

PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 6 March, 2013

- PRESENT:** Councillor J. Arwel Roberts – Chair
Councillor W.T. Hughes – Vice-Chair
- Councillors E.G. Davies, Lewis Davies, Richard A. Dew, Jim Evans, Kenneth P. Hughes, Vaughan Hughes, R.L. Owen, Clive McGregor, Eric Roberts.
- IN ATTENDANCE:** Development Control Manager,
Planning Assistants,
Senior Engineer (Development Control) (EJ),
Mr. Alan Evans – Barrister,
Committee Officer (MEH),
Administrative Assistant (SC).
- APOLOGIES:** Councillor W.J. Chorlton.
- ALSO PRESENT:** Local Member : Councillor Eric Jones – 7.2
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1 APOLOGIES

Apologies for absence were submitted as noted above.

2 DECLARATION OF INTEREST

Declarations of interest were received and recorded under the respective items.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 6 February, 2013 were submitted and confirmed as correct.

4 SITE VISITS

The minutes of the Site Visits held on 20 February, 2013 were submitted and confirmed as correct, subject to the inclusion of the name of Councillor R.A. Dew in the list of apologies.

5 PUBLIC SPEAKING

The Chair informed the Committee that there would be public speakers in respect of application 7.2.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 19C313A – Outline application for the erection of 22 dwellings together with the construction of a new access on land between Pentrefelin and Waenfawr Estate, Holyhead

The Development Control Manager informed the Committee that a language statement has now been submitted and consultation responses are awaited prior to the submission of a full report to the April meeting of the Planning and Orders Committee.

RESOLVD to defer the application in accordance with the Officer's recommendation.

6.2 39C285D – Full application for the erection of 17 dwellings on land at Lon Gamfa, Menai Bridge

The Development Control Manager informed the Committee that amended and additional plans are still awaited in respect of this application.

RESOLVED to defer the application in accordance with the Officer's recommendation.

7 APPLICATIONS ARISING

7.1 11C399E – Siting of a timber chalet for use incidental to the main dwelling at Tyn y Coed, Penrhyd, Amlwch

The application was brought to the Committee at the request of the Local Member. At the meeting of the Planning and Orders Committee held on 6 February, 2013 it was resolved to visit the site. The site visit took place on 20 February, 2013.

The Development Control Manager reported that this application is the same as that previously refused at the Planning and Orders Committee in February 2012 and the recommendation of refusal is still the same as it is contrary to planning policies; it equates to the erection of a dwelling within the open countryside.

Councillor C. McGregor stated that the current dwelling at the site has already been extensively extended and proposed that the application be refused. Councillor Lewis Davies seconded the proposal of refusal.

RESOLVED to accept the Officer's recommendation of refusal of the application for the reasons given.

(The Chair, Councillor J. Arwel Roberts stated that he did not take part in discussion or voting in respect of this application as he was not present at the Site Visit).

7.2 41C124B – Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 56m and a maximum vertical tip height of up to 72m together with the erection of a transformer station and new access track and hardstanding on land at Ty Fry Farm, Rhoscefnhir

(Councillor W.T. Hughes declared an interest in respect of this application; he remained at the meeting but did not take part in the discussion or voting thereon).

The application was brought to the Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments.

A report was submitted to the February meeting of the Planning and Orders Committee recommending that a site visit be made prior to determination of the application. In advance of that meeting however the applicant appealed to the Planning Inspectorate against non-determination. This was reported to the Members at the Committee meeting on 6th February where it was resolved that a written report and recommendation from Officers be submitted to the March Committee in order that Members can consider their position and indicate the Council's stance in the forthcoming appeal.

The Chair invited Mrs. Kate Barker, an objector to the application to address the Committee.

Mrs. Barker stated her reasons for objecting the application as follows :-

- The proposed turbine is almost 240 feet high, four times the height of the woodland nearby. Each blade is over 91 feet long, one and a half times as tall as the tallest trees nearby. The 184ft diameter rotary array will speed at up to 200 miles an hour a few hundred metres from people's front doors, their gardens, where they sleep.
- She was relieved to see that the Officers have recommended refusal of the application. The key planning reasons given are unacceptable landscape impact, ecological issues and the impact on the setting of the Grade 11 listed house and gardens at Ty Fry.
- Several issues remained that Mrs. Barker wished to bring to the attention of the Committee i.e. health, in particular, low frequency noise along with flicker and strobing

effects; lack of surveys and EIA; misleading and inaccurate information contained in the application.

