

# Planning and Orders Committee

## Minutes of the hybrid meeting held on 7 February 2024

- PRESENT:** Councillor Ken Taylor (Chair)  
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff M Evans, Neville Evans,  
T LI Hughes MBE, John Ifan Jones, R LI Jones, Dafydd Roberts,  
Alwen P Watkin, Robin Williams and Liz Wood
- Councillor Nicola Roberts (Portfolio Member for Planning, Public  
Protection & Climate Change)
- IN ATTENDANCE:** Planning Development Manager (RLIJ),  
Planning Assistants,  
Group Engineer (Development Control and Traffic Management  
(AR),  
Legal Services Manager (RJ),  
Committee Officer (MEH),  
Democratic Services Support Assistant (CH).
- APOLOGIES:** Councillor Jackie Lewis  
Councillor Douglas Fowlie
- ALSO PRESENT:** Local Members: Councillors Margaret M Roberts (for applications  
7.1 & 12.2); Ieuan Williams (for application 7.1).
- Councillors Aled M Jones, Derek Owen

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**As the 12<sup>th</sup> edition of Planning Policy Wales (PPW) has been published between publication of the Agenda and the holding of the meeting, officers will review decisions to ensure they comply with any relevant changes to national policy effected by the new PPW (if any) before those decisions are released.**

### 1 APOLOGIES

As noted above.

### 2 DECLARATION OF INTEREST

Councillor John I Jones declared a personal and prejudicial in application 7.1 – Ty Coch Farm, Rhostrehwfa.

### **3 MINUTES**

The minutes of the meeting held on 10 January, 2024 were confirmed as correct.

### **4 SITE VISITS**

The minutes of the Site Visits held on 24 January, 2024 were confirmed as correct.

### **5 PUBLIC SPEAKING**

There were Public Speakers in respect of applications 7.1, 7.2, 12.2 and 12.4.

### **6 APPLICATIONS THAT WILL BE DEFERRED**

#### **6.1 FPL/2023/61 – Full application for the change of use of agricultural land into holiday lodge site, siting 13 holiday lodges, construction of new road on site, alterations to existing vehicular access together with soft and hard landscaping on land at Taldrwst, Lon Fain, Dwyran**

The application was reported to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 1 November, 2023, it was resolved that a site visit be undertaken to the site. The site visit was subsequently held on 15 November, 2023. At its meeting held on 6 December, 2023 the Committee resolved to refuse the application contrary to the Officer's recommendation on the basis that insufficient drainage information had been provided to allow members to make a decision. At the meeting held on 10 January, 2024 it was resolved to defer to allow the Authority's specialist drainage team time to fully assess the information provided by the applicant.

The Planning Development Manager reported that details of porosity tests have been provided by the applicant in order to ascertain the acceptability of the proposed soakaways. The Officer's recommendation is that the application be deferred to allow the Authority's specialist drainage team time to fully assess the information.

Councillor Robin Williams proposed that the application be deferred in accordance with the Officer's recommendation. Councillor Alwen Watkin seconded the proposal of deferment.

**It was RESOLVED to defer the application in accordance with the Officer's recommendation for the reason given.**

### **7 APPLICATIONS ARISING**

#### **7.1 FPL/2023/146 – Full application for the demolition of the existing dwelling and erection of a new dwelling together with associated works at Cae Graham, Pentraeth**

The application was reported to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 10 January, 2024 it was resolved to visit the site. The site visit subsequently took place on 24 January, 2024.

The Chair said that a Local Member, Councillor Ieuan Williams had ascertained whether it was acceptable for 4 photographs to be shown to the Committee as regards to this application. He said that as Chair he had decided to allow for the 4 photographs to be shown following legal advice. He expressed that each request will be assessed on its own merit as he did not wish to set a precedent and such requests need to be forwarded to the Planning Department to ascertain whether they are relevant. The Legal Services Manager said that the Constitution only specifies that public speakers are prevented from distributing additional documentation to the Committee. He noted that he agreed with the Chair that such requests from Local Members to present any additional information should be forwarded to the Planning Department so as to allow the relevant Officer's adequate period to consider whether the documentation is relevant as part of the application to be discussed.

