

7.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **10C118A/RE** Application Number

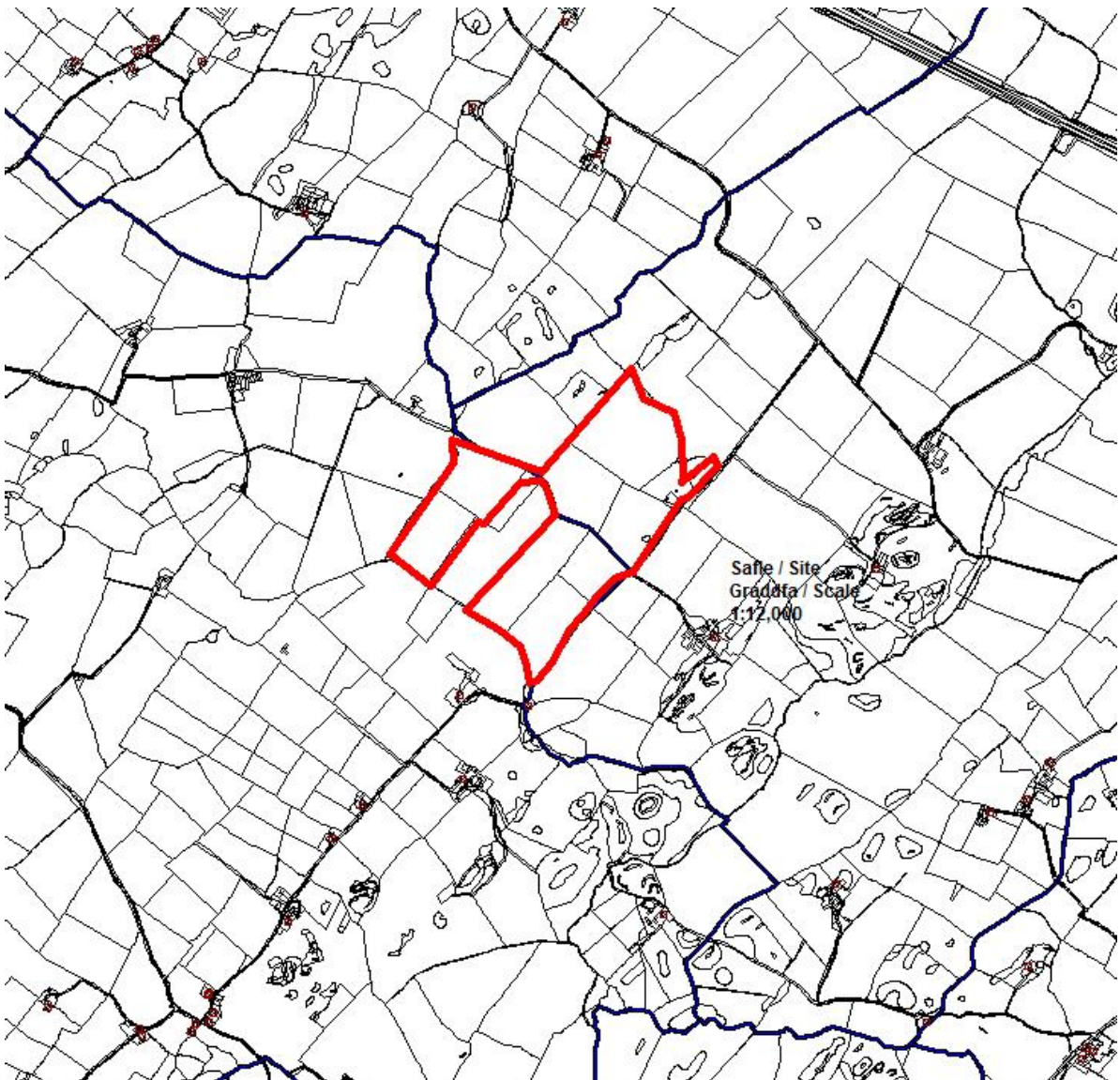
Ymgeisydd Applicant

**Mr Tim Bowie
c/o D.K. Symes Associates
39 Main Road
Middleton Cheney
Banbury
Oxfordshire
OX17 2ND**

Cais llawn ar gyfer lleoli fferm arae heulol 15MW
ar dir ger

Full application for the siting of a 15MW solar array
farm on land adjacent to

Bryn yr Odyn, Soar



Planning Committee: 04/12/2013

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

At its meeting held on 6th November 2013 the members elected to undertake a site visit prior to making its determination. The site visit took place on 20th November 2013.

1. Proposal and Site

The application is for the installation of a solar farm on 30 hectares of improved pasture land at Bryn yr Odyn that lies in an isolated location 1.5km north west of the village of Soar.

The proposal will generate up to 15MW of electricity and connect into pre-existing 33kv overhead lines. Planning permission is initially sought for a 25year period. It is understood that 15MW is equivalent to the annual electricity consumed by 4,500 homes. Although the overall site area extends to 30 hectares the actual footprint on the ground of the various components amounts to significantly less – covering less than 50% of the area. The similar Tai Moelion scheme (application 10C114A) is located some 1.6km to the south west of the application site and due to local topography is not intervisible with it. This received planning consent earlier this year and also extends to a 30 hectare site in total, although only some 10 hectares will be taken up by the development. It is also rated at 15MW.

