for 9 dwellings has been granted planning permission with the legal agreement remaining to be completed. The application submitted to today's meeting is for amended drainage plans only which have already received SAB approval. The Development Management Manager said that nevertheless he would be willing to hear local concerns about drainage.

Councillor Robin Williams was supportive of a deferral saying that the scheduling of community council meetings does not always coincide with consultation timescales e.g. a community council may receive notification of a proposed development in its area on a specific date but may not be due to meet for some time afterwards thereby curtailing the time it has to consider the proposal. He recognised that the consultation timescale ran for 21 days but asked that consideration be given to timing when issuing details of an application. He proposed that consideration of the application be deferred; the proposal was seconded by Councillor Jeff Evans.

It was resolved to defer consideration of the application for the reason given.

9 ECONOMIC APPLICATIONS

None were considered by this meeting.

10 AFFORDABLE HOUSING APPLICATIONS

11 DEPARTURE APPLICATIONS

11.1 FPL/2023/30 – Full application for the erection for a dwelling together with the erection of an annexe (so as to amend the design and siting approved under application reference FPL/2022/116) at Wylfa, Pencarnisiog, Ty Croes

The application was reported to the Planning and Orders Committee as it was a departure by virtue of being contrary to Policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan which the Local Planning Authority was minded to approve due to the valid fall-back consent.

The Development Management Manager reported that the principle of a dwelling in this location has been established under previous planning permission 28C108D which has been safeguarded via a material start and is therefore valid in perpetuity. He referred to the dimensions of the proposed development compared with those of the proposal under the safeguarded consent confirming that despite the larger massing resulting from the increased floor area, the reduced height of the proposal as now submitted will ensure that it is not more visually prominent. The nearest neighbouring property is 25 metres to the south east of the site and as such it is not considered that it would be affected to any greater degree than would occur from the safeguarded scheme the two properties being also separated by a highway. The scheme as presented also differs from the original safeguarded consent as it proposes a garden room/annexe building. The annexe will share the same garden and parking area as the main dwelling and is not of a scale/level of provision where it could be readily sub-divided into a separate planning unit. A condition is proposed that ensures its use as ancillary to the residential use of the main dwelling. Ecological enhancements are also proposed as part of the scheme and the proposal will utilise the same access arrangement as that under the previous permission meaning there are no objections from the Highways Authority. The proposal is deemed acceptable and a betterment to the extant permission and is therefore recommended for approval.

Councillor Neville Evans proposed, seconded by Councillor Geraint Bebb that the application be approved in accordance with the Officer's recommendation.

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

12 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None were considered by this meeting.

13 REMAINDER OF APPLICATIONS

13.1 LBC/2023/1 – Listed Building Consent for conversion of abandoned listed building into 4 social housing flats, together with external and internal works at Plas Alltran, 3 Turkey Shore Road, Holyhead

The application was reported to the Planning and Orders Committee as it was for development on land in the Council's ownership.

The Development Management Manager reported that the subject building has been vacant since the early 1970s and is currently in a state of disrepair having suffered structural damage as a result of water ingress and pigeon infestation. Arson and vandalism have also led to fire damage. Plas Alltran has been on CADW's Buildings at Risk Register since 2001 and was denoted as being in a very bad condition in a Historic Asset Risk Assessment in December 2020. Additionally, the building is on the Victorian Society's top 20 buildings at risk in the UK. Listed building consent was granted for conversion, demolition of part of the building and erection of extension in lieu with external and internal works on October, 2021 but because of the need to make cost savings, the contractors are seeking to make changes to the scheme as described in the report. Having been vacant for nearly 50 years, this prominently located listed building will continue to deteriorate until remedial works are undertaken. The granting of listed building consent and planning permission and implementation of the proposals would safeguard the building's future; the recommendation is therefore one of approval.

Councillor Jeff Evans speaking as a Local Member referred to Plas Alltran as a wonderful looking building which was now in a dilapidated state, and which was situated on an awkward corner by the main roundabout into the Port. Whilst he welcomed the prospect of bringing the building back into use noting that remedial works had been going on for a few months he had some reservations regarding parking provision with issues having arisen in the vicinity with vehicles parked on pavements.

The Development Management Manager clarified that the application under consideration was for listed building consent involving internal and external works to the building the proposal having already secured planning consent with parking having been considered as part of that process. Therefore, the principle of the development is not a matter for discussion.

Councillor Jeff Evans proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Jackie Lewis.

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

13.2 FPL/2023/6 – Full application to house a storage container for storage of equipment at Old Station Yard Car Park, High Street, Llangefni

The application was reported to the Planning and Orders Committee as it was made by the Isle of Anglesey County Council.

The Development Management Manager reported that the application was to temporarily house a storage container to keep materials and tools to hand for repair works at the Dingle Local Nature Reserve. He referred to the dimensions of the proposed container saying that it was not considered the proposal would have any impact on residential amenity as there are no immediate neighbours to the site. The container would be set back from the road so as not to distract road users and its visual impact would thereby be minimal. A condition to ensure its removal and reinstate the land to its original condition within 5 years of consent is also proposed. The recommendation is therefore to approve the application.