### ***Public Speaker***

Mrs Anne Grady, addressed the Committee, **as an objector**, to the proposal and said that she was also representing her neighbours who have also objected to this application, all of whom were either born or have lived here for many more years than her husband and herself. She said that at the end of the tarmac road, there are 9 properties which are reached directly off the track which continues to Cae Graham. 11 owner occupiers live in 6 of these properties; 2 more houses are permanent Airbnb lets, for a total of up to 20 adults and Cae Graham is a holiday home that was let on Airbnb between 2018 and 2020. She noted that there were objecting as this application contravenes Development Plan Policy TA 13 - Criterion 5 – it is a replacement for a holiday chalet, Criterion 6 – The property can only be relocated from its original footprint if moving it lessens its visual impact, Criterion 7 – the increase in size is over 3 times the maximum 20% allowed and no justification has been given for this enlargement? **Design and use in its surroundings** - The applicant proposes demolition of the single storey one bedroom, one bathroom chalet he bought in 2016 and which he has, over the past year, reconfigured (by enclosing the previously canopied entrance porch) in order to claim, on page 24 of the Design & Access Statement, that the proposed dwelling replaces a 3-bedroom property. Cars parked in front of the chalet are clearly visible from the beach as is the chalet itself when the trees are not in leaf. Images of properties in the Design & Access Statement are of houses not from the same area above the beach. Changing the angle of the new property, towards the west, will result in the glass tower reflecting sunlight and drawing attention to the building from the beach and bay opposite. Light pollution will impact the dark sky which is currently a feature of this area. **Effect on Traffic** - The Planning Officer's statement refers that "the proposal is for a replacement building and will not therefore increase the number of residents" is untrue as there have never been any permanent residents and Cae Graham has only recently been configured with 3 bedrooms. As a holiday home/letting property, visitors have generally arrived for short stays in one, occasionally two cars. The new house could be a full-time residence for occupants with 3 or 4 cars, not to mention delivery vehicles, using the access roads and

private track every day. **Compliance with the Development Plan** -TA 13: Criterion 1 – Lawful Residential Use Cae Graham, a demountable chalet, has never been lived in full time. It was erected, without planning permission, as a holiday home and was used as such by Mr Sharp when it was not being let as an Airbnb. The application for a certificate of Lawfulness was requested and awarded to “Y Mynydd” – a name by which Cae Graham was not, and is not, known. The letter from the structural engineer is not a structural report, is dated 11 months prior to the application and does not specify the actual date or any details of a site inspection. The new building lies outside the original footprint of the existing building and would only overlap a small fraction at one end. The PO1 image, in the revised submission, shows the proposed second floor and the roof terrace clearly visible from the beach even when trees are in leaf, and when not, the whole house will be visible. Both design and relocation will increase its visual impact, as required by this criterion of the planning guidance.

The Design & Access statement says the footprint will increase by 47% and the volume by 52% but these percentages are based on inaccurate measurements. The footprint of the current building is 88m<sup>2</sup> and not 101m<sup>2</sup> as quoted, so the footprint increase would be 68% - a 74% increase in volume. If any addition in size to a replacement building, mustn't exceed 20% of the floor area, why is approval recommended for an increase of 68%? How can enlargement be justified if the current property has 3 bedrooms and 2 bathrooms? **Loss of Privacy** - The report states that “the proposed dwelling would be sited slightly forward of and lower than the existing building” but it is impossible to know that it will be “slightly lower” given the unknown stability of the current plateau made of slate shale. In Appendix 4 scale plan, showing the overlap of the current and proposed buildings, the front edge of the new building is 50 feet nearer to the front edge of the plateau, angled towards, rather than away, from both Tan Y Mynydd and Tyn Coed. The element of the new build closest to the front edge of the plot will be the living space in the two-storey tower situated directly above our house with views into our velux windows and garden, only interrupted in summer months by trees on our land which we could only maintain at further cost to our privacy. More trees will be cut down in the process regardless of the impact on the wildlife regularly visiting our gardens but not mentioned in the application including red squirrels, hares and owls. The applicant has said that he wishes to build the house for his retirement in 20 years' time. If, in the meantime, he offers the new property again for short lets there would be beds for 26 visitors amongst the peaceful homes of 11 residents, farm animals and protected wildlife. The area of outstanding beauty will be changed both visually and environmentally forever.

Mr Rob Henderson from JDA Architects, addressed the Committee, **in support of the application**, and said that since submitting this application, that considerable work has been undertaken with the planning officer and statutory authorities to present a high-quality dwelling that treads the balance of high levels of Architectural and Sustainable design with minimising visual impact on the landscape. The existing dwelling, which obtained a Certificate of Lawful Residence in 2016 will be replaced by a contemporary yet contextual home that maximises the opportunities when looking out from this wonderful site whilst minimising impact when looking in from the wider Area of Outstanding Natural beauty and from a more targeted view from the beach or indeed from neighbouring properties. The planning officer has

been proactive in working alongside us to ensure that the proposal meets the relevant policies and follows the basis of the Supplementary Planning Guidance for Replacement Dwellings and Conversions in the Countryside. Whilst we understand there have been objections based on access and overlooking, all planning based issues have been reviewed and addressed with the officers and it is important to note that the committee report notes that the proposal is acceptable in all respects including traffic and interface is over 60 m from nearest neighbour. The applicant is an experienced building contractor, who will personally manage the construction process to ensure that disruption to local residents is kept to an absolute minimum and any dilapidations are suitably reinstated. The overarching focus for the replacement dwelling was that of exceptional quality and award-winning design. The design process began with a thorough analysis of the existing site, the local context and topography allowing us to minimise impact by partially sinking the scheme into the site and with a cliff face behind ensuring that the scheme does not break the skyline from any vantage point even with the slight relocation from the original dwelling albeit with some significant overlapping which will ensure that the existing building will need demolition prior to commencement. Scale has been carefully handled along with the dwelling's composition and with a considered landscape design the scheme comes together in what we feel is a hugely successful way even integrating the client's commitment to sustainable and ecological design that have been proposed to help improve and enhance the biodiversity, including a small wildlife pond that will also aid the drainage strategy. Once complete, it is felt that the dwelling will be viewed in a similar way to the neighbouring dwellings with only the apex of the roof being visible as shown in the CGI's illustrating how the home will nestle into the surrounding tree belt and with the use of darker materials such as charred timber and slate the impact becomes lessened further when set against the stone cliff face. It is considered that Cae Graham is a wholly appropriate scheme that will deliver a positive impact in the area whilst having negligible impact on the AONB.