These component parts are as follows;

- 8 fields containing 2,500 solar modules (comprising of 20 cells) with each panel being 10m in length and aligned east to west in rows. These rows are some 3m in width and 2.5m in height and are evenly spaced at 5.4m intervals.
- Between 10 and 15 inverter buildings (approximately one for each 1.5 MW of energy). Each building measures 3m x 5m x 2.5m in height.
 - A transformer building / sub-station measuring approximately 12m x 3.2m x 3.5m in height surrounded by 2m high security fencing located to the rear of a derelict former dwelling.
 - Landscaping proposals. The modules are set back by 10m from existing field boundaries which are being retained and enhanced and a 2m security fence will surround the site.
 - Approximately 70m of new access track surfaced with stone to provide internal access to the site and sub-station.

Due to the fact that large areas of the site (the areas between the rows) will not be developed grazing will continue; in effect there will be a mixed-use to the land being that of agricultural and renewable energy production. The application is a comprehensive submission that is supported by:

A Landscape and Visual Assessment
An Ecological Assessment.
A Cultural Heritage Assessment and Geophysical Survey.

2. Key Issue(s)

Whilst an application of this type and scale can potentially raise a wide and diverse range of issues I have distilled what I consider to be the main ones as follows:

Whether the principle of development is acceptable in planning policy terms;

Whether or not the proposal has an acceptable environmental impact, particularly with regard to landscape, ecological and cultural heritage.

The report will also look at other matters relating to water, flood risk, amenity and transport.

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy
D1 Area of Outstanding Natural Beauty
D3 Landscape Conservation Area
D4 Environment D9 Environment
D15 Archaeology

Ynys Mon Local Plan

1 General
31 Landscape
32 Landscape
45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

P08b Energy Developments
GP1 Development Control Guidance
GP2 Design
EN4 Biodiversity
EP 18 Renewable Energy
EN1 Landscape Character
EN14 TPOs and Hedgerows
EN16 Landscape Features.

Planning Policy Wales Edition 5 (November 2012)

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

Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).

Technical Advice Note 8 Planning for Renewable Energy (2005)

Technical Advice Note 18: Transport (2007)

Practice Guidance: Planning for Renewable and Low Carbon Energy - A Toolkit for Planners, Welsh Assembly Government (2010)

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

4. Response to Consultation and Publicity

In response to consultations carried out replies from the following have been received and are summarised as follows:

Local member (Cllr H E Jones): Bearing in mind the size and scale of the application it seems sensible for it to be discussed at Planning Committee

Chief Environmental Health Officer - No observations.

Natural Resources Wales – does not object to the proposal. The ecological report is comprehensive and it is not considered that the development will have an impact on the favourable conservation status of protected species. The proposed development is 2.7km away from the designated AONB. Provided that the ground beneath each panel remains permeable, no additional surface water attenuation will be required to deal with flood risk. The main river (Bryn Coch) flows along the south western boundary of the site and any works and structures including security fencing should be 4m away from the bank to allow for access and maintenance.

Councils Ecological Advisor - The ecological impact can be mitigated by management which should be a condition of any consent

Highway Authority - Do not object. Public footpath 52 is situated near the development.

Gwynedd Archaeological Planning Service – an area of the site to the north east in which a complex of features have been identified is to be omitted from the development. For the remaining site, targeted trenching and recording will be required.

JPPU: Development Plan policies provide a robust framework against which to assess individual applications. There is no statutory requirement for an assessment of capacity prior to determining an individual application.

MOD: Requested additional details.

Llangristiolus Community Council: Object to the application.

Economic Development Unit – supports the application

Responses are awaited from local members, Community Councils (Aberffraw and Trewalchmai), SP Power systems, RSPB, AONB Officer,

The application has also been publicised by the local planning authority in accordance with statutory requirements.

5 letters of objection and a petition have been received, raising concerns regarding:

Traffic impacts, with the panels being delivered on narrow roads;

Construction impacts, including delivery of panels, will cause disturbance through noise;

Visual impacts form property due to proximity;

Tourism impacts due to the site being visible from main routes e.g. A55 expressway and the Giach Rural Cycle Route as well as from tourist information points on lay-byes on the A55;

There is no national or local planning policy to deal with large scale solar arrays and no decisions should be made on such applications until appropriate policies are in place – strategic policy required together with a capacity assessment of renewable technology;

The proposal conflicts with current landscape protection and renewable energy policies;

The proposal will lead to loss of important habitat;

The application erroneously suggests that most of the surrounding land forms part of the Bodorgan Estate – there are numerous private landholdings in the area;

The proposal will lead to flooding of third party land;

Suggested that the scheme will take up all capacity in the grid – this may make it unlikely that if this scheme goes ahead, others won't, but it is imperative in such circumstances to consider strategically which projects should take up the spare capacity – given the inefficiencies of the technology, the grid capacity will be tied up to the scheme but is will only be likely to produce at a fraction of its rated output;

No employment benefits will accrue;

An allegation has also been made that land shown on the application plan is not entirely within the ownership of the applicant and that the application is as a consequence invalid. Enquiries have been made and evidence of ownership produced by the agent. No evidence to the contrary had been received from the person alleging invalidity at the time of writing.

5. Relevant Planning History

10C118/SCR - A screening opinion for the siting of a solar array farm was determined on the 17-10-13 when it was decided that an environmental impact assessment was not required.

6. Main Planning Considerations

Whether the principle of development is acceptable in planning policy terms

Policy C7 of the Gwynedd Structure Plan states: "There will be a presumption in favour of renewable energy projects provided that the impacts upon the locality are acceptable to the local planning authority. Where applicable, the proposals should be supported by an environmental assessment."