- Low frequency noise can travel long distances, sound can travel over 6 miles. In America large wind turbines built in 2010 are scheduled to be taken down because the noise has caused illness to neighbours and townspeople.
- The effects from low frequency noise, flicker and strobing have not been satisfactorily addressed in this application. They could ruin the health of close neighbours and villagers.
- The Ty Fry Farm application is in a sensitive location with ecological, landscape and historic issues and issues with proximity to neighbours. The application glosses over these and it lacks any comprehensive ecological surveys. The files used to identify the species of bats around the site were not included but were recorded and verified independently.
- The LVIA claims the visual impact on neighbouring properties, like Awelon which is only 350 metres from the proposed site would be 'negligible – this is questionable. At the Ysgellog site you will see the overbearing impact the massive blades have from over 4km. Although the Ty Fry Farm turbine is a little shorter, the blades are alarmingly similar in length. The Ty Farm machine would have an unacceptable and overbearing impact not only on the closest neighbours but on the whole of the village of Rhoscefnhir. The need for an Environmental Impact Assessment in these circumstances seems essential but it was not recommended; on which this decision was made are not adequate.
- The application contains serious inaccuracies and misleading information. She noted that she had taken legal advice at the highest level and has submitted a challenge to the validity of the application with documents in evidence to PINS.
- There are already around 90 turbines on Anglesey, we are in danger of breaching planning rules at all levels if we extend the area of turbinisation.
- This application is for a massive machine fixed to generate about half its capacity in order to qualify for the highest subsidy. This has nothing to do with 'green' power and everything to do with milking subsidy. 'Rerating' is a loophole that is being looked at by the DECC.
- The application claims the turbine would provide electricity for several hundred homes. When the wind does not blow, or it blows at the wrong speed, it does not provide power for anything at all. We all want a reliable, clean, alternative source of energy, but wind does not work.
- We all know much more about the wind industry now, please let's not make any more mistakes. Protecting habitats and species is of vital importance. The harm caused to the ecology, landscape character, and to peoples quality of life far outweighs any benefits of renewable energy generation in this case.

The Chair invited to Local Member, Councillor Eric Jones to address the meeting. Councillor Jones stated that he has previously addressed the Committee in respect of this item and did not have any further matters to raise.

Councillor R.L. Owen proposed that the application be refused and Councillor C. McGregor seconded the proposal.

RESOLVED to support the Officer's recommendation of refusal of the application for the reasons given.

7.3 46C149L – Full application for the change of use of land to form a boat storage facility with the construction of a vehicular access on land adjacent to the car park at Trearddur Bay Hotel, Lôn Isallt, Trearddur Bay

The application was brought to the Committee at the request of the Local Member.

At the meeting of the Planning and Orders Committee held on 6 February, 2013 it was resolved to visit the site. The site visit took place on 20 February, 2013.

The Development Control Manager reported that at the last meeting of the Planning and Orders Committee details in respect of the access to the site, flood management and surface water issues were awaited. The details have now been received by the Highways and Drainage Sections of the County and Council and they are satisfied will the proposal by the applicant. The Officer further reported that there are no technical issues outstanding to stop the Committee from dealing with this application. It was noted that 3 letters of support had been received following the finalisation of the Officer's report.

The Local Member, Councillor Eric Roberts stated that the site is marsh land and the drainage management should be adequate as the adjoining land is a play area. He questioned what type of security fencing was there to be used on the site? The Development Control Manager referred to Condition 3 and 4 within the Officers report which states that such details in respect of fencing, screening and lighting must be submitted to the Planning Authority before works can commence on the site.

Councillor Roberts stressed that he has had no objection to the application as he considered that such a development was required in the Trearddur Bay area. He stated that comments locally have suggested that he was against the development but he had requested the Planning and Orders Committee to deal with the application as he wished to make sure that all the relevant details are put in place before approval of the application.

Councillor C. McGregor stated that following the site visit, he did not want to see large boats being stored on top of each other as in similar locations as it can impede on the residents in the area. He noted that there is nothing within the application which stipulated that the boats will be stored on one level. Councillor McGregor ascertained if a Condition could be placed on the application that large boats are not to be stored on top of each other. The Development Control Manager responded that there is no stipulation in the application that storage of the boats will be on a higher level but stated that he was comfortable in considering such a Condition which controls this matter.

Councillor R.L. Owen proposed that the application be approved and Councillor K.P. Hughes seconded the proposal, subject to a Condition on the storage of the boats being agreed.

RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report together with an additional condition in respect of the boat storage.

(Councillors R.A. Dew, W.T. Hughes stated that they did not take part in discussion or voting in respect of this application as he was not present at the Site Visits).

