

## **PLANNING AND ORDERS COMMITTEE**

### **Minutes of the meeting held in the Council Chamber and on Zoom on 8 January, 2025**

- PRESENT:** Councillor Ken Taylor (Chair)  
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, Trefor Lloyd Hughes, MBE, John Ifan Jones, Robert Ll. Jones, Dafydd Roberts, Alwen Watkin.
- Local Members: Councillor Douglas Fowle (for applications 7.1 and 7.2)
- IN ATTENDANCE:** Planning Development Manager (RLJ)  
Group Engineer (Development Control and Traffic Management) (AR)  
Legal Advisor (BS)  
Committee Officer (ATH)  
Webcasting Officer (FT)
- APOLOGIES:** Councillors Neville Evans, Robin Williams, Liz Wood
- ALSO PRESENT:** Councillors Nicola Roberts (Portfolio Member for Planning, Public Protection and Climate Change), Kenneth Hughes, Derek Owen, David Parr-Sturgess (Planning Assistant), Cai Gruffydd (Planning Assistant), Elena White (Business Systems Manager)
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#### **1. APOLOGIES**

Apologies for absence were received from Councillors Neville Evans, Robin Williams and Liz Wood

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

No declaration of interest was received.

#### **3. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Planning and Orders Committee held on 4 December 2024 were presented and were confirmed as correct.

#### **4. SITE VISITS**

The minutes of the planning site visits held on 18 December 2024 were presented and were confirmed as correct.

#### **5. PUBLIC SPEAKING**

There were no Public Speakers at 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/2024/230 – Full application for the change of use of the existing ground floor of dwelling to form part of existing shop (A1 Use) at Mona House, Holyhead Road, Gwalchmai**

The application was presented to the Planning and Orders Committee at the request of a Local Member who was concerned that the proposal would exacerbate local parking and traffic issues. At its meeting held on 4 December 2024, the committee resolved to conduct a site visit which subsequently took place on 18 December 2024.

The Planning Development Manager reported that the application is to extend the existing retail facility into the adjacent dwelling and to create a one bedroom flat above with access provided by an external stairway to the rear. The scheme will only increase the floor area of the existing retail unit and does not entail creating any new units. As such the scheme is acceptable in principle and must be assessed against other material considerations. The main concerns are in relation to highway issues and are the reason for the Local Member calling in the application. The proposed increase of 37m<sup>2</sup> in the retail floor area means that the parking requirement increases by 3 spaces in accordance with the Highway Authority's parking standards. The scheme proposes the creation of 3 new parking spaces to the rear of the site with existing access provided from the A5 highway. The provision of 3 additional parking spaces along with suitable means of access and sufficient visibility of 2.4m x 45m are considered acceptable by the Highways Authority. While the Local Member has raised concerns regarding existing parking and traffic issues in this location, it is not a matter for the planning process to resolve existing issues. In the context of the application, the parking requirements have been met in line with the Local Authority's parking standards and therefore there is no reason to refuse the application on this basis. The Planning Development Manager highlighted that extending the shop does not necessarily mean increased use of the shop or a worsening of traffic problems. The shop is considered an asset to the community and the provision of 3 extra parking spaces will improve the overall situation. The Community Council has not directly objected to the proposal and no letters of representations have been received. The Officer's recommendation is therefore to approve the application.

The Chair read out comments forwarded to him and to the Planning Development Manager in respect of the application by Councillor Neville Evans, a member of the Committee and a Local Member who was unable to be present at this meeting. Those comments referred to a letter having now been received from the Community Council raising parking issues specifically the risk of an accident should a vehicle reverse into the road from the very small parking space for 3 vehicles as seen on the site visit. Councillor Evans confirms that neither he nor the Community Council have any objections to the shop but wish to again note and put on record the intolerable situation in Gwalchmai regarding traffic and parking problems around the shop. As the Highways Authority does not object to the proposal and as the Planning Officer recommends approval then Councillor Evans says that he will support the application providing the Community Council's concerns are noted.