Policy 45 of the Ynys Mon Local Plan states: "Renewable energy projects will be permitted where it can be clearly demonstrated that there will not be any unacceptable impact on

- i. Landscape character,
- ii. Sites of international, national or local importance for nature conservation.
- iii. Species which are of nature conservation importance
- iv. Ancient Monuments and sites of historical importance
- v. The standard of amenity enjoyed by the resident and tourist population
- vi. Essential public services and communications.

Policy 8B- Energy Developments of the Stopped Ynys Mon Unitary Development Plan 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 and 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".

The updated version of Planning Policy Wales clarifies and strengthens the presumption in favour of sustainable development. Section 12.8.1 (Renewable and Low Carbon Energy) of Planning Policy Wales (5th Edition November 2012) sets out targets and gives strong support for renewable energy projects in line with the Welsh Assembly Government's Energy Policy Statement (2010). Planning Policy Wales at 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.

Paragraph 12.9.2 of PPW states that 'local planning authorities should guide appropriate renewable and low carbon energy development by undertaking an assessment of the potential of all renewable energy resources and renewable and low carbon energy opportunities within their area and include appropriate policies in development plans'. Although there is no statutory requirement to do so, a Renewable Energy Capacity Study was commissioned to inform the Joint Local Development Plan. The Study adopted methodology developed by the Welsh Government but as commercial solar PV arrays are an emerging technology, current guidance (Welsh Government or DECC) does not contain information on how to assess their potential. Nonetheless, development plan policies exist against which such schemes can be examined.

At 15MW the solar farm subject to this report is categorised as "Local Authority-wide" in Planning Policy Wales which includes developments of between 5MW & 50 MW according to figure 12.3. As a "Local Authority-wide" installation the scale of the solar farm is acceptable in principle in policy terms in this location but there are also detailed considerations within the policy considerations as detailed below. Section 12.10.1 reproduced below 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 i.e. grid connection and transportation network are also highlighted within this section as follows:

"12.10.1 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;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;

- the impact on the natural heritage (see 5.5), the Coast (see 5.6) and the Historic Environment (see 6.5);
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts (see 4.5);
- grid connection issues where renewable (electricity) energy developments are proposed;
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal”

Technical Advice Note 8 Renewables (2005) (paragraph 1.4) states the Assembly Government has a target of 4TWh of electricity per annum to be produced by renewable energy by 2010 and 7TWh by 2020. Paragraph 3.15 of TAN 8 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 thermal and PV systems should be supported”. In its Policy Clarification letter of July 2011 in relation to TAN 8, the Welsh Government Minister for Environment and Sustainable Development stated that “for the avoidance of any future doubt, when determining planning applications under town and country planning legislation on energy related projects within Wales (other than certain energy installations), the key planning policy comprises the local authority’s adopted development plan, and where it is more recent, the Welsh Government’s Planning Policy Wales and TAN 8”.

Section 2 of Technical Advice Note 6: Planning for Sustainable Rural Communities contains the following guidance:

“2.1.1 The planning system has a key role to play in supporting the delivery of sustainable rural communities. It can help to ensure that appropriate development takes place in the right place at the right time by making sufficient land available to provide homes and employment opportunities for local people, helping to sustain rural services. Simultaneously, the planning system must respond to the challenges posed by climate change, for example by accommodating the need for renewable energy generation. It must also protect and enhance the natural and historic environment and safeguard the countryside and open spaces. The overall goal for the planning system is to support living and working rural communities in order that they are economically, socially and environmentally sustainable. Planning authorities should seek to strengthen rural communities by helping to ensure that existing residents can work and access services locally using low carbon travel and obtain a higher proportion of their energy needs from local renewable sources.”

In relation to farm diversification Technical Advice Note 6: Planning for Sustainable Rural Communities contains the following guidance:

“3.7.2 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.”

It is evident that the policies listed above provide a presumption in favour of renewable energy developments in meeting the identified targets for low carbon energy generation. The scale of the development classified as “Local Authority-wide” is acceptable in principle in this location. As detailed in the policies listed there are also other environmental considerations which need to be assessed, and these are considered below.

Whether or not the proposal has an acceptable environmental impact; particularly with regard to landscape, ecological and cultural heritage.

Landscape and Visual - The application is accompanied by a Landscape and Visual Assessment,-The assessment encompasses a study area of 1km around the site including views from a national cycle route. The site is outside the AONB but is within a Special Landscape Area (SLA) and is described in the assessment as a generally undulating landscape, prevalent in rocky knolls, scrubland vegetation, small copses, wet ditches and remnant field boundaries. The site itself is located on open and isolated farmland within this landscape. The visual impact assessment includes properties on a ridge, on the B4422 near Llangristiolus, where there are extensive views across the site from a distance of over 2km

The assessment predicts that the initial landscape and visual impacts will be slightly adverse on the character of this landscape but that it is capable of being absorbed within the wider landscape due to the topography of the site and the retention of existing field boundaries. These impacts will lessen over time as proposed landscaping-establishes and matures. It is also noted that the site will not be illuminated during hours of darkness. Visual impacts are also considered to be slightly adverse reducing to neutral by year 15

as landscaping proposals mature. No significant impacts from further afield (such as from the AONB) are identified and the overall conclusion reached is that it is not an unacceptable development. Inevitably impacts during the construction and decommissioning phase will be greater due to plant and machinery activity at the site, however these phases will be of a short duration (10 -12 weeks each time) and will stop. Cumulative impact with the Tai Moelion scheme have been assessed. Under normal conditions, the sites will not be evident due to distance from receptors, distance between the two sites and the attributes of the development itself. The local planning authority considers that the assessment provided on landscape and visual impact is robust and is satisfied that the proposal is not so "critically damaging" that it should not be supported. An appropriate condition relating to landscaping can be used.

