

7.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **12C479B** Application Number

Ymgeisydd Applicant

Ms Julie Burton & Mr Mark Sadler

Cais llawn ar gyfer codi annedd yn yr hen safle farchnad garddio ar dir tu ol i / Full application for the erection of a dwelling on the former garden market on land to the rear of

Rose Hill, Biwmaris/Beaumaris



Planning Committee: 14/06/2017

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

Recommendation:

Refuse.

Reason for Reporting to Committee:

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

At its meeting held on the 26th April, 2017 committee members recommended that a site visit should take place. The site visit took place on the 9th June and the members are now familiar with the site and its settings.

1. Proposal and Site

Full application for the erection of a dwelling on the former garden market on land to the rear of Rose Hill, Beaumaris.

2. Key Issue(s)

The key issue is whether the proposal complies with current policies and the emerging Local Development Plan, and whether the proposal will have a negative impact on the conservation area and affect the amenities of the surrounding properties.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy
Policy 26 – Car Parking
Policy 30 – Landscape
Policy 40 – Conservation of Buildings
Policy 42 – Design
Policy 48 – Housing Development Criteria
Policy 49 – Defined Settlements

Gwynedd Structure Plan

Policy A2 – Housing
Policy A3 - Housing
Policy D4 – Location, Siting and Design
Policy D29 – Design
Policy FF11 – Traffic
Policy FF12 - Traffic

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance
Policy GP2 – Design
Policy HP3 – Secondary Centre
Policy EN2 – Area of Outstanding Natural Beauty
Policy EN13 – Conservation of Buildings
Policy TR10 – Parking Standards

Deposit Joint Local Development Plan

Policy CYFF1 – Development Criteria
Policy CYFF2 – Design and Place Shaping
Policy TAI5 – Local Market Housing
Policy PS17 – Preserving or Enhancing Heritage Assets

4. Response to Consultation and Publicity

Community Council – Refusal recommended due to no parking provision within the site and the development would lead to an uncharacteristic intrusion into the locality.

Local Member (Cllr Carwyn Jones) – Request that the application is considered by the Planning Committee.

Local Member (Cllr Lewis Davies) – No response at the time of writing the report

Local Member (Cllr Alwyn Rowlands) – No response at the time of writing the report

Drainage Section - No response at the time of writing the report

Highways Section – Conditional Approval

Welsh Water – Conditional Approval

Gwynedd Archaeological Planning Service – Conditional Approval

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 application was also advertised in the local newspaper as the development is within the Beaumaris Conservation Area. The latest date for the receipt of representations was the 28th April, 2017. At the time of writing the report no letters had been received.

5. Relevant Planning History

12C479 - Full application for the erection of a dwelling on former market garden on land to the rear of Rose Hill, Beaumaris – Refused 10/2/17

12C479A/SCR – Screening opinion for the erection of a dwelling on land to the rear of Rose Hill, Beaumaris – EIA not required 5/12/16

6. Main Planning Considerations

The application is a full application for the erection of a dwelling on the former market garden to the rear of Gaol Street, Rose Hill, Beaumaris.

The site is situated to the rear of residential properties of Gaol Street and Rose Hill, access to the site is via a narrow track between 10 and 11 Gaol Street. The access is not wide enough to cater for motor vehicles.

The proposed dwelling will be within 1.5m of the North boundary, 1m of the East boundary and part of the building will be within 2.2m and 9m of the South boundary and 8m from the West boundary.

Beaumaris is identified as a Secondary Centre under the provisions of Policy 49 of the Ynys Mon Local Plan and as a Village Policy HP3 of the Stopped Unitary Development Plan. The above mentioned policies allow new houses within the development boundary as long as proposals conform to other policies of the plan.

Siting, Design, External Appearance and Landscaping and Amenity Considerations.

Policy 1, 42 and 48 of the Ynys Mon Local Plan, D4 and D29 of the Gwynedd Structure Plan, Planning Policy Wales Edition 9 and Technical Advice Note 12 (Wales): Design, Supplementary Planning Guidance A Design Guide for the Urban and Rural Environment, GP1 and GP2 of the Stopped Unitary Development Plan are material in respect of siting, design and external appearance and landscaping.

The proposal does not completely comply with distances set in the Supplementary Planning Guidance on Proximity of development. The guidance states that ground floor main windows should be located a distance of 10.5m from the boundary.

Conservation Area

Policy 40 of the Ynys Mon Local Plan, Policy EN13 of the Stopped Unitary Development Plan and paragraphs 6.4.9 of Planning Policy Wales Edition 9 states that proposals within Conservation Areas should be protected from unsympathetic development, alterations or demolition.