The Planning Development Manager reported that the application is made for the demolition of the existing dwelling and erection of a new dwelling together with associated works at Cae Graham, Pentraeth. The application site is in the open countryside in a designated Area of Outstanding Natural Beauty within a woodland area to the south of Red Wharf Bay. The former owner purchased the site in 1994 and renovation to the dwelling was undertaken for a period of 4 years to 2003. As from 2003 to 2009 the owner used the dwelling as an occasional residential dwelling and from 2009 to 2016 the dwelling was let for rent. An application for Lawful Development Certificate was submitted and, on the evidence presented, a Lawful Development Certificate was granted in 2016 and the property therefore has legal certification as a residential C3 unit. The Planning Development Manager said that planning policy TAI 13 is the relevant planning policy when considering this application – rebuilding of houses; together with other relevant planning policies as regards to place shaping and the effect on the AONB. Proposals as regards to the rebuilding of houses will be permitted as is highlighted within the Officer's report. The Supplementary Planning Guidance is also supportive of rebuilding and converting of buildings in the countryside which was adopted in September 2019. The proposal related to replacing the current building, which is not a Listed Building, which has legal use as a residential dwelling. The current building has no architectural, historical nor visual value and therefore it is considered that it

conforms with criteria 1, 2 and 3 of the TAI 13 planning policy. Criteria 4 of the policy can be supported if building is not suitable for retention through renovation and extension and is not economically feasible. A Structural Survey has been submitted as part of the application which confirms that the existing building is of timber frame construction of poor thermal performance and weather resistance. Such buildings generally have a limited lifespan and whilst it may be possible to undertake repairs to the building, clearly the works necessary to bring the property to an acceptable standard are significant and by its very nature would serve to only prolong the life of the building in the short term, consequently it is therefore accepted that the renovation and retention of the existing dwelling is not economically feasible in this instance and its replacement is an appropriate and sustainable long term solution. Criterion 5 of the policy refers to developments outside development boundaries; the proposed dwelling is not a replacement for a caravan nor holiday chalet that has legal residential status as was highlighted within the report. As the new owner has advertised the property as an AirBnB 'chalet' or 'log cabin' this does not change the use from a C3 residential dwelling.

The Planning Development Manager further reported that the existing dwelling is located towards the rear of the site and faces Northeast. The proposed dwelling would be sited slightly forward of and lower than the existing dwelling and oriented to face the Northwest so as to take advantage of open views. Whilst the proposed replacement dwelling would not be in precisely the same location as the existing dwelling, there would be some overlap of the building footprints which would ensure that the existing dwelling would need to be demolished in order to erect the replacement dwelling. Furthermore, it is not considered that the proposed siting would give rise to unacceptable landscape or visual impacts upon the designated AONB or upon the amenities of adjoining uses. On balance it is therefore considered that the proposal accords with Criterion 6 of the policy. Criterion 7 of the policy requires the siting and design of the replacement dwellings to be of a similar scale and size as the existing dwelling, and that proposals should not result in a significantly greater visual impact. It further states that in exceptional circumstances a larger well-designed dwelling that does not lead to significant greater visual impact could be supported. Whilst the proposal would lead to a dwelling of some 50% larger than the dwelling that currently exists, it is of a high-quality design and use of dark natural materials along with appropriate landscaping would represent an improvement upon the existing development and integrate well into the landscape. It is therefore considered that as the proposal conforms with all the relevant planning policies with the JLDP the recommendation is of approval of the application.

Councillor Margaret M Roberts, a Local Member, said that the chalet/cabin was transported to the site on a low-loader in 2005 by the previous owner without planning permission. She noted that there is evidence that the chalet/cabin has only been used occasionally during the summer months. In 2015 the owner applied for a Certificate for Legal Use in the name of 'Y Mynydd' and residents were unaware of such an application and were not able to comment on such an application. She noted that there are no records of any Council Tax being paid before 2016. In May 2016 the property was sold with the legal certification of lawful use to a builder; she questioned as to how easy it was to have a Certificate of Lawful Use as there are so many chalets/cabins on Anglesey and this could open a

floodgate to such developments. She further noted that the current owner made adaptations to the building and advertised it as an AirBnB. The current proposal is in the name of 'Cae Graham' which is totally confusing. Councillor Margaret Roberts referred that this application is for the demolition of the building, which has no planning permission in the first instance, into a large dwelling and not on the current footprint of the existing building. TAN 13 – Criterion 6 refers to that the siting of a replacement dwelling should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact on the locality. She said that it can be argued that the glazing proposed on the new dwelling will have a detrimental visual impact on the amenities of the area.