Councillor Douglas Fowlie, also a Local Member in saying that he believed the issues had been covered by the Planning Development Manager and that he noted that Councillor Neville Evans was happy to support the proposal, added that he had wanted to speak and explain matters when the application came before the committee's December meeting which

meant that a month had been lost in which time works could have started. The Chair clarified that a request for a site visit must be considered and put to the committee for a decision.

Councillor Jackie Lewis said that having been on the site visit she was satisfied with the proposal and although the parking space is tight she did not think that extending the shop's floor space would lead to any more people stopping by than at present and that numbers can fluctuate depending on the season. She thought that small businesses such as this seeking to provide an improved service to the community should be supported and she therefore proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Geraint Bebb.

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

## **7.2 FPL/2024/65 – Retrospective application for the construction of a slurry lagoon on land near Bryn Cwr, Gwalchmai**

The application was presented to the Planning and Orders Committee at the request of a Local Member due to concerns regarding odour and air pollution, the development's proximity to residential properties and public spaces and concerns also in relation to a nearby swamp and well. At its meeting held on 4 December 2024, the committee resolved to conduct a site visit which subsequently took place on 18 December 2024.

The Planning Development Manager outlined the principal planning considerations with regard to the application and addressed those individually. The application site is an agricultural holding located to the south of the A5 in Gwalchmai comprising of around 77 acres of land which form part of a total area of approximately 500 acres in the wider area. The slurry lagoon has been constructed to improve the existing slurry management system at the farm to conform with new regulations in relation to the storing and spreading of slurry. Extensive discussions have been held with Natural Resources Wales over the past year regarding the proposal and the applicant has addressed all the issues raised. Consequently, NRW have raised no objections to the development. Planning Policy Wales states that planning authorities should adopt a constructive approach towards agricultural development proposals especially when those are designed to meet the needs of changing farming practices or are necessary to comply with new environmental, hygiene or welfare legislation. Based on the scale of the holding and number of stock and the new regulations imposed, the proposal is considered justified.

The Planning Development Manager referred to siting and design considerations and to the dimensions of the proposed slurry lagoon which although large are considered acceptable because of the scale of the holding and number of stock as well as the new regulations and requirements. 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 surrounding the lagoon to specifications recommended by the HSE and stock proof fencing will be installed around the bottom of the outer bank. A planning condition will ensure that this fencing is installed within 6 months. The slurry lagoon has been built to a high quality in line with current standards and regulations and will be well screened by existing vegetation to prevent visual impact and to ensure its integration into the surrounding natural environment. Additional planting is also proposed.

In terms of the impact of the proposal on adjacent residential properties, numerous concerns have been raised about the distance between the lagoon and the village and the potential for odour from the lagoon affecting residential amenity and causing health concerns. The Officer's report details the distances between the proposed lagoon and nearby properties as well as other public spaces in Gwalchmai in close proximity to the lagoon such as the

football ground, children's playground and recently approved community hub. While it is acknowledged that there will be some occasional odour associated with the slurry lagoon and the operation of the farm enterprise this is a known feature of living in a rural community. Slurry spreading on this land would occur regardless of the presence of the lagoon generating short term odour and there would have been an odour when the lagoon was used for the first time before the formation of a surface crust. Once a crust has 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. An odour management plan has been submitted in support of the application and has been scrutinised by the Environmental Health Department which found it to be a comprehensive document. The Public Protection Department agrees with the control measures and methodologies proposed in the report.

Questions were also asked during consultation about why the lagoon is not covered. Covering the lagoon would entail a significant cost which would impact on the farm business and the surface crust has the same effect. To address concerns that waste from elsewhere is being carried to and deposited at the lagoon, a planning condition will ensure that nothing other than biodegradable material deriving from Bodwina Farm will be deposited and treated at the site. 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 such as to warrant refusal, and having been fully assessed in regard to all the relevant planning policies and issues, the proposal is considered acceptable and the recommendation is one of approval.

As with the previous application the Chair read out comments forwarded to him and to the Planning Development Manager in respect of the application by Councillor Neville Evans, a member of the Committee and a Local Member who had referred the matter to the committee but who was unable to be present at this meeting. In those comments Councillor Evans praises the Planning Service and the applicant for co-operating and confirms that he is happy to support the application providing the purpose built fencing is installed and the applicant does not agitate the lagoon when the weather and/or conditions are unfavourable to the residents of Maes Meurig.

