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Gweddill y Ceisiadau

Remainder Applications

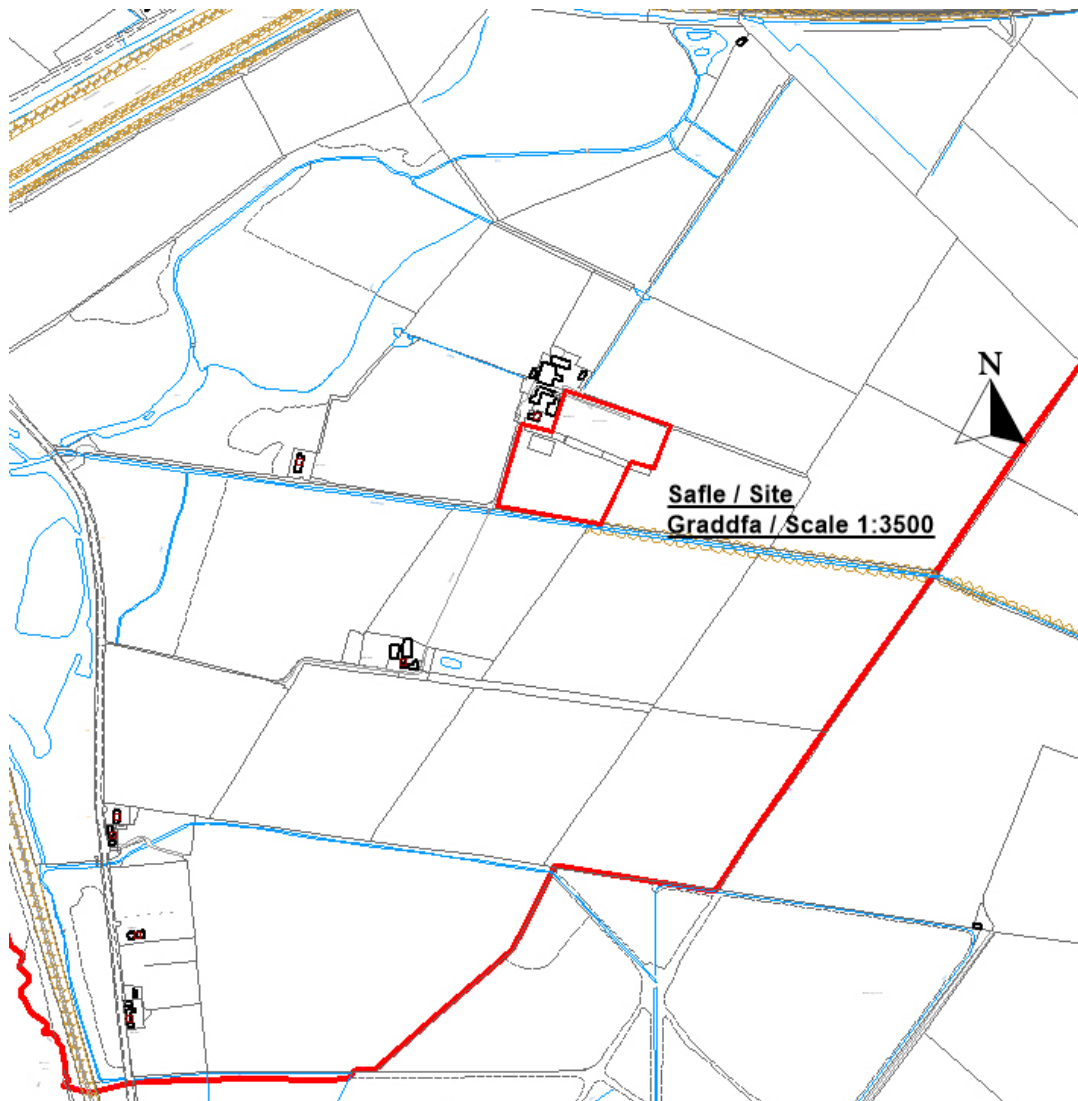
Rhif y Cais: **15C30H/FR** Application Number

Ymgeisydd Applicant

Mr Jeff Hughes

Cais llawn i newid defnydd tir amaethyddol er mwyn ymestyn y maes carafannau presennol i lleoli 14 o garafannau symudol ychwanegol ynghyd a gosod tanc septig ar dir yn / Full application for change of use of agricultural land to extend the existing caravan park to site a further 14 touring caravans together with the installation of a septic tank on land at

Pen y Bont Farm Touring & Camping, Malltraeth



Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (SCR)

Recommendation:

Refuse.

Reason for Reporting to Committee:

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

At its meeting held on the 2nd November, 2016 the committee members recommended that a site visit should take place. The site visit took place on the 16th November, 2016 and the members are now aware of the site and its settings.

At its meeting held on the 7th December, 2016 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- i) Do not consider that there is a flood risk of a level that the proposal cannot be supported, and
- ii) The proposal will not have a detrimental impact on the ecology of Malltraeth Marsh.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:
"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

- j) Do not consider that there is a flood risk of a level that the proposal cannot be supported

The site is situated within a C1 Flood Zone as defined by the Development Advice Map (DAM). The details received from Natural Resource Wales, during the consultation process, that the flood maps are updated on a quarterly basis and confirms that the site lies within the extreme flood outline.

Technical Advice Note 15: Development and Flood Risk states that development should be directed away from the areas which are within zone C and towards land in zone A. Figure 2, Section 5 of TAN 15 states that touring caravans are categorised as a highly vulnerable development.

Paragraph 6.2 of TAN 15 states that new development should be directed away from areas which are within zone C and towards land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue...Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i) its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
- ii) its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;

and

- iii) it concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2); and
- iv) the potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

The proposal meets criteria (ii) of the tests listed in paragraph 6.2 as it will contribute to employment and tourism facilities in the locality by way of additional visitors to the area. However, the proposal does not meet criteria (iii) or (iv) of the test as the application site is agricultural land which has not previously been developed and the agent has confirmed that they are not willing to spend the monies on submitting a Flood Consequence Assessment.

Where developments are proposed in zone C, and comply with the tests outlined in Section 6 of TAN 15 a planning application should be supported by a Flood Consequence Assessment. Paragraph 7.2 of TAN 15 states that whether a development should proceed or not will depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development. It would certainly not be sensible for people to live in areas subject to flooding (even in two storey buildings) where timely flood warnings cannot be provided and where safe access/egress cannot be achieved

Therefore, before deciding whether a development can take place a flood consequence assessment, which examines the likely mechanisms that cause the flooding, and the consequences on the development of those floods, must be undertaken, which is appropriate to the size and scale of the proposed development.

During the course of determining the application the applicant was requested to submit a Flood Consequence Assessment however refused to carry out an assessment due to the costs.

Due to the above the proposal cannot be supported as the site lies within a C1 flood zone and does not comply with the requirements of TAN 15.

- ii) The proposal will not have a detrimental impact on the ecology of Malltraeth Marsh.

Policy 33 of the Local Plan states that the Council "will refuse to permit any development that will unacceptably affect either directly or indirectly, any notified SSSI..."

Policy EN6 of the stopped Unitary Development Plan states that development that is likely to result in danger or have a detrimental effect on a Site of Special Scientific Interest will be subject to special scrutiny and will not be permitted unless the reasons for the development clearly outweigh the value of the site itself.

Fields close to the proposed development are suitable for breeding birds of lowland damp grassland, which require an open landscape without disturbance. Any development into the SSSI including any screening/planting more than 1.5 m tall will impact on the suitability of the area for breeding birds with a potential loss of biodiversity. The caravan site will be open during the spring and summer bird breeding season which coincides with the breeding season for the species notified as features of the site. The proposed development would not only reduce the land area off the SSSI but potentially increase disturbance effects in neighbouring fields within the SSSI and therefore jeopardise site integrity.

The proposal therefore conflicts with Policy 12 and Policy 33 of the Ynys Mon Local Plan and Policy TO6 and EN6 of the stopped Unitary Development Plan.

At its meeting that was held on the 4th January, 2017, Members were advised that the Welsh Government had issued a holding direction on the application whilst the Welsh Government considered the application and whether they would 'Call-in' the application to determine. The Members were therefore informed that the Planning and Orders Committee had two options, these were;

- i) Defer the application, or,
- ii) Refuse the application

Members resolved to defer the application until the Welsh Government determined whether they would 'Call-in' the application.

1. Recommendation

Refuse

(01) The application site is located within zone C1, as defined by the Development Advice Maps referred to under Technical Advice Note 15 'Development and Flood Risk' (July 2004). The proposal is therefore contrary to Policies 1 and 28 of the Ynys Môn Local Plan and Policies GP1 and SG2 of the stopped Unitary Development Plan and the advice contained within Planning Policy Wales (9th Edition) and Technical Advice Note 15 – Development and Flood Risk (July 2004).

(02) The proposal will impact upon the openness of the area, which is designated as a Site of Special Scientific Interest potentially affecting its ornithological interest. The proposal is therefore contrary to Policy 12 and 33 of the Ynys Mon Local Plan and Policy TO6 and EN6 of the sopped Unitary Development Plan and the advice contained within Planning Policy Wales (9th Edition).

Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (GJ)

Recommendation:

Refuse

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

At its meeting held on the 1st February, 2017 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The proposal would significantly improve the appearance of the existing dwelling.
- Policy 55 of the Ynys Mon Local Plan supports such proposals.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:
"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

- The proposal would significantly improve the appearance of the existing dwelling.

In response to the above reason, whilst accepting that it can be argued that the current proposals do enhance the appearance of the building. It is not considered that this application complies with the spirit of Policy 55 of the Ynys Mon Local Plan and Policy HP8 of the Stopped Unitary Development Plan

- Policy 55 of the Ynys Mon Local Plan supports such proposals.

In response to the above reason, It is not considered that this application complies with the spirit of Policy 55 of the Ynys Mon Local Plan and Policy HP8 of the Stopped Unitary Development Plan, which seeks to respect the character, scale and setting of the existing building. The policy goes on to state that the building should be capable of conversion without extensive re-building or extension which would be equivalent to the erection of a new dwelling.

An extension to the original building has already been granted increasing the footprint up to 30%. The proposed extension amounts to 92.02 square metres. This would amount to a 111% increase on the original outbuilding, taking the overall extensions to 142%, way beyond what is considered as minor external alterations.

8. Recommendation

Refused

(01) The amount of extension go well beyond what could reasonably be described as minor external alterations. The proposal is therefore contrary to Policy A6 of the Gwynedd Structure Plan, Policy 55 of the Ynys Môn Local Plan, Policy and HP8 of the stopped Unitary Development Plan and advice contained within Planning Policy Wales (9th Edition), Technical Advice Note 6: Planning for Sustainable Rural Communities and Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment.

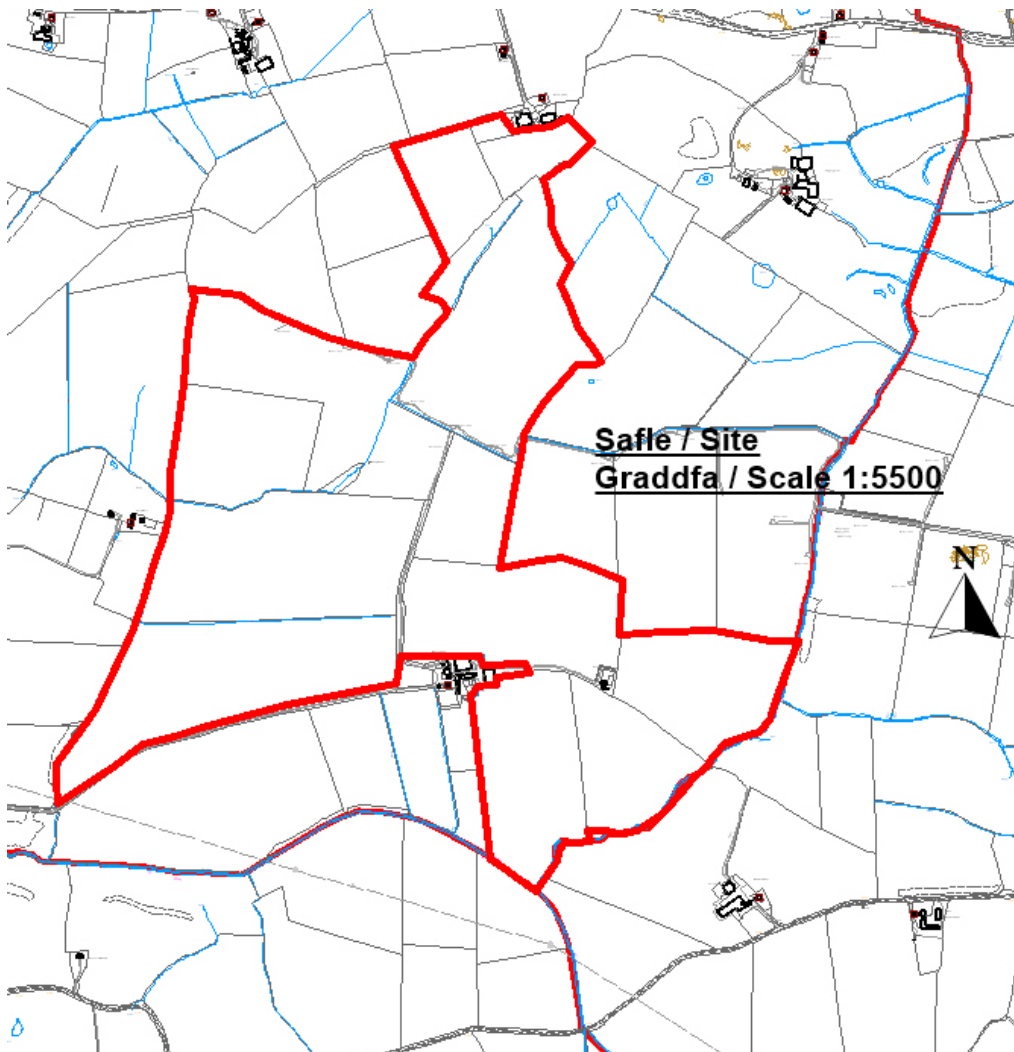
Rhif y Cais: **20C310B/EIA/RE** Application Number

Ymgeisydd Applicant

Countryside Renewables (North Anglesey) Ltd

Cais llawn ar gyfer adeiladu fferm arae solar 49.99MW ynghyd ag offer a isadeiledd cysylltiedig a gwaith ategol ar dir ger / Full application for the construction of a 49.99MW solar array farm together with associated equipment, infrastructure and ancillary works on land adjacent to

Rhyd y Groes, Rhosgoch



Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (MTD)

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is accompanied by an Environmental Impact Assessment (EIA)

Members will recall visiting the site on the 17th August 2016.

1. Proposal and Site

The site is located at Rhyd-y-Groes farm, near Llanbadrig, Cemaes Bay in the open countryside on land roughly halfway between the settlements of Cemaes and Amlwch, approximately 1.5 km south-east of Cemaes Bay on the coast of North Anglesey. The land is included within a Special landscape Area, the AONB lies 245m to the north (Nearest point) on the opposite side of the A5025.