Councillor Geraint Bebb, seconded by Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation.

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

13.3 FPL/2023/24 – Full application for change of use of land to form part of the residential curtilage at Bryn Fedwen Cottage, Gaerwen

The application was reported to the Planning and Orders Committee as it involves land which is owned by the Isle of Anglesey County Council.

The Development Management Manager reported that the proposal involves changing the use of the land north of the main dwelling into part of the property's residential curtilage and would allow the septic tank that services the property currently located within the parcel of land to be brought within the curtilage of the property. As part of the proposal, the applicant also seeks to make environmental improvements to the land once it has been acquired as part of their residential curtilage. It is not considered that the proposed development will have any greater impact on its surrounding natural environment or on any neighbouring properties than at present and the recommendation is to approve the application.

Councillor Dafydd Roberts proposed, seconded by Councillor Robin Williams that the application be approved in accordance with the Officer's recommendation.

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

13.4 HHP/2022/291 – Full application for the conversion of the garage into an annexe at Monfa, Holyhead Road, Mona

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

Public Speaker (Objector)

Mr Richard Meirion Jones spoke as an objector to the application saying that he had concerns about the new building from the outset when it was being built originally. He did not object to the original consent which was to build a new garage in place of the existing garage as it was on a like for like basis even though it did not appear there was anything wrong with the building as it was. As the building work started it became apparent that it was not in keeping with the permitted plans with the new building looking more like a bungalow than a garage or workshop. His daughter complained to the Council on his behalf and a retrospective application for a different kind of consent had to be made because the applicant had acted contrary to the rules. Mr Jones said that although he had objected to that application, because of the system his comments were not considered until it had been approved. He was therefore worried that the same thing would happen again which is why he wanted to address the Committee directly. While the application is to convert the garage into an annexe, he was confident that the building had never been used as a garage or workshop since it was built. It seemed to him that the applicant had taken advantage of the planning process by building something more akin to a bungalow from the start with the intention that it be lived in. Mr Evans said that he saw that from the beginning which is why he objected. He questioned whether the building meets the same standards as would have to be met had it been a new dwelling that was being built from the start, and given its proximity to his own dwelling, he also had concerns about sewerage and the soakaway encroaching onto his own land. He was further concerned about parking and the impact on highway traffic. The site only has space for three vehicles which will not be sufficient if another two persons come to live there. Any extra vehicles would have to park on the A5 itself. Although the owner says that his parents do not drive, things can change, and any

visitors would in any case lead to more traffic. With new houses, parking provision usually has to correspond with the number of bedrooms – three bedrooms, three parking spaces. Mr Evans highlighted that the area is already busy and said that he understood the owner who lives next door runs a carpet business with lorries delivering carpets as well as a hairdressing business also.

The Development Management Manager referred to the main planning considerations as set out in the Officer's report and said that as the application site is in an open countryside location with only a few nearby residential properties and as no issues of overlooking will arise from the proposed change of use, it is not considered that the proposal will have any negative effect on nearby residential amenities. Consent would be conditional upon the proposed annexe being used at all times as ancillary to the main dwelling. He cautioned against surmising about possible future use of the building in coming to a determination saying that conditions are imposed for a reason in order to ensure that development takes place accordingly. The applicant has been granted planning permission for the garage which is of a high quality build and there is nothing wrong with having a quality garage and/or workshop to complement the main dwelling which is what policy and design advocate. Foul water will connect to the current septic tank with surface water connecting to the current soakaway; Welsh Water have not raised any objections to the arrangements. As regards parking the property is a detached property with a private drive and surrounding garden providing sufficient parking space to which the Highways Authority has no objections. The applicant has provided justification for the annexe and the Council's Council Tax Department has confirmed that the applicant lives in the main dwelling on a permanent basis and pays full Council Tax. The justification provided together with the small-scale nature of the development and its ancillary use to the main dwelling ensures that it will have negligible impacts on neighbouring properties and the recommendation is therefore to approve the application.

Councillor Nicola Roberts, a Local Member confirmed that she had called in the application due to there being history to the site and said that she had visited the property on at least three occasions in the last year and had seen visitors staying on site. Given that current policy makes it difficult to refuse the application she asked the Committee to ensure that the development if approved, adheres strictly to the conditions imposed to ensure that the annexe remains as such and does not become an additional independent dwelling in the countryside. She urged the Committee to read the application carefully, to ensure that the conditions are kept and if necessary to go out and visit the application site.

The Development Management Manager provided assurance that condition (3) restricts the usage of the proposed annexe as ancillary to the residential use of the main dwelling and he confirmed that the property is no longer listed on Airbnb nor on coolstays.com with the applicant having provided justification of permanent residence.

In response to a question by Councillor Robin Williams whether Council Tax is paid on the annexe, the Development Management Manager clarified that Council Tax is paid on the main dwelling with the annexe as an ancillary part of one residential unit. The applicant's intention is for the annexe to provide accommodation for his parents and as such it would remain as an ancillary part of the main residential dwelling and would not be subject to separate Council Tax. Responding to a further question by Councillor Robin Williams regarding the monitoring of the arrangement, the Development Management Manager advised that the Planning Service is not able to police every planning permission across the Island and any complaints about contravention of conditions would have to be dealt with at the time.

