

# Public Document Pack



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

Mr Dylan J. Williams  
Prif Weithredwr – Chief Executive  
CYNGOR SIR YNYS MÔN  
ISLE OF ANGLESEY COUNTY COUNCIL  
Swyddfeydd y Cyngor - Council Offices  
LLANGFNI  
Ynys Môn - Anglesey  
LL77 7TW

Ffôn / tel (01248) 752500  
Ffacs / fax (01248) 750839

<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>
<b>DYDD MERCHER, 4 RHAGFYR, 2024 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 4 DECEMBER 2024 at 1.00 pm</b>
<b>CYFARFOD HYBRID YN SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI AC YN RHITHIOL DRWY ZOOM</b>	<b>HYBRID MEETING - COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI AND VIRTUALLY VIA ZOOM</b>
<b>Swyddog Pwyllgor</b>	<b>Mrs Mairwen Hughes 01248 752518 Committee Officer</b>

## AELODAU / MEMBERS

Cynghorwyr / Councillors:

Geraint Bebb  
Jeff Evans  
Neville Evans  
Glyn Haynes (**Vice-Chair**)  
Trefor LI Hughes MBE  
John Ifan Jones  
R. Llewelyn Jones  
Jackie Lewis  
Dafydd Roberts  
Ken Taylor (**Chair**)  
Alwen P Watkin  
Robin Williams  
Liz Wood

***Please note that meetings of the Committee are streamed for live and subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this live stream will be retained in accordance with the Authority's published policy***

## **A g e n d a**

Any additional information to hand following publication of reports will be verbally reported upon to the meeting.

Before a decision notice is released conditions of approval or reasons for refusal given in written reports may be subject to minor amendments to account for typographical errors.

### **MEMBERS OF THE COMMITTEE**

#### **Councillors:-**

Geraint Bebb  
Jeff Evans  
Neville Evans  
Glyn Haynes (*Vice-Chair*)  
Trefor LI Hughes MBE  
John I Jones  
Robert LI Jones  
Jackie Lewis  
Dafydd Roberts  
Ken Taylor (*Chair*)  
Alwen P Watkin  
Robin Williams  
Liz Wood

**INDEX** the link to the Public Register is given for each individual application as shown

#### **1 APOLOGIES**

#### **2 DECLARATION OF INTEREST**

To receive any declaration of interest by any Member or Officer in respect of any item of business.

#### **3 MINUTES\_**(Pages 1 - 14)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 6 November, 2024.

#### **4 SITE VISITS**

None to be considered by this meeting.

***Please note that meetings of the Committee are streamed for live and subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this live stream will be retained in accordance with the Authority's published policy***

## **5 PUBLIC SPEAKING**

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

None to be considered by this meeting.

## **7 APPLICATIONS ARISING**

None to be considered by this meeting.

## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS**

None to be considered by this meeting.

## **11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS**

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS\_ (Pages 15 - 30)**

12.1 – FPL/2024/230 – Mona House, Holyhead Road, Gwalchmai  
[FPL/2024/230](#)

12.2 – FPL/2024/65 – Bryn Cwr, Gwalchmai  
[FPL/2024/65](#)

## **13 OTHER MATTERS**

None to be considered by this meeting.

This page is intentionally left blank

## PLANNING AND ORDERS COMMITTEE

### Minutes of the meeting held in the Council Chamber and through Zoom on 6 November, 2024

- PRESENT:** Councillor Glyn Haynes (Vice-Chair) (In the Chair)  
Councillor Neville Evans (Vice-Chair for this meeting only)
- Councillors Geraint Bebb, Jeff Evans, Trefor Lloyd Hughes, MBE, John Ifan Jones, Robert Ll. Jones, Dafydd Roberts, Alwen Watkin, Robin Williams.
- Local Members: Councillors Douglas Fowle (for application 12.4), Dyfed Wyn Jones and Sonia Williams (for application 7.1), Alun Roberts (for application 7.2)
- IN ATTENDANCE:** Planning Development Manager (RLJ)  
Group Engineer (Development Control and Traffic Management) (AR)  
Planning Solicitor (LMS)  
Committee Officer (ATH)  
Webcasting Officer (FT)
- APOLOGIES:** Councillors Jackie Lewis and Ken Taylor
- ALSO PRESENT:** Councillors Nicola Roberts (Portfolio Member for Planning, Public Protection and Climate Change), Kenneth Hughes, Aled M. Jones, Derek Owen, Ieuan Williams (for part of the meeting), Owain Rowlands (Planning Officer), Cai Gruffydd (Planning Assistant), Elena White (Business Systems Manager)
- 

In the absence of the Chair, Councillor Ken Taylor, the meeting was chaired by the Vice-Chair, Councillor Glyn Haynes.

#### 1. APOLOGIES

Apologies for absence were received from Councillors Jackie Lewis and Ken Taylor.

#### 2. DECLARATION OF INTEREST

Councillor Glyn Haynes declared a personal and prejudicial interest with regard to applications 7.1 and 7.2 on the agenda and was not present when those matters were considered.

#### 3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 2 October 2024 were presented and were confirmed as correct.

#### 4. SITE VISITS

The minutes of the planning site visits held on 23 October 2024 were presented and were confirmed as correct.

## 5. PUBLIC SPEAKING

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

At this point in the proceedings the Chair requested a nomination for a member of the Committee to serve as Vice-Chair for this meeting. Councillor Robin Williams proposed Councillor Dafydd Roberts and was seconded by Councillor Jeff Evans. Councillor Dafydd Roberts proposed Councillor Neville Evans and was seconded by Councillor Robin Williams who withdrew his original proposal.

Councillor Neville Evans was elected to serve as Vice-Chair for this meeting of the Planning and Orders Committee.

## 6. APPLICATIONS THAT WILL BE DEFERRED

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

## 7. APPLICATIONS ARISING

### **7.1 FPL/2024/76 – Full application for the erection of 27 affordable dwellings, construction of internal access road, diversion of public right of way, creation of a landscaping bund, erection of acoustic fence and associated works on land north of Y Garnedd, Llanfairpwll**

The application was presented to the Planning and Orders Committee at the request of Local Members. At its meeting held on 2 October 2024 the Committee determined to undertake a site visit which subsequently took place on 23 October 2024.

*Having declared a personal and prejudicial interest in this application, Councillor Glyn Haynes left the meeting during the discussion and voting thereon. The item was chaired by Councillor Neville Evans, Vice-Chair for the meeting.*

#### *Public Speaker*

Sioned Edwards, Cadnant Planning spoke in support of the application saying that the proposed housing would be developed by DU Construction on behalf of Clwyd Alyn Housing Association who would own the properties. All 27 dwellings would be affordable and would be available for rent on an affordable basis. The dwellings would not be available for sale but would remain in the ownership of Clwyd Alyn Housing Association. The application site is outside but immediately adjacent to the development boundary of Llanfairpwll and as such is assessed as an exception site under Policy TAI 16 which supports applications for affordable housing outside but adjacent to settlement boundaries providing they also meet a local need for housing that cannot otherwise be met on sites within the boundary within a reasonable timescale. Over the lifespan of the LDP from 2011 to this day, two affordable houses have been developed in Llanfairpwll and currently there is no planning permission for any further affordable housing in the village. Housing need figures for Llanfairpwll show a significant need for housing to which the lack of affordable housing provision over the past 13 years as well as rising house prices and small increase in wages have contributed. The need for affordable housing especially two and three bedroom units is increasing year on year as attested to by the Council's Housing Service's housing data and the Housing Need Assessment carried out by the Rural Housing Facilitator in 2021. The proposal and the mix of housing units which it offers would make a significant contribution towards meeting this housing need.