The land surrounding the site predominantly comprises agricultural holdings and a few rural dwellings: Tyn-y-Gors adjoins the western site boundary (and Nant- y-Frân lies 450m northwest of this); Rhyd-y-Groes adjoins the south of the site; Hafodllin Bach and Hafodllin Fawr are close to the south-east of the site; while Buarth-y-Foel and Tregynrig Fawr are close to the most northern part of the site..

The site is currently in use as agricultural grazing land. However, part of the existing Rhyd-y-Groes Wind Farm is within the application site boundary. The wind farm originally comprised 24 turbines installed in 1993 (now 22 operating turbines), each with a tip height of 46m. The Rhyd-y-Groes wind farm is a dominant feature of the landscape surrounding the site.

The application proposes the installation of solar PV arrays measuring 1m x 1.65 at an angle of 15-30 degrees and maximum 3m in height which will connect to the national grid. The application site area is 89.4 hectares, with the solar panels and associated infrastructure occupying approximately 40% of the site area. The footprint of the supporting posts will be less than 1% of the total development area.

It should be noted that since the application was submitted, the applicant has reduced the development area by 11.2ha after taking into account the comments of GAPS on archaeology and Officer concerns in respect of landscape impact. .

This is explained in the relevant sections in this report.

The proposed installation will incorporate arrays of free standing, ground-mounted solar PV panels, which will have an estimated maximum installed generating capacity of 49.99MW. The installation will be quiet during operation and will have no moving parts. It will connect to the local electricity distribution network and produce enough electricity to power 15,500 homes on an annual basis, which is the equivalent of half of Anglesey's homes. CO2 savings over the lifetime of the project will be 612,000 tonnes, the equivalent of taking 14,000 cars off the road.

Operational access for maintenance will be achieved via the new access point near Rhyd-y-Groes Farm (this will be the primary access point during operation) and the access point at Buarth-y-foel will also be retained for use as required.

Sheep will be allowed to graze in between and beneath the solar panel arrays.

The installation will also include the following associated infrastructure:

Gravel access roads.

Landscaping, bunding and planting.

Post and wire security fencing along the hedgerows.

CCTV cameras.

Solar PV Inverter Substations

A Substation Compound (for grid connection) which comprises:

32 containerised battery stores and 8 inverter units;

Grid connection equipment including transformers and switchgear and ancillary equipment.

Switchgear and ancillary equipment.

Cabling works reaching from the panels/inverters (this will be routed to the substation via a network of shallow trenches which will be back filled)

Electricity will be cabled from the site by statutory undertakers under their permitted development rights.

2. Key Issue(s)

The application is accompanied by an Environmental impact Assessment (EIA) which informs the proposals. Following a scoping procedure and the issuing of a scoping opinion (July 2015) by the LPA the submitted Environmental statement included the following matters, landscape and visual impact, ecology and Nature Conservation, Cultural Heritage and Archaeology, floodrisk, hydrology and ground conditions. Other matters were included and are dealt with elsewhere in this report.

The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

3. Main Policies

The Gwynedd Structure Plan (1993)

The Gwynedd Structure Plan (Structure Plan) was adopted in 1993 and provides strategic planning policy and guidance for development in Gwynedd and Anglesey for the period 1991 to 2006. The Structure Plan sets out the key general policies as a framework for the more detailed policies in the Ynys Môn Local Plan. The Structure Plan forms one part of the Development Plan for Anglesey and is therefore a material planning consideration in the determination of this application.

Policy C7 states that there will be a presumption in favour of renewable energy proposals, provided that the impacts upon the locality are acceptable to the local planning authority. Proposals should be supported by an Environment Assessment where applicable.

Policy D4 states that careful location, siting and design will be a material consideration in the determination of all applications for development in order to minimise any adverse impact on the environment. Where appropriate, planning applications should be accompanied by a comprehensive environmental statement in accordance with the relevant legislation.

Policy D10 seeks to ensure that the County's heritage of wild flora and fauna and geological and physiographic features are safeguarded, particularly NNRs, SSSIs, RSPB Reserves, wetlands, Ramsar sites, Special Protection Areas (under EC Bird Directive 74/409), Local Nature Reserves and other areas of high nature conservation interest.

Policy D15 seeks to preserve Scheduled Ancient Monuments, areas of archaeological importance and unscheduled archaeological sites and highlights the need to investigate archaeological sites of unknown importance and areas of high archaeological potential. Provision should be made for an appropriate archaeological response for archaeological sites not meriting preservation.

Policy D22 states that any development in close proximity to a listed building and having a bearing on its setting or character will be carefully controlled.

The Ynys Môn Local Plan (1996)

The Ynys Môn Local Plan (Local Plan) was adopted in 1996 and provides an interpretation of the policies in the Structure Plan in more detail, along with a series of supplementary Proposals Maps. Although the Local Plan remains part of the Development Plan for Anglesey, the plan period has now expired and therefore the provisions of PPW take precedent over the content of the Local Plan where there is considered to be a conflict.

Chapter 2 of the Local Plan outlines the 'General Strategy' for Isle of Anglesey, which is supported by the more detailed policies on jobs, physical infrastructure and the environment, set out in Chapters 3-5 of the Local Plan. The General Strategy identifies renewable energy as a key planning issue to be addressed by the strategy, and paragraph 2.1 states that:

"With Government emphasis now being placed on the generation of energy from safe, alternative sources, pressure for developments exploiting renewable, natural sources (e.g. wind power) are likely to increase."

The General Strategy has a presumption in favour of sustainable development, and paragraph 2.5 recognises the need for development to be "sustainable" in order to achieve economic development.

Policy 1 (General Policy) states that, in considering planning applications, the Council will take into account the needs and interests of the Welsh language; energy conservation; the effect on any site or area of ecological, landscape, scientific, archaeological or architectural interest; the extent to which siting, scale, density, layout and appearance fit in with the character of the area; the effect on residential amenities; and protection of the best and most versatile agricultural land. This policy further states that there is a need to ensure that vehicular access, the roads leading to the site, and parking provisions are safe and adequate.

Policy 31 (Landscape) designates the entire Island as a Special Landscape Area, excluding the AONB and land which falls within the settlement boundaries as defined in the Local Plan, and requires proposals to have particular regard to the special character of their surroundings.

Policy 32 (Landscape) seeks to protect trees, hedgerows, stone walls, 'cloddiau' and other traditional landscape features from inappropriate development.

Policy 39 (Archaeological Sites) states that the Council will use its planning powers to ensure that Scheduled Ancient Monuments and their settings are retained intact. Unscheduled archaeological sites and their settings of sufficient importance to merit preservation will also be protected. Where proposals affect other unscheduled archaeological remains which do not merit preservation, provision will be made for an appropriate archaeological response.

Policy 41 (Conservation of Buildings) states that Buildings of special architectural and historic interest and their settings will be protected from unsympathetic development, alterations or demolition.

Policy 42 (Design) seeks to promote high quality design for development proposals. Development proposals should have particular regard to the surroundings of the site; the quality of layout, design and external finishes; and the provision made for pedestrian access and circulation.

Policy 45 (Renewable Energy) provides a framework for the identification of potential development impacts for renewable energy projects. For a development proposal to be acceptable it should be clearly demonstrated that there will not be any unacceptable impact on:

Landscape character;

Sites of international, national or local importance for nature conservation;

Species which are of nature conservation importance;

The standard of amenity enjoyed by the resident and tourist population; and Essential public services and communications.

It goes further at paragraph 4.49, which states that projects such as solar schemes can make a valuable contribution to safe energy provision in the future, as well as diversifying the economic base of rural areas. Paragraph 4.49 emphasises that renewable energy developments have a role to play in overall Government energy policy by:

Assisting in the diversification of the sources of electricity supply;

Displacing harmful fossil fuel emission, reducing overall Carbon Dioxide and Sulphur Dioxide emissions to the atmosphere, and thus assisting the Government in meeting its international and European environment obligations; and

Reducing transmission losses in the national grid.

The Stopped Ynys Môn Unitary Development Plan (2005)

The Ynys Môn Unitary Development Plan (Stopped 2005) sets out the IACC's strategic priorities for the development and other use of land on Anglesey as well as the detailed policies and proposals for development. It was intended that the UDP would cover the period from 2001 to 2016.

On 1st December 2005, the IACC resolved to stop work on the Ynys Môn Unitary Development Plan (UDP) and proceed to commence preparation of the Anglesey and Gwynedd Joint Local Development Plan (JLDP). As a result, the UDP was not adopted. Nevertheless, the UDP may be a material planning consideration, given the advanced stage it reached in its preparation; however it does not have the status of a fully adopted plan.

Chapter 5 of the UDP outlines the 'General Strategy' for Anglesey, which is supported by the 'Policies' set out in Chapter 7 of the UDP. The General Strategy and vision has a presumption in favour of sustainable development, and one of the key objectives of the UDP is to:

"Promote and encourage the development and use of renewable and non-renewable sources of energy (where appropriate) and promote energy efficient development and design." (UDP, Chapter 6, Objective 12).

Part 1, Policy 8b (Energy Developments) states:

"Applications for the development of renewable and non-renewable energy resources will be permitted where it can be demonstrated that there will be no unacceptable adverse impact upon the environment. Preference will be given to the development of clean renewable energy sources, but proposals for non-renewable energy projects will be permitted if they encourage the maximum use of energy efficiency within their design."

General Policy GP1 (Development Control Guidance) provides a framework for the control of new development proposals. Development will be permitted where it:

Does not cause significant harm to people, general amenity, residential amenity and the environment;

Protects the best and most versatile agricultural land; and

Safeguards and enhances the integrity and/or continuity of the environment, including archaeological sites, landscape features and corridors such as stone walls, cloddiau, hedgerows, trees, ponds and rivers.

Policy EN1 (Landscape Character) requires development to fit into its surroundings without significantly harming the Landscape Character Areas.

Policy EN4 (Biodiversity) seeks to ensure that development does not cause unacceptable harm to biodiversity on the Isle of Anglesey. Development must be designed to maintain, and where appropriate enhance the biodiversity of the natural environment.

Policy EN14 (Tree Preservation Orders and Hedgerows) requires measures for the protection and retention of existing trees, hedgerows and woodlands to be submitted as part of development proposals. Where trees or hedgerows are removed as part of a development, replacements using the original and indigenous species will normally be required. Hedgerows will be protected from inappropriate development.

Policy ENV16 (Landscape Features of Major Importance for Flora and Fauna) permits development that would adversely affect the integrity or continuity of specific landscape feature (including hedgerows, ditches and bank or habitat mosaics or networks of other locally important habitats) where it can be demonstrated that the need for the development clearly outweighs the need to retain the features. Mitigating measures which would reinstate the integrity or continuity of the features will be required.

Emerging Local Planning Policy

Joint Local Development Plan Anglesey & Gwynedd (2011-2026) Deposit Plan (2015)
Gwynedd Council and IACC have decided to prepare a Joint Local Development Plan (JLDP) for Anglesey and the Gwynedd Local Planning Authority Area. The plan sets out the land use planning policy framework over a 15 year period (2011-2026) and comprises the general strategy and strategic priorities as well as more detailed policies. Once adopted, the JLDP will form the Development Plan for the Anglesey and Gwynedd Local Planning Authority Area.

Chapters 5 and 6 of the Joint Local Development Plan (LDP) outline the 'Vision and Strategic Objectives' and 'The Strategy' for Anglesey and Gwynedd, which are supported by the policies in Chapter 7 of the LDP. The Strategy has a presumption in favour of sustainable development, which is emphasised by the Strategic Objectives and subsequent policies, as set out below.

Strategic Objective 5 seeks to ensure that development supports the principles of sustainable development and creates sustainable communities.

Strategic Objective 6 seeks to minimise, adapt and mitigate the impacts of climate changes. This will be achieved through the promotion of renewable and low carbon energy production within the area.

Strategic Policy PS5 (Sustainable Development) states that proposals will only be permitted where it is demonstrated that they are consistent with the principles of sustainable development. This policy provides a list of criteria which must be adhered to by development proposals.

Strategic Policy SP6 (Alleviating and Adapting to the Effects of Climate Change) states that in order to alleviate the effects of climate change proposals will only be permitted where it is demonstrated that development proposals adhere to the criteria as listed in this policy.

Strategic Policy SP7 (Renewable Energy Technology) states that The Councils will seek to ensure that the Plan area wherever feasible and viable realises its potential as a leading area for initiatives based on renewable or low carbon energy technologies by promoting renewable energy technologies within development proposals which support energy generation from a variety of

sources which include solar generation and free-standing renewable energy technology development.

Strategic Policy SP16 (Conserving and Enhancing the Natural Environment) states that the Councils will manage development so as to conserve and enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have an adverse effect on them will be refused. Proposals must have regard to the environmental considerations listed in this policy.

Policy PCYFF1 (Development Criteria) sets out a list of criteria which must be adhered to be development proposals. Furthermore, development should not have an unacceptable adverse impact on prominent public views of open countryside, the highway network and vehicular access, the health and safety and amenity of the local residences or other land and property uses, the quality of ground or surface water and the best and most versatile agricultural land.

Policy PCYFF2 (Design and Place Shaping) states that all proposals will be expected to demonstrate high quality design, which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged. Proposals will only be permitted where they confirm to the relevant criteria as listed in this policy.

Policy PCYFF3 (Design and Landscaping) states that all proposals should integrate into their surroundings. This policy provides a list of criteria which should be met by landscaping schemes.

Policy ADN2 (Other Renewable Energy Technologies) states that large scale proposals located outside development boundaries will be permitted in exceptional circumstances where there is an overriding need for the scheme which can be satisfactorily justified or there are specific locational circumstances for the siting of the development. In all cases proposals should not cause an unacceptable harm to the landscape, biodiversity, archaeology and areas of historic value or their settings. In addition, the potential effect of cumulative impact of renewable energy technologies should be considered.

Policy AMG2 (Protecting and Enhancing Features and Qualities That Are Unique to the Local Landscape Character) states a proposal will be granted provided that it doesn't have an adverse impact upon features and qualities which are unique to the local landscape in terms of visual, historic, geological, ecological or cultural aspects. Measures should be taken to ensure that the development doesn't cause significant adverse impact to the character of the built or natural landscape; fails to harmonise with, or enhance the landform and landscape; and lose or fails to incorporate traditional features, patterns, structures and layout of settlements and landscape of both the built and natural environment.

Policy AMG4 (Local Biodiversity Conservation) states that proposals should protect and enhance biodiversity that has been identified as being important to the local area. Proposals should adhere to the criteria listed in this policy. Where necessary, an Ecological Assessment which highlights the relevant biodiversity issues should be included with the planning application.

Planning Policy Wales V9

Chapter 4 of PPW sets out the Welsh Government's (WG) policy for planning for sustainability across Wales. One of the key aims of this national policy is to:

"Support the need to tackle the causes of climate change by moving towards a low carbon economy. This includes facilitating development that reduces emissions of greenhouse gases in a sustainable manner, provides for renewable and low carbon energy sources at all scales and facilitates low and zero carbon developments." (PPW, paragraph 4.4.3)

Paragraph 4.6.4 highlights that the countryside is a dynamic and multi-purpose resource. PPW recognises that whilst it should be conserved and enhanced, the countryside also plays a role as a sustainable energy source.