Ecology - An Ecological Assessment accompanies the application and finds that the value of the site reflects that normally found on improved pasture; low ecological value. The principal areas of interest are the hedgerows, stone walls, ponds and marshy ground none of which are being lost. There will be some loss of habitat for birds on the open fields however this habitat is abundant in the locality. The site is being fenced off and as a result a more managed grazing regime together with the creation of "undisturbed margins" around field boundaries creates opportunities for biodiversity. The assessment concludes that any loss will be of a low value habitat used primarily for foraging that is common and abundant in the locality. Without mitigation there is a minor adverse impact on biodiversity. However, mitigation is proposed through the retention of the key habitats identified above and they will be enhanced through greater management. A Habitat Management Plan is proposed and this mitigation is considered to be adequate. Neither the Councils Ecological Advisor, nor Natural Resources Wales raise any objections on ecological matters. The local planning authority agrees with the assessment submitted and considers that the matter can be satisfactorily dealt with by condition.

Cultural Heritage - The Cultural Heritage Assessment acknowledges that ground disturbance is modest and restricted primarily to the insertion of the legs of the modules into the ground. "Ground penetration" is calculated to be 0.08 hectares. Shallow cable trenches to field boundaries may cause some damage but flexibility regarding the location and excavation methods can be adopted. A baseline assessment identified a potential site of interest within the site and there is agreement to avoid this area as part of the development – a condition is proposed to this effect. -Assessment is required for parts of the site and the local planning authority agrees with this assessment and considers that the matter can be satisfactorily dealt with by condition.

Water, flood risk, amenity and transport.

Water and flood risk - The application states that there will be minimal impact due to the majority of the greenfield land remaining. No discernible changes to drainage patterns are anticipated. Proposed buildings are small and will drain directly to ground and as the solar panels are constructed of inert materials there will be no pollution. Natural Resources seem to agree with this analysis and does not object to the application. The local planning authority has no evidence to the contrary.

Amenity - The application states that the solar panels do not create noise, nor do the inverter/transformer buildings and likewise they will not generate dust when operational. The units are coated with an anti-reflective finish, absorb light and do not emit odour. These limited impacts will immediately be filtered by existing planting and will be further mitigated over time as additional landscaping matures. There is some potential for nuisance during the construction and decommissioning phases however these phases will be of a short duration (10 -12 weeks each time) and can be managed by best practice and good management. The Chief Environmental Health Officer has no observations to make and the local planning authority consider that there will be no significantly adverse impact on the amenity of nearby residents through the operational lifetime of the development.

Transport - A Transport Plan accompanies the application and identifies that the main activity will be at the construction and decommissioning phases. Once operational only access for security, servicing and maintenance will be required. Materials will initially be delivered to Trac Mon/Anglesey Circuit which has immediate access to a good highway network; the A4080 and the A55. Thereafter material will be transported to the development site using farm equipment and light vehicles. There will inevitably be a degree of disruption to existing road users during these periods (10 -12 weeks each time). However any disruption will be short lived and managed and as such it is not proposed to raise an objection on this ground.

7. Conclusion

Both national and local planning policy provides a presumption in favour of renewable energy development as a means of contributing positively to the wider sustainability agenda. The proposal is acceptable in

landscape and visual terms, does not harm biodiversity or cultural heritage and does not cause unacceptable detriment to amenity. Any adverse impacts (such as traffic disruption, noise and dust) will be confined to the construction and decommissioning phases and are short lived and capable of being managed. Mitigation is provided to ensure that over the operational lifetime of the development any longer term impacts will lessen. Planning permission is for a temporary period and reversible; returning the land to full agricultural use will be possible.

8. Recommendation

That planning permission is granted subject to the following conditions:

(01) The development hereby approved shall commence not later than five years from the date of this approval.

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

(02) The development hereby approved shall be removed from the land no later than 25 years from the date of this permission or when the production of electricity has ceased for a continuous period of 6 months, whichever is the sooner, upon which the site shall be reinstated in accordance with a written scheme of restoration which shall be submitted to and approved in writing by the local planning authority. The restoration of the site shall be completed in accordance with the agreed details within 6 months of the written approval of the local planning authority.

Reason: To define the scope of the permission and to ensure a satisfactory appearance upon cessation of the development.

(03) All cabling within the site required in connection with the development hereby approved shall be installed underground.

Reason: In the interests of visual amenity.

(04) No development shall take place within the site until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation submitted to and approved in writing by the Local Planning Authority. Notwithstanding the submitted drawings, no development shall take place within the area of archaeological interest to the north east of the site. No development shall commence until details of the exclusion and protection of this area 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 record or safeguard any archaeological evidence that may be present at the site.

(05) The site shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority before any development work is commenced on the site, unless otherwise agreed in writing with the local planning authority. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five 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; To ensure that the development is satisfactorily integrated into the landscape.

(06) No development shall take place within the site until the implementation of a programme of habitat management has been secured in accordance with a written scheme submitted to and approved in writing by the Local Planning Authority.

Reason; To ensure that the development does not have a detrimental impact on biodiversity.

(07) The site shall not be illuminated by artificial lighting during hours of darkness.

Reason: To ensure that the development does not have a detrimental impact on the character of the locality.

(08) No development shall take place until details of the height, type and location of security fencing 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 ensure a satisfactory appearance of the development

(09) No development shall commence until details of the transformer building have 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 ensure a satisfactory appearance of the development.

(10) Notwithstanding the submitted drawings, no part of the development shall be located within 4m of Afon Bryn Coch.