Councillor Ieuan Williams, a Local Member, reiterated the comments made by Councillor Margaret Roberts and further said that he has asked the Planning Department to refuse accepting such an application as the cabin/holiday chalet has been placed in the open countryside without planning permission. He said that Planning Policy TAI 13 – Criterion 5 is clear that replacement dwelling should not be approved for a caravan or holiday chalets. The Planning Officer's have said that the building has a C3 status as a residential dwelling, but the owner has ignored this classification and has let the chalet as an AirBnB. Councillor Williams expressed that it is obvious that the building on site is a temporary chalet for holiday use and a temporary structure as has been noted within the applicants and Agents as part of the proposed application. He referred to the JLDP and its intention that building in the countryside should not be approved. He further said that following numerous emails with the Planning Department it is obvious that there is a difference of opinion as to the intention of changing a temporary wood cabin into a dwelling in the open countryside and he considered that stringent measures need to take place to stop such applications being presented for approval. Councillor Williams referred to Criterion 7 of planning policy TAI 13, that replacement dwelling should be of similar scale and size and should not cause a visual impact in the locality. Building replacement dwellings double, the size of the previous structure is totally against the core principle of planning policies. The Supplementary Planning Guidance also notes that replacement dwellings should also be no more than 20% of the current footprint.

The Planning Development Manager responded to the comments made by the Local Members and reiterated that this site has a Lawful Development Certificate as a residential dwelling and is not a new dwelling in the open countryside. He noted that the chalet has not been used as a holiday unit. As from 2009 to 2016 the dwelling was let for rent and evidence has been presented to show that the person living in the dwelling had been paying rent. Therefore, as part of the Lawful Development Certificate, there is evidence that residential use has been undertaken for a period of over 4 years. The site has been sold to the current owners in 2016 as a C3 residential dwelling and they have a right, as any other property, to let their properties as an AirBnB. The applicant could also submit an application for extensions and renovations to the dwelling if they so wish.

Councillor John I Jones ascertained as to whether a structure on wheels should conform with the Caravans Act. The Planning Development Manager responded

that due to the size of the structure it does not need to conform with the definition of what is a caravan in the Caravan Act.

In response to comments made by Members of the Committee as regards to the design and compliance with planning policy TAI 13, the Planning Development Manager said that considerable negotiations have been undertaken with the applicant and his Agent to ensure that dark materials are used to blend into the woodland area and compliance with light spill from the site to ensure minimal effect on the AONB.

Councillor Jeff Evans said that he considered that the development is excessive on the footprint of the current dwelling on the site and would have a negative effect on dark-sky planning policy compliance. He proposed that the application be refused for the reasons given. Councillor Robert Ll Jones second the proposal of refusal.

Councillor Liz Wood proposed that the application be approved. There was no seconder to the proposal.

**It was RESOLVED to refuse the application contrary to the Officer's recommendation as it was deemed that the development would have a negative effect on dark-sky planning policy compliance and the proposed development is excessive on the footprint of the current dwelling on site.**

***(In accordance with the requirements of the Constitution the application will be automatically deferred to the next meeting to allow the Officers to respond to the reasons given for refusing the application)***

**7.2 FPL/2023/227 – Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling, together with alterations to existing access, private treatment plant, and associated works at Ty Coch Farm, Rhostrehwfa**

*Having declared a personal and prejudicial interest in the application, Councillor John I Jones left the meeting during discussion and voting thereon.*

The application was reported to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 10 January, 2024 it was resolved to visit the site. The site visit subsequently took place on 24 January, 2024.

### ***Public Speaker***

Mrs Non Gibson, addressed the Committee, **in support of the application** and said that it is a privilege to have acquired such a special location as Tŷ Coch and their wish is to create a home that is suitable for the location and their needs as a family – not a holiday home, not a rental home, not a house to sell on, a four bed roomed home. There are no “spare” rooms, no spare bedrooms, no games room, no cinema room, no home gym. Firstly, she wished to correct the fact that the total floor surface is 465m<sup>2</sup>, nearly 100m<sup>2</sup> smaller than the measurements that have been used as a basis for the report. The concerns of the Planning Officer are based on the term “visual impact”. Visual impact from two sites – the Tyrnpeig Nant



Road in Llangefni which is over a kilometre away and the public footpath. The plans do not meet the path at all – there will be no change to it. As regards to views from the road, the closest point is the new roundabout which is over a thousand meters away. Separating Tŷ Coch and the road are small hills, hedges and stone walls which mean that it's almost impossible to see. There is no pavement either so no effect on walkers. The current house was built for a different era. Over the decades, houses have naturally increased in size to be able to include modern facilities. A new house will ensure a suitable space for a family of five, efficient in its use of energy and cost effective to run. No consideration is given to the fact that it is a two-storey house and three sheds – four buildings being replaced by one new building – a total footprint which is much less and a much smaller built environment.