Ms Edwards referred to traffic considerations confirming that extensive discussions have been held with the Highways Department prior to and during the engagement period with access through the Garnedd estate having initially been discussed in 2020. There are no

objections in principle to the proposal from a highway and traffic perspective. Llanfairpwll is an easily accessible location as regards public transport and the application site is within walking distance of local facilities. The Traffic Report submitted with the application confirms that no accidents have been recorded in the site's catchment in the last five years and there would be no substantial increase in traffic movements as a result of the proposal and therefore no significant impact on the local road network is expected. Due to the proposal's proximity to the A55, the application includes measures to mitigate noise impacts from the expressway. This has been assessed by the Council's Public Protection Officer and by Welsh Government's Highways Department with no objections raised on this basis. The proposal also includes a contribution of approximately £13k towards open space and children's play area.

Ms Edwards concluded by saying that there is a critical need for affordable housing across Wales including Anglesey especially for local people and young people. Welsh Government has set a target for developing 20,000 affordable houses in Wales over the Senedd period from 2021 to 2026. Clwyd Alyn Housing Association is working hard to contribute towards meeting this target and there is a responsibility on everyone in the chamber to develop affordable housing and address local people's housing needs. The proposal would be a step forward in providing affordable housing in Llanfairpwll.

The Planning Development Manager reported that the proposed development consists of 4 one bedroom flats, 14 two bedroom houses, 6 three bedroom houses and 3 four bedroom houses. A previous application in March 2023 was refused due to objections by the Highways Authority and SAB to the proposed method of surface water disposal from the site via a connection to the Local Authority Highway system. This issue has since been resolved with the current scheme proposing that surface water be discharged into a watercourse to the southeast of the site by the Maes Eilian football ground.

The application site is outside but immediately adjacent to the development boundary of Llanfairpwll and can be considered as an exception site under Policy TAI 16 which supports proposals for 100% affordable housing on such sites where it can be demonstrated that there is a proven need for affordable housing that cannot be delivered within a reasonable timescale on a market site inside the development boundary. The Council's Housing Services have confirmed that there is a need for affordable housing in the locality with 17 persons/families on the social housing register who have specified Llanfairpwll as their preferred area of choice, 23 persons/families on the Tai Teg register for an affordable home in Llanfairpwll and a further 128 persons/families who have noted Llanfairpwll as an alternative choice for an affordable home. The indicative supply level for Llanfairpwll over the Plan period is 82 units and during the period 2011 to 2023 a total of 65 units have been completed in Llanfairpwll with 10 units in the windfall land bank. Although the proposed development would exceed the indicative provision for Llanfairpwll there is a shortfall of 291 units in Local Service Centres across the Island meaning that approval of this site can be supported by the expected provision within the Local Service Centres category. Additionally, as regards density the development at 30 units per hectare is in line with Policy PCYFF 2 in relation to the effective use of land.

The Planning Development Manager referred to highways considerations and confirmed that the proposed parking provision of 57 spaces including visitor parking conforms to parking standards. The access via Y Garnedd state is considered sufficient to allow two cars to pass safely without the need for a priority system. No traffic impact assessment has been submitted with this or the previous application because the level of traffic generated is well below the threshold required for undertaking such an assessment. A transport report accompanying the application shows that the proposal would create 14 additional traffic movements in and out of the estate during peak morning and afternoon hours which is equivalent to one additional traffic movement each 4 to 5 minutes at peak times. The

Highways Department is satisfied with the information submitted and has raised no objections to the proposal subject to conditions. As the application site is close to the A55 expressway, an Air Quality Assessment and Noise Impact Assessment have been submitted with the application and those have been reviewed by the Environmental Health Department which has raised no concerns subject to the implementation of the mitigation measures referred to in the report including acoustic fence and bund, upgraded glazing and alternative ventilation. The proposal is considered acceptable as regards design, layout, scale and landscaping and will not impact on the privacy and amenities of nearby residential occupiers as there is sufficient distance between the proposed dwellings and the existing dwellings at Y Garnedd. The developer will also be required to submit a Traffic Management Plan to demonstrate how impacts during the construction period will be managed and mitigated.

The application site boundary is partially within zone C2 as per the Development Advice Maps accompanying TAN 15 – Development and Flood Risk and is also shown to partially lie within zones 2 and 3 according to the Flood Map for Planning. Natural Resources Wales note that the only element of the site/proposal within the identified flood zone is that of the surface water drainage pipe and they are satisfied that the Flood Consequence Assessment as submitted is sufficient to demonstrate that the proposal is not at risk from the adjacent river Rhyd Eilian.

As regards other matters, the Education Department has confirmed no contribution towards education facilities is required there being sufficient capacity within the local primary and secondary schools. As the proposal consists of 27 dwellings Policy ISA 5 regarding provision of open spaces in new housing development applies. As such and following assessment, the developer will be required to pay a total commuted sum of £12,902.19 towards the provision of outdoor sports facilities and children's equipped play space. The application site is partly classified as Grade 2 agricultural quality. However, there is an overriding need for the development to provide affordable housing and as the area of land concerned is small and located between residential development and the A55 expressway it is not considered that the loss of this land would negatively impact on the farming activities in the area as it is only used for grazing which can be carried out on most grades of land.

The Planning Development Manager concluded by confirming that the proposal is considered acceptable and conforms with the relevant local and national policies and guidance and subject to conditions and a Section 106 agreement, the recommendation is one of approval.

Councillor Sonia Williams, a Local Member spoke of the concerns regarding the proposed development from ecological, traffic, noise and flooding perspectives. The proposal if approved will mean the loss of 1.6 hectares of valuable greenfield land which sustains local wildlife which if displaced may never return especially with the added disruption of building and sewerage works. The environmental assessments which were meant to evaluate these effects were undertaken out of season rather than at peak period from May to September. She raised doubts about the adequacy of the proposed acoustic fence to mitigate noise pollution from the A55 which was notable during the site visit. She highlighted the flooding issues in Llanfairpwll with concerns having been raised recently by an older person's residential home about sewerage problems in the area and she referred to traffic problems in Llanfair both as regards volume and speeding with no one having really assessed the issue. She raised questions about the access to the proposed development and whether it was wide enough to allow two vans to pass each other. The extent of the opposition to this development locally as reflected in comments, e-mails and a petition with 1000+ signatures does not appear to be fully covered by the report. The location she felt poses too many risks in terms of the environment, infrastructure and logistics to justify the development with concerns on numerous grounds including displacement of wildlife, flood risk, traffic congestion, CO2 emissions and noise. She said that she was perfectly aware of the need for



affordable housing but that adding the word affordable to something that is outside the development boundary does not make it sensible to put houses there. She asked the committee to carefully consider the concerns raised and conclude that this proposal is not the answer to the affordable homes problem in Llanfairpwll.

Councillor Dyfed Wyn Jones, also a Local Member said that he had spoken to the committee of his opposition to the proposal on the basis of location back in March 2023. He acknowledged the importance of providing affordable homes but remained concerned regarding the location of the application site close to the A55 expressway knowing the noise levels that can be generated despite the proposed mitigating measures. He believed that members have a duty to consider the amenities of the people who would be living in these houses. Housing developments have to be in the right place and developers must take this into consideration. The access is also a matter of concern and although it may be sufficient it is not practical for serving 27 houses. He asked members to think about the location and whether it is appropriate and to remember the site visit.

Responding to the points made by the Local Members, the Planning Development Manager reiterated that the Council's Ecological and Environmental Advisor along with NRW have been consulted on ecology matters and mitigating measures have been identified. The Environmental Health Department is satisfied with the Noise Impact Assessment and the mitigations proposed including an acoustic fence which is an effective barrier. Other housing estates in Llanfairpwll near the A55 have no such mitigation. The application site is not within a flood zone, Welsh Water have no objections and SAB approval will be required. The transport survey confirmed that the additional traffic movements created by the proposal are not such as to create an adverse impact. The application site in being adjacent to the development boundary of Llanfairpwll can be considered as an exception site under Policy TAI 16. The land in question is used for grazing and it is not considered that its loss would affect farming in the area. The application has to be considered as presented with no regard for other locations.