Reason: To maintain access to the river and its banks to ensure its free flow to prevent the risk of flooding.

7.2

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **14C135A** Application Number

Ymgeisydd Applicant

**Mr & Mrs R Gethin Crump
Afallon
Tyn Lon
Holyhead
Ynys Mon
LL65 3BJ**

Cais llawn ar gyfer codi annedd a modurdy preifat, chreu mynedfa newydd i gerbydau ynghyd a gosod tanc trin carthion ar dir ger

Full application for the erection of a dwelling and private garage, creation of a new vehicular access together with the installation of a package treatment plant on land adjacent to

Glasfryn, Tyn Lon



Planning Committee: 04/12/2013

Report of Head of Planning Service (NJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

The application was submitted to the Planning and Orders Committee at the request of the Local Member, Cllr Bob Parry.

At its meeting held on 6th November 2013 the Planning and Orders Committee resolved to approve the application contrary to officer recommendation on the basis that the application complies with Policy 50 of the Ynys Mon Local Plan. This report is submitted in response to that decision in accordance with the Council's constitution.

The reasons cited for the approval were that the application complies with Policy PT2 in relation to housing in rural clusters and complies with Policy 50 of the Ynys Mon Local Plan.

1. Response to Reason for Approval Contrary to Officer Recommendation

Policy 50 of the Ynys Môn Local Plan states that planning permission will normally be granted for single dwellings within or on the edge of the listed settlements. The application does not comply with Policy 50 as it is too far removed from the village. Policy HP5 of the stopped Unitary Development Plan states that single dwellings will be permitted on 'infill' sites, or other acceptable sites that are immediately adjacent to the developed part of a settlement. The site lies outside the developed part of the village and therefore does not comply with Policy 50.

In December 2011, the Council adopted the Interim Planning Policy - Housing in Rural Clusters. The application site lies within the settlement of West Llynfaes, which is included in the Policy's list of Rural Clusters. By definition, inclusion of the settlement within the Housing in Rural Clusters policy recognises and accepts that the area does not fall within the definition of Policy 50.

Policy PT2 lists the criteria that must be met when considering planning applications, which are: i) Local community need for an affordable dwelling has been proven ii) The site is located between or adjacent to existing buildings that are shaded on the maps iii) The dwelling will need to successfully blend in with the pattern of surrounding development in terms of its design, plot size, layout of the plot, its construction materials and any relevant design guides iv) The size of the property is appropriate to the affordable housing needs of the applicant v) The impact on the landscape is minimised by utilizing and retaining natural features and any other boundary features present on the application site

The application currently under consideration is for a 4 no. bedroom, open market dwelling and therefore conflicts with criteria i) and iv) of this policy. The policy supports affordable dwellings. It was developed as an interim policy to support the need for affordable dwellings in rural communities. The approval of an open market dwelling subverts the purpose of the policy and will set a precedent for others.

In addition, the Committee is respectfully reminded that the Highway Authority has recommended that the application be refused as the visibility onto the public highway from the access serving the site is substandard. The visibility achieved is half of what is advised under current guidance. The increase in the use of the substandard access for residential users could be detrimental to road safety.

2. Conclusion

The proposal does not comply with current policies and would be detrimental to road safety.

3. Recommendation

Refuse

(01) The local planning authority considers that the visibility onto the public highway from the access serving the site is substandard and the increase in the use of the access could be detrimental to road safety. The proposal therefore conflicts with Policy 1 of the Ynys Môn Local Plan and Policy GP1 of the stopped Unitary Development Plan. (02) The proposal is for the erection of an open market dwelling and lies outside the settlement of Llynfaes. The proposal therefore conflicts with Policy 50 and 53 of the Ynys Môn Local Plan, Policy HP5 and HP6 of the stopped Unitary Development Plan and Policy PT2 of the Interim Planning Policy: Housing in Rural Clusters.

7.3

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **19C1052C** Application Number