The current house and shed are in a row, as were the original plans, the house is now reduced in size and at an angle which means that the surface has been shared between two angles which reduces the frontage. The report is critical of roofs on different levels – it is considered that this to be a positive aspect of the plan, which adds to the character and reduces the mass of the house. The roofs are also hipped so that they reduce the mass further – increasing horizontality and reducing the verticality which is more acceptable visually. The ground floor will have a 'rustic' red/brown/orange finish which will reflect the name Tŷ Coch and will also blend into the natural colours of its surroundings. The top half of the house is clad in black metal which expresses the history of the site and shadows of the trees and mature trees surrounding the house. She noted that there has been no response from the Community Council nor by the public to any of the last three consultations – further justification that the development does not affect anyone. She wished to draw attention to recent applications and appeals. Decisions made in line with Policy TAI 13 of the JLDP, which is the policy used to determine if the principle of the application is acceptable. Appeal at 'The Moorings', Red Wharf Bay – a house significantly larger, located in an AONB. The Inspectorate decided to permit the appeal, another example is Seintwar, Llanfaes,

Mrs Gibson further said that consideration must be given to the context of surroundings. Applications for demolishing and re-building houses have been permitted in the vicinity including at Bryn Gwenith (which is 700m<sup>2</sup> – over 200m<sup>2</sup> larger than the plans at Tŷ Coch) Cae'r Bwl, Rhos Celyn, Pen Terfyn and more recently Tŷ Llwyd. Wouldn't Tŷ Coch therefore correspond to similar developments in the area? She also drew attention to the fact that permitted development rights allow them to do renovation work and to extend in a more intrusive manner than in the plans before today's Committee and to do so without planning permission. She asked the Committee for approval of the application – similar to Cae Graham, a one floor wooden shed that is being replaced by a modern house three times its size in an AONB which shows no consideration for the local culture or economy but is lucky enough to have a recommendation of permitting – what we are asking is for permission to re-build a home for a local family, designed professionally by a local company, built by local contractors and craftsmen in a location that will have no impact on anyone.

In response to a question by Councillor Robert Ll Jones as to whether the applicants will be planting additional trees on the site, Mrs Gibson said that the

intentions are to plant additional trees on the site as some trees have been felled due to disease on some trees. She further said that the 'rustic' red/brown/orange finish of the house will also blend into the natural colours of its surroundings.

The Planning Development Manager referred to the main considerations of the application and reported that the proposed site is located along a single lane track that is accessed from the public highway between Rhostrehwfa and Llangefni. The access/track is retained in the freehold ownership of the David Hughes Charitable Estate whereby the Council is the sole trustee. The applicant has a formal right of way along the track to access their property. The site is not within the development boundary nor a cluster of dwellings and is considered within the open countryside as defined by the Joint Local Development Plan. The existing site has an existing two storey farmhouse dwelling, two outbuildings and agricultural land owned by the applicant on land adjacent to the east and west. The proposed development is the demolition of the existing dwelling and one of the outbuildings together with the erection of a replacement dwelling, alterations to existing vehicle access onto the public highway, installation of a private treatment plant, extension to the residential curtilage together with soft and hard landscaping. The relevant planning policy as regards to this application is planning policy TAI 13 – Replacement Dwellings. The planning policy TAI 13 states that proposals for replacement dwellings that meets the criteria will be approved. The policy is also supported by the Supplementary Planning Guidance (SPG) for Replacement Dwellings and Conversions in the Open Countryside which was adopted in September 2019. It is considered that this application conforms with Criteria 1, 2, 3 and 5 of the planning policy but not with Criteria 4, 6 and 7. The Planning Development Manager referred to Criteria 4 of the planning policy which states that 'outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible' - A structural survey report was provided by the application which concluded that it would be more feasible to demolish and build a replacement dwelling on site. The proposed dwelling's scale and design is significantly more costly than the refurbishment and is contrary to Criteria 4 of policy TAI 13 and the SPG. He referred to Criteria 6 of planning policy TAI 13 as regards to the siting of replacement dwellings which should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality. The proposed siting of the replacement dwelling is not located in the same footprint of the existing dwelling. The proposed dwelling is located to the southeast of the existing dwelling with parking spaces assigned to where the existing dwellings footprint. Due to the scale of the dwelling, the realignment of the proposed dwelling will not lesson its visual impact and would have a negative impact on the visual appearance of the site and local amenities. It is considered that the proposal is contrary to Criteria 6 of Policy TAI 13.