Area of Outstanding Natural Beauty

The application site is located within an Area of Outstanding Natural Beauty under the provisions of Policy 30 of the Ynys Mon Local Plan and D1 of the Gwynedd Structure Plan and policies EN1 and EN2 of the Stopped Ynys Mon Unitary Development Plan and Paragraph 5.3.5 of Planning Policy Wales (Edition 9).

Within an Area of Outstanding Natural Beauty, the Council will give priority to the conservation and enhancement of the landscape

Highways and Parking

Policy FF11 and FF12 of the adopted Gwynedd Structure Plan and Policy 1 and 26 of the Ynys Mon Local Plan and Planning Policy Wales Edition 9, Technical Advice Note 18 (Wales) Transport, Isle of Anglesey Parking Standards (10/1994) and GP1 and TR10 of the Stopped Ynys Mon Unitary Development Plan relate to parking and access considerations. The Highway's Section of the council are satisfied with the submitted details.

7. Conclusion

The area is characterised by terraced houses with large narrow gardens to the rear. The rear gardens of Gaol Street and Rose Hill abuts the application site. Access to the site is via a narrow passageway, not big enough to accommodate a motor vehicle. The proposal does not completely comply with distances set in the Supplementary Planning Guidance on Proximity of Development. The guidance states that ground floor main windows should be located a minimum of 10.5m away from the boundary. Separation distances vary from 1m from the East boundary to 8 metres from the West Elevation.

It would appear at odds with the character and appearance of the area because of the confined arrangement which would result from the development.

The proposal would conflict with the Ynys Mon Local Plan policies 1, 42 and 48 and Policies GP1, GP2 of the Stopped Unitary Development Plan and Policy D4 of the Gwynedd Structure Plan in relation to the extent to which siting, layout and appearance fit in with the character of the area.

The proposed dwelling would appear as an uncharacteristic intrusion into what is an area of relatively large and open rear gardens, free of substantial buildings. The proposed dwelling would not be well related to the adjacent dwellings or to the existing pattern of development. Having seen the site in context of surrounding properties the proposed dwelling would overlook rear gardens on Gaol Street and Rose Hill.

Access to the site would be via a narrow track between 10 and 11 Gaol Street and the coming and goings to the site would be considerably more than the current use, this would diminish the living conditions of neighbouring residential properties.

8. Recommendation

Refusal

(01) The dwelling would appear an uncharacteristic intrusion into what is an area of relatively large and open rear gardens, free of substantial buildings. The dwelling would not be well related to the adjacent dwellings or to the existing pattern of development contrary to Policy 1, 42 and 48 of the Ynys Mon Local Plan and Policy GP1, GP2 of the Stopped Unitary Development Plan.

9. Other Relevant Policies

Technical Advice Note 12 – Design

Technical Advice Note 18 - Transport

SPG – Urban and Rural Environment

SPG – Beaumaris Conservation Area Character Appraisal

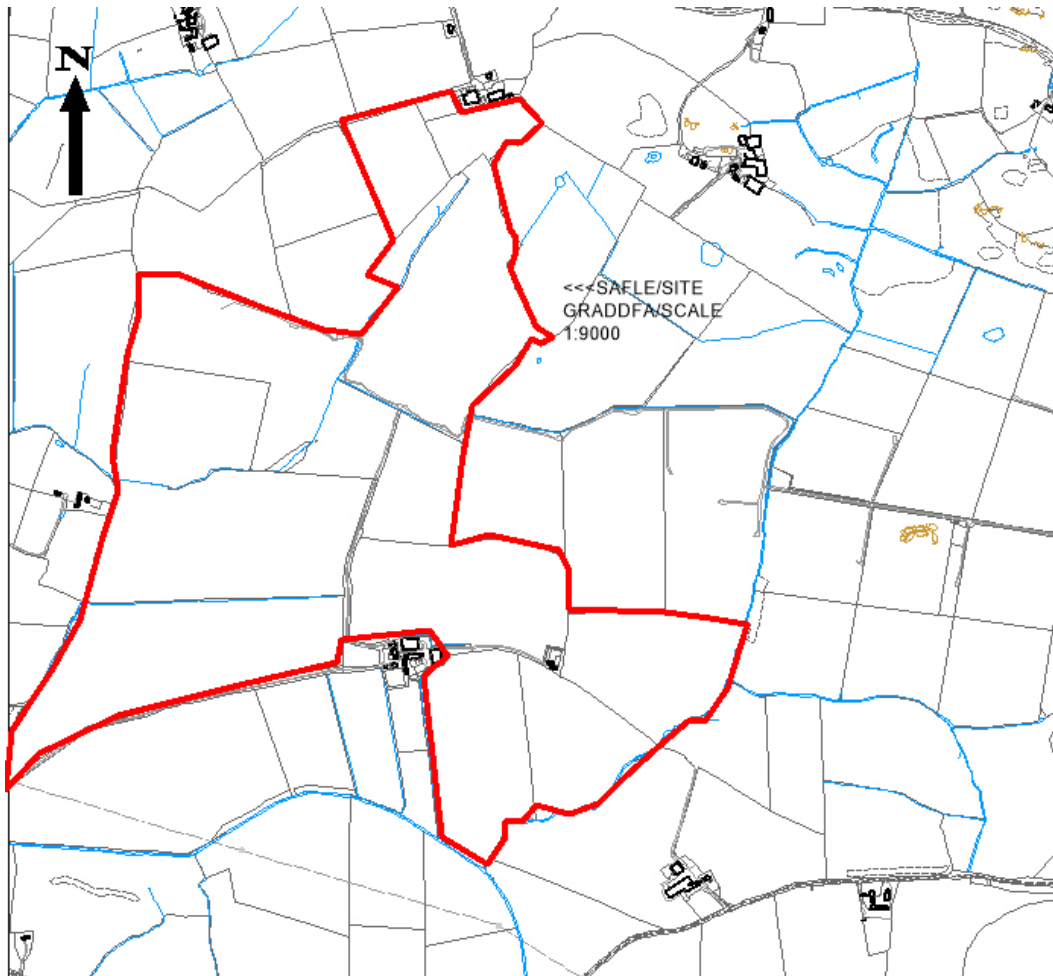
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Rhif y Cais: **20C310B/EIA/RE** Application Number