Ymgeisydd Applicant

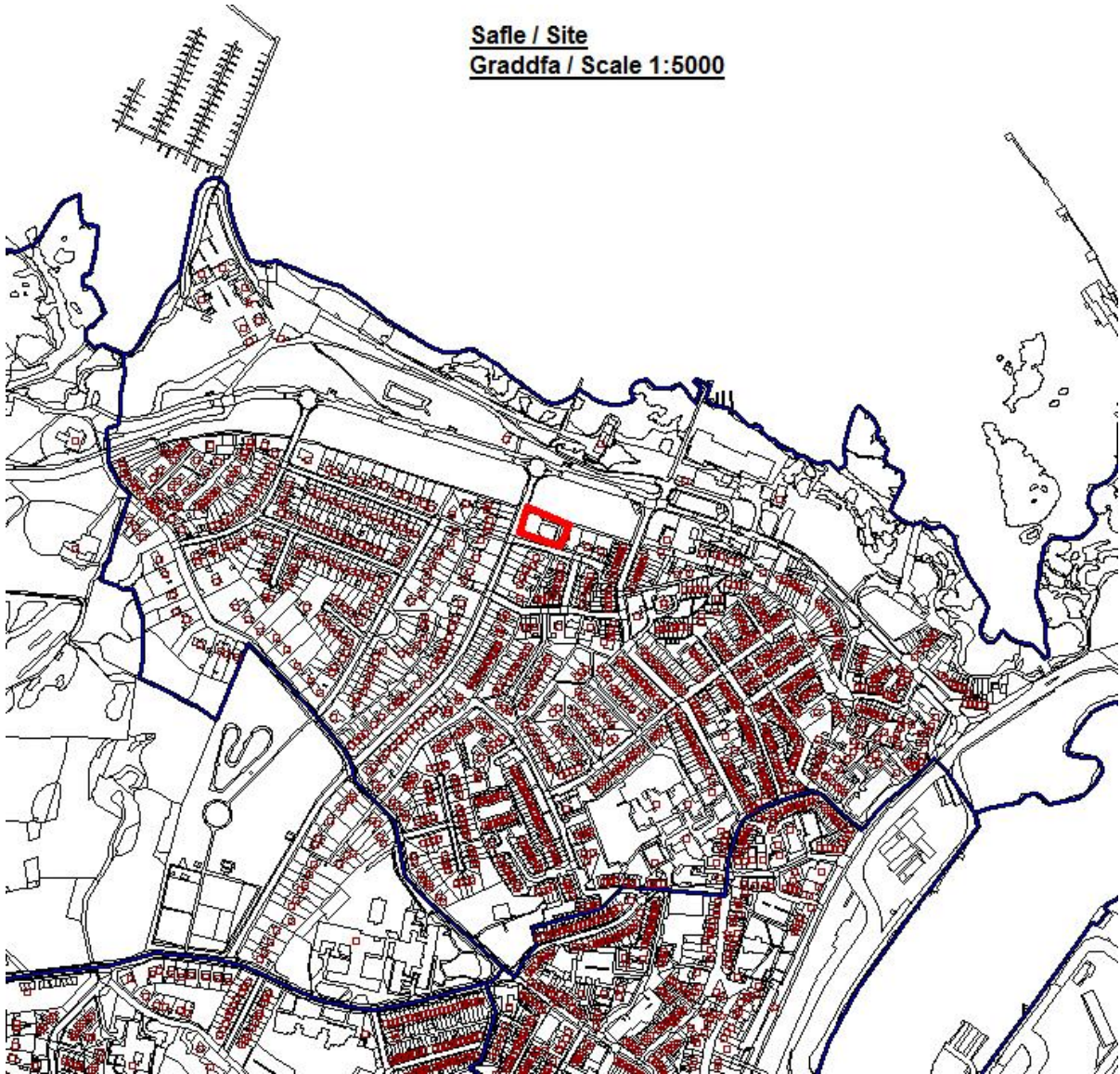
**Mr D Mann
c/o Mansfield
Penrhos
Holyhead
Anglesey
LL65 2TS**

Cais llawn ar gyfer codi 12 fflat dau lofft a tri fflat un lofft ynghyd a chreu mynedfa newydd ar safle'r hen

Full application for the erection of 12 two bedroomed flats and 3 one bedroomed flats together with the construction of a new access on the site of the former

RNA Club, St. Davids Road, Holyhead

Safe / Site
Graddfa / Scale 1:5000



Planning Committee: 04/12/2013

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application was submitted to the Committee at the request of the Local Member Cllr R LI Jones. Due to an administrative oversight, Cllr Jones was not informed of the relevant Committee date and did not attend the November Committee.

The Planning Service has offered its sincerest apology to Cllr Jones and to the applicant for the omission. The report is resubmitted to the Committee in order that Cllr Jones may exercise his wish to address the members.

1. Proposal and Site

The site is located within the town of Holyhead and the principle of redevelopment is acceptable in policy terms. The site is not located within the designated Conservation Area and the building which until recently occupied the site was not a listed building. The club had apparently been vacant for some time and was falling into a derelict state. It was not considered worthy of inclusion in the Conservation Area when the boundaries were lately reviewed as part of the Character Appraisal. Given its prominent open location on the edge of the Conservation Area, it was distracting to the quality of the designation. The site is now vacant and the application as submitted proposes a development of 15 flats in total, in two separate buildings. Building A which will occupy a central position in the site has 9 flats (3 1-bedroom and the remainder 2-bedroom units) over 3 floors whilst Building B situated closest to the property at Elenfa, will have 6 2-bedroom flats over 3 floors. Parking spaces are provided directly from St David's Road whilst a new vehicular access car park is proposed off Walthew Avenue. 4 of the units will provide affordable housing for local needs.

2. Key Issue(s)

The applications key issues are whether the proposal will affect the amenities of the surrounding properties, the character of the local area or affect highway safety.

3. Main Policies

Gwynedd Structure Plan

Policy A2 : Housing Land
Policy A3: Scale and Phasing
Policy D4 : Location, Siting & Design
Policy D22: Development in Proximity to a Listed Building
Policy D26 : Development in Proximity to a Conservation Area
Policy D29 : Standard of Design
Policy D32 : Site Configuration and Landscaping
Policy FF12 : Parking Standards

Ynys Môn Local Plan

Policy 1 : General Policy
Policy 40 : Conservation of Buildings
Policy 41: Conservation of Buildings
Policy 42 : Design
Policy 48 : Housing Development Criteria
Policy 49 : Defined Settlements

Stopped Unitary Development Plan

Policy GP1 : Development Control Guidance
Policy GP2 : Design
Policy EN1 : Landscape Character

Policy EN13 : Conservation of Buildings
Policy HP2 : Housing Density
Policy HP3 : Main and Secondary Centres

Policy SG6 : Surface Water Run-Off

Supplementary Planning Guidance - Design in the Urban and Rural Built Environment

Supplementary Planning Guidance - Parking Standards

Supplementary Planning Guidance - Holyhead Beach Conservation Area Character Appraisal

Planning Policy Wales (Edition 5)

Technical Advice Note 12: Design

Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas

4. Response to Consultation and Publicity

Cllr R LI Jones – Requested that the application be referred to the Planning and Orders Committee due to concerns regarding design, effect on the conservation area, inadequate parking, traffic conflicts, design not of sufficient quality for the site, previous appeal decision.