Chapter 12 of PPW sets out the Welsh Government's (WG) policy for delivering infrastructure and services across Wales. One of the key aims of this national policy is to:

"Promote the generation and use of energy from renewable and low carbon energy sources at all scales and promote energy efficiency, especially as a means to secure zero or low carbon developments and to tackle the causes of climate change." (PPW, paragraph 12.1.4)

This guidance also confirms the WG's commitment to achieving the UK target of 15% of energy from renewables by 2020 by specifically stating that:

"The Welsh Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of our approach to tackling climate change whilst enhancing the economic, social and environmental wellbeing of the people and communities of Wales in order to achieve a better quality of life for our own and future generations. This is outlined in the Welsh Government's Energy Policy Statement Energy Wales: A Low Carbon Transition (2012)." (PPW, paragraph 12.8.1)

The support for renewable energy is further emphasised in Paragraph 12.8.2 of PPW which confirms that:

"Planning policy at all levels should facilitate delivery of both the ambition set out in Energy Wales: A Low Carbon Transition and UK and European targets on renewable energy."

In addition, the guidance states that Local Planning Authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy and help to tackle the causes of climate change. Specifically, the guidance (paragraph 12.8.9) requires LPAs to make positive provision by (amongst other matters):

Considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered;

Ensuring that development management decisions are consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations; and

Recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to planning for sustainability.

Paragraph 12.8.10 states that there is a need to ensure that "international and national statutory obligations to protect designated areas, species and habitats and the historic environment are observed".

Paragraph 12.8.15 states the impacts from renewable energy developments will also vary depending on their location and scale and require different policy and development management considerations.

PPW also contains guidance specifically related to development management decisions for renewable and low carbon energy development. The guidance advises that developers for renewable and low carbon energy developments should seek to avoid, or where possible minimise, adverse impacts through careful consideration of location, scale, design and other measures.

Paragraph 12.10.1 highlights matters that should be taken into account in dealing with renewable and low carbon energy development and associated infrastructure by the local planning authority. This covers the positive aspects such as contribution to meeting national, UK and European targets and wider environmental, social and economic benefits. It also highlights the need to consider impact on the natural heritage, the coast and the historic environment and the need to minimise impacts on local communities. Other matters such as mitigation and infrastructure matters, e.g. grid connection and transportation network are also highlighted within 12.10.1.

The paragraph goes on to state that in determining applications for renewable and low carbon energy development and associated infrastructure, local planning authorities should take into account –

The contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;

Technical Advice Notes (TANS)

TAN 6 – Planning for Sustainable Rural Communities (July 2010)

The purpose of this TAN is to provide practical guidance on the role of the planning system in supporting the delivery of sustainable rural communities. This TAN provides guidance on how the planning system can contribute to sustainable rural economies, sustainable rural services and sustainable agriculture.

It emphasises the need to support working and living in rural communities by helping to ensure that a higher proportion of energy can be obtained from renewable sources. At paragraph 2.1 it states that;

“Simultaneously, the planning system must respond to the challenges posed by climate change, for example by accommodating the need for renewable energy generation.”

It goes further at paragraph 3.7.2 stating that;

“Many economic activities can be sustainably located on farms. Small on-farm operations such as food and timber processing and food packing, together with services (e.g. offices, workshop facilities, equipment hire and maintenance), sports and recreation services, and the production of non-food crops and renewable energy, are likely to be appropriate uses.”

TAN 8 – Planning for Renewable Energy (2005)

The purpose of this TAN is to provide practical guidance on the land use planning considerations for renewable energy, including onshore renewable energy technologies. This TAN supplements the policy set out in Sections 12.8-12.10 of PPW. The Assembly Government has published additional practice guidance to support of PPW and TAN 8, which comprises Practice Guidance: Planning for Renewable and Low Carbon Energy – A Toolkit for Planners (February 2011) and Practice Guidance: Planning Implications of Renewable and Low Carbon Energy Developments (September 2015).

At paragraph 1.6, TAN 8 states that:

“As well as developing new sources of renewable energy which are essential to meeting the targets set by energy policy, the Assembly Government is fully committed to promoting energy efficiency and energy conservation. The land use planning system is one of a number of mechanisms which can help deliver improved energy efficiency and local planning authorities are expected to consider matters of energy efficiency when considering planning policy and applications.

While TAN 8 does not extend much in the way of prescriptive technical advice regarding solar PV installations, it does add emphasis and favour towards their development. Specifically, it states that:

“Other than in circumstances where visual impact is critically damaging to a listed building, ancient monument or a conservation area vista, proposals for appropriately designed solar thermals and PV systems should be supported.” (TAN 8, paragraph 3.15)

Further than this, no explicit instruction is given regarding the suitable location of solar PV systems. The site itself does not contain any scheduled ancient monuments, and though there is a historic building to the south of the site, it is considered that the combination of its distance away and the screening of the site will ensure that there will be no significant detrimental impact from a landscape

and visual perspective on this building or the wider environment. The application proposals are therefore considered to be entirely in accordance with TAN 8.

Practice Guidance

Practice Guidance: Planning Implications of Renewable and Low Carbon Energy Developments (February 2011)

This practice guidance was published in February 2011 and provides local authorities with information to consider when determining planning applications for renewable and low carbon developments. The guidance should be read in support of PPW (in particular, Sections 12.8-12.10) and TAN 8.

For each renewable and low carbon energy technology, this guidance provides an overview of the main considerations including technological and financial constraints; environmental, social and economic impacts and benefits; design, mitigation and enhancement measures; the effects of climate change on these technologies; relevant financial drivers and barriers; and the opportunities for community engagement and planning obligations.

The guidance was updated in 2011 to include guidance on the planning implications of solar arrays. Paragraph 8.4 of this guidance states that the design, mitigation and enhancement measures of solar arrays should be considered in terms of the following key impacts: Landscape and Visual; Glint and Glare Ecology; Historic Environment; Agriculture; Hydrology and Flood Risk; Cumulative Impacts.

Appendix 3 of the Practice Guidance identifies that, where there is likely to be a potential impact on identified features of cultural historical interest, including below ground archaeology, suggested mitigation measures include designing plant layout to avoid impact on archaeological remains, such as the use of surface ducting for cables and concrete shoes for ground anchoring. The Guidance further recommends that trial trenching to confirm the presence / absence of any buried archaeological resource should be undertaken prior to construction with a programme of archaeological monitoring in place during construction.

Practice Guidance: Planning for Renewable and Low Carbon Energy – A Toolkit for Planners (September 2015)

This toolkit was published in September 2015 and provides local authorities with a methodology for developing a robust evidence base to assist in the preparation of renewable energy and low carbon energy assessments in their area. The information collected by such assessments can provide an evidence base to underpin renewable energy and low carbon energy policies in local developments plans. Accordingly, the toolkit provides advice on how to translate renewable energy assessment outcomes into local development plan policies and targets. The guidance should be read in support of PPW (in particular, Sections 12.8-12.10) and TAN 8.

The toolkit includes a section on how to assess the potential for solar farm developments. The toolkit advises that the assessment of the potential capacity and electricity generation potential for solar arrays in the local authority area should consider constraints including woodland, lakes and rivers, flood zones, Special Protection Areas (SPA), Special Area of Conservation (SAC), Candidate Special Area of Conservation (cSAC), RAMSAR sites, National Nature Reserves (NNR), Local Nature Reserves (LNR), Sites of Special Scientific Interest (SSSI), Marine Nature Reserves (MNR), Scheduled Ancient Monuments (SAM) and Areas of Outstanding Natural Beauty (AONB).

The toolkit further advises that more detailed site level issues and constraints may be best assessed at the planning application stage for individual sites. At this stage, assessment could include a landscape sensitivity analysis, identification of the distance to the nearest appropriate electricity grid connection and proximity to public rights of way and bridleways. Furthermore, local authorities are advised to commission work to establish landscape and cumulative impacts to support their assessments if necessary.

4. Response to Consultation and Publicity

Local Members: No comments

Llanbadrig Community Council: Object as too large and will be visible from A5025 and AONB.

Amlwch Town Council: Object consider an overdevelopment on agricultural land and would have a visual impact

Mechell Community Council: Consider too large, will harm tourism and house prices

97 letters have been received of which over 70 are proforma, points raised include;

- Too large
- Will harm landscape
- Will be visible from residential properties
- Could damage archaeological sites
- Will be visible for miles
- Will distract drivers
- Will be seen by walkers
- Concerns regarding radio interference
- Grazing land lost
- Flora and fauna affected
- Will produce limited energy
- There is no need
- Little employment
- No provision for decommissioning
- Safety issues
- Disruption during construction
- Harm geology
- There will be glare
- Not in JLDP
- Harm residential amenity

Ysgol Sir Thomas Jones Amlwch and Ysgol Gynradd Cemaes have written commenting;

Do not support or oppose but will benefit from £300,000 between them over the life of the array, stating that it is expected that this will improve academic performance and welcomes contribution

In addition, there have been 7 letters of support, including local residents, the Farmer's Union of Wales, the IACC Energy Island Programme, and Friends of the Earth. Points raised include

- Supports the Energy Island
- Excellent sunshine
- Environmentally friendly
- Low aesthetic impact
- Benefit local businesses
- Substantial merits outweigh other considerations
- Natural and valuable part of the Energy Island
- Much less visible than a row of pylons

Consultees

Highways recommend conditions

Welsh Water conditions

Natural Resources Wales no objection

Ecological Advisor no objection

MOD no objection

WAG no objection in respect of loss of agricultural land

GAPS have objected to the scheme as they consider further investigation (trenching) should be carried out prior to the determination of the application. However, following the removal of the field to the SE whist still raising concerns suggest a condition to ensure a scheme of archaeological investigation works.

North Wales Police raise concerns regarding traffic at pinch points such as bridges the applicant is however to instigate discussions to ensure traffic problems are kept to a minimum. This could include timing of vehicles when they approach pinch points and discussing the type and size of vehicles which will be used. This requirement is to be included within the terms of the Traffic Management Plan.

5. Relevant Planning History

The Rhyd-y-Groes windfarm

20c102c approved 20/11/92

Repowering 20c102L/EIA/RE approved 21/10/2016

6. Main Planning Considerations

The below are considered the main planning considerations in respect of this case.

Principle of Development

The quoted policies in section 3 of this report show that there is a wealth of policy support for green energy at both local and national level. These policies establish the principle of renewable energy proposals and actively encourage such proposals.

In an oral statement on energy on 6th December 2016, Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths, commented on the Welsh Government's commitment to support renewable energy projects, as set out in 'Taking Wales Forward' which includes *support for the development of more renewable energy projects*. In her oral statement, Mrs Griffiths commented:

"To deliver secure and affordable low-carbon energy, we need a mix of different technologies and sizes, from community scale to major projects," and "we will maximise the role of renewable generation."

In supporting the UK Government's proposals to phase out unabated coal-fired generation by 2025, Mrs Griffiths stated that *"this includes supporting renewable generation, including least-cost technologies such as solar and wind."*

Later in the statement, Mrs Griffiths confirmed that she intends to bring in targets for renewable energy in Wales. It is expected that these targets will be in place within the next 12 months and the proposed development will be a major component of Anglesey's contribution to meeting these targets.

Landscape and Visual

The application was accompanied by a Landscape and Visual Impact Assessment which demonstrated that, despite its scale, the development is well screened by the existing landform and existing vegetation, and that this would be enhanced through the provision of further landscaping and planting proposed as part of the application.

The assessment work undertaken also demonstrated that the proposal will be difficult to see from the A5025 and will not have a detrimental impact on the AONB. These conclusions are supported by the consultation responses from Natural Resources Wales (NRW) and the Council's Landscape Officers who have not raised any objection to the proposal in relation to the impact on the A5025 or the AONB.

NRW stated:

“...the proposal would appear as a small element of the panoramic inland views, within the middle to far distance. The pattern and tonal colour of the solar farm would assimilate reasonably well with the irregular mosaic pattern of gorse and pasture fields..... We consider the effect upon AONB views and perceptions of the area’s natural beauty would therefore not be significant.”

Initially there were concerns regarding the impact the scheme would have on the locality furthermore it was considered that the reports submitted with the application did not give a true reflection of the impact of the proposals. However following an extensive analysis of the site and the array proposed along with discussions with the developers agent it was agreed to remove 2 fields from the proposal site.

The consequence of this was to reduce the impact of the scheme from vantage points of concern namely the Copper Trail

The scheme’s impact will now be localized to areas immediately surrounding the site and not farther afield. A proposal of this scale will inevitably generate some detrimental effects and harm. However, these effects are localised and do not extend beyond the immediate area and harm generated would not be across the wider Landscape Character Area of North West Anglesey.

In terms of the impact on the A5025, the applicant has stated that:

“The proposal will not have any significant detrimental impact on motorists. Whilst the development may be fleetingly visible to some motorists, depending on their speed of travel, the development would only be in their field of view momentarily and would be competing with more dominant and readily discernible development in terms of the Rhyd-y-Groes wind farm. Consequently, the glimpses of the solar farm will not be sufficient to detract from the overall character of the area and the experience of travelling through the landscape.”

There is agreement that the effects of the array are local and do not extend in the wider landscape proposed SLA’s or AONB.

Glint and Glare

The PV cells are designed to absorb light and are therefore dark in colour and do not reflect much light. To minimise nuisance from glint effects further additional treatment is commonly added to the surface of PV cells to scatter reflected light in a nonspecular manner.

Applicant has provided a glint and glare study which demonstrates that there will be no unacceptable impacts on residential amenity.

Ecology

The application is supported by an Extended Phase1 Habitat Survey, providing an assessment of habitats and their amounts, species ,impact assessment, mitigation and cumulative impacts (with windfarm)

The assessment showed that whilst there were no significant impacts, as part of the scheme additional planting and ecology corridors are proposed. These improvements will enhance biodiversity at the site.

The details have been assessed by NRW and the Councils Ecological Officer and no objections have been raised.

Historic Environment

CADW have identified 2 scheduled monuments which have the potential for being affected by the proposals;

Pen-y-Morwyd Round Barrow 1 km north east
Werthyr Standing stone 1.1km north east

The impact on these they identify as being moderate and slight. Additionally CADW do not consider the impact on Parys Mountain objectionable.

Extensive research has taken place over the site and areas of high potential for the discovery of archaeological assets identified, these are contained in the Southeast area of the site and could include a large enclosure associated with smaller sub enclosures, likely pits and field enclosures these may represent a late prehistoric or Roman settlement.

GAPS have objected to the scheme as they consider further investigation (trenching) should be carried out prior to the determination of the application. Of particular concern is the area of land to the South East of the site.

Mitigation

The applicants propose the following;

Southeast area of the site – in light of the possible archaeological resource (identified by a series of curvilinear anomalies by geophysical survey and which also features as cropmarks on aerial photographs), and the probable date and coherence of the remains, the heritage value of this site is predicted to be high. To mitigate any potential major adverse impact, the southeast area will **be excluded** from the proposed development. Given the likely sensitivity of the remains in the southeast area, trenching should be avoided because the adverse effects of trenching, even if limited, is likely to alter any buried deposits far more significantly than the use of concrete shoe mountings

Northwest area of the site - characterised by possible field systems and enclosures which cannot be dated with any precision, but appear to be agricultural in origin and so represent an archaeological resource of possible medium value. To mitigate any potential minor adverse impact, the area should be subject to an appropriately worded condition on any grant of planning permission to investigate and record any matters of archaeological interest over the areas of highest impact (in line with the approved WSI). This would reduce any residual archaeological effects to negligible.