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: 14/06/2017

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.

Due to local elections and a change in members of this Committee, the site was revisited on 9th June, 2017.

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.

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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

Welsh Government - 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 approach. 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 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 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.

Reason: For the avoidance of doubt.

(03) 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.

Reason: To define scope of permission.

(04) 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.

Reason: In the interests of amenity.

(05) Prior to the commencement of the development details of the CCTV cameras, lighting 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.

Reason: In the interests of amenity.

(06) 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.

Reason: In the interests of amenity and highway safety.

(07) 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.

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

(08) 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

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

(09) Prior to the commencement of works a traffic management plan shall be submitted to the local planning authority 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.

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

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

Reason: To define scope of permission.

(11A) 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.

(11B) 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.

Reasons:

(01) 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.

(02) 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).

(12) 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

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.

7.3

Gweddill y Ceisiadau

Remainder Applications

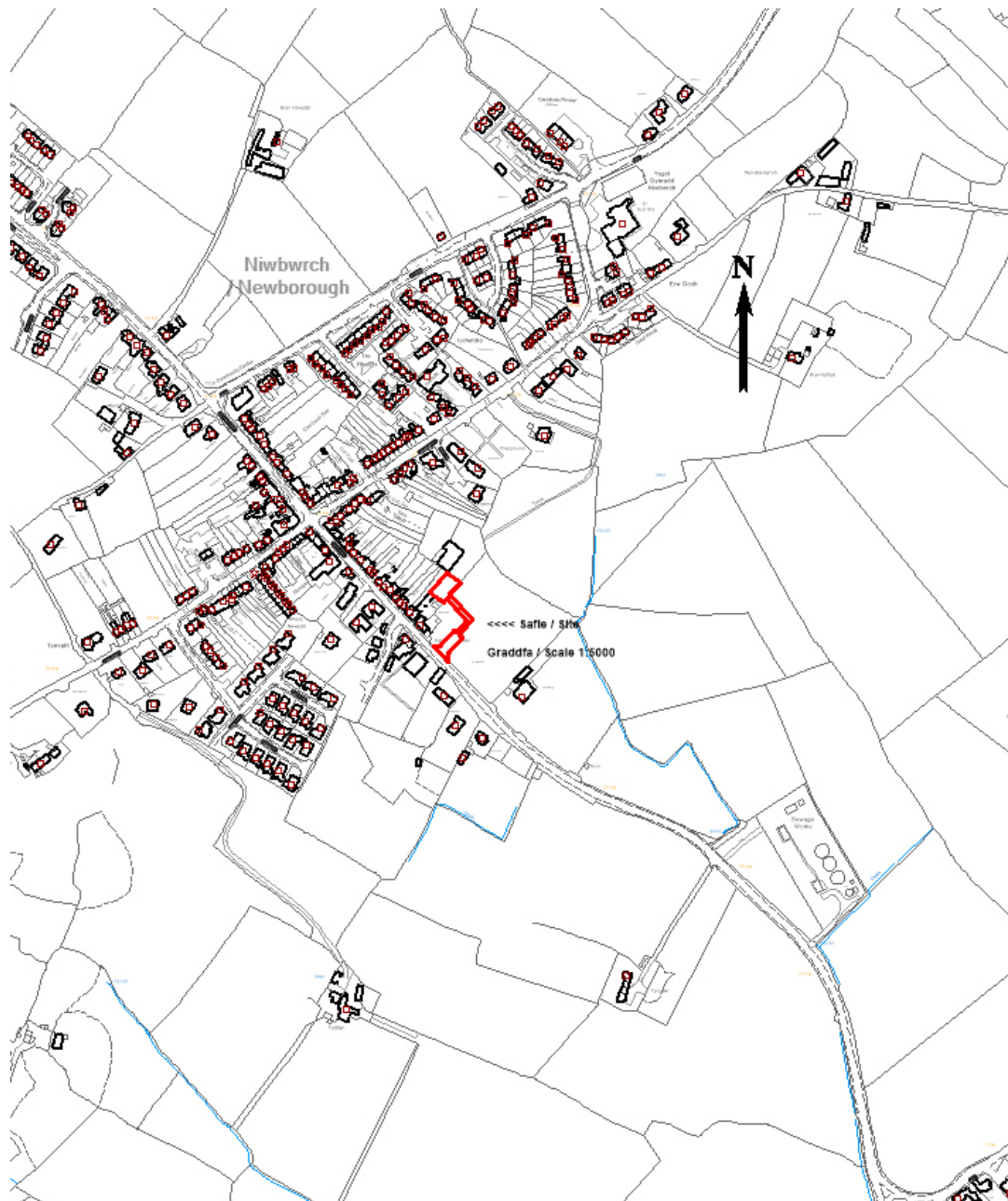
Rhif y Cais: **45C480** Application Number