Councillor Robin Williams, who was also a Local Member, played a clip from the site visit to illustrate the background noise from the A55 expressway from where members had gathered opposite properties in the Y Garnedd estate. The noise level would be even greater for the occupants of any of the proposed properties adjoining the expressway. He questioned whether the mitigating measures described would be effective since noise carries far and he believed that the effects would be dreadful for those properties especially at peak times. The conditions under which they would be living is something the Committee needs to think about. Consideration has also to be given to residents of Y Garnedd who would be impacted by the additional traffic movements generated by 27 properties with 57 parking spaces especially as car usage is now far greater than when the Y Garnedd estate was built. The company which undertook the transport assessment consider similar sites around the UK and a list of such sites is included in the assessment report. However these sites are in very different locations to that of Llanfairpwll and involve much larger developments. They are in places where there are better public transport links and he thought it a fallacy that people are suddenly going to use public transport locally when the car is the favoured means of getting around. The figures for traffic movements should not therefore be given too much weight. Councillor Williams further referred to an e-mail he had received from a constituent regarding traffic and parking issues along Penmynydd Road to the Y Garnedd estate which he quoted and which shows how problematic the road from the Deer Lake takeaway onwards is and why a full traffic survey is required. He proposed that the application be refused and the proposal was seconded by Councillor Geraint Bebb.

Councillor Jeff Evans referred to the determination by Welsh Government that 20,000 affordable homes need to be built in Wales by the end of the current Senedd terms to which Anglesey is expected to contribute. The proposed development offers a mix of homes for

which there is a pressing need and he questioned whether the impacts of the proposal are such as to justify denying the opportunity to build 27 affordable homes in the area. He referred to his own experience of living for many years by a busy junction and did not believe that the noise levels at the proposed development were such as would deny him the opportunity of a home and he did not think that anyone in need of a home would be sorry about one being made available to them in this area. He also believed that a decision to refuse the application would be appealed and the appeal likely upheld with potential costs to the Council. All the issues identified have been addressed to the satisfaction of the statutory bodies and he was therefore happy to propose that the application be approved. The proposal was seconded by Councillor R. Llewelyn Jones.

Responding to Councillor Robin Williams the Planning Development Manager advised that the transport assessment is based on a national methodology which is the same for every site. Parking issues on Penmyndd Road are not relevant to the proposal as it will not exacerbate the existing issues and should not be penalised for them. There is a need for affordable housing in Llanfairpwll as corroborated by the data and a refusal would likely be overturned on appeal. In response to a further question by Councillor John Ifan Jones about the density of the development being twice that of Y Garnedd estate for the same sized plot when Policy Tai 16 states that proposals must be for small scale development the Planning Development Manager confirmed that the proposal at 30 units per hectare makes effective use of land in accordance with the requirements of Policy PCYFF 2. Additionally, Policy TAI 16 states that proposals must be for small scale development unless it can be clearly demonstrated that there is a requirement for a larger site. Given the size of Llanfairpwll and the proven need for affordable housing in the area, the proposal complies with Policy TAI 16.

In the ensuing vote on the matter, the proposal to approve the application in accordance with the Officer's recommendation was carried by five votes to four.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions set out therein and subject also to the signing of a Section 106 Agreement to secure the provision of affordable housing and open space contribution.**

## **7.2 FPL/2024/105 – Full application for the erection of 30 residential dwellings (100% affordable housing units), alterations to existing access, creation of new access and internal access road together with associated works at land to the north-east of Gwel y Llan, Llandegfan**

The application was presented to the Planning and Orders Committee at the request of a Local Member due to local concerns. At its meeting held on 2 October 2024 the committee resolved to undertake a site visit which was subsequently made on 23 October 2024.

*Having declared a personal and prejudicial interest in this application, Councillor Glyn Haynes left the meeting during the discussion and voting thereon. The item was chaired by Councillor Neville Evans, Vice-Chair for the meeting.*

### *Public Speakers*

Alun Foulkes, Clerk to Cwm Cadnant Community Council spoke in opposition to the application and referred to the land in question being outside the settlement boundary of Llandegfan and rather than rounding off of the settlement boundary the proposal represents a further expansion of urban development onto a green field site. He spoke about the impact on landscape and habitat features saying that the need for construction of a surface water swale and associated basis is yet another impact of the development on the open countryside. He noted the absence of any comments regarding the re-routing of the power

line which crosses the site which could result in further landscape and habitat disturbance. If approved the proposal could also raise several biodiversity issues including impact on bat movement and experience of dark sky. Should the development be permitted, details of any biodiversity enhancements must be agreed in advance and native tree species should be used in any landscaping. However, the main source of concern are highway and road access issues as detailed in a letter to the Planning Department. The back road is insufficient to take wide loads and there are now ramps on the main road by the school and on Gwel Eryri estate.

Sioned Edwards, Cadnant Planning spoke in support of the application saying that the proposed housing would be developed by DU Construction on behalf of Clwyd Alyn Housing Association. All 30 units would be affordable with the majority expected to be available on a social rent basis with the possibility of some being intermediate housing. There is a clear need for affordable housing in Llandegfan as supported by the Council's Housing Services data and a housing survey undertaken by the Rural Housing Facilitator and Cwm Cadnant Community Council in 2021 with very few opportunities to develop affordable housing within the village's development boundary. Over the lifespan of the LDP from 2011 to this day, five affordable houses have been developed in Llandegfan and currently there is no planning permission for any further affordable housing in the village. A public meeting was held in Llandegfan prior to the submission of the application and the applicant and team also attended a public meeting arranged by the Community Council.

Sioned Edwards referred to the access arrangements with the proposed development being served by two access routes through Gwel y Llan and Gwel Eryri estates, this would disperse traffic flow and vehicle movements between the two estates and is an arrangement that was welcomed during the consultation period. Ms Edwards addressed the impacts on Llandegfan residents and the roads that would be used to serve construction vehicles during the construction period which were among the main concerns and confirmed that a Construction Traffic Management Plan would be presented for the Council's approval prior to the commencement of any works with the intention being to avoid peak time deliveries and to engage with Gwel y Llan and Gwel Eryri residents to alleviate concerns and facilitate the construction work. She further confirmed that a Biodiversity Assessment has been submitted with the application and mitigation measures agreed with the Council's Ecological and Environmental Advisor and she noted that highways and drainage matters are addressed in detail in the Officer's report. She reiterated the need for affordable housing on Anglesey and said that that the proposal would contribute towards meeting part of that need in Llandegfan. The application provides a golden opportunity to develop affordable homes for the people in the locality.

The Planning Development Manager reported that Llandegfan has been identified as a Local Village under Policy TAI 4 of the JLDP. The application site is outside but immediately adjacent to the development boundary and as the proposal is for 100% affordable housing it can be considered as an exception site under Policy TAI 16. The Council's Housing Services have confirmed that there is a need for affordable housing in the locality with 7 persons/families on the social housing register who have specified Llandegfan as their preferred area of choice, and 67 persons/families have noted Llandegfan as an alternative choice. There are also 126 persons/families on the Tai Teg register for an affordable home in Llandegfan. The indicative supply level for Llandegfan over the Plan period is 27 units and during the period 2011 to 2023 a total of eleven units have been completed in Llandegfan and four have had planning permission and are likely to be developed. Although the proposed development would exceed the indicative provision for Llandegfan, Policy PS17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. As there is currently a shortfall of 291 units within Local Service Centres approval of this site can be supported by the expected provision within the Local Service Centres category. The Housing Services have also confirmed that the mix of housing units proposed

is appropriate, and although the density of the development at 25 units per hectare is below the target of 30 it is considered acceptable as it is due to part of the land being earmarked for drainage and open space provision.

The Planning Development Manager referred to local concerns regarding the impact which the additional traffic generated by the proposal could have on highway safety. The Highways Authority have been consulted and raise no objections to the proposal. The dual access arrangement was seen as more sensible than having all traffic flow through a single access and the location of the application site and the roads around it as well as measures to slow down traffic will mean that the estate is not used as a "rat run." Following discussion, the developer has agreed to submit a Construction Traffic Management Plan to alleviate concerns about the impacts during the construction period; this will be conditioned and will restrict the times during which supplies and deliveries can be made to the site during construction. A transport report accompanying the application predicts that the proposal will create 18 additional traffic movements during the peak period or one car every 3 minutes 20 seconds, but as there are two accesses the assessment foresees that these movements will be shared between the two thereby halving the overall number. Consequently it is not considered that the proposal will have a materially negative effect on the local road network.