The applicants state;

“It is not disputed by the Applicant that further archaeological investigation is required prior to the commencement of development on site.

The question is when this investigation is to take place.

It is however considered that the extensive appraisal work undertaken both pre- and post-submission of the application, provides a sufficiently detailed understanding of the archaeological resource at the site to allow the application to be positively determined subject to a condition requiring the completion of investigation – an entirely appropriate and well-established approach in planning decisions”

A “Written scheme of investigation” (WSI) has been prepared and agreed with GAPS (As a post decision document).

The WSI provides an archaeological management plan designed to ensure the appropriate protection and investigation of archaeological remains in advance of construction works in respect of the installation of the PV-solar array.

The WSI proposes a programme of archaeological works that would consist of a staged approached. In summary, this would consist of:

- i. **Evaluation Phase** – this would be carried out post-determination, but pre-construction, in order to identify, characterise and record the potential archaeological features identified by the geophysical survey, if present. The evaluation phase would also test other areas in order to establish the archaeological potential of these areas. All necessary recording and

survey control would be carried out during this phase to provide a record of any archaeological finds and features recovered during this phase

- ii. **Mitigation and Monitoring Phase** – subject to the results of the evaluation phase, areas of archaeological sensitivity could be identified that may be harmed by groundworks associated with the construction of the development. The works associated with this would take place during the preconstruction and construction phase of the development. All necessary recording and survey control would be carried out during this phase to provide a record of any archaeological finds and features identified during this phase and will comply with the standards set out in the WSI.
- iii. **Post-Excavation Phase** – A typescript report would be prepared immediately pre-construction and construction phase works are complete. This would include a full written description and interpretation of the results, including specialist reports and the arrangements for the publication and dissemination of results. The site archive would be lodged with Oriel Ynys Môn.

In respect of conditioning the required works the below planning context is of relevance;

GAPS are commissioned by the Council to provide development management advice. However, it is the LPA who must make the decision on the application in line with Section 38(6) of the 2004 Act. It is not uncommon for planning applications to be approved by an LPA without the full support of all internal Council consultees and departments, and this situation.

In this instance it must be acknowledged that it will be the LPA which would need to justify why the planning permission could not be issued with an appropriately worded condition. The refusal on the application on this ground could leave the Council in a position where it had acted unreasonably and there would be a case for substantial costs to be paid in respect of this at appeal.

Furthermore, the conditioning approach is justified and supported by Welsh Government Practice Guidance entitled *Planning Implications of Renewable and Low Carbon Energy* (February 2011). This is designed to support LPAs in dealing with applications for renewable and low carbon energy development in Wales. It is a main source of detailed planning guidance on solar farms provided by the Welsh Government.

The Appendix to the Practice Guidance clearly identifies that trial trenching may be required before construction (as opposed to before determination)

Planning Policy Wales V9 states in 3.5.4 that;

3.5.4 Planning permission cannot be granted subject to conditions which specifically require works on land outside the application site and outside the control of the applicant. However, it is possible for local planning authorities to grant permission subject to a condition that development should not be commenced or occupied until some obstacle to the development has been overcome.

Mention has been made of whether a precedent could be set in respect to the approach taken.

However, the notion that each planning application must be considered on its own merits is well-enshrined in case law, for example in *Dunster Properties Ltd v First Secretary of State [2007]*. This is because Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The balancing of material considerations is a delicate exercise, which will be entirely bespoke to each planning application. Equally, no provision is made in planning legislation for decisions to set precedents, which would not be appropriate given the individual characteristics of each site and individual merits of each development proposal.

It is acknowledged that consistency is required as a broad principle of good administration, which can also apply to decision-making in planning, as supported by decisions of the court. The guidance of *Mann LJ in North Wiltshire DC v Secretary of State for the Environment (1993)* acknowledged that consistency was important for developers and planning authorities, but also that

an inspector “must always exercise his own judgment”. Decision-makers are therefore free upon consideration to disagree with the judgment of another but before doing so, there ought to be reasons given. This supports the notion that each planning application must be considered on its own merits.

Additionally Counsels legal opinion has been sought by the applicants and this clearly outlines that conditioning is the appropriate approach and that a refusal would put the LPA in a position where it had acted unreasonably.

Agriculture

PPW seeks to promote diversification in the rural economy by accommodating both traditional rural industries and new enterprises. National policy requires that the best and most versatile (BMV) agricultural land (i.e. Grades 1, 2 and 3A of the Defra Agricultural Land Classification System) should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable.

As the application site is classed as Grade 3b of the Agricultural Land Classification (ALC) of England and Wales, it is not BMV land and therefore the application site is not of such a quality that any particular weight should be given to preserving the site for arable agricultural use – the site will continue to be used for the grazing of sheep in any event. Furthermore, these proposals would not have any adverse impact upon agricultural activity surrounding the site whilst it is operational. Lastly, it should be remembered that these proposals also do not constitute a permanent loss of agricultural land, since the ground will not be surfaced and nor will any permanent structures be erected upon the site. It will therefore be possible to remediate the land for agricultural purposes after the solar farm is no longer in use.

No objection has been raised by WG in respect of the uptake of agricultural land.

Hydrology and Flood Risk

A site investigation by the applicants consultants revealed that the majority of the site lies within Zone A as per the Welsh Government development advice maps, with a small proportion adjacent the river Wygyr in zone C2. It was suggested by the consultants that no panels be placed within the C2 zone or a limited Flood Consequence Assessment (FCA) produced to demonstrate flood risks can be managed and that the proposals do not increase flood risk to third party landowners.

Accordingly, a Flood Consequence Assessment has been prepared to outline the sources of flood risk to the site, measures to manage flood risk and justification for developing the site.

The FCA anticipates that the construction phase is likely to be the main source of potential effects to the current hydrological regime/water quality/flood risk. Construction best practice measures/mitigation will be operation during the period of construction. All details of best practice will be based on current guidance produced by CIRIA and the E.A. /NRW which cover good construction techniques and pollution prevent and control measures. The proposed measures will be detailed within the Construction Environmental Management Plan (CEMP), the detail of which can be attached as a condition to planning permission.

The completed development as designed should present minimal risk of impacts to the hydrological environment. The current proposal is to maintain the status quo in terms of site drainage, it is not proposed to install additional drainage infrastructure, so there would be no on-going maintenance requirements. It is understood that currently the landowners/farm managers undertake little if any works in relation to maintaining subterranean field drains and boundary field drains and therefore no active management of the drains is proposed

Welsh Language

The applicant has commented

“The development of a solar farm at the proposed site is not anticipated to have a significant impact on the Welsh Language. However, the IACC’s SPG on *Planning and the Welsh Language* (2007) requires all major applications to be accompanied by a Language Statement. Guidance on the content of Language Statements is included at Appendix 3 of the SPG. However, energy developments do not sit well within any of these categories. Category 4 relates to ‘Infrastructure’, but appears to be concerned with transport infrastructure, given that it seeks to establish whether the proposal would enhance accessibility to the language sensitive area.

Four questions are provided under the general considerations heading (5.1-5.4) of Appendix 3 of the SPG, which are each addressed below:

5.1 Are there appropriate local services such as shops, residential/community facilities to serve the development?

- Once operational, the site will be monitored remotely through the use of CCTV and only visited for occasional maintenance. Therefore, there will not be any employees requiring local services. Construction will last approximately 6-9 months; during this time workers will make use of facilities in the nearby settlements of Cemaes Bay and Amlwch.

5.2 Will the proposal create new opportunities to promote the language and local initiatives in the community?

- The lack of residents or significant numbers of employees resulting from the development means there is no tangible opportunity to meet this objective. Local employment will be sought during construction wherever possible.

5.3 How will the development promote the use of the language in the community?

- The nature of the development means that there is no opportunity to promote the use of the Welsh language. It is considered that the proposal would have a neutral impact on the use of the language.

5.4 What are the proposed mitigation measures?

- Given that the development would have no impact on the use of the Welsh language, no mitigation measures are required.

Notwithstanding this, the applicant has confirmed that all construction and operational signage associated with the proposed development will be bilingual.

Residential Amenity

A residential impact assessment has been submitted with the application.

It is accepted that there are dwellings near the solar array. However an assessment has been made and those properties visited. Landscaping is proposed to screen some of the impact and whilst the array will be viewed from parts of the properties effected, it is not considered that the proposals will cause such undue harm to residential amenity so as to warrant refusing the application.

Highways

Construction is anticipated to be completed in a single construction phase lasting approximately 6 months. A Construction Traffic Management Plan (CTMP) will be provided for the duration of the construction phase detailing routes, signage and controls of traffic etc. Following construction of the proposed development, the site will be monitored remotely. As such, the site will not be tended to on a regular basis, unless repairs/maintenance is required. Consequently, any traffic movements associated with the site will be minimal. Upon completion of the development, the only access to the site will be from maintenance vehicles, which is anticipated to occur twice year. The proposed life of the development is 30 years, after which all apparatus will

be removed and the land reinstated and reverted to agriculture, as a single decommissioning operation over a period of 6 months. The proposed development will not result in a significant impact on existing traffic conditions. As such, it is considered that the proposed development is acceptable on highway safety grounds.

Effect on tourism

It is accepted that the scheme covers a large area of land.

However, the impact of this on the appearance and character of the locality can be directly related to the impact on tourism ie if the scheme can be seen from many vantage points, public rights of way etc and have a negative impact on that character, then it could be argued that this impact would have a negative impact on tourists enjoyment of their visit to Anglesey.

It should be noted that as identified in the "Landscape and visual " section of this report views of the array will be limited and localized and not considered to have an unacceptably negative impact on the appearance and character of this part of the Anglesey landscape.

The applicant has provided a copy of a report entitled 'The Impact of Renewable Energy Farms on Visitors to Cornwall', prepared for 'Good Energy' by 'South West Research Company Ltd' in November 2013.

The report documents the results of a research exercise undertaken between the 1st and 30th August 2013. Face to face surveys were conducted with over 1000 people at 6 different holiday locations in Cornwall – these included Padstow, Perranporth, Tintagel/Trebarwith, Widemouth Bay, Newquay and Penzance.

The research found that the vast majority (80%) of visitors to Cornwall had a positive attitude towards renewable energy with just 6% having a negative attitude towards it. In terms of solar farms specifically, the following key findings emerged:

- 75% of respondents were in favour of solar farms as a means of generating power, and only 9% had a negative attitude towards them;
- 71% of those visitors who were aware of the presence solar farms in Cornwall said that their presence had no impact on their visit to the County, 22% said that they had a positive impact, and only 7% said they had a negative impact.

Significantly, 94% of visitors said that the presence of renewable energy generators would make no difference to future visits to the County, and a further 4% said that their presence would make them more likely to visit again in the future.

The report supports the view that the proposal will not have any significant impact on tourism or the economy derived from it.

With this in mind it is not considered that the proposals would reduce the numbers of tourists visiting Anglesey.

7. Conclusion

Planning policies in Wales and the UK as a whole encourage the provision of green energy sources. It is accepted that the PV installation will make a substantial contribution towards sustainable energy resources for the whole country.

Whilst acknowledging the general encouragement for renewable energy developments, planning applications must be determined taking into account the potential for harm. In summary;

- **Landscape and visual**

Following the removal of the 2 fields to the south east the impact of the scheme has been reduced and whilst acknowledging that there will be detrimental impacts these will be localized and not widespread

- **Glint and glare**

Technical solutions ensure that this is not problematic

- **Ecology**

The Extended Phase 1 survey did not identify any significant impact and neither NRW or the Councils Ecological Officer object to the scheme. The scheme is anticipated to enhance biodiversity at the site.

- **Historic Environment**

It is considered that with the contentious field removed from the scheme and the inclusion of a condition requiring investigation prior to the commencement of works (in line with a management plan that GAPS has confirmed as being appropriate), archaeological assets can be protected/ recorded in an appropriate manner.

- **Agriculture**

The site comprises grade 3b land and its use for the solar array has not been objected to by the WG Sheep will continue to graze on the site.

- **Hydrology and Flood Risk**

A flood consequence assessment has been submitted with the application as a small portion of the site is within a C2 zone it should however be noted that this is not high risk development. As such NRW do not object to the scheme.

- **Residential amenity**

A residential impact assessment has been submitted with the application which does not identify undue harm to residential amenities.

Notwithstanding this, properties have been visited and the impact judged, taking into account proposed landscaping/screening, orientation of the dwellings and intervening topography.

Whilst dwellings will be able to see some solar panels, and in one instance in close proximity (on boundary) which will change the views and outlook from those properties. It is not considered that this would amount to such harm as to warrant refusing the application.

- **Effect on tourism**

With the impact on the landscape being considered acceptable and impacts localized and not widespread it is considered that the scheme would not harm public viewpoints to such an extent as to render the Island unattractive to tourists

Planning policies in Wales and the UK as a whole encourage the provision of green energy sources. It is accepted that the PV installation will make a substantial contribution towards sustainable energy resources for the whole country

The Welsh Government's Climate Change Strategy for Wales (2010) has set a target for Wales to reduce its emissions of greenhouse gases by 40% by 2020 compared to 1990 data. The latest available figures (Welsh Government Sustainable Development and Climate Change Annual Report 2015) show that only a 11.9% reduction from 1990 levels has been achieved.

It is with the policy support along with the assessment of the interests listed above in mind that it is considered that the application should be approved.

8. Recommendation

Permit

(01) The development hereby permitted shall be carried out in accordance with the following approved plans: 'North Anglesey Solar Project – RL2 (090217)'; 'Indicative Layout Plan (14 Feb 17)'; 'Landscape & Mitigation Strategy' (Ref: 15035.101 Rev.G); 'Ref: FRAMES 01' (17.11.15); 'Ref: TRACK 1' (17.11.15) unless otherwise permitted by the terms of this permission.

(02) Notwithstanding the requirements of condition 1, prior to the commencement of the development final details of the layout of the site, including panel details, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

(03) No development shall take place until details of the materials to be used in the construction of the external surfaces of the structures comprising the primary substation, inverter stations and battery storage units hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

(04) Prior to the commencement of the development details of the CCTV cameras and supporting structures and security fencing, including their siting, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

(05) Prior to the commencement of any works a site-wide Construction Environmental Management Plan (including a Construction Travel Plan) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters,

- Signage for the construction traffic, pedestrians and other users of the site,
- Controls on the arrival and departure times for the construction vehicles;
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- - Hours of working,

details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated

- Waste management and disposal and material re use,
 - Prevention of mud / debris being deposited on public highway;
 - Protection of the amenities of nearby residential occupiers
 - Materials storage; and hazardous material storage and removal.
- A system for the management of complaints from local residents**
- Emergency Containment Procedures

The approved Construction Environmental Management Plan shall be implemented Accordingly.

(06) Two additional passing bays shall be provided as marked on the attached plan full details of the bays location and design shall be submitted and agreed in writing by the LPA before any other works commence on the remainder of the development, the passing bays shall be completed before the development hereby approved commences.