Ymgeisydd Applicant

Mrs Buddug Pierce Thomas

Cais amlinellol ar gyfer codi annedd gyda'r holl faterion wedi'u cadw'n ôl ar dir tu cefn i /
Outline application for the erection of a dwelling with all matters reserved on land to the rear of

Morannedd, Chapel Street, Niwbwrch/Newborough



Planning Committee: 14/06/2017

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 26th April 2017 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

i) Proposal complies with Policy 49 of the Ynys Mon Local Plan and Policy HP3 of the stopped Unitary Development Plan and does not amount to insensitive infilling.

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;

i) Proposal complies with Policy 49 of the Ynys Mon Local Plan and Policy HP3 of the stopped Unitary Development Plan and does not amount to insensitive infilling.

Both Policy 49 of the Ynys Mon Local Plan and Policy HP3 of the stopped Unitary Development Plan support residential developments within the settlement boundary provided that the proposal complies with other policies of the development plans. The site lies within the development boundary of Newborough and therefore the principle of the residential development of the site is acceptable.

Newborough is identified as a Service Village under Policy TAI16 in the emerging Joint Local Development Plan. The site lies within the development boundary of Newborough as identified by Policy TAI16 however the adjoining field where the new access and track is proposed lies outside the development boundary of the village.

The proposal is for the erection of one detached dwelling on land to the rear of Morannedd and a new access and track will be constructed through the adjoining field. The new access will run through the middle of the adjoining field. This field lies outside the development boundary of Newborough as identified under Policy 49 and Policy HP3. The construction of a new vehicular access through the adjoining field and the erection of a new dwelling to the rear of the existing dwellings is out of character with the pattern of development of the surrounding area.

The proposed dwelling and its curtilage will lie directly next to the rear gardens of the adjoining properties. The rear of the proposed dwelling will be located only 2 metres away from the boundary of the plot with the rear garden of the adjoining property. These distances do not comply with the guidance contained within Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment in terms of proximity between developments. The recommended distances between main aspects and the boundary is 10.5 metres and the distances between secondary aspects, the boundary is 7.5 metres – the distances between the proposal, and the boundary is only 2 metres.

There is a distance of only 6 metres between the gable of the proposed unit and boundary, which lies along the rear of Morannedd and Afallon.

Due to these distances, the proposal will have an adverse impact on the amenities currently enjoyed by the occupants of the adjoining properties.

Whilst it is acknowledged that the plot is within the development boundary of Newborough due to the close proximity of the development with the adjoining properties and the fact that the siting of the dwelling in this location would be out of character with the surrounding area the proposal is not considered as an acceptable infill site.

1. Recommendation

Refuse

(01) The local planning authority consider that the proposal would result in an insensitive infilling which would unacceptably affect the privacy and amenity of the occupiers of the existing dwellings and would be out of character with the surrounding area and would therefore constitute an insensitive infilling contrary to Policy 1, 30, 42, 48 and 49 of the Ynys Mon Local Plan, Policy GP1, GP2 and EN2 of the stopped Unitary Development Plan and the advice contained within Planning Policy Wales (9th Edition, 2016).