Councillor Douglas Fowlie, also a Local Member in saying that he agreed with Councillor Neville Evans referred to the regulations which made the slurry lagoon necessary at great expense and suggested that they needed to be looked at.

Councillor Robert Ll. Jones raised a number of issues in relation to safety and amenity impacts. He questioned whether there were any plans to cover the slurry lagoon eventually and whether a warning sign and lighting would be erected. As the lagoon has been built to comply with Welsh Government regulations he queried whether funding is available to help with the cost of providing a cover. He expressed concerns about the possible effects of odour on the residents of properties in the locality and asked what would happen if complaints were to be made in this regard. He was doubtful whether the crust would be effective in preventing the release of odour especially as it would likely be disturbed by heavy rain.

The Planning Development Manager in response advised that a natural crust formation within the slurry lagoon will have the same effect as a cover which can cost in excess of £50k and the crust will only be agitated for spreading purposes about four times a year. While a temporary fence is currently in place, planning consent is conditional on the installation of a fence at the top of the bank in line with Health and Safety Executive guidance as well as a stock proof fence around the bottom of the outer bank. Should there be any complaints about odour issues the Environmental Health Department can investigate whether those issues constitute a statutory nuisance and can require further controls to be put in place. However, the applicant has provided an odour management plan setting out

mitigation measures to the satisfaction of the Environmental Health Department. The availability of funding is a matter for individual farmers to investigate and the application is under consideration from a planning perspective only.

Councillor Jackie Lewis in noting that this is a retrospective application queried whether Natural Resources Wales in its discussions with the applicant should have raised the need for planning consent.

The Planning Development Manager said that as he was not party to those discussions he could only report on matters after the submission of the application and that it is the Planning Authority that deals with planning matters rather than NRW. Additionally, in agricultural settings many such developments can come under permitted development and had the slurry lagoon been located 400m or more away from nearby residential properties it could have been seen as permitted development which the applicant might have assumed to be the case. Also, the current regulations came into effect in 2021 and are relatively new to the farming community.

Councillor Jackie Lewis subsequently proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor John Ifan Jones.

Councillor Alwen Watkin said that she was surprised by where the slurry lagoon had been sited at a distance from the farmyard and shed although the reasons why are explained. She referred to the six month timeframe for the installation of the fencing as per condition (03) and questioned whether given the risks and the proximity of houses and children, the timeframe needs to be shorter.

The Planning Development Manager advised that the timeframe was considered reasonable in light of the work required and time of year and while it could be reduced to three months if the committee so wishes, anything shorter would be impractical given the work involved.

Councillor Alwen Watkin proposed that the application be approved with an amendment to condition (03) to require that all fencing be installed within three months of the date of planning permission. The amendment was seconded by Councillor Jackie Lewis who withdrew her original proposal.

**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 amending condition (03) to require that all fencing shall be installed within three months of the date of the planning permission.**

## **8. ECONOMIC APPLICATIONS**

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

## **9. AFFORDABLE HOUSING APPLICATIONS**

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

## **10. DEPARTURE APPLICATIONS**

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

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

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

## **12. REMAINDER OF APPLICATIONS**

### **12.1 FPL/2024/209 – Retrospective application for the retention of the river restoration works to the Afon Braint and the Afon Eyr Uchaf on land adjacent to Penhesgyn Household Waste Management Centre, Penhesgyn**

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 reported that the application is for the retention of restoration works to the Afon Braint which will result in a more natural, diverse hydrological scheme to improve habitat for aquatic species and improvement to flood management and water quality. The main objectives of the scheme are to improve the ability of the river to deal with flood water whilst also improving its ecological value. The Planning Development Manager referred to the main engineering operations of the scheme and what those entailed as described in the Officer's report. He confirmed that Natural Resources Wales had requested additional information which was found acceptable and that the Council's Ecology Officer had assessed the Green Infrastructure Statement in support of the application and was satisfied with the proposal. The recommendation is therefore to approve the application.

Councillor Geraint Bebb proposed, seconded by Councillor Dafydd Roberts, 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 Ken Taylor  
Chair**