(07) A full traffic management scheme which shall be adhered to for the duration of the scheme shall be submitted to the LPA for its written approval before works commence, the scheme shall include;

- 1 The parking of vehicles for site operative and visitors**
- 2 Loading and unloading of plant and materials**
- 3 Agreed traffic route**
- 4 Wheel washing facilities**
- 5 Hours and days of operation and the management and operation of construction and delivery vehicles**
- 6 A full signage schedule**

(08) Prior to the commencement of works A traffic Management plan shall be submitted to the LPA for its written approval to show the only route to be used for the construction of the site along with works necessary to this route for the safe and easy flow of traffic.

7 Full details of all fencing shall be submitted to the LPA for its written approval

(09) Full details of all lighting and CCTV shall be submitted to the LPA for its written approval.

(10) The battery storage units and associated structures shall be finished in colour to be agreed in writing with the LPA

(11) The solar panels hereby approved shall at no time exceed 3m in height.

(12A) No development shall commence until the programme of archaeological work set out in the Written Scheme of Investigation dated 4th October 2016 (Document Ref: NAS16 v.1.5) has been implemented and completed.

(12B) A detailed report on the archaeological work set out in the Written Scheme of Investigation shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork or the completion of the development, whichever is the sooner.

(13) No structures shall be included on fields A and B as identified on the attached plans. Field A and B shall be landscaped in accordance with a scheme to be agreed in writing with the Local Planning Authority and planted within the first planting season following the implementation of this permission

Reasons:

1) To ensure the implementation of an appropriate programme of archaeological investigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

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).

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.

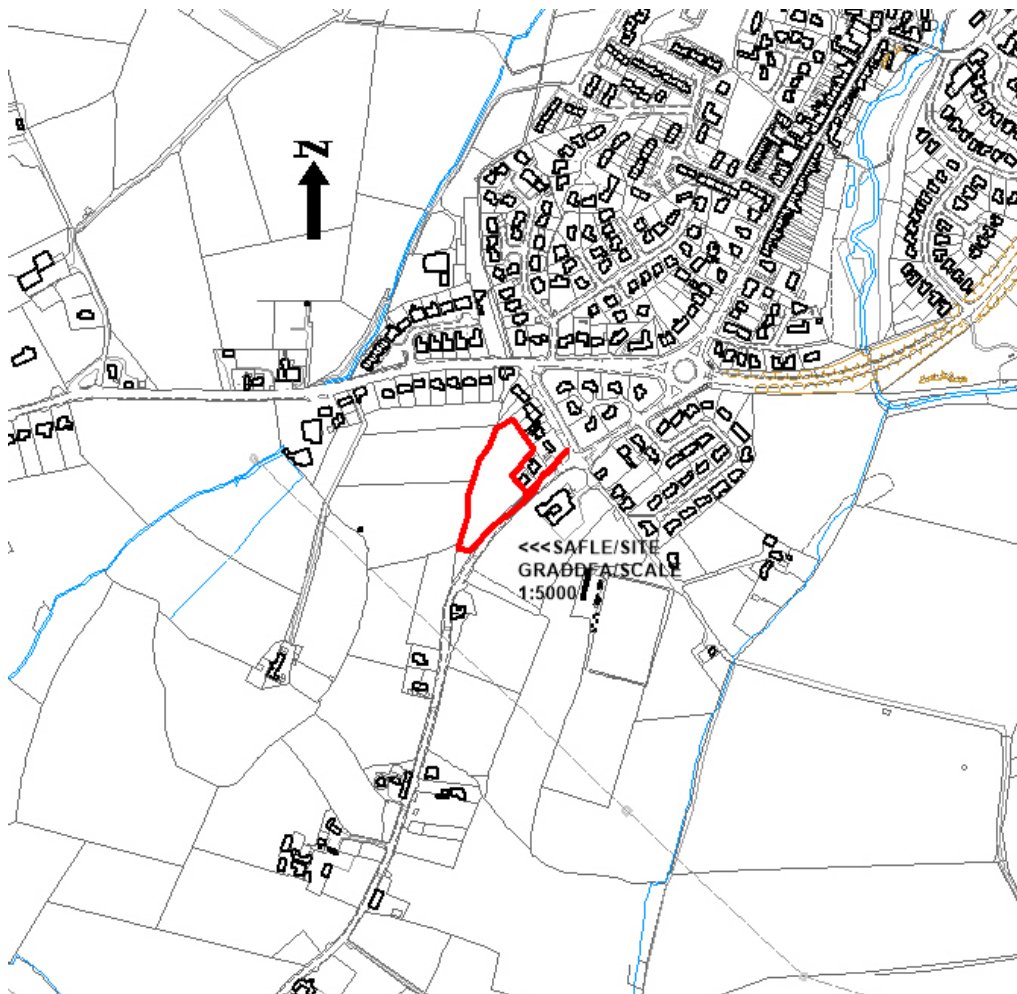
Rhif y Cais: **20C313A** Application Number

Ymgeisydd Applicant

DU Construction Ltd

Cais llawn ar gyfer codi 14 o dai fforddiadwy, creu mynedfa newydd a ffordd mewnol ynghyd a gosod gorsaf bwmpio carthffosiaeth ar dir oddiar / Full application for the erection of 14 affordable dwellings, construction of a new access and internal road together with the installation of a sewerage pumping station on land off

Ffordd y Felin, Cemaes



Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (MTD)

Recommendation:

Permit.

Reason for Reporting to Committee:

This application has been referred to committee by Councillor Aled Morris Roberts

Members will recall visiting the site on the 15th February.

1. Proposal and Site

This vacant agricultural site is located along Ffordd y Felin adjoining the settlement boundary of Cemaes. Immediately on its boundary are several residential properties.

It is proposed to construct 14 residential dwellings these will be of an affordable type. A foot path will be provided within the existing highway verge

2. Key Issue(s)

Can the principle of housing be supported in policy terms?

Will there be harm to residential amenity?

Highways considerations

Drainage

Welsh Language

3. Main Policies

Gwynedd Structure Plan

Strategic Policy 1

Policy A1 - Housing Supply

Policy A2 - Location of Housing Land

Policy A3 - Scale and phasing of housing

Policy D4 - Siting and Design

Ynys Mon Local Plan

Policy 1 - General Policy

Policy 31 - Landscape

Policy 42 - Design

Policy 47 - Housing Requirements

Policy 48 - Housing Development Criteria

Policy 49 - Defined Settlements

Policy 52 - Exception Sites

Policy 53 - Housing in the Countryside

Ynys Mon Unitary Development Plan (Stopped)

Part One Policy PO2 Settlement Strategy and Hierarchy

Policy GP1 - Development Control Guidance

Policy GP2 - Design

Policy EN1 - Landscape Character

Policy HP1 - Five Years Supply

Policy HP2 - Housing Density

Policy HP7 - Affordable Housing

Joint Local Development Plan

Policy TAI 10 Exception sites

The site forms part of housing allocation T35 in the JLDP under policy TAI 15

SPG: Design Guide for The Urban and Rural Environment

TAN 1 - Joint Housing and Land Availability Studies

TAN 2 - Affordable Housing

TAN 12 - Design

TAN 18 - Transport

Planning Policy Wales 9th Edition

4. Response to Consultation and Publicity

Local Member Aled Morris Jones has referred the application to committee stating traffic, sewage and drainage issues.

Community Council Members strongly object the application. Concerns included:

- The new access to the main road is directly opposite the primary school on a busy stretch of road with no pavement for pedestrian use;
- The main road is already deemed dangerous and there are already traffic calming measures including 20mph and speed bumps in an attempt to safeguard children; in addition, the school times have had to be changed in an attempt to alleviate parking issues.
- Members were very concerned what effect an increase in cars (both residents and visitors) would have on the area (as well as where resident themselves would park their vehicles)
- Questions were raised regarding the affordability of the housing - for purchase or rent, and the need for housing by local people.
- The site is a green field site outside the development boundary
- There were concerns that development in the one field would lead to further development in adjoining fields.
- There is no mention of affordable housing for the elderly or disabled
- Although it was recognised that there may be a need for such housing, the proposed site location is unsuitable.

Highways – Conditions

Drainage – conditions

NRW - No objection

Housing - Supportive

Councils Ecological Officer - no objection but comments.

9 letters have been received points raised include;

Over 140 pages have been received from one objector and these are included within the planning file for members attention as the below is an outline of the information/comments contained therein.

Will devalue property
This is a narrow lane
Concerns over safety of children
Could doctors cope
This is speculation
Other affordable homes have been sold as holiday homes
Village will end up like Rhosneigr
Cause problems for shops if second homes
If holiday homes Welsh language will be harmed
The Council should release land

Hedges will be removed
Soakaways will not cope
Questions over Welsh language will this be harmed with more people
There is no demand
Will there be more development
There will be more cars and highway hazards
Will there be enough school places
There will be a loss of privacy
Other sites more suitable
The wrong OS map has been used
No surveys of flora or fauna or EIA
Red squirrel spotted nearby
Concerns over properties being too close together too dense and congested
Where are the LPG tanks to be
No lighting indicated
Plot 12 will cause overshadowing and overlooking

Welsh Water have not insisted on the pumping station
Representations were made at the early stages of the JLDP
This is contrary to original County Council planning zones
There are problems with foul sewerage in Cemaes
No need for road to end where it does as this would be in anticipation of site T35 in the JLDP.
Questions have been answered incorrectly on the application forms
There is regular flooding here
The developer is aware of flooding at this reaches 2 feet in depth
This would open up the remainder of T35 for development
Concerns over accuracy of porosity tests and calculations for foul
House names have changed
There is a planning overage charge on the land and this will result in too much being paid for the land for the units to be affordable
Loss of grazing land
T35 is not sustainable there are not enough services nearby
Pumping station not required
Limited capacity for sewerage.

5. Relevant Planning History

20C313: Full application for the erection of 12 affordable dwellings. Returned to applicant.

6. Main Planning Considerations

1. Can the proposals be supported in policy terms?

Policies 52 of the Ynys Mon Local Plan and HP7 of the Unitary Development plan allow for such developments stating;

Policy 52

“As an addition to land available to meet the general housing demand the Council will consider granting planning permission for affordable housing for local people unable to compete in the open market, on appropriate sites within or immediately adjoining existing settlements”

The site is located outside but immediately adjacent to the settlement boundary for Cemaes. As such it could be accepted as an “exception site” if all the housing proposed were to be of an affordable type.

The T35 housing allocation (in emerging JLDP) at Cemaes for an estimated 60 units in policy TAI15 did receive a number of objections some of which were discussed at Hearing Session 14 North Anglesey sites.

The Inspector did not instruct the Council's to amend the Plan's overall housing figure or site T35 in relation to a matters arising changes (MACs). This means that for the public consultation period on the MACs no change to site T35 is proposed.

With this being the case the application can be supported in policy terms.

2. Will there be harm to residential amenity?

The site has been arranged to allow for adequate distances to be achieved between the proposed and existing dwellings. Bungalows are proposed for plots 10 and 11 and also 13 and 14, this will ensure that there is no overlooking of the existing dwellings adjacent. Unit 10 and 11 bungalows will be located between 9m and 10m from the boundary and as single storey this is considered acceptable. Units 13 and 14 will be 10/11 metres from the boundary again this is considered acceptable. Unit 12 which is a house will be 11m from the boundary and the nearest existing dwelling will be 28m distant, this again is acceptable.

With these matters in mind it is considered that the proposals will not create a set of circumstances harmful to the amenities of existing occupiers.

3. Highways Considerations

Following comments from the Highways Authority the scheme has been amended and the below comments relate to the amended plans.

The proposed access and visibility splays has been designed in accordance with guidance in TAN18. The site is adjacent to the existing development boundary and Ffordd y Felin where the proposed access joins the highway, is within a 30mph speed limit area where there are existing traffic calming features to reduce vehicle speeds. The proposed parking spaces at the plots nearest the junction have now been amended to avoid the previous clash with the proposed dropped kerb pedestrian crossing points. The proposed fence at the side of Plot 13 has been reduced in height to provide inter-visibility between vehicles using the parking spaces and pedestrians using the adjacent crossing point.

This arrangement is considered acceptable

The proposed off-site footway, to be constructed within the existing highway verge, will provide pedestrian access to the village centre and the school. It is therefore acceptable in principle, subject to an Agreement under Section 278 of the Highways Act 1980 to facilitate the works, at the developer's expense.

Whilst there is existing lighting on this section of Ffordd y Felin, it is to a lesser standard that would normally be expected in a built up area. Consequently, as part of the off-site Section 278 works, it will be necessary to review and upgrade the level of lighting, to provide adequate lighting levels at the proposed junction and new footway.

With the above in mind it is considered that the access arrangements and impact on the road network is acceptable.

4. Drainage considerations

The drainage strategy includes collection of rain water run-off from all hard standing areas, including access roads, drives, roofs, paths and patio's and dispersal of the collected run off volume via infiltration systems; soakaways. The soakaways have been designed to accommodate the required 1 in 100 year rainfall event including an allowance of 30% in accordance with DEFRA guidance. The use of infiltration systems accords with the first requirement of the SUDS hierarchy as specified within the SUDS Manual and CIRIA C753 being an effective attempt at mimicking the current hydrological arrangement.

Assessment of the extreme event, which is an event over and above the design requirements of TAN 15, demonstrates that above ground flood routing will continue and leave the proposal site in the same manor as the un developed site.

A Sewerage Pumping station, which will be adopted under the mandatory adoption requirements of the Water Industries Act and Sewers For Adoption 7th Edition, is required due to the topography of the existing site. Levels as illustrated on the topographic survey ensure that a gravity feed from the development site to the public sewer network located in the Highway fronting the site is not possible.

The submitted details have been assessed by statutory undertakers and the Councils drainage engineers. No objection has been raised by these consultees in respect of the proposals and the scheme is considered acceptable in principle.

5. Welsh Language

The application is accompanied by a language Impact Assessment which concludes that the proposals will have a positive impact on the Welsh Language by providing affordable housing to people with local connections for instance those who cannot afford open market housing in the local community.

7. Conclusion

The proposals can be supported in policy terms and it is considered that access and drainage arrangements are acceptable. The layout as shown will not cause undue harm to the amenities of nearby residential occupiers and as such it is considered that the application should be conditionally approved.

8. Recommendation

Permit subject to the signing of a S106 Agreement securing the proposed units to be of an affordable type.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) Units 10,11,13 and 14 shall be a single storey bungalow type dwellings.

Reason: In the interest of amenity

(03) The access shall be laid out and constructed strictly in accordance with the submitted plan before the residential use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: To comply with the requirements of the Highway Authority, in the interests of highway safety.

(04) The estate road shall be paved to a completed binder course finish and the pedestrian footways shall be finally surfaced, before any of the dwellings hereby approved are occupied.

Reason: In the interests of safety and amenity to ensure there is safe and convenient access to occupied properties.

(05) No development shall commence until full design details for the lighting of the estate road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

Reason: In the interests of safety and security to ensure there is safe and convenient access to occupied properties.

(06) The car parking accommodation shall be completed to the satisfaction of the Local Planning Authority before the residential use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To comply with the requirements of the Highway Authority in the interests of safety.

(07) No surface water from within the curtilage of the site shall discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

Reason: To ensure the site is adequately drained.