The Planning Development Manager further referred that the total floor area of the ground floor and approximate first floor levels of the existing dwelling is approximately 141.1 metres square. The proposed replacement dwelling's floor area of the ground and first floor area is 557.2 metres square in total. The percentage increase in floor area from the existing dwelling is approximately 295%. Section 14.2 of the SPG notes that original floor areas should be considered if the

development scale is similar to the original. The justification provided by the applicant that the new proposed development would not be visible is not a justification to demolish the current dwelling and building a large replacement dwelling on the site. The policy is clear that the outbuildings should not be considered when calculating the floor area of the residential unit. It is noted that nearby units that are larger in size is not a reasonable justification to increase the size of the replacement dwelling. Justification letters and a Design and Access Statement have been provided to explain how the applicant and agent believe the proposed development would comply with the JLDP planning policies and SPG. The proposed scale of the development is much greater in footprint, overall floor area and in height of the existing dwelling. The proposed design of the dwelling is modern in its style with the walls being angled not perpendicular but at 45 degrees or less than 45 degrees. The proposed slate roofs have four pitched roof characteristics but the different roof heights in different sections of the house and the overall design is very uncharacteristic to the site and area. The material choice for the proposed dwelling are slate pitched roofs, dark metal profiled cladding on the walls first floor, rendered walls on the lower ground floor, one section of the dwelling have red brick walls and large glazing windows on the southeast elevation. The proposed material choices, the greater scale of the dwelling, its siting on the site together with its appearance do not prevent or lessen its visual appearance on site and would have a negative impact on site and the surrounding area, contrary to Criteria 7 of planning policy TAN 13 and the SPG.

The Planning Development Manager said that the needs of the applicants for a larger more accommodating dwelling that can accommodate their family has been considered as part of the determination, but unfortunately, the proposed developments scale is approximately 295% more than the existing dwelling which is considered to be aspirational more than essential together with the design and appearance being out of character with the area and having a negative visual impact on site. The recommendation was one of refusal of the application.

Councillor Geraint Bebb, and a Local Member said that no objections have been received as part of the consultation process to the proposal. He considered that the proposal conforms with planning policies PCYFF 2, PCYFF 3 AND PCYFF 4. The Planning Development Manager responded that planning policy TAN 13 is the relevant policy to consider this application.

Councillor Nicola Roberts, a Local Member said that the application has been submitted by a Welsh local family who run a business on the Island. She noted that the applicant's wish to live locally and to have a dwelling that accommodates the needs of the family. She considered that the design of the proposed dwelling is of a high quality, and they should not be penalized for using such a high-quality design despite being different in appearance. The applicants are proposing to protect and plant more trees on the site to alleviate its visibility. Councillor Roberts further said that it is accepted that the proposed dwelling is a considerable larger dwelling but there are other large dwellings in the vicinity. The applicants will accept any conditions proposed to mitigate the effects and she hoped that the Committee would support the application.

The Planning Development Manager, whilst accepting the needs of the applicants, said that the Committee must consider the proposal with regards to planning policies. He said that approving the application, which is 295% larger than the current dwelling and would set a precedent when dealing with other similar application.

Councillor Alwen Watkin said that she considered that there were inconsistencies in determining planning applications as the recommendation of the previous application was to approve the application even though it would be more costly to renovate the dwelling than a new build. In response, the Planning Development Manager responded that the two applications are totally different as the previous application would not benefit from renovation due to its poor state and the efficiency of the dwelling. He reiterated that the proposed dwelling would be 295% larger than the current dwelling. The cost of building a new dwelling will be three time more than the cost to renovate the current dwelling. He noted that the structural report notes that the current dwelling is structurally sound with only the cable end needing renovation works.

Councillor Robert LI Jones said that he considered that the applicants need to consider renovating the current dwelling as opposed to the proposal to build such a large dwelling which would be unsuitable within the vicinity. Councillor Robert LI Jones proposed that the application be refuse in accordance with the Officer's recommendation. Councillor Robin Williams seconded the proposal of refusal.

Councillor Geraint Bebb proposed that the application be approve contrary to the Officer's recommendation. Councillor Alwen Watkin seconded the proposal of approval.

Following the vote of 7 for refusing the application and 3 for approving the application :-

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

## **8 ECONOMIC APPLICATIONS**

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

## **9 AFFORDABLE HOUSING APPLICATIONS**

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

## **10 DEPARTURE APPLICATIONS**

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

## 11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

## 12 REMAINDER OF APPLICATIONS

### 12.1 FPL/2023/349 – Full application for a free-standing canopy with a roof over together with a bike shelter at Ysgol Syr Thomas Jones, Tanybryn Road, Amlwch

The application was reported to the Planning and Orders Committee as the land is owned by the County Council.

The Planning Development Manager reported that the application is made for a free-standing canopy with a roof over together with a bike shelter. As noted in the last meeting Ysgol Syr Thomas Jones, Amlwch is a Listed Building Grade 11\* and the main consideration is the effect of the proposal on this historical building. The free-standing canopy will measure 3.3 meters x 15 meters and 38 metres in height and the bike shelter will measure 4.1 meters x 2.3 meters and will be placed underneath the shelter. The Heritage Officer of the County Council has been consulted and it is considered that the proposal will not have a negative effect on the historical building.