Councillor Jackie Lewis referred to what she understood from the Public Speaker's comments as businesses being run from the site and she queried whether if that was the

case, any additional provision needed to be made and whether it needed to be investigated further.

The Development Manager confirmed that as the Planning Service was not aware of any business being run from the property, it had not been taken into consideration. As previously advised, a condition on consent would in any case restrict the use of the annexe. In response to a question about the creation of an additional bedroom in the annexe requiring the provision of an additional parking space, the Development Management Manager reiterated that property has a large private driveway and that the Highways Authority had raised no concerns on that basis.

Councillor Robin Williams sought clarification of the Public Speaker as to where the businesses he had referred to were being run from. Mr R.Meirion Jones said that when he complained about this matter in August, the application was withdrawn after which the applicant said that he was living at the property permanently. The applicant lives next door from where he runs a carpet business and a hairdressing business. Monfa was let as an Airbnb property throughout last summer but was de-listed over the winter. It was advertised as a disabled let which means the applicant's parents could live at the property without the need for an annexe. Mr Jones said that the garage does not need converting as it has been an annexe from the beginning.

Councillor Robin Williams subsequently proposed that as he had concerns about what was actually taking place on the application site and to provide clarity a physical site visit be undertaken so that the Committee's members could see the site for themselves. Councillor Geraint Bebb, sharing those concerns, seconded the proposal.

It was resolved that a physical site visit be undertaken for the reason given.

13.5 FPL/2022/256 – Full application for the erection of 33 affordable homes, new vehicular and pedestrian access, construction of new estate road together with associated works on land adjacent to Crown Street, Gwalchmai

The application was reported to the Planning and Orders Committee at the request of both Local Members.

Councillor Neville Evans, speaking as a Local Member and member of the Community Council asked that a physical site visit be carried out given the strength of feeling locally regarding the application with concerns having been raised about the scale of the development and mix of units amongst other matters.

Councillor Robin Williams proposed, seconded by Councillor John I. Jones that a physical site visit be undertaken.

It was resolved that a physical site visit be undertaken in accordance with the Local Member's request for the reasons given.

13.6 FPL/2022/85 – Full application for an extension to the existing golf course to create a Putt Stroke putting course, together with the erection of a clubhouse building, a bar and refreshment building, a "half-way house" refreshment building and toilet block and associated development at Llangefni Golf Club, Llangefni

The application was reported to the Planning and Orders Committee as the land which was the subject of the application is Council owned land.

Public Speaker (Supporter)

Mr Mathew Wharton, the applicant and PGA Professional at the Llangefni Golf Driving range said that he had taken over the running of the range from the Council in 2018. The range had been a hugely successful facility not only developing the game of golf after the closure of the Council's golf course but establishing a junior academy and working with relevant agencies to provide tuition to underprivileged children, school children and also teaching adults with learning difficulties. The Poby Pizza has also been successfully established in the old golf shop and many local people are employed throughout the business. The proposal presented is to extend the offer on site for families and children to create a new putt stroke putting course, a small clubhouse facility, a halfway house, landscaping scheme and a toilet block, which it is believed will be the first facility of its kind in the UK. Mon Actif have written a letter of support saying that they will be encouraging local schools to use the facility to introduce not only fun but fundamental movement skills and basic golfing technique. This underlines the whole ethos of the scheme of providing a fun facility which will be open to members of the family in a safe and enjoyable environment. The proposal represents a considerable investment there having been an excellent relationship with the Council in developing the business thus far. He hoped that the Committee would support the Officer's recommendation and approve the development.

The Development Management Manager reported that the application site is located outside the development boundary of Llangefni on land associated with and adjacent to the existing golf course. An existing pizza restaurant is also located on the site and Oriol Môn is adjacent. As the application site is not located within the development boundary the proposal must be considered against other plan policies. The proposal is considered to be acceptable as regards layout and design and as such, accords with the provisions of policies PCYFF3, PCYFF 4 and AMG 5. The proposal creates additional facilities to those already on site and will attract families and their children as well as tourists to the area. The site has been transformed by the applicant since 2018 and the proposal will introduce something new and unique to the site and area and by virtue of its nature, location, layout, design and appearance is considered to accord with the provisions of policies PS14 and TWR 1. The Officer therefore recommends approval of the application.

Councillor Robin Williams in proposing that the application be approved commented on the excellence of the existing driving range facility established since 2018; the proposal of approval was seconded by Councillor Geraint Bebb.

Responding to a question by Councillor Trefor Lloyd Hughes, MBE about the potential impact on the Oriol Môn café, the Development Management Manager advised that the application for a Putt Stroke putting course and golf linked facilities proposes a different offering to that provided by Oriol Môn and would likely appeal to a different market and customer.

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

14 OTHER MATTERS

None were considered by this meeting.

**Councillor Ken Taylor
Chair**