(08) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council, a Construction Traffic Management Plan. The Plan shall include as a minimum, but not limited to:

- i. The parking of vehicles for site operatives and visitors**
- ii. Loading and unloading of plant and materials**
- iii. Storage of plant and materials**
- iv. Wheel washing facilities (where appropriate)**

The works shall be carried out strictly in accordance with the approved details.

Reason: To comply with the requirements of the Highway Authority to ensure reasonable and proper control is exercised over construction activities in the interests of road safety.

(09) No development shall commence until measures are in place to secure the future maintenance of the estate road in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to occupied properties.

(10) No dwelling shall be occupied until the off-site Section 278 Works have been implemented in full and to the written satisfaction of the Local Planning Authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of highway safety to ensure there is safe and convenient access to the development.

(11) No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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.

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.

7.5

Gweddill y Ceisiadau

Remainder Applications

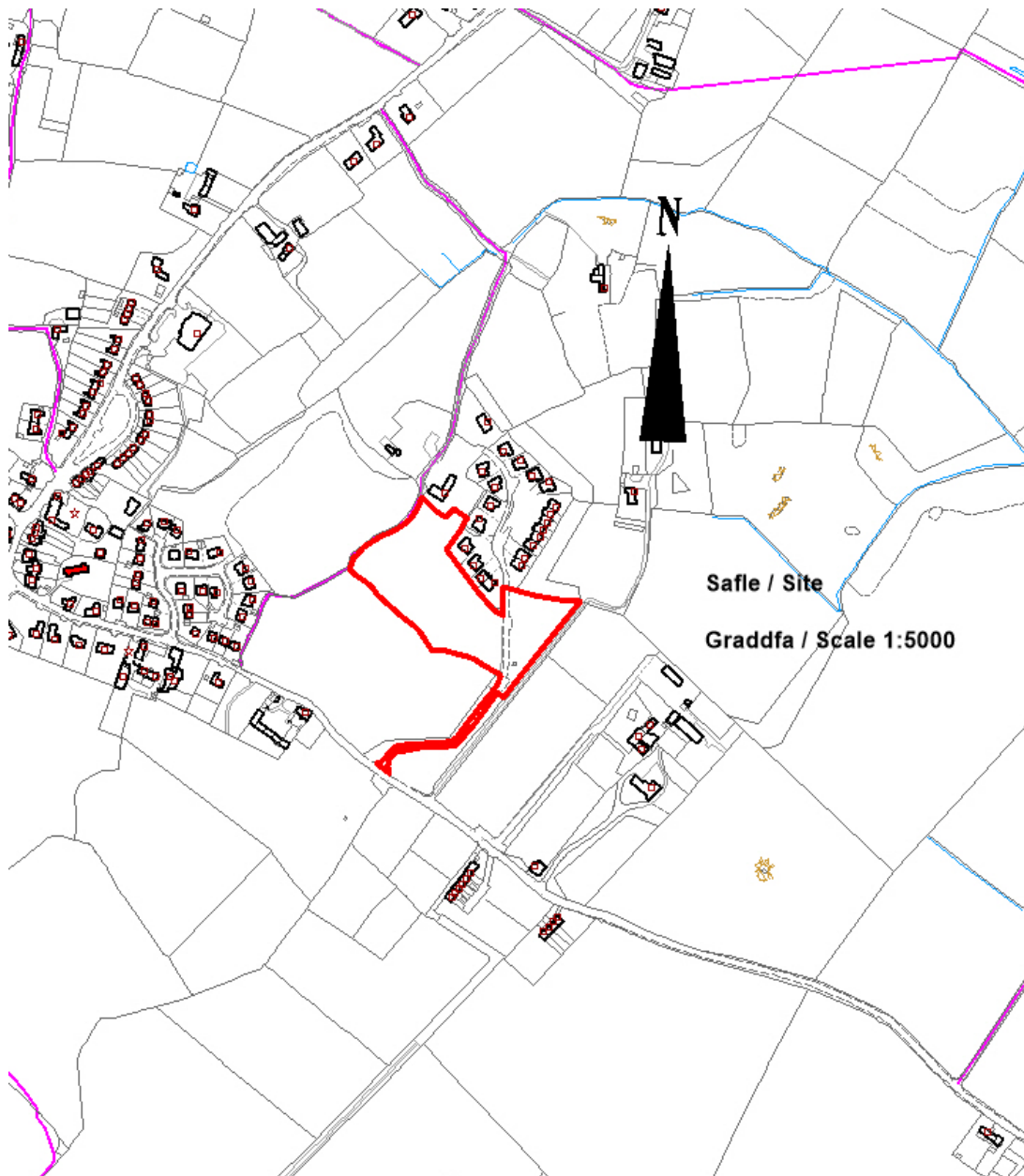
Rhif y Cais: **21C58H** Application Number

Ymgeisydd Applicant

Mr. Geoff Green

Cais llawn ar gyfer codi 10 unedau gwyliau ychwanegol yn / Full application for the erection of 10 additional holiday units at

Parc Eurach, Llanddaniel Fab



Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (MTD)

Recommendation:

Permit.

Reason for Reporting to Committee:

Originally on request of Local Member H Jones.

Following the meeting of the 1st February, members resolved to defer the application to allow a site visit to take place and a traffic count/survey to take place.

Members visited the site on the 15th February.

1. Proposal and Site

It is proposed to construct 10 high quality holiday units plus a lake and associated planting.

The scheme was originally submitted for 20 units this has been reduced to 10.

The units will be one and a half storey (Dormer) of a timber and render construction under a slate roof cover.

There will be extensive landscaping and a wildlife path linking to a public footpath which leads to Llandaniel.

The site is located on the outskirts of Llandaniel alongside the existing Parc Eurach holiday park.

2. Key Issue(s)

Principle of development and sustainability credentials

Landscape

Highways

Residential amenities

Technical issues

3. Main Policies

Gwynedd Structure Plan

Policy B1: Employment Generating Development

Policy CH1 Recreation and Tourism Development

Policy CH2 High Quality Holiday Accommodation

Policy D3 Landscape

Policy D4 Siting and Design

Policy D29 Design

Policy D32 Landscaping

Policy FF12 Parking

Ynys Mon Local Plan

Policy 1 General Policy

Policy 2 New Jobs

Policy 8 Holiday Accommodation

Policy 26 Parking Standards

Policy 31 Landscape

Policy 42 Design

Ynys Mon Unitary Development Plan (Stopped)

Policy GP1 Development Control Guidance

Policy GP2 Design

Policy TR10 Parking Standards

Policy TO2 Holiday Accommodation

Policy EN1 Landscape Character

Policy EN4 Biodiversity

Policy SG4 Foul Sewage Disposal

Policy SG6 Surface Water Run Off

Planning Policy Wales (Edition 9)

TAN 12 Design

TAN 13 Tourism

TAN 18 Transport

SPG Holiday Accommodation

SPG Design Guide for the Urban and Rural Environment.

4. Response to Consultation and Publicity

Local Member H. Jones: Referred the application to Committee

Community Council: Object, do not consider that the existing park has kept to its original conditions

Highways: Conditions

Natural Resources Wales: Comment requiring clarification

Welsh Water: Conditions

The application has been publicised three times.

Following re-consultation when the scheme was amended to 10 units 27 letters have been received, it should be noted that some parties wrote more than once. Points raised include:

- i. Our property is 40m away there will be loss of privacy and also flooding
- ii. The site is outside the village
- iii. The original park seems to be general housing

- iv. Would cause traffic problems
- v. Lake is further worry for flooding
- vi. The existing complex is poorly managed
- vii. What assurances are there that these will not be general housing
- viii. The site will not be screened
- ix. Who will repair damage (private matter)
- x. Questions about electrics and pumping station (private matter)
- xi. Concerns regarding proximity of footpath
- xii. Pedestrian crossing and nature walk should be moved
- xiii. Walkers will reduce privacy
- xiv. May be damage to services from roots of trees to be planted
- xv. No children's play area
- xvi. Little demand in Llanddaniel
- xvii. Units not in keeping
- xviii. Sewage pump at full capacity
- xix. Will be overlooking
- xx. No pavement to schools etc.
- xxi. Will not create jobs
- xxii. Will be more immigrants

- xxiii. Will change village
- xxiv. Loss of agricultural land
- xxv. More people will use the footpath
- xxvi. Problems with electricity to existing units
- xxvii. 20 units too much and overdevelopment

Previously in 2008 25 letters were received and points raised are included above (it should be noted that the proposals at that time were 20 units).

5. Relevant Planning History

The adjacent holiday park was granted consent in 2002.

Most recent application was approved in October 2010 this allowed for the occupation of the units to be year round but still only for holiday purposes and not to be a primary residence.

6. Main Planning Considerations

Principle of Development and sustainability credentials

Development Plan policies allow the creation of holiday accommodation and the enhancement of tourism facilities. Development Plan policies also seek to protect the landscape and local amenities. The proposal must be weighed against all relevant planning policies in order to consider whether it is acceptable and a balanced view must be struck in determining the application.

The site is located in the countryside immediately adjoining the existing Eurach Park Holiday Village complex which comprises 20 units. It is located approximately 80m from the settlement of Llanddaniel and there is a public footpath providing direct off road access.

Llanddaniel itself is well connected to the public transport networks with buses available to other locations such as Bangor, Llangefni and further afield. Furthermore, it is a short journey by bus to Llanfair PG where trains can be accessed on the North Wales train network and beyond.

The site is also in close proximity to an official cycle route.

Clearly the users of the holiday units will not be totally reliant on the private car. Public transport is easily accessed by foot and given the level of public transport on offer the site is considered to be sustainable in transport terms.

Landscape

The site is located immediately adjacent to the existing Holiday Village and will be viewed in conjunction with that and the settlement of Llanddaniel.

Notwithstanding the above, extensive planting is to take place a lake provided and wooded area with nature walk through. It is considered that this will enhance the setting of not only the proposals but will serve to improve the appearance of the existing development and location.

Furthermore, the quality of the build incorporating slate timber and render is considered appropriate in this setting.

Highways

The Highways Authority do not object to the scheme and suggest conditions.

Residential Amenity

Given the distances from nearby residential properties, it is not considered that the proposals will have any negative interaction with the amenities of the occupiers of those properties.

Technical issues

Whilst comments have been originally received regarding flooding and drainage, it is considered that the site can be adequately drained. The applicant has over the years improved the infrastructure to prevent any drainage problems, stating;

“Surface water. When we purchased the site there was no effective surface water solution to deal with storm surges. (There was a lagoon in the middle of phase one but it wasn’t connected and didn’t have a restrictor or a swale) We had a system built that restricts the flow and when necessary diverts the excess into the new swale (designed by EWP Colwyn Bay) thus protecting the land downhill from saturation. The cost of the scheme including the reconfiguration of the drainage system was circa £41,000.

Foul: This was and is a pumped system from a tank. When we purchased the original site it did work but not consistently well. To remedy the issues we had it cleaned and replaced the pumps with ones that had a capacity to pump a more than adequate amount of sewage.

Going forward: The advice we have had is that the critical factor with the foul sewage system is the capability of the pumps rather than the capacity of the chamber. The other important factor to take account of is that the pumps should be maintained regularly in a preventive regime rather than waiting for them to break down. It is of critical importance that the adjacent watercourse isn’t polluted. It would be our intention to put this in place regardless of whether any existing arrangement is in place.”

Welsh Water have suggested standard conditions in respect of the development and NRW comment that there is adequate capacity in the sewage infrastructure on site to accommodate the additional loading and as the site is within a publicly sewered area the connection should be to the main sewerage system

As the principle is accepted it is considered appropriate that a condition be attached to any decision in respect of this as recommended by consultees.

7. Conclusion

It is considered that the development will be located in a sustainable location not totally reliant of the use of private motor vehicles. It will be attached to an existing holiday village and the associated planting will serve to improve the appearance of the location.

The policies of the Development Plan allow for high quality holiday accommodation provided there is no conflict with other policies or advice. The balanced opinion here is that the development can be approved without causing harm to any interests of acknowledged importance and indeed the positive contribution to the islands economy is to be welcomed.

8. Recommendation

To **permit** the development subject to conditions.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) The units hereby approved shall be occupied for holiday purposes only; the holiday units shall not be occupied as a persons sole, or main residence; the owners/operators shall maintain an up to date register of the names of all occupiers of individual units on the site and of their main addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To define the scope of this permission and ensure the units are occupied as holiday accommodation.

(03) A landscape plan shall be agreed in writing with the Local Planning Authority prior to the commencement of development on the site. The plan shall include a 15 year maintenance programme for the planting, including plant replacement, stake and guard removal, weed control, formative pruning and thinning for a period of 15 years. The scheme shall be implemented in full prior to occupation of any of the units and the Local Planning Authority notified in writing of its completion and thereby commencement of the maintenance programme.

Reason: In the interests of amenity.

(04) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(05) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.

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

(06) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(07) No structure is to be sited within a minimum distance of 3 meters from the centre line of the water main pipe. The pipeline must therefore be located and marked up accurately at an early stage so that the developer or others understand clearly the limits to which they are confined with respect to the Company's apparatus. Arrangements can be made for Company staff to trace and peg out such water mains on request of the developer.

Reason:

(08) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:

- i. The parking of vehicles for site operatives and visitors**
- ii. Loading and unloading of plant and materials**
- iii. Storage of plant and materials used in constructing the development**
- iv. Wheel washing facilities (if appropriate)**
- v. Hours and days of operation and the management and operation of construction and delivery vehicles.**

The works shall be carried out strictly in accordance with the approved details.

It is a requirement under law to serve an abnormal loads notice to police and to Highway and Bridges Authorities under "The Motor Vehicle (Authorisation of Special Types) General Order 2003".

The Highways Authority will be utilising Section 59 of the Highways Act 1980 "Recovery of expenses due to extraordinary traffic" to recover compensation for any damage done to the public highway as a result of this development.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(09) The access shall be constructed with 2.4 metre by 90 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(10) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(11) Full details of the method of foul and surface water drainage shall be approved in writing with the Local Planning Authority prior to the commencement of any works.

Reason: To ensure the site is adequately drained.

(12) Details of a suitable management and maintenance plan which secures the operation of the foul and surface water drainage systems for the lifetime of the development shall be agreed in writing with the Local Planning Authority prior to the commencement of works.

Reason: To ensure the site is adequately drained.

(13) The development hereby approved shall be carried out in accordance with plans:

**D117/04/c site plan
D117/07 Elevations**

Reason: For the avoidance of doubt.

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.