The application site is considered to be in a sustainable location within the settlement of Llandegfan which has a primary school and local shop and which is also on the public network route to the nearby settlements of Beaumaris and Menai Bridge. As a Public Right of Way runs through the site works are required to divert the footpath so that it runs along the pavement within the site. The developer has agreed to contribute financially towards improving the two public rights of way in the locality of the site. The separation distances between the proposed units and properties in Gwel y Llan are such that it is not considered that the amenities of the occupants of those properties will be negatively affected and conditions are proposed to further safeguard residential amenities. The scheme also includes biodiversity enhancements which are acceptable to the Council's Ecological and Environmental Advisor. A Section 106 Agreement is required to secure the provision of affordable homes and contributions towards facilities at Ysgol Llandegfan and provision of open spaces and children's play area as well as for the improvement of the public rights of way in the locality as agreed to by the developer.

The proposal is considered as an acceptable extension to the village and complies with current policies. It will not have a detrimental impact on highway safety or on the amenities of the adjoining properties and the Officer's recommendation is therefore to approve the application.

Councillor Alun Roberts speaking as a Local Member said that everyone would agree that people need a place to call home and that the availability of affordable houses is a pressing requirement with the average price of properties in Llandegfan having risen by £3,000 for the year just gone and standing at £400k in the year before. The main issue with regard to the proposed development which is dividing opinion is the dual access arrangement which means that all traffic for the development will pass through Gwel y Llan and Gwel Eryri estates and the roads connecting to them during both the construction period and afterwards thereby affecting between 100 and 200 existing homes and their occupants. While he welcomed some of the solutions for traffic management during the construction period, he emphasised that there are real concerns locally about the impact on highway safety particularly during times when children are walking to school which can be before 8:00 a.m. Any traffic management measures would have to be in effect before that time and a solution would have to be found for school holidays and other times. A local playing area is situated opposite one of the roads to the access and is usually full of small children in the afternoons. He referred to construction traffic being a problem and likely to damage the roads through the two estates and he questioned whether there are any arrangements for the redress of

any such damage. He welcomed proposed engagement with local people and stressed the need for clear and honest dialogue to safeguard the amenities of local residents. The need for affordable houses is acknowledged but not at any cost and local concerns must be addressed before any work takes place.

Responding to the Local Member's comments, the Planning Development Manager reiterated the comments he had made in his presentation to the application regarding the need for affordable housing in Llandegfan and the measures to be put in place should the proposal be approved to address traffic and highway concerns such as the dual access arrangement which would reduce traffic flow and impacts and the requirement for a Traffic Management Plan for the construction period the effects of which would in any case be temporary.

Councillor Robin Williams questioned whether the proposed development as an extension to the village means that if it is approved and goes ahead the development boundary of Llandegfan will be similarly extended and any land adjacent to the extended boundary is then potentially capable of being developed by virtue of being adjacent to it. The Planning Development Manager advised that should the proposed development be approved and implemented the boundary would be included as policy in the new LDP and should the Plan include an exception policy which allows development to take place beyond a boundary, then that might be a consideration. However, exception sites are only considered if there is a demonstrable need for affordable housing in the area and the need would have to be proved.

Councillor Robin Williams while he indicated that he would be abstaining in the vote on this application as he had spoken strongly against the previous application nevertheless welcomed measures to alleviate traffic impacts which had been a concern on the site visit.

Councillor Dafydd Roberts queried the policy justification for the proposed development on the basis of a shortfall in the expected housing provision within the Local Service Centres category of the Joint Local Development Plan when Llandegfan has been identified as a Local Village in the Plan. He thought the number of proposed dwellings excessive for the need in Llandegfan, based on the information provided. The Planning Development Manager advised that Policy PS 17 states that if a proposal means that the indicative affordable housing provision for a settlement is exceeded then the Island wide position has to be considered given the need for affordable housing provision across Anglesey.

Councillor Jeff Evans said that the comments he had made regarding the previous application applied equally to this application and given the confirmed need for the properties, the proposal's compliance with policy and no objections having been raised by the statutory consultees who have examined the issues, then he was happy to propose that the application be approved in accordance with the Officer's recommendation. The need for affordable housing across Anglesey has been shown and while it cannot always be provided in people's chosen locality, most would appreciate the opportunity of having a home. The proposal was seconded by Councillor R. Llewelyn Jones.

Councillor Dafydd Roberts proposed that the application be refused contrary to the Officer's recommendation because he felt the use of the Local Services Centre category to justify a housing development in a village required further clarification. The proposal was seconded by Councillor Alwen Watkin.

In the ensuing vote on the matter, the proposal to approve the application in accordance with the Officer's recommendation was carried by five votes to three with one abstention.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions set out therein and subject also to the signing of a Section 106 Agreement to secure the provision of affordable housing, a financial contribution towards education facilities and open space along with a financial contribution for the improvement of public rights of way in the locality (Councillor Robin Williams abstained from voting on the matter).**

*At this point the meeting was adjourned for a short break.*

## **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 ADV/2024/7 – Application for the siting of three non-illuminated signs at Brwynog Residential Care Home, Madyn Dysw, Amlwch**

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

The Planning Development Manager in reporting that the application is for three bilingual non illuminated signs at Brwynog Residential Care Home referred to the sign details as set out in the Officer's report. He described the proposal as a small scale development of appropriate design and scale to ensure its integration within the site which would have no impact upon neighbouring properties, roads or the surrounding area. As such the recommendation is to approve the application.

Councillor Jeff Evans 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.**

### **12.2 FPL/2024/263 – Full application for the installation of a 2 metre high net above the existing fence at Jesse Hughes Youth and Community Centre, Kingsland Road, Holyhead**

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

The Planning Development Manager reported that the proposal is to instal a 2m high net above the southern side of the existing 3m high fence around the multi-use games area at the Jesse Hughes Centre to prevent balls going over to the rear gardens of the properties on King's Road. There have been no objections to the proposal and it will not have any impact

on the surrounding area or neighbouring properties. The application is therefore recommended for approval.

Councillor Robin Williams proposed, seconded by Councillor Jeff Evans 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.**

### **12.3 FPL/2024/254 – Full application for a new childcare modular building at Llangoed Primary School, Llangoed**

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

The Planning Development Manager described the proposal and site and advised that the proposed childcare building and car parking area's siting, scale, design and appearance are considered acceptable and will not have any negative impact on the existing site or on the surrounding properties or area. The application is therefore recommended for approval.

Councillor Jeff 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 and to delegate to the Officer the authority to determine the application upon receipt of further information and amendments to the plans as requested by the Highways Authority.**

### **12.4 HHP/204/139 – Full application for alterations and extensions including demolition together with the installation of solar panels and an air source heat pump at Gwynedd, Warren Road, Rhosneigr**

The application was presented to the Planning and Orders Committee at the request of a Local Member because of concerns regarding the impact on neighbouring properties and parking issues.

The Planning Development Manager described the proposal and site and said that it originally entailed the demolition of the existing utility room and adjacent coal room together with the erection of a two story extension. The amended plans received involve the replacement of the two story extension with a single storey extension, a rear dormer loft conversion and installation of solar panels and an air source heat pump. The single story extension will create an additional living room and the dormer loft conversion will create an additional bedroom but do not change the parking requirements in accordance with the parking standards as confirmed by the Highways Authority. These are considered modest adaptations which will not adversely affect the amenities of nearby residential properties or the character of the dwelling or surrounding area. Given the scale of the dormer it would normally be considered as permitted development as would the single storey extension were it 0.17m lower. It is not considered that the proposal will exacerbate the existing overlooking situation where there are six windows facing in the direction of the neighbouring property which is not unusual in a built up area in the centre of the village. The proposal is considered acceptable and the application is recommended for approval.