Cllr R Jones – No reply

Cllr A Roberts – No reply

Town Council – No objection

Natural Resources Wales – no objection

Drainage Section – Requested additional details. Details received and are considered acceptable.

Housing Service – 4 affordable units considered acceptable in principle

Highways – No objection

Dwr Cymru-Welsh Water - Clearance of 3m either side of apparatus required. Suggest standard conditions. It is understood that the applicant has discussed the relocation of one of the buildings with the statutory undertaker and an amended plan has been submitted.

Response to Publicity

The application was afforded three means of publicity. These were by the posting of a site notice near the site, the publication of a notice in the local press and the serving of personal notifications on the occupants of neighbouring properties. At the time of writing this report 88 letters of objection had been received at the department. The main issues raised were:

The height of the proposal will detract from the Victorian / Edwardian character of the locality and change the character of the area – traditional properties have bedrooms in the roof while the proposed flats are a full 3 storeys;

The proposal is an overdevelopment;

12 of the proposed flats project out of line with Scratby House and will block inward and outward views of the Conservation Area – the development should be limited to the extent of the former RNA Club;

30 onsite parking spaces must be provided – there is a restriction on parking in Walthew Avenue while parking spaces on other local roads are required for existing uses – there will be a greater and unacceptable increase in traffic congestion if a new entrance is built on Walthew Avenue ;

Unable to discern which of the flats are proposed as affordable units.

In addition, concerns are expressed in relation to the effect of the development on property prices and anticipated problems should the site lay partially developed or the flats remain unsold for some time.

Building A (closest to Walthew Avenue) has been moved back in the site (towards St David's Road) to accommodate the requirement of Dwr Cymru Welsh Water regarding access to apparatus which crosses the site. The change in location does not affect the overall character of the scheme but has been notified to consultees and neighbours.

At the time of writing, no additional letters of objection had been received raising issues not already taken into account.

5. Relevant Planning History

19C1052A - Demolition of the existing building together with the erection of 3 detached 3 storey dwellings at RNA Club, St David's Road, Holyhead – Refused 6.4.2010

19C1052B - Erection of 3 detached three storey dwellings at RNA Club, St David's Road, Holyhead Refused 15.12.2011. Appeal Dismissed 25.6.2012

19C1052D/SCR - Application for a screening opinion for the erection of 12 two bedroom flats and 3 ne bedroom flats together with the construction of a new access at the former RNA Club – EIA not required 22.07.2013

6. Main Planning Considerations

Principle of Development: The site is a vacant brownfield site within the development boundary of Holyhead and is suitable for residential development. The Appeal Inspector determined that:

The appeal site is set in a predominantly residential area and residential development on the land is acceptable in principle. The site is adjacent to and overlooks the large area of linear open space to the north that forms part of the Holyhead Beach Conservation Area. The two and three storey detached and semi-detached properties to the south of that open space provide an interesting backdrop to the conservation area...I do not consider a modern contemporary design would necessarily be an unacceptable form of development, provided it makes a positive contribution to its surroundings and the backdrop to the conservation area. I accept that a three storey development would be in keeping with the overall height of development in the vicinity”

Design and Effect on the Conservation Area and Listed Building: Previous schemes on the site, although of a lower density, did not reflect the scale and pattern of existing development in the locality and were rejected by both the Planning Authority and the Planning Inspectorate. The Inspector determined in relation to the previous scheme that:

“... the narrow upright style of the three dwellings would be at odds with the horizontal emphasis provided by most other properties fronting onto Newry beach. Furthermore, the undeveloped gap between the three dwellings and the neighbouring 3 storey dwelling to the east, Elfena, would result in an unsatisfactory visual relationship between the three dwellings and its surroundings. The strong vertical emphasis of the proposed fenestration on the elevations facing onto St Davids Road would result in an incongruous form of development that would be out of keeping with the style of the development that faces onto this road”.

The scheme as now submitted has been the result of a redesign of the site to take into account the main design elements and features which make up this part of the town. The Council's Conservation Officer states that:

“The importance of the widening of the building lines down and along Walthew Avenue and ensuring that these were maintained and unharmed has I feel been successfully achieved by retaining the existing car parking for the development at this end of the site. I opinion that the new proposed highway access is acceptable having good proposed visibility both ways and it integrates well with the site, the existing topography and the surrounding area. The height was not an issue previously nor is it an issue now but the design , scale and massing of the proposed two building blocks stepping down the site integrates and harmonises with the existing built form of the buildings framing the site. The design is not the best one could have hoped for but it never the less reflects a mix of timely architectural details and characteristics found in the area which to my mind is appropriate and fit for purpose”.

No concerns are raised in relation to the Conservation Area or listed building to the rear of the site at Scratby House. It is considered that the scheme responds positively to the issues which led to rejection of

development of the site at appeal.

Technical Matters: Additional drainage details were sought and have been received and are considered acceptable. Dwr Cymru-Welsh Water requires a 3m either side of sewer access easement which has necessitated the setting back (towards St David's Road) of Building A (located closest to Walthew Avenue) to accommodate the requirement. No response had been received from the Highway Authority at the time of writing but a number of objections raised concerns regarding displaced parking areas on Walthew Avenue as a result of the proposed new access (there being limited parking for residents in the locality in any case) and the effects of additional parking spaces being taken up by the new residents on other local roads such as St David's Road together with the insufficiency of spaces to be provided on the site. The proposed new access has sufficient visibility and the provision of car parking and turning space within the site will relieve pressure on local roads. The site operated as a club previously which would have attracted numerous users and this past use is material. Planning policy advocates sustainable development alternatives where less emphasis is placed on the private car. The site is centrally located and well served by public transport. It provides an adequate number of parking spaces on site and it is not considered that an objection on highway grounds could be sustained.