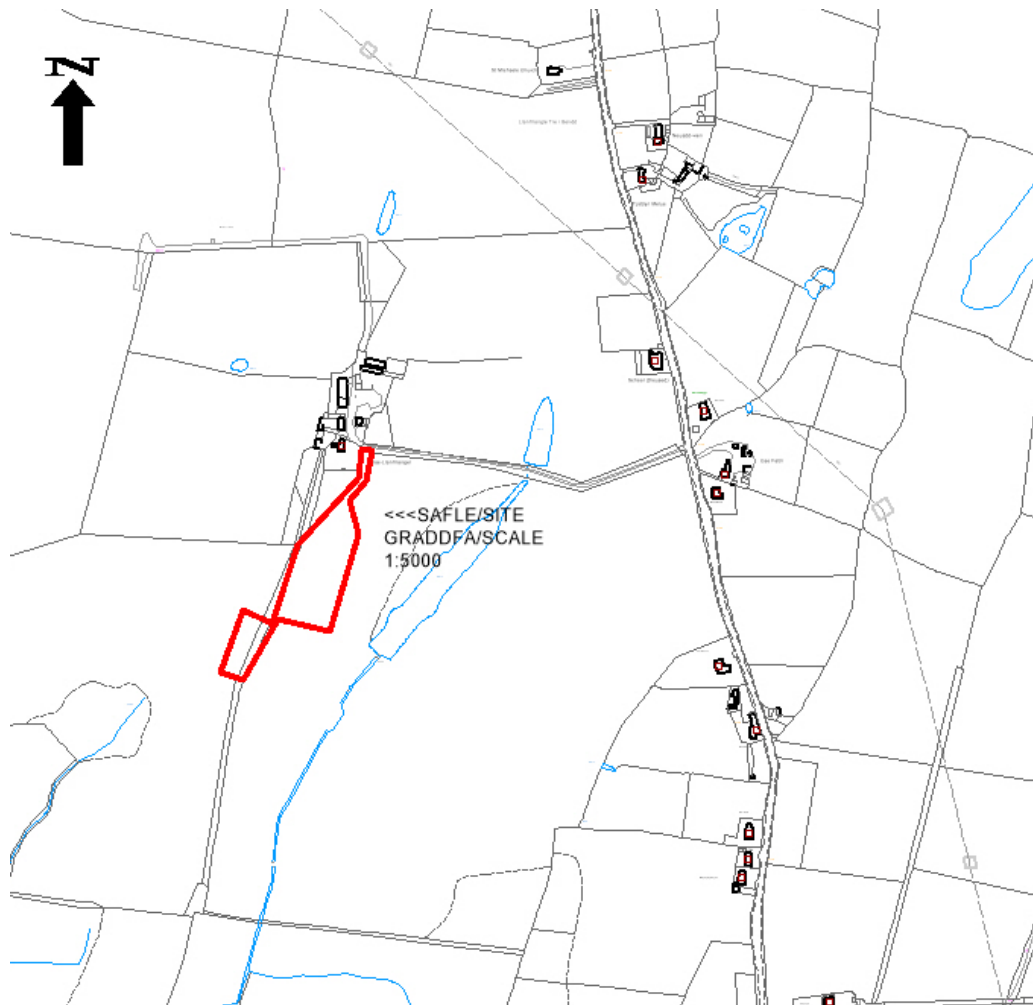
Rhif y Cais: **23C280F** Application Number

Ymgeisydd Applicant

Mr Eurig Jones & Mr Owen Rowlands

Cais ol weithredol ar gyfer sied amaethyddol a parlwr godro ynghyd a chreu pwll slyri, dau silo a gwaith cysylltiedig yn / Retrospective application for an agricultural shed and milking parlour together with the construction of a slurry pit, two silos and associated development at

Plas Llanfihangel, Capel Coch



Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (GJ)

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is presented to the Committee on the request of the Local Member.

At the committee meeting held on the 2nd November, 2016, it was resolved that a site visit was required. This took place on the 16th November.

Due to additional information being received and the need to re-consult and re-notify neighbouring properties. The application was deferred at the committee meeting of the 4th January.

1. Proposal and Site

This is a retrospective application for an agricultural shed and milking parlour together with the construction of a slurry pit and associated development at Plas Llanfihangel, Capel Coch

The proposed building is a typical modern agricultural propped portal frame building consisting of blockwork and green profile sheets, walls and green box sheet roof. The shed is designed to provide the cows with adequate space, comfort, and ventilation to meet with international standards of welfare.

The site lies outside the listed settlement of Capel Coch and is therefore considered to be an open countryside location.

2. Key Issue(s)

The key issues can be identified as the following:-

Can the principle of the development be supported.

Is the scheme acceptable in landscape terms.

Would there be harm/pollution of the water environment.

Would residential amenity be affected.

3. Main Policies

Gwynedd Structure Plan

Policy D1 - Environment

Policy D4 – Location, Siting and Design

Policy D29 – Design

Policy D32 - Landscaping

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 31 - Landscaping

Policy 42 – Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Special Landscape Area

TAN 5 – Nature Conservation and Planning

4. Response to Consultation and Publicity

Consultations

Community Council – Concerns that the development will give rise to smell. It will be seen from the highway. It should be re-located in the existing farm yard.

Local Member (Cllr Ieuan Williams) – Requested that the application be presented to the Planning Committee for consideration.

Local Member (Vaughan Hughes) - No response at the time of writing the report.

Local Member (Derlwyn Hughes) – Refusal. Impact on local people and the landscape.

Highways – No recommendation to make

Drainage – Standard comments

Gwynedd Archaeological Planning Service – Conditional Approval. A response received from GAPS states that a watching brief would be required for the initial soil strip of the slurry pit area.

Welsh Water – Standard comments

Environmental Health – Standard comments

Natural Resources Wales – No objection to the proposed development.

In their latest response they state 'Further to our earlier response to this application dated 29th November 2016 we have now received additional details regarding the proposed method of slurry storage (information received 30th November and 7th December 2016). The information received includes details of the location of the proposed pit included on plan reference (02 BP 991514 A3L REV E) and slurry pit calculations. We are satisfied that the information provided has addressed the concerns previously raised in our letter dated 29th November 2016 and has confirmed that the proposed development will meet the requirements set out within the silage, slurry and agricultural fuel oil storage Regulations.

Footpath – The development will not affect the public footpath nearby.

Cadw – Confirm that the development will be visible from the scheduled monuments but this does not constitute objectionable/negative impact on the setting of the monuments.

Publicity

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations was the 27th January, 2017. At the time of writing the report 21 letters had been received objecting to the proposal, 2 petitions one containing 8 names and one containing 79 names objecting to the proposal and 1 letter of support was received.

The main reasons for objecting as follows:-

The existing outbuildings should be demolished to make way for the new agricultural shed

Impact on traffic

Smell

Not enough people notified of the application

Against policy

Not enough has been submitted to assess the impact on the landscape

Noise

Visual impact from neighbouring properties and highway
Screened bunding will not solve the problem

Unacceptable scale
Potential impact on biodiversity
Shed should be re-located behind backdrop of trees
Overdevelopment of the site
Further development of slurry pits etc.

One support letter was received the main comments as follows:-

The farm has not been maintained for a number of years and the proposal would benefit both owners and the staff.

The proposal will create jobs for local people

Without this development the farm will be left to go to ruins

The impact will only be for a short time

In response to the main reasons for objecting:

We must deal with the application as submitted. There was a separate application for the conversion of outbuildings that has now been withdrawn.

The highways department have confirmed that they have no observations to make on the application.

The Environmental Health section have confirmed that they are satisfied with the development provided they comply with CIRIA Document - C650 – Environmental Good Practice On Site (2nd Edition).

Policy considerations will be dealt with under the main considerations

The information submitted with the application enables us to make a recommendation.

Visual impact will be dealt with below.

NRW have made comments on biodiversity issues and the applicant will be required to comply with their standard requirements.

Re-location behind the trees has been investigated, however this is not an option due to a binding contract between the land owner and the Wind Turbine company stating that no building shall be erected within 300 metres of the wind turbines on the site.

It is not considered that the shed will cause overdevelopment of the site

A slurry pit is now part of the proposal. Natural Resources Wales have confirmed they are satisfied with the details.

5. Relevant Planning History

23C280/SCO -Scoping Opinion for a windfarm development on land at Capel Coch – Screening Opinion 01/06/09

23C280A - Erection of two 25 metre high wind turbines on land at Plas Llanfihangel Capel Coch - Approved 14/12/2010

23C280B/SCR - Screening opinion for the erection of two 25 metre high wind turbines on land at Plas Llanfihangel Capel Coch - EIA Not Required 10/11/2010

23C280C/DIS - Application to discharge conditions (04) (details of wind turbines), (05) (colour), (07) (Construction Method Statement) and (08) (Vehicular Access detail) from planning permission 23C280A at Plas Llanfihangel Capel Coch Conditions Discharged 09/03/2015

23C280D- Application to determine whether prior approval is required for the erection of a milking parlour on land at Plas Llanfihangel Capel Coch - Withdrawn 17/05/2016

23C280E -Application to determine whether prior approval is required for an agricultural track on land at Plas Llanfihangel Capel Coch Planning not required 03/06/2016

23C280G - Full application for conversion of the outbuildings into 10 dwellings, installation of a

package treatment plant together with improvements to the existing access at Plas Llanfihangel, Capel Coch – Withdrawn 02/11/16

6. Main Planning Considerations

Main planning considerations/Key Issues

1. Principle of Development

The principle of development for agricultural purposes is generally supported within local and national planning policy context.

Technical Advice Note 6 states.

The Local Planning Authority should ... promote the expansion of established businesses by setting out in the development plan the criteria against which planning applications for employment uses will be assessed. This should include supporting the expansion of businesses that are currently located in the open countryside provided there are no unacceptable impacts on local amenity.

6.1.1 The Welsh Assembly Government's objective is a sustainable and profitable future for farming families and businesses through the production and processing of farm products while safeguarding the environment, animal health and welfare, adapting to climate change and mitigating its impacts, while contributing to the vitality and prosperity of our rural communities. The planning system can play an important part in supporting the future sustainability of agriculture

Planning Policy Wales (Edition 9) states Local 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

Plas Llanfihangel is a farm holding with approx. 275 acres of land. The proposals consist of shed number 1 which will measure 21m x 9m and will house 40 milking cows, shed number 2 will house 200 cows over the winter months. A slurry pit measuring 60.0m Long x 15.0m Wide x 4m Deep located to the South West of the agricultural shed with a traditional style fence will be erected around the slurry pit. The applicant has confirmed that 'there are currently 240 heifers that have been running with a group of bulls since early May. Most are in calf due to start calving late January 2017. The plan is to have 200 milking next year (some of the 240 won't be in calf, or may have complications at or post calving). They are always kept at Plas Llanfihangel, they are grazed rotationally, which means they are all kept in one big group in the same field for a few days, and then moved on to the next field when they have finished grazing the field they are in.'

The proposals will allow for the practice of modern farming techniques and compliance with welfare requirements.

With the above in mind it is clear that there is a need for the proposals. This along with the general support for agricultural development in policy terms establishes the acceptance of the principle of this development.

2. Landscape

The proposed milking parlour, agricultural shed and slurry pit will be located to the South of the existing backdrop of trees.

The proposed building is located away from the existing farm building in an unenclosed location. It would not benefit from the existing tree backdrop, except from views to the South - relevant only to private views from the south of Capel Coch.

The building would be most visible on a 200m stretch of road to the South East from a distance between 350 and 450metres, where there is currently no intermittent screening. Views from the northeast would be interrupted primarily by the trees on the approach to Plas Llanfihangel. More

distant views would feature the pylons and turbines and it is not considered that there is any cumulative visual effect with these.

Mitigation from existing tree cover as a backdrop or screening is limited to views from directly south. A low bund and planting is proposed along the eastern, southern and western boundaries and would in the long-term substantially enclose the area. With the faster growing native species proposed, the screen would begin to take some effect from 7-10 years. Screening effects would be limited in the winter months until the evergreen species and the overall mass of planting take fuller effect.

It is considered that the nature of the change resultant from the construction of a large farm building would be moderate adverse at construction. Associated landscaping to help fit the building into its surroundings would reduce effects to moderate/minor at 7-10 years with minor effects from 15-20 years.

Gwynedd Archaeological Planning Service (GAPS) has provided comments as follows: The screening barrier will naturally take some time to become established, resulting in the temporary visibility of the new buildings, and will create a new backdrop to views from Llech Golman standing stone. However, as an extension of the adjacent copse (i.e. an existing natural landscape feature), this 'softer' change to the monument's setting is considered to be more sympathetic than the conspicuously modern utilitarian sheds. I am therefore able to confirm that the proposed screening planting would be adequate and appropriate mitigation of the potential visual impact on the setting of Llech Golman.

With the above matters in mind it is not considered that a refusal on the grounds of harm to the visual appearance of the locality could be substantiated at appeal.

3. Harm / Pollution of the environment

Natural Resources Wales has confirmed that they do not object to the proposed development as the amended slurry pit proposals meet the requirements set out within the Silage, Slurry and Agricultural Fuel Oil Storage Regulations. They are satisfied that the slurry pit details provided has addressed the concerns previously raised. The applicant originally only had capacity for 2 days slurry production but this has now been changed to the required 4 months as dictated in the aforementioned regulations.

4. Amenity

There are no residential properties in the immediate vicinity of the site. The nearest is 420m away and there are intervening trees and other planting obscuring the site from that property. It is considered that this distance is adequate to ensure the development does not unduly harm the amenities of those residential occupiers enjoy.

7. Conclusion

The principle of development for agricultural purposes is accepted within local and national planning policies. The proposal under consideration along with the mitigation provided will not create unacceptable changes to the landscape additionally they would not have an unacceptable effect on the residential amenities of the neighbouring properties. With the above in mind the proposed development is considered acceptable to the Local Planning Authority.

8. Recommendation

To **permit** the application subject to conditions.

(01) The building 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 and for no other commercial or business use whatsoever.

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

(02) (a) No development (including groundworks or site clearance) 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 on the area of the slurry pit.

(b) The development shall be carried out and all archaeological work completed in strict accordance with the details submitted and approved under part (a). This shall include the production of a detailed report on the archaeological work, which shall be submitted to and approved in writing by the Local Planning Authority within six months of completion of the development.

Reasons: To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

(03) The site shall be landscaped and trees and shrubs shall be planted in accordance with drawing numbers 991514/02 Rev I, 991514/04 Rev H and 991514/01 Rev I received on the 31/1/17. The said trees and shrubs shall be maintained for a period of ten years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity.

(04) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 23C280F.

Location Plan	991514/01 Rev I	31/1/17
Elevations	991514/04 Rev H	31/1/17
Floor Plan	991514/03 Rev F	31/1/17
Block Plan	991514/02 Rev I	31/1/17
Section B-B Slurry Pit	991514/05 Rev A	31/1/17

Reason: For the avoidance of doubt.

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.