Councillor Neville Evans who was also a Local Member said that he was speaking on behalf of the property's next door neighbour and he referred to a consultant report which had been

forwarded to him by the neighbour which highlighted concerns with regard to loss of sunlight as a result of the proposed extension, the exacerbation of parking problems on Warren Road and of most concern, the prospect that the proposed alterations and increased number of bedrooms make it likely that the property will become a holiday let or Airbnb. Councillor Evans quoted from the report saying that it suggests that this provides an opportunity for the local planning authority to show commitment to the policy of limiting holiday accommodation projects in areas such as Rhosneigr where holiday accommodation has reached saturation point and, in the event of the amended design being allowed, to impose a condition to prevent change of use of the property into a short term holiday let use class C6 or C5. Councillor Neville Evans proposed that the application be refused contrary to the Officer's recommendation. The proposal was seconded by Councillor Alwen Watkin.

In response, the Planning Development Manager advised that the Local Planning Authority is not able to impose a condition limiting the use of the property to use class C3 (residential uses as sole or main residence) as changing the use of residential property from use class C3 to C5 or C6 can be done without planning permission under permitted development rights. The application by the householders is for minor alterations and has to be considered on that basis and not on what might be the property's future use which is why the impacts of the proposal are not considered to be significant or harmful.

Councillor Douglas Fowlie, also a Local Member in acknowledging that the scope for action as regards the application is limited said that he thought that adding a bedroom without needing to provide additional parking is unacceptable as is installing a caravan in a garden which is happening in the area and is an issue. He referred to the approval of an application in Bryn Du where the parking provision was at a distance from the proposed development as setting a precedent and tying local members' hands in being able to raise highway and parking issues.

The Planning Development Manager further advised that changing the property from a 3 to 4 bedroom property does not change the parking requirements and is therefore not a matter for consideration. Parking standards are applied in the case of each application.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation as a small scale development. The proposal was seconded by Councillor Jeff Evans.

In the ensuing vote, five members voted to approve the application in accordance with the Officer's recommendation and five members voted to refuse the application. The application was approved on the casting vote of the Chair.

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

#### **12.5 FPL/2024/232 – Full application for the construction of a concrete path to connect the adult and youth football pitches at Football Ground, Llanerchymedd**

The application was presented to the Planning and Orders Committee as the land is in the ownership of the Isle of Anglesey County Council.

The Planning Development Manager described the proposal and site and referred to the purpose of the path as being to ensure that the site maintains a professional appearance and to ensure a health and safety benefit. As a small scale development of appropriate design and scale which will ensure its integration within the site and having no impact upon neighbouring properties, roads or the surrounding area the proposal is considered acceptable and the recommendation is therefore to approve the application.



Councillor Neville Evans proposed, seconded by Councillor Jeff Evans 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. OTHER MATTERS**

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

**Councillor Glyn Haynes  
Chair**

**Councillor Neville Evans  
(Chair for items 7.1 and 7.2)**

This page is intentionally left blank

Planning Committee: 04/12/2024

12.1

Application Reference: FPL/2024/230

Applicant: Amarjit & Jagvir Singh & Kaur

Description: Full application for the change of use of the existing ground floor of dwelling to form part of existing shop (A1 use) at

Site Address: Mona House, Holyhead Road, Gwalchmai



## Report of Head of Regulation and Economic Development Service (Sion Hughes)

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is presented before the planning committee at the request of Local Member Neville Evans, who had concerns in regards to local issues of parking and traffic being exacerbated by the proposal.

### Proposal and Site

The site is located in the settlement of Gwalchmai in a prominent location adjoining the A5 highway. The site currently consists of a semi detached 2 storey pitched roof property which adjoins the village convenience store and is slightly further set back than the shop. Parking and amenity area is included to

the rear. The proposal is made for the change of use of the ground floor of the building to form part of the existing shop together with internal works on the first floor to facilitate the creation of a flat. Externally, no changes are proposed to the frontage of the building with the exception of the installation of bird boxes for purposes of biodiversity net gain. To the rear, the existing lean to extension will be re-roofed with a flat roof to create a first floor balcony to serve the flat and an external stairwell will be installed in order to provide means of access to the flat. There will be no changes to the number of residential units on the site.

## Key Issues

The key issues of the scheme are as following;

- Principle of Development
- Highways
- Design
- Residential Amenity
- Ecology

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy AMG 5: Local Biodiversity Conservation

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Technical Advice Note 5: Nature Conservation and Planning (2009)

Planning Policy Wales (Edition 12, February 2024)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Douglas Massie Fowlie	No response.
Cynghorydd Neville Evans	Called in to committee due to traffic and parking concerns.
Cyngor Cymuned Trewalchmai Community Council	No response.
Polisi Cynllunio / Planning Policy	Confirmed no retail policies applicable.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with parking provision and visibility splay of access.
Iechyd yr Amgylchedd / Environmental Health	Standard Environmental Protection Informatives.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with bird boxes.
Dwr Cymru Welsh Water	Condition regarding surface water.

Publicity was afforded to the scheme via the posting of personal letters to occupiers of neighbouring properties. The latest date for making representations was the 11/10/2024. At the time of writing this report, no letters of representation had been received by the department.

### **Relevant Planning History**

48C108A - Full application for the change of use of the adjacent dwelling to commercial use together with alterations and extension to create additional retail area and the construction of one bedroom flat above at Mona House, Gwalchmai. Approved 06/02/2013

### **Main Planning Considerations**

#### **Principle of Development**

Following discussions with the policy department, it can be confirmed that no retail policies are applicable as no new retail units will be created. The scheme will only increase the floor area of the existing retail unit and no new retail units will be created. Subsequently, the scheme is acceptable in principle and the overall acceptability of the scheme is determined by the other material considerations as listed above.

#### **Highways**

Highway considerations were the principle concern of the Local Member and formed the basis of the the reason for the call in. As the scheme includes an increase in retail floor area of 37m<sup>2</sup>, there is an increase in parking requirement in accordance with the Highway Authority Parking Standards of 3 spaces. The scheme proposes the creation of 3 new parking to the rear of the site, with existing access provided from the A5 highway. The provision of 3 additional spaces together with a suitable means of access with adequate visibility of 2.4x45m was to the satisfaction of the Highway Authority and thus it is considered the scheme is acceptable from a highways perspective. It is noted that the Local Member stated that there are existing issues with parking and traffic in this location, however it is important to note that it is not the duty of the planning process to solve existing issues. In the context of this application, adequate parking has been provided in line with the Local Authority Parking Standards and therefore there is no material or policy reason to object.

#### **Design**

Policy PCYFF 3 is the main design related policy to be considered in non designated landscapes. The policy is made with the general thrust of ensuring proposals are high quality and complement and enhance the appearance of a site and area. As noted above, the scheme includes minimal external changes, with the only external change to the frontage of the building being the installation of bird boxes. The main external change is to the rear of the building where the existing lean to extension will be built up to provide a flat roof with balcony above and an external staircase. These changes will barely be visible from the public realm and as such it is not considered the existing character of building will be altered. Subsequently, the department are satisfied the scheme is in accordance with policy PCYFF 3.

#### **Residential Amenity**

PCYFF 2 provides policy level consideration for residential amenity and states proposals will be refused where they would have an unacceptable negative impact upon residential amenity. In the context of residential amenity, the principle consideration is the creation of the balcony to the rear which will serve the first floor flat. The balcony will face the rear of the property which overlooks the present garden area of the property, although it is noted that there is consent forthcoming for 6 dwellings under application FPL/2023/176. It is noted that there will be 25m of distance between the rear and the balcony and the closest proposed property, which exceeds the maximum distance of 21m noted in the Supplementary Planning Guidance Design Guide. As such, it is not considered there would be any unacceptable overlooking to these new properties. The balcony will allow views into the adjoining neighbours garden area, however this area is already viewable from the first floor windows and as such it is not considered that the balcony would exacerbate the present situation to an extent that would generate unacceptable negative harm which would contravene PCYFF 2. It is further noted that no objections had been received from the neighbouring property.