(Councillor Eric Roberts did not vote in respect of this application as he is the local member).

8 ECONOMIC APPLICATIONS

None considered at this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None considered at this meeting.

10 DEPARTURE APPLICATIONS

None considered at this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 14C232 – Full application for the demolition of the existing dwelling together with the erection of a new dwelling in lieu at Rhyd y Spardyn Uchaf, Llangefni

The application was brought to the Committee as the applicant is employed by the Local Authority and is a 'relevant officer' as defined within paragraph 4.6.10.4 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4.

Councillor Eric Roberts proposed that the application be approved and Councillor Jim Evans seconded the proposal.

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

12 REMAINDER OF APPLICATIONS

12.1 28LPA970/CC – Full application for public realm improvements to the beach access at Beach Road, Rhosneigr

The application was brought to the Committee as the application is made by the Council on Council owned land.

The Development Control Manager reported that following completion of the report by the Officer, the Highways Section has responded that they do not have any objection in principle to the development. The Community Council have also responded that they had no specific opposition to the application but have ascertain if the developer has further plans to develop within the village of Rhosneigr. Following consultation with the developer, they have stated that they have no plans at present to develop in the area.

The Officer further stated that 2 letters of support in general of the development but they have raised issues which are beyond planning guidelines in respect of the car parking in general in the area and how the traffic management is controlled in the village together with signage for car parking facilities. These issues have been referred to the Highways Section of the County Council. He further reported that one of the letter referred to concerns in respect of public rights of way along the beach at Rhosneigr to their properties. The Officer reported that this matter is beyond the boundaries of the planning authority and that it was a private matter with the applicant.

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

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

12.2 47LPA969/CC – Full application for the erection of an agricultural shed for the housing of pigs together with the demolition of the existing shed at Llwyn yr Arth, Llanbabo

The application was brought to the Committee as the application is made on Council owned land and the Head of Service (Property) submitted the application on behalf of the applicant.

The Development Control Manager reported that public consultation period does not come to an end until the 13th March, 2013 and requested that the Officer's be afforded power to act following the public consultation period if no representations have been received by the department.

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

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

13 OTHER MATTERS

13.1 36C206D – Full application for the change of use of the outbuildings into 4 dwellings, alterations and extensions thereto, the installation of septic tanks, together with the demolition of the piggery and the erection of a new agricultural shed at Cefn Canol, Llangristiolus

The application was brought to the Committee as the application is made by a Councillor. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Development Control Manager reported that full planning has been granted in November 2012 and the proposed amendments consist of the demolition and rebuilding of the upper half of the buildings gable.

Councillor R.L. Owen proposed that the application be approved and Councillor Eric Roberts seconded the proposal.

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

13.2 47LPA969A/SCR/CC – Application for a screening opinion for the erection of an agricultural shed for the keeping of pigs together with the demolition of the existing shed at Llwyn yr Arth, Llanbabo

The application was brought to the Committee as the application is made on Council owned land.

It was determined that an Environmental Impact Assessment would not be required with the submission of a full planning application.

RESOLVED to note the report as information purposes only.

13.3 49C18C – Outline application for residential development to include the erection of 48 dwellings together with the construction of a new access road at Valley Mill, Valley

The application was brought to the Committee as the length of time that has elapsed since the matter was originally before the Committee. At the Planning and Orders Committee held on 2nd November, 2011 it was resolved to approve the application subject to the completion of a planning obligation securing a proportion of affordable housing at the site. Discussions with the developer and his agent has been ongoing and agreement has now been reached and the developer is now in a position to complete the necessary documentation.

RESOLVED to accept the report and agree to the completion of the planning obligation.

13.4 49C257 – Outline application for the residential development together with the construction of a new vehicular access onto the A5, Valley Mart Site

The application was brought to the Committee as the length of time that has elapsed since the matter was originally before the Committee. At the Planning and Orders Committee held on 6th July, 2005 it was resolved to approve the application, subject to the completion of a planning obligation securing a proportion of affordable housing at the site. Discussions with the developer and his agent has been ongoing since the original Committee resolution. Agreement has now been reached and the developer is in a position to complete the necessary documentation.

RESOLVED to accept the report and agree to the completion of the planning obligation.

DATES OF MEETINGS

The Chair informed the Committee that due to the County Council Elections on 2nd May, 2013 two meeting of the Planning and Orders Committee will be held in April. The dates of the April meeting will be as follows :-

3 April, 2013

24 April, 2013

**COUNCILLOR J. ARWEL ROBERTS
CHAIR**