Councillor Liz Wood proposed that the application be approved in accordance with the Officer's recommendation. Councillor Jeff Evans seconded the proposal of approval.

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

### 12.2 FPL/2023/343 – Retrospective application for the extension to the existing decking at Golden Sunset Caravan Park, Benllech

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

#### ***Public Speaker***

Ms Carol Price, addressed the Committee, **as an objector**, to the proposal said the objection to the proposal is upon exacerbated health and safety grounds and lack of any governance (risk assessment, duty in relation to public safety on or adjacent to Golden Sunset Holiday Park and any visible oversight as the responsible licensee to the Caravan Sites and Control of Development Act 1960) to the statue instruments advisories to the close packing density of other adjacent caravan structures which could contribute towards fire propagation between units causing an unacceptable fire risk to the occupants; added to this the static caravan transgresses the property boundary and cuts inside the joint boundary, therefore,

there is no stand-off from the boundary as advised in the Caravan Sites and Control of Development Act 1960. The caravan is in contact with the boundary to neighbouring properties off the caravan park and clearly contravenes any advisable 3 metre safety distancing from the edge of the boundary causing an additional unacceptable fire risk to the residential occupants.

Mr. Stan Johnson, addressed the Committee, **as the applicant**, said that he and his wife acquired the caravan in February 2021 for the exclusive use of our extended family. He said that he regretted that work on the deck extension commenced prior to seeking planning permission, as he was unaware that planning permission had been granted in 2016 for the original decking and, therefore new works relating to this decking would require new permissions, however, consent was obtained from the site owner prior to commencing any work. The extension is a small addition (approx. 2m x 4m) on the North side of the deck, i.e. on the opposite side of the caravan from the border and the building utilised as a holiday let. To put this into perspective, the extension is about the same area needed for a dining table and chairs. The purpose of the extension was twofold: firstly, to have an area of decking that was out of the shadow in the late afternoon, and secondly to create a secure space for our 1-year-old grandson to play. We believe this extension minimises any potential disruption of privacy for users of the property to the south of the caravan. Apart from this modest extension, no other alterations are planned. The screen referred to in the 2016 planning permission is an integral part of the decking and is permanent. For accuracy it is not bamboo. When we purchased the caravan, it had a reed screen which was mouldy and not sufficiently opaque for our needs. This was replaced with opaque grey plastic screening fastened to the substantial timber frame. He said that he was surprised by the need for two senior planning enforcement officers, a planning officer, and fire and environmental health officers to conduct site visits for this application. As he understood that all have verified that the extension complies with the required standards, and no additional issues have been raised. He thanked the officers for their time and understanding. It appears that other issues raised by the complainant are not directly related to this application and it may be more appropriate for the complainant to address these directly with the site owner. There is however a certain irony in the concerns regarding the proximity of the caravan to the adjacent building as, considering this building was extended closer to the border (and according to some maps potentially across it) in 2018-2021 planning ref HHP/2018/15.

The Planning Development Manager reported that the application was presented to the Committee by a Local Member due to health and safety concerns, specifically that gas bottles are too close to oil tanks of neighbouring properties and due to issues of lack of compliance with conditions. The caravan subject to this application is located adjacent to the boundary with neighbouring property of Bryn Môr. The application presented is a retrospective application for the extension to the existing decking which has been submitted following an enforcement investigation. Planning permission was granted in October 2016 for the erection of a decking area. This decking measures approximately 12.6m in length and 5.3m wide, extending 3m beyond the front of the caravan. There is currently a bamboo privacy screen in place on the southern edge of the decking, to prevent overlooking toward the neighbouring property of Bryn Môr. A Breach of Condition Notice was

served on the previous owner of the caravan for failing to keep the screen in place as required by condition (01) of the planning permission in 2016. The proposed retrospective application before this meeting is to extend the decking on its northern side, into the caravans' plot, further away from the boundary with the neighbouring property. It is a small-scale extension, extending 2m beyond the northern side and 4.6m rearwards from the front. Its height matches the existing decking as does the glass balustrade on the front and timber rails on the side. In response to the concerns of the Local Member and the objector, as regards to fire and health it was reported that health and safety concerns lies outside the scope of this application. The matters raised during the consultation period have been forwarded to the attention of the Fire Authority and Trading Standards Department and they have responded that they considered that the LPG cylinders by the caravan were suitably secure and a sufficient distance of 5 metres from the boundary of the neighbouring property. The recommendation was approval of the application.

Councillor Margaret M Roberts a Local Member said that the Golden Sunset Caravan Park is an extensive caravan site which is visible from the beach in Benllech. The caravans on site, over the years, have become larger in size with deckings. The caravans now are nearer each other which has resulted in closeness to the boundary of neighbouring properties. She noted that planning permission was afforded in 2016 for decking at this site with a condition that privacy screens be erected but over the years the screening provision has not been maintained to the detriment of the neighbouring properties. The current retrospective application is to extend the decking area of more than a third of its size and the applicant was aware that planning permission was required before the commencement of the works. She further said that a condition needs to be implemented that the privacy screen should be permanent to protect the amenities of neighbouring properties.