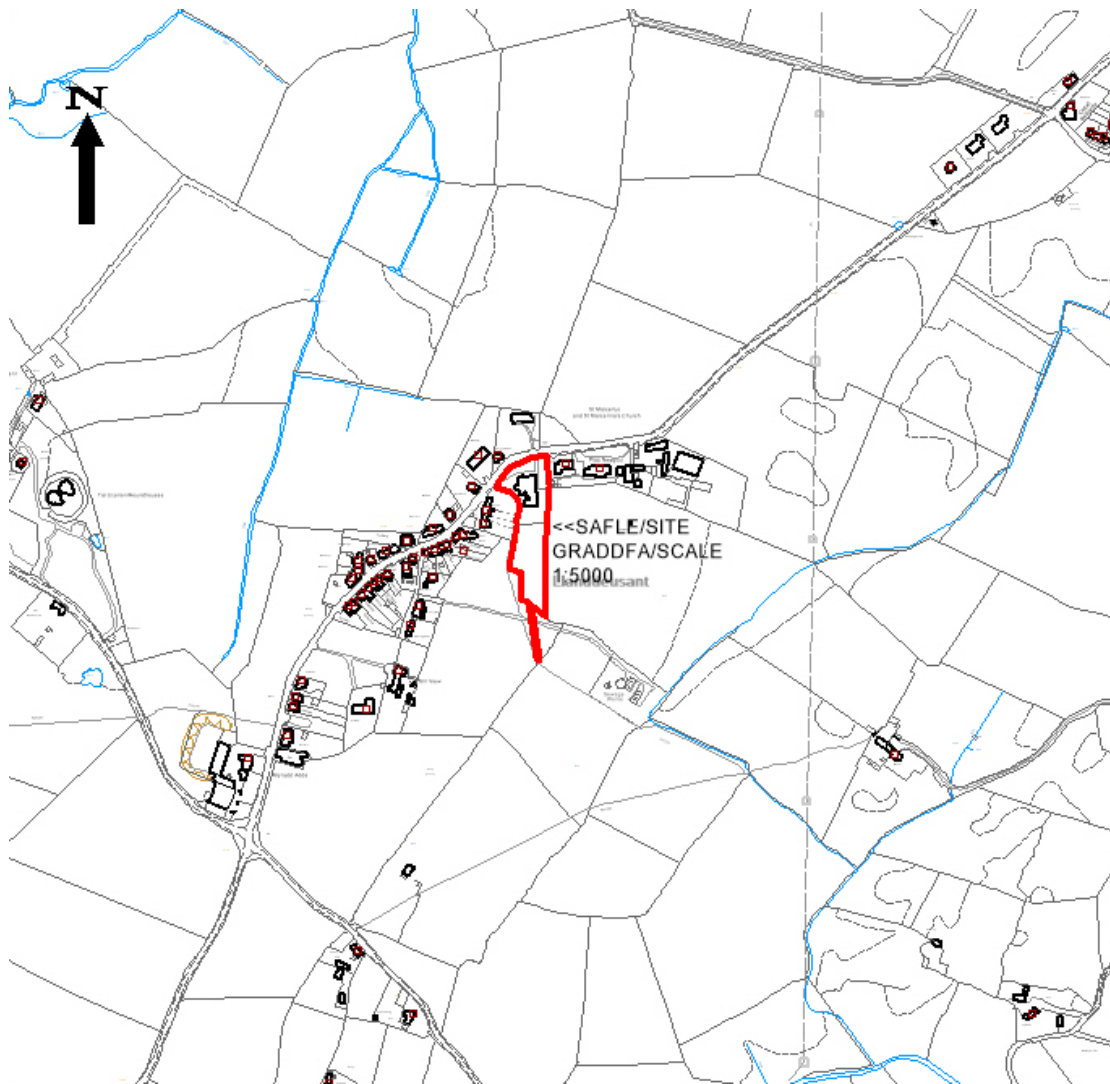
Rhif y Cais: **47C149** Application Number

Ymgeisydd Applicant

DU Construction Ltd

Cais llawn i ddymchwel rhan o'r ysgol presennol, newid defnydd yr ysgol i swyddfa (Dosbarth B1), codi 10 annedd ynghyd a chreu mynedfa newydd i gerbydau yn / Full application for part demolition of the existing school, change of use of school into an office (Class B1), the erection of 10 dwellings together with the creation of a new vehicular access at

Ysgol Gynradd Llanddeusant Primary School, Llanddeusant



Planning Committee: 01/03/2017

Report of Head of Regulation and Economic Development Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made on land partly owned by the Council.

At its meeting held on 1st February 2017 the Committee resolved to defer determination of the application in order to obtain the further views of the Community Council in relation to the need for housing in the village. The view of the Community Council has been received and the letter is included in the bundle of letters for the members.

1. Proposal and Site

The application was originally submitted for demolition of part of the school building and its change of use into an office together with the erection of 12 dwellings on land to the rear and the creation of a new vehicular access.

Further to discussion, the scheme as now presented retains the change of use of the school into an office and new access proposals but has reduced the number of dwellings proposed to 10 and has realigned the dwellings within the site.

2. Key Issue(s)

Compliance with relevant development plan policies; highway safety and drainage.

3. Main Policies

Ynys Mon Local Plan

Policy 1: General Policy

Policy 2: New Jobs

Policy 35: Nature conservation

Policy 48: Housing development criteria

Policy 50: Listed settlements

Policy 51: Large sites

Gwynedd Structure Plan

Policy A2: Housing land

Policy A3: Scale and phasing

Policy A9: Affordable Housing

Policy D4: Location, siting and design

Policy D20: Sewage disposal

Stopped Unitary Development Plan

Policy GP1: Development control guidance

Policy GP2: Design

Policy EN4: Biodiversity

Policy HP2: Housing Density

Policy HP4: Villages

Policy HP7: Affordable housing

Planning Policy Wales Edition 9

TAN 5: Nature Conservation and Planning

TAN 12: Design

TAN 20: The Welsh Language – Unitary Development Plans and Planning Control

SPG : Affordable Housing

SPG : Design Guide

SPG: Planning and the Welsh Language

4. Response to Consultation and Publicity

Local Member – no reply to consultation

Community Council – no objection to the part demolition of the school and fully support its change of use to offices.

Originally, an objection to the proposed housing development in relation to the number and density of development was received.

Objection to the proposed housing development in relation to the number and density of development. Query regarding the size of the site and its ability to accommodate 12 dwellings (stated to be 5.5ha but closer to 0.5ha) and concerns expressed regarding the sustainability of the location. 30% increase in the size of the village. Although there is no objection in principle to the development of houses, the Community Council would recommend a development of no more than 6 – 8 houses on the site.

In response to the amended proposals for 10 dwellings, the Community Council raises concerns regarding highways safety and if highway safety is resolved, the timing of works; the landscaping of the site is also considered to be a requirement.

Environmental Health Officer – contaminated land condition suggested

Footpaths – the alignment of the public footpath on the definitive map has been incorrectly shown where it traverses the site – the footpath does not cross the site and a Definitive Map Modification Order will be instigated.

Ecological Advisor – comments; precautionary approach advised

Gwynedd Archaeological Planning Service: condition requiring archaeological works.

Built Environment and Landscape Section – the school, like the church opposite, is not a listed building but is nevertheless a building of local architectural / historic interest. Partial demolition of modern additions could be considered to retain the original building and provide some new units to the rear of the site.

No response received at the time of writing to amended scheme.

Drainage Section – further clarification of details requested. Details received are satisfactory in principle. Conditions required.

Highways Section – Meeting arranged with the applicant to discuss requirements. Conditional approval suggested.

Welsh Water – Standard condition suggested.

Joint Planning Policy Unit – no response to consultation.

Natural Resources Wales – no objection

Public response to notification: 7 letters of objection have been received as a result of the publicity undertaken. Objections are based on:

Highways safety at the proposed access and traffic generation;
Visibility splay crosses third party land and cannot be achieved;
No need for additional housing – already several houses for sale in the village;
There are no community facilities in the village to support the development; the site is not served by a good public transport system;
Proposed design does not reflect the character of the village;
Support for the change of use of the school to office use.

5. Relevant Planning History

47LPA966/CC: Outline application for residential development together with demolition of the former school on land at Ysgol Gynradd Llanddeusant – Approved 03/10/2013

6. Main Planning Considerations

Principle of the Development – The site is located within the village of Llanddeusant which is a listed settlement defined under policy 50 of the Ynys Mon Local Plan and which normally allows the development of single plots within or on the edge of the village.

The site (both school building and playing field to the rear of the site) is wholly within the development boundary of the village as defined under Policy HP4 of the stopped UDP. This policy allows the development of unlimited plot numbers.

Llanddeusant is noted as a cluster identified on inset map 137 in the Deposit Joint Local Development Plan and under Policy TAI18 which supports new affordable housing proposals on infill sites or sites immediately adjoining the cluster, subject to criteria.

The JLDP is a material consideration but can be afforded little weight in the determination process at present. The Council will shortly be publishing a Matters Arising Changes Notice which includes a change to Policy TAI18 and the removal of certain clusters, including Llanddeusant, from those identified under the Policy as well as removing a limit on numbers during the plan period (Action point S3 / PG6). This will be subject to further public consultation and examination before the Plan is adopted. Although material, given the changes proposed and further public consultation, little weight can be placed on Policy TAI18 at this juncture.

A further material consideration is the granting of outline planning permission in October 2013 for the demolition of the school and the residential development of the site (which amounted to 8 dwellings with three arranged in a terrace fronting the road and the remainder being 5 detached dwellings on the playing field served by an access road). No reserved matters application has been submitted.

The scheme as originally submitted under the current application was for 12 dwellings arranged as semi-detached pairs fronting an estate road. The scheme has been reduced to 5 pairs of semi-detached units with the furthest units turned to face north.

The 8 dwellings previously approved under the outline consent occupied the whole of the site area after demolition of the school building.

The site area as a whole extends to approximately 0.5ha and some 0.36ha of this whole will accommodate the proposed 10 housing units. The scheme has been reduced from the originally proposed 12 dwellings to a layout of 10 dwellings. Policy HP2 of the stopped UDP suggests an average density of 30 dwellings per hectare which the scheme of 10 dwelling meets. Concern has been expressed by local residents that the scheme will represent a 30% increase in the size of the village and the Community Council originally expressed similar concerns although it would support a scheme of between 6 and 8 dwellings in addition to the change of use of the school into offices.

The application is supported by a Welsh Language Statement which supports the scheme. In addition, it is understood that a social housing provider has confirmed an intention to develop the site to provide affordable housing. The Policy requirement is for 30% of the units to be set aside as affordable units. In relation to the need for housing, the site is located within the development

boundary of the village under the stopped unitary development plan and has permission in place for 8 dwellings. Only two dwellings in addition to those already approved are now proposed. As a site within a development boundary, there is no policy requirement to assess housing need.

The school was the subject of the Council's rationalisation programme and has been vacant since that date. The building, albeit extended with flat roof additions, presents an attractive frontage to the street in this part of the village, complementing the church opposite. The application entails demolition of more modern extension to the school building and its change of use into an office. Policy 2 of the Ynys Mon Local Plan states:

2. The Council will support job creating projects on the sites allocated on the Proposals Map and detailed in Proposals S1 to S35 where they accord with the criteria in Policy 1. Employment creating development on other sites within or on the edge of existing recognised settlements will be permitted where they are of a scale and type compatible with the surrounding area, and accord with other policies of this plan.

The site is located amongst existing residential development in a village setting and given its previous use as a school, the change of use to an office is acceptable in policy and amenity terms.

Highways and Drainage: Concerns have been expressed regarding the fact that vehicular access will be taken on a bend in the road where there is considered to be a lack of visibility. The site is fronted by existing pavements and was in use as a small primary school. The proposed offices will utilise the existing vehicular access whilst a new access is proposed to separately serve the housing development. The Highway Authority has no objection to the scheme subject to conditions.

In relation to drainage, porosity test results indicate that soakaways are inappropriate and the scheme will therefore discharge surface water into the highway drainage system at an attenuated rate with a discharge to a watercourse to the south of the site intended for any storm event exceeding the design capacity. Foul drainage will discharge into the public sewerage system. The Drainage Section requested clarification of the intended systems and the detail is considered acceptable in principle.

In relation to drainage, porosity test results indicate that soakaways are inappropriate and the scheme will therefore discharge surface water into the highway drainage system at an attenuated rate with a discharge to a watercourse to the south of the site intended for any storm event exceeding the design capacity. Foul drainage will discharge into the public sewerage system. The Drainage Section requested clarification of the intended systems and the detail is considered acceptable in principle.

Design and Privacy Issues: Concerns have been expressed regarding overdevelopment of the site and the design of housing in a small rural village. The scheme has been amended to reduce the number of dwellings and has been designed to reflect social housing space standards. The dwellings will incorporate the use of slate and local stone. The linear nature of the site restricts the ability to create anything other than a linear development but the scheme has been amended to re-orientate the dwellings at the end of the proposed estate road.

No concerns have been raised by neighbouring occupiers regarding overlooking or loss of privacy issues and given distances between properties and boundary treatment, it is not anticipated that the development of the site for residential use would unduly affect existing amenities. However the Community Council raises concerns regarding the landscaping of the site and for amenity reasons on an edge of village location a condition has been included to this effect.

7. Conclusion

The scheme is acceptable in policy terms. Consultees raise no issues of concern.

8. Recommendation

To **permit** the application subject to conditions and a S106 agreement on affordable housing

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) No development shall take place until samples of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance of the development

(03) Full details of the landscaping of the site and all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority, and shall be included in accordance with the details as may be approved, before the dwellings are occupied.

Reason: In the interests of amenity.

(04) No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless the local planning authority gives its prior written consent to any variation. None of the dwellings hereby approved shall be occupied until the drainage systems for the site have been completed and are operational.

Reason: In the interests of residential amenity and to ensure that the site is adequately drained.

(05) No development shall commence until measures are in place to secure the future maintenance of the estate road and drainage in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to the properties which it serves.

(06) No surface water from within the curtilage of the development site shall discharge onto the county highway.

Reason: To ensure the site is adequately drained without detriment to the adjoining highway.

(07) A visibility splay of 2.4m (X-distance) x 40m (Y-distance) to the left and right of the proposed estate road junction shall be provided and nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted within the vision splays at any time and they shall be available before any dwelling is occupied and thereafter be retained solely for that purpose.

Note: where necessary, the existing boundary wall shall be reduced in height to comply with this condition.

Reason: To comply with the requirements of the Highway Authority, to ensure there is adequate inter-visibility between traffic at the junction, in the interests of highway safety

(08) The estate road and car parking spaces shall be completed in accordance with the details approved and be available for use before any dwelling which they serve is occupied.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access and parking to the properties.

(09) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If during the course of development, any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Reason: In the interests of amenity.

(10) No development shall commence until a method statement for the development of the site including tree and hedge works and works for the conversion of the school, including a timetable for the works, has been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.

Reason: To safeguard any protected species which may be present on the site.

(11) No development (including any groundworks or site clearance) 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 subsequently be carried out and all archaeological work completed in strict accordance with the approved specification. A detailed report on the said archaeological work shall be submitted to and approved in writing by the local planning authority shall be submitted to and approved after the completion of the archaeological field work and before any use is made of the site for holiday purposes.

Reason: To ensure the implementation of an appropriate programme of archaeological mitigation.

(12) No development (including any groundworks or site clearance) 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 subsequently be carried out and all archaeological work completed in strict accordance with the approved specification. A detailed report on the said archaeological work shall be submitted to and approved in writing by the local planning authority shall be submitted to and approved after the completion of the archaeological field work and before any use is made of the site for holiday purposes.

Reason: To ensure the implementation of an appropriate programme of archaeological mitigation.

(13) The development shall take place in accordance with the following documents and plans, together with, and as amended under, the conditions as imposed:

**Design and Access Statement December 2016;
Language Impact Assessment July 2016;
Cadarn Drainage Report Revision B July 2016;
SH1467 A.00.1 Site Location Plan
EL (2-) 01 School Proposed Floor Plan;
EL (2-) 02 School Proposed Elevation;
SH1467 A.00.3 Proposed Site Layout
SH1467 A.02.1 531 Houses
SH1467 A.03.1 421 Houses
2010 Code Shed (4 bike)**

Reason to define the scope of this permission.

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.