## Ecology

Under policy AMG 5 and the Councils duty under The Environmental Act (2016), it is expected that all proposals demonstrate a net gain to biodiversity. Net gain will be achieved in this case by the installation of bird boxes. These measures were considered appropriate by the council Ecology officer in achieving net gain to biodiversity. The updated advice in Chapter 6 of Planning Policy Wales (PPW) is to apply a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks, and deliver net benefits for biodiversity. The first priority is to avoid damage to biodiversity in its widest sense and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered. The application submission was supported by a Green Infrastructure Statement, which was assessed by the Local Authority Ecology Officer. The statement was considered satisfactory and commensurate with the scale of the application.

## Conclusion

The scheme has been assessed against all relevant policies of the Joint Local Development Plan where it was found to be in complete conformity. There were no other material considerations present which indicated that a decision other than one of approval is justified. The scheme proposes to extend an existing retail facility whilst retaining an existing residential unit. No negative impacts upon the local highway network were identified and impact against residential amenity can be sufficiently mitigated by the use of a obscure glazed screen. Due to the above, the department are obliged to recommend approval.

## Recommendation

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

- Proposed Floor Plans and Elevations / Drg 5. Rev B
- Location Plan / Drg 1. Rev A
- Proposed Site Plan / Drg 3. Rev C

Reason: To ensure that the development is implemented in accord with the approved details.

**(03) The car parking accommodation shall be completed in full accordance with the details hereby approved before the use hereby granted is commenced and thereafter retained solely for those purposes.**

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

**(04) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, AMG 5, TRA 2, TRA 4, PS 19.

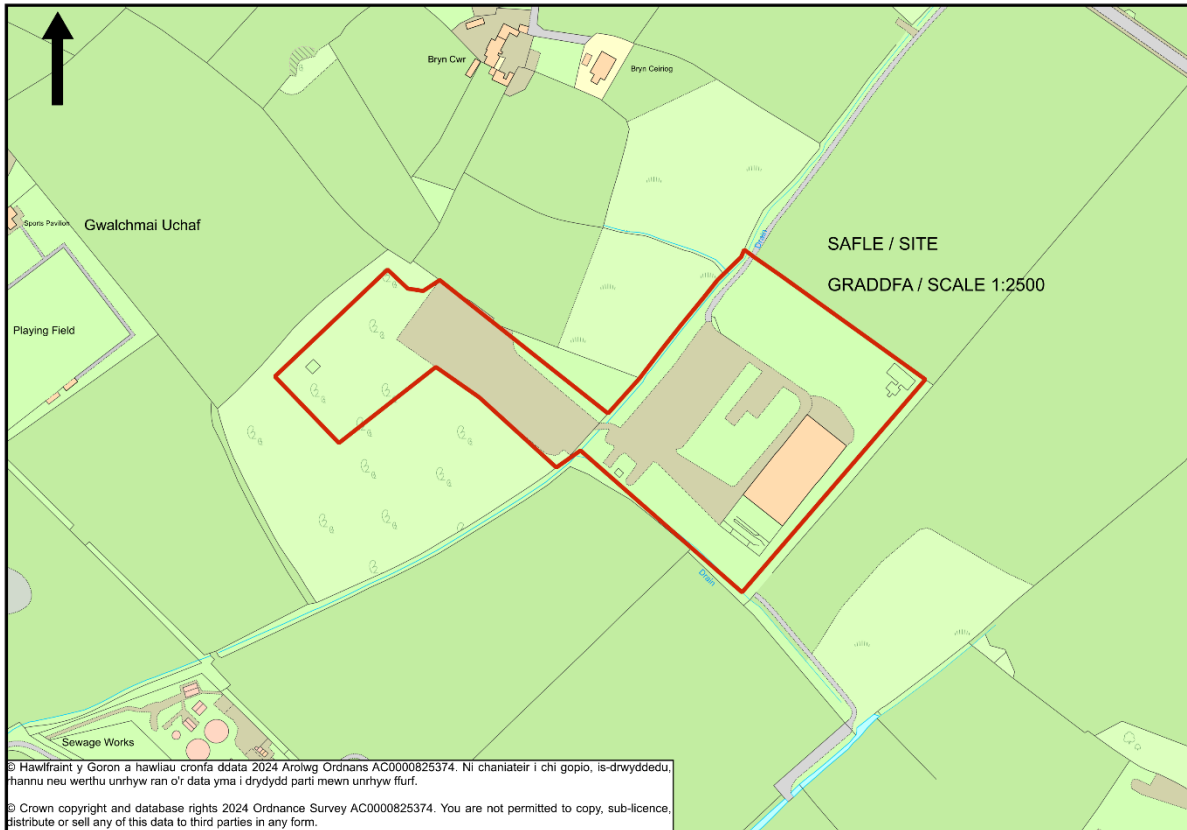
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2024/65

Applicant: Mr Evan Williams

Description: CRetrospective application for the construction of a slurry lagoon on land near

Site Address: Bryn Cwr, Gwalchmai



**Report of Head of Regulation and Economic Development Service (Owain Rowlands)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application has been called into the Planning and Orders Committee at the request of Councillor Neville Evans. The reasoning behind the call-in is due to concerns of odour and air pollution, proximity to residential properties and public spaces as well as concerns surrounding a nearby swamp and well.

**Proposal and Site**

The application site is an agricultural holding located to the south of the A5 in Gwalchmai. The applicant has around 77 acres of land on this site, which forms part of a 500-acre holding in the wider area.



The application presented is a retrospective application for the construction of a slurry lagoon. This application follows an enforcement investigation as the slurry lagoon was constructed and began operating without the benefit of planning permission.

### Key Issues

The applications main issues are:

- i. Principle of Development
- ii. Siting and Design
- iii. Environmental Considerations
- iv. Impact on Adjacent Residential Properties
- v. Ecology and Biodiversity

### Policies

#### Joint Local Development Plan

Policy AMG 5: Local Biodiversity Conservation

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Planning Policy Wales (Edition 12, February 2024)

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 6: Planning for Sustainable Rural Communities

### Response to Consultation and Publicity

Consultee	Response
Dwr Cymru Welsh Water	The proposed development would be outside the protection zone of the public sewer. All NRW rules should be followed during the construction and storage phase of the development. No foul or surface water connections are proposed as part of the development.
Cynghorydd Douglas Massie Fowlie	Questions regarding public feedback and officer recommendation during the first consultation period. Stated that residents are unhappy with the smell during the second consultation period.
Cynghorydd Neville Evans	Called the application into the Planning and Orders Committee due to concerns of odour and air pollution, proximity to residential properties and public spaces as well as concerns surrounding a nearby swamp and well.
Cyngor Cymuned Trewalchmai Community Council	Object to the development on health and safety grounds as the slurry lagoon is too close to Maes Meurig, the football club, HWB Gwalchmai, a playground and the recently approved Crown Street development. The application has no record of monitoring work on the lagoon and no reference to NRW.

<p>Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor</p>	<p>Queries regarding vegetation removal, livestock numbers and external lighting. Details of the number and species of trees to be planted are needed together with a long-term management plan to include planting recommendations. New vegetation and habitat creation will be needed to replace that lost in construction, together with a green infrastructure statement to comply with national policy. Satisfied with the information provided.</p>
<p>GCAG / GAPS</p>	<p>Requested further information on the scheme in terms of the groundworks required and the previous ruins on site. Stated that there is potential for archaeological remains in the area, but due to the retrospective nature, it is difficult to quantify what kind of archaeological remains may have been disturbed by the development. Condition that no further development such as site clearance, groundworks or spoil management can take place until a programme for archaeological work has been submitted to the Local Planning Authority.</p>
<p>Iechyd yr Amgylchedd / Environmental Health</p>	<p>Provided environmental informatives, together with advisory documents regarding slurry storage and odour management. Stated that the Environmental Health department can assess for statutory odour nuisance, whilst NRW are the enforcement body for the construction and operation of slurry lagoons. The Health and Safety Executive (HSE) document on managing slurry storage makes recommendations on the type of fencing to be used. If a site was deemed a statutory nuisance in terms of odour, Environmental Health could serve an abatement notice requiring further controls to be put in place or stopping use of the lagoon until such measures have been put in place. Requested that the applicant submit an odour management plan and stated that the public protection department agrees with the methodologies proposed within the report.</p>
<p>Cyfoeth Naturiol Cymru / Natural Resources Wales</p>	<p>Requested confirmation that the slurry lagoon has been designed and built in accordance with the Control of Agricultural Pollution Regulations standards. Requested additional details on calculations for the farm slurry production including confirmation of stock type and numbers, slurry transportation and yard washings. No objection to the development upon receipt of the requested information and provided advice on pollution of controlled waters. Matters including odour nuisance and health would be matters for Environmental Health. NRW have no objection to the application on controlled waters or protected ecological sites issues.</p>