The Planning Development Manager responded that planning permission was approved in 2016 for the decking area and this application is for a small extension to the decking of 2m width and 4.6m depth. He noted that a condition was enforced on the approved planning permission in 2016 for the erection of a screening provision for the period that the previous owners were allowed to use the caravan on the site. He noted that this proposal includes a permanent privacy screening which will be through a condition to any approval of the application.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation. Councillor Jeff Evans seconded the proposal of approval.

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

**12.3 FPL/2023/176 – Full application for the demolition of 2 outbuildings together with the erection of 2 affordable dwellings, 4 open market dwellings with the creation of a new vehicular access on land rear to the Post Office, Holyhead Road, Gwalchmai**

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

Councillor Neville Evans, and a Local Member requested that a physical site visit be undertaken due to concerns by the Trewalchmai Community Council and residents as regards to traffic issues and the ability of the public sewerage network to accommodate additional flows.

Councillor John I Jones proposed that a physical site visit be undertaken to the site. Councillor Gerain Bebb seconded the proposal.

**It was RESOLVED to conduct a site visit in accordance with the Local Member's request for the reasons given.**

**12.4 VAR/2023/67 – Application under Section 73 for the variation of condition (02) (to allow for minor amendments to the layout, design and an increase in height of the approved units) of planning permission reference FPL/2021/266 (Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping) so as to allow for minor amendments to the layout, design and an increase in height of the approved units on land at Garreglwyd Road, Holyhead**

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

#### ***Public Speaker***

Mr Jamie Bradshaw, speaking in **support** of the application, said that it is important to note that this proposal is for minor changes to a scheme that has already been approved by this Committee in January 2023, with the only change being modest adjustments to the design, layout, and overall height of the building. That permission has been implemented and could be finished at any time, and this is an important fallback position to bear in mind. The only matters to be considered is minor amendments made to the layout of the building; the roof design has been amended in order to provide one ridge height and a more streamlined design; the external finishes have been amended to replace the approved facing brick and render with two shades of render and small areas of timber cladding; the height of ground and first floor levels have been increased by approximately 700mm, but the ridge height has been retained at or close to the same height as the approved scheme. Therefore, although there would be a slight increase in the height of parts of the overall building, this has been proposed as it allows the applicant to peck out less of the site. It is important for the Committee to understand that the only alternative that the applicant has if the Committee choose to refuse the proposal at this meeting, is to revert to the original approved scheme which would involve significantly more pecking on the site to achieve the previously approved finished floor levels and more disruption to neighbours. The modest changes also do not impact upon the privacy or amenity of the site's neighbours, as the overall level of development and height of the building is the same as the approved scheme. Comparative plans have been submitted which demonstrate this, and it should be



noted that the Planning Officers have reached the same conclusion after careful consideration of the issue. Although there were some concerns raised by neighbours with regards to other matters such as highways and drainage, it is important to note that these were dealt with as part of the original planning application which was approved in 2023 with the Authority's Highways and Drainage Officer's both in favour of the scheme. Approval from these departments of the Authority for this application clearly confirms that the arrangements are acceptable and suitable, and there are no sound grounds for departing from their advice. There are also no grounds for departing from the conclusion of the Committee when the application was approved in 2023. The proposal entirely complies with the LDP and is fully supported by the Authority's Officers after detailed consideration, and there is no sound basis for departing from their professional and considered advice. Neither can there be any basis for reaching a different decision on the overall case to that which this Committee reached in July 2023 as the development is the same, as is the Local Development Plan, and there has been no material change in circumstances that would justify reaching a different decision.

The Planning Development Manager reported on the main considerations within the report and noted that the principle of the development has been established under the previous consent in January 2023. The scheme proposes to raise the finished levels by approximately 700mm from the previously granted scheme. The proposal includes amendments by altering the finishing materials from facing brick and render to two shades of render with small areas of timber cladding. The Planning Department welcomes this change in materials as it is considered more sympathetic an in-keeping with the character of the area. In addition, the roof structure has been simplified so as there will be one ridge height, and this will result in a more congruent appearance which is an improvement to the previous scheme and will integrate into the built environment. The building remains in the same footprint as what was granted previously and therefore this proposal remains in compliance with the distances noted in the SPG Design Guide.

Councillor Trefor LI Hughes, and a Local Member said that he has concerns as regards to the effect on the residents of Maes Cybi due to overlooking, traffic issues and surface water issues. Councillor R LI Jones also expressed concerns as to the effects on the residents of Maes Cybi. The Planning Development Manager reiterated that the development on the site has planning consent since January 2023 and the application before this Committee is for minor works.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation. Councillor Liz Wood seconded the proposal of approval.

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

**13 OTHER MATTERS**

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

**COUNCILLOR KEN TAYLOR  
CHAIR**