Draenio / Drainage	The development will require SAB approval as the construction area with drainage implications is more than 100m <sup>2</sup> .
Mwynau a Gwastraff / Minerals & Waste	A development of this kind is better than no development in terms of impact on neighbouring properties and other sensitive areas nearby. If the lagoon has been built to modern standards according to Welsh Government guidance it would be difficult to do anything about it. Suggested a fencing plan due to the proximity to residential properties and playing fields. For the avoidance of doubt, suggested a condition to restrict the material that can be stored within the lagoon to farm material only, although this may be covered by NRW license.
Betsi Cadwaladr University Health Board	Would expect such facilities to prevent or minimise off-site odour using industry best practice.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. A site notice was also placed in three different places within the village. The latest date for the receipt of any representation was the 26/04/2024. At the time of writing this report, 18 letters of representation had been received at the department by 12 different parties.

Concerns were received during the consultation period that inadequate publicity has been carried out on this application. 25 residential properties in Gwalchmai were notified of the application through neighbour notification letters and three site notices were placed on poles in Gwalchmai Uchaf, two within the Maes Meurig estate and the other along Crown Street. The Local Planning Authority considers that adequate publicity has been carried out in accordance with the statutory requirements noted in section 8 of the Development Management Manual.

The 17 comments of objection raised the following points:

**Environmental:**

- Slurry contains a range of poisonous gases which pose health risks.
- Odours would be at their worst when the lagoon is agitated by the farmer or by rainfall.
- Increase in flies and birds around the site of the lagoon, with photos provided showing seagulls surrounding the lagoon.
- Concerns whether Natural Resources Wales have been adequately involved in the process.
- Allowing the application would increase the amount and frequency of slurry spreading locally.
- Planting 10 trees is not enough to mitigate the development.
- The applicant is disposing trade food waste into the lagoon from a local cheese manufacturer.
- Additional information should be submitted to support the application such as an ammonia assessment, odour assessment, safety audit, landscape and visual impact, ecological assessment.
- There is swamp land and a well nearby which could be affected by the development.
- The slurry lagoon can be smelt as far as the A55 and smells at different times during the day and night.
- Should not just be approved due to the slurry regulations being imposed on farmers.

**Impact on public health and residential amenity:**

- There is a playground and football ground, together with a proposed community hub, in close proximity to the slurry lagoon which are used all year round by the public.

- Impact on the high number of neighbouring residential properties and their curtilages. A map was provided showing the proximity of the lagoon to nearby properties.
- The main wind direction blows towards local properties which intensifies the effect of odour and emissions.
- The air pollution and odour being released from the slurry lagoon will impact physical and mental health as well as residential amenity.
- The lagoon is dangerous to public health due to the toxic gases, pathogens and bacteria being released into the air.

**Construction:**

- The lagoon has been constructed in the closest position to the village within the applicants' land ownership. Alternative locations would be available within his land ownership, further away from the village.
- This is a huge slurry lagoon measuring 60m by 40m with a depth of 3.5m.
- Measures should be in place to prevent individuals accessing the lagoon.
- A slurry lagoon cover should be mandatory but would still be inadequate to overcome the concerns on this occasion.
- The lagoon was constructed and is being used without planning permission. The application is only being submitted as the planning department found out.

**Other general comments:**

- All properties within a 400m radius of the slurry lagoon should be notified of this application. The planning department has not written to enough neighbouring properties.
- Official guidance states that a slurry lagoon should be a recommended distance of 400m away from residential properties.
- Effect of the proposed development on property value in the area.
- Increase in traffic during transport of material to the slurry lagoon.
- The lagoon is not being used for the purpose mentioned and will not be properly managed.

1 comment of support raised the following points:

- Important resource for the farm to maintain safe control over its waste and protect the environment.
- Need to support the applicant as a local young farmer.
- The lagoon is located some distance away from a residential property with negligible visual impact.

Following consultation with the Environmental Health department, the applicant was requested to submit an odour management plan to support the application. Upon receipt of the odour management plan a second consultation period began. The application was advertised in the same manner, by distributing personal letters of notification to the occupiers of neighbouring properties and placing three site notices within the village. The latest date for the receipt of any representation was the 15/11/2024. At the time of writing this report, seven letters of representation had been received at the department by seven different parties. All comments raised during the second consultation period raised the same concerns as the first consultation period and are covered above.

**Relevant Planning History**

48C190 - Full application for the erection of an agricultural shed for the storage of livestock, machinery and feed on land to the south of Bryn Ceiriog, Gwalchmai, SH 3975 9282. Approved 25/03/2015.

**Main Planning Considerations**

**Proposal and Site**

The application site is an agricultural holding located to the south of the A5 in Gwalchmai. The applicant has around 77 acres of land on this site, which is part of a total area of around 500 acres in the wider area.

The application presented is a retrospective application for the construction of a slurry lagoon. This application follows an enforcement investigation as the slurry lagoon was constructed and began operating without the benefit of planning permission.

The applications main issues are:

- i. Principle of Development
- ii. Siting and Design
- iii. Environmental Considerations
- iv. Impact on Adjacent Residential Properties
- v. Ecology and Biodiversity

### **i. Principle of Development**

The proposed slurry lagoon was constructed to improve the existing slurry management system at the farm to conform with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. Furthermore, the non-spreading period over winter which has been imposed by the Welsh Government means that all farms must have a minimum slurry storage capacity of five months to comply with the regulations.

Section 5.6.8 of Planning Policy Wales states that planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation.

The development relates to an agricultural holding that has 77 acres of land as part of this site in Gwalchmai and a total of around 500 acres in the wider area. The stock levels as of September 2024 was over 200 dairy-beef animals, with stock numbers fluctuating due to the nature of the business. Due to the scale of the holding and number of stock, together with the new regulations imposed, the proposed lagoon is considered justified.

### **ii. Siting and Design**

The application site consists of several parcels of land, including a large agricultural shed and the associated farmyard for the storage of machinery, silage and other agricultural products. The slurry lagoon has been sited on a parcel of land immediately west of the main farmyard but is accessible through a gateway across the extended yard. There is around 185m separating the slurry lagoon at the western extent of the farmyard and the agricultural shed on the eastern edge. The applicant claims that this location was chosen due to the nature of the landscape, allowing the bottom of the lagoon to be above the water level of the land. Furthermore, the lagoon would stand out more near the shed due to the low-lying topography and would restrict yard space compromising the operation of the farm business.

This is an earth banked slurry lagoon with its outer bank measuring around 60m by 80m, giving it a total area of 4800m<sup>2</sup>. The lagoon floor itself, where the slurry is stored, measures 60m by 40m, with 3.25m depth for slurry storage. Whilst this is a large slurry lagoon, as mentioned previously, due to the scale of the holding and number of stock, together with the new regulations imposed, the proposed lagoon is considered justified. The location of the development, within a rural setting, is appropriate and sustainable and allows the operation of the existing farm business.

Security fencing will be installed at the top of the bank, at 1.5m in height with two strands of barbed wire at the top and bottom, as is recommended in the Health and Safety Executive (HSE) guidance on managing slurry on farms. Stock proof fencing will be installed around the bottom of the outer bank. Condition (03) will ensure that the fencing is installed within 6 months.

The slurry lagoon is considered well screened by existing vegetation to prevent visual impact and ensure its integration into the surrounding natural environment, in accordance with policy PCYFF 4. Furthermore, the surrounding field boundaries consist of trees and hedges that restrict views of the structure. New planting is proposed along the north and west boundaries of the lagoon, which will further contribute to its integration into the site. As this is an earth banked slurry lagoon, vegetation will grow on the banks and blend in with the surrounding landscape. The slurry lagoon has been built to a high quality, in accordance with British Standards for agricultural buildings and structures and complying with the requirements of the Control of Agricultural Pollution Regulations.

### **iii. Environmental Considerations**

Natural Resources Wales (NRW) have no objection to the development which is to improve existing slurry management on the farm in accordance with the new rules and regulations imposed by the Welsh Government. Furthermore, the structure has been located, designed and built to comply with the requirements of the regulations. NRW are aware that the lagoon is already in place and operational and have no objection to the application on controlled waters or protected ecological sites issues.

Questions were raised during consultation as to why the slurry lagoon is not covered. Covering the lagoon would cost a significant amount of money which would have significant economic impacts on the business. A natural crust is formed within the slurry lagoon to the same effect. To address concerns that waste from elsewhere is being carried to and deposited at the lagoon, condition (06) will ensure that nothing other than biodegradable material derived from the farming unit known as Bodwina Farm, Gwalchmai will be deposited/treated at the site.

The Environmental Health department requested that the applicant submit an odour management plan to support the application. This is a working document that formalises and describes how odour issues will be managed on site. It should show how odours will be managed and controlled to prevent or minimise impact. The odour management plan was scrutinized by the Environmental Health department who stated that it is a comprehensive document referring to a technically competent manager routinely managing the area for odours during spreading and after spreading. The report has analysed factors such as wind direction, wind strength and proximity of neighbouring properties. There are control measures in place within the report and the public protection department agrees with the methodologies proposed within the report for this development.

### **iv. Impact on Adjacent Residential Properties**

The application site is located in a rural area on the outskirts of Gwalchmai. Gwalchmai Uchaf is located to the west of the site, and there is a cluster of properties along Crown Street to the north. Numerous concerns have been raised about the distance between the lagoon and the village, the odour from the lagoon impacting residential amenity and causing health concerns. The lagoon is also in close proximity to several public spaces in Gwalchmai Uchaf being the football ground, the childrens playground and the recently approved community hub.

The football field is around 80m away from the lagoon, whilst the childrens playground and recently approved community hub are around 240m away. Neighbouring property Bryn Cwr is around 160m to the north, whilst Bryn Ceiriog and 2 Bryn Cwr are 190m away. The five properties located along Crown Street to the north are around 220-230m away from the development. The slurry lagoon would be around 220m away from the boundary of the recently approved housing estate in Gwalchmai Uchaf and would be between 200m and 210m away from the nearest row of terraces in Maes Meurig, numbers 97-104. The other properties in Maes Meurig that border the football pitch are between 200m and 240m away from the development, whilst all other properties nearby are further away than the aforementioned distances.

It is acknowledged that there will be some occasional odour associated with the slurry lagoon and the operation of the farm enterprise, but this is considered a known feature of living in a rural community. If an odour is considered a problem, the Environmental Health department could investigate whether it

constitutes a statutory nuisance. If a site was deemed a statutory nuisance in terms of odour, the Environmental Health department could use their powers to serve an abatement notice requiring further controls to be put in place or stopping use of the site until such measures have been put in place. The odour management plan has been submitted at the request of the Environmental Health department, who are satisfied with its contents, in terms of ensuring that odour is adequately managed on site.

Although introducing a slurry lagoon to the site, this is a necessary regulatory requirement which is linked to the existing farm operation, and not the introduction of a new use or enterprise to the area. Slurry spreading on this land would occur regardless of the presence of the lagoon, which would still lead to an occasional short-term smell associated with agricultural processes. There would have been an odour when the lagoon was used for the first time as a crust hadn't formed. Once a surface crust is formed all new slurry deposits will be passed under the crust with a pipe, with the crust remaining in place at all times except for when the lagoon is agitated.

During a normal year, the applicant would spread slurry approximately four times a year, for a few days at a time, after each cut of silage. It is inevitable that odours would occur during the infrequent occasions that the lagoon is agitated and as a result of spreading slurry on the land, however a surface crust would form a natural seal within a few days of agitation.

For all of the reasons set out above, the Environmental Health department have no concern with the development as it is an occasional odour which is reasonably and normally related to agricultural activity which is to be expected in a rural community. On balance, having given detailed consideration to all objections received in response to the development, it is not considered that the proposal would have such a detrimental impact on local amenity that it would warrant a refusal.

#### **v. Ecology and Biodiversity**

The application site is located in a rural location with no sensitive or designated areas nearby. Ten new trees will be planted along the northern and western boundary of the lagoon, consisting of a mixture of lime, birch and hawthorn. Heather and gorse bushes will also be planted in the northern corner of the site. This planting will mitigate any vegetation removed during construction and will ensure overall biodiversity enhancement as part of the scheme, in accordance with policy AMG 5 and the Environment Wales Act (2016). Condition (04) will ensure that the planting is carried out in the next available planting season. A green infrastructure statement has also been submitted outlining the ecological considerations of the development to ensure compliance with Chapter 6 of Planning Policy Wales.

Natural Resources Wales (NRW) are the government body responsible for regulating the environmental aspects of slurry lagoons. NRW are aware that the lagoon has been built and is operational and are satisfied that it has been built in accordance with the Welsh Government regulations. They have no objection to the development on controlled waters or protected ecological sites issues.

#### **Conclusion**

This is a retrospective application for the construction of a slurry lagoon, which was submitted following an enforcement investigation. The lagoon has been constructed to improve slurry management on the farm in accordance with new Welsh Government regulations, which requires among other things five months storage capacity for slurry over winter. It is a large lagoon on the western edge of the applicants' land ownership but is considered justified due to the scale of the holding and the number of stock. Whilst the lagoon is in close proximity to public spaces and residential properties, it is in connection to an existing enterprise where slurry spreading would occur numerous times a year regardless. The odour is considered an occasional smell relating to agriculture, which is to be expected in a rural community. The odour management plan submitted is considered satisfactory by the Environmental Health department, who have powers to monitor sites for statutory odour nuisance if complaints are received. The key statutory consultees, being NRW and Environmental Health, are satisfied with the development which is considered to comply with the relevant local and national planning policies.

## Recommendation

That the application is permitted subject to the following conditions:

**(01) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission:**

- Location plan
- Proposed cross section
- Proposed fencing plan
- Proposed layout plan
- Proposed planting plan
- Proposed site plan
- Proposed layout & previous structure
- 4R Group - Odour Management Plan
- Planting management plan
- Green infrastructure statement

Reason: To ensure that the development is implemented in accord with the approved details.

**(02) The slurry lagoon hereby approved shall be used solely for the purposes of Agriculture, as defined by Section 336(1) of the Town and Country Planning Act 1990 (as amended) and for no other commercial or business use whatsoever.**

Reason: To ensure that the development will always be in the best interest of the agricultural industry.

**(03) Within six months of the date of this permission all fencing shall be installed in accordance with the proposed fencing plan, received 30th October 2024, and thereafter shall be retained as such for the lifetime of the development hereby approved.**

Reason: To ensure health and safety.

**(04) All planting and landscaping noted in the proposed planting plan, received 7th June 2024, shall be carried out in the first planting season following the date of this permission; and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: To ensure biodiversity improvement on the site as required under the Environment (Wales) Act 2016 and policies AMG 5 and PCYFF 4 JLDP.

**(05) a) No further development (including site clearance, groundworks or spoil management) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.**

**b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.**

Reasons:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2024 and TAN24: The Historic Environment.



2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

**(06) Nothing other than biodegradable material derived from the farming unit known as Bodwina Farm, Gwalchmai shall be deposited/treated at the site.**

Reason: To define the scope of the permission.

**(07) The operation and management of the development shall take place in accordance with the 4R Group Odour Management Plan dated October 2024 submitted under application reference FPL/2024/65.**

Reason: To protect residential amenity.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: AMG 5, PCYFF 2, PCYFF 3, PCYFF 4, PS 19

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

This page is intentionally left blank