7. Conclusion

The site is situated within the development boundary of Holyhead and is a brownfield redevelopment site. Planning policy supports its redevelopment for residential use. The scheme as now presented addresses the design and conservation area and listed building effects concerns previously raised. There are no technical objections to the development.

8. Recommendation

Permit subject to expiry of the neighbour notification and consultation period and subject to no new issues being raised as a result of those consultations which have not already been discussed in this report, together with a S106 agreement on affordable housing and subject to the following condition:

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

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

(03) 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.

(04) 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.

(05) The access and car parking spaces shall be laid out and made available for use prior to the occupation of the development.

Reason: To ensure that vehicles can draw off clear of the highway for the safety and convenience of the highway user.

(06) No development shall commence until details of the finishing materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter proceed in accordance with the agreed details unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a satisfactory appearance of the development.

(07) No development shall commence until details of the boundary treatment for the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter proceed in accordance with the agreed details unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a satisfactory appearance of the development.

(08) The site shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority before any development work is commenced on the site, unless otherwise agreed in writing with the local planning authority. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five 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: To ensure a satisfactory appearance of the development

(09) The dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credits under category 'Ene 1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3). The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

(10) Construction of the dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credits under 'Ene 1 - Dwelling Emission Rate', has been achieved for the dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3).

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

(11) Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credits under 'Ene 1 - Dwelling Emission Rate', has been achieved for the dwelling in accordance with requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3).

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

Rhif y Cais: **28C483** Application Number

Ymgeisydd Applicant

**Mr Peter Doyle
c/o Mr Richard Vodrey
34 Stapleton Road
Fermry
Liverpool
Merseyside
L37 6YN**

Cais llawn ar gyfer gosod caban log yn

Full application for the siting of a log cabin at

Sea Forth, Warren Road, Rhosneigr



Planning Committee: 04/12/2013

Report of Head of Planning Service (AMG)

Recommendation:

Permit.

Reason for Reporting to Committee:

At its meeting held on the 6th November 2013 the Members resolved that a site visit should take place prior to determining the application. The site visit took place on the 20th November 2013 and the Members will be familiar with the site and its setting.

1. Proposal and Site

The site is located along Warren Road in Rhosneigr. The site is located at the front of the dwelling known as Sea Forth and faces the sea.

The proposal entails the siting of a log cabin for incidental within the curtilage of Sea Forth, Warren Road, Rhosneigr.

2. Key Issue(s)

The key issues to consider are the affect of the proposal on the surrounding landscape and on the amenities of the neighbouring properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 34 – Nature Conservation

Policy 42 – Design

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D10 – Nature Conservation

Policy D29 – Standard of Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN5 – International Sites

Planning Policy Wales, Edition 5, November 2012

Technical Advice Note 12: Design

Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Councillor Richard Dew – Has requested that the application be referred to the planning committee. His reason being local objection to the development.

Councillor Gwilym O Jones – No response received at time of writing the report.

Community Council – No response received at time of writing the report.

Natural Resources Wales – Do not wish to comment.

Welsh Water – Recommended conditional approval.

Public Consultation – The proposal was afforded two means of publicity. These were by the posting of a site notice near the site and the distribution of personal letters of notification to the owners / occupiers of properties in the immediate locality. The latest date for the receipt of representations was the 12th September 2013. At the time of writing this report 5 letters of representation had been received at the department. The main issues raised can be summarised as follows:

i) Proximity of the footings to the proposed development to the neighbouring property.

Response – The proposed log cabin will be sited on a concrete pad. The construction work will have to be undertaken by hand as there is restricted access for machinery. The possible damage of any walls or land as a result of the proposal is not a planning material consideration.

ii) No sanitation or drains are proposed.

Response – The proposed log cabin will be used as a summer house with occasional use for overnight stay. No connection to the public sewer or water mains is proposed only electrical connections.

iii) The proposal is of a high fire risk.

Response – This is not considered to be a planning material consideration.

iv) The proximity of the development to the flora and fauna of the sand hills.

Response – Natural Resources Wales and the Council's Ecological and Environmental Adviser have been consulted and have not raised any adverse concerns.

v) The proposed development will cause additional disturbance and noise during construction.

Response - It is expected that there will be some disruption whilst the proposal is under construction, but this is considered to be short lived.

vi) The proposal will result in additional noise and disturbance to the neighbouring properties.

Response – The proposed log cabin will be used as a summer house with occasional use for overnight stay. A condition will be imposed on the permission stating that the log cabin shall only be used for purposes incidental to the enjoyment of the dwellinghouse. Therefore it is not considered that the proposal will have an additional detrimental affect on the amenities over and above that presently experienced by neighbouring properties in close proximity to each other.

vii) Sea Forth is a holiday home and therefore the proposal will have a negative affect on the strong community value and feel of the area.

Response – The proposal will be used for purposes incidental to the enjoyment of the dwellinghouse known as Sea Forth. There is no evidence that the proposal will have a negative affect on the locality.

viii) The proposal will result in an increase in traffic and parking issues.

Response - The proposal will be used for purposes incidental to the enjoyment of the dwellinghouse known as Sea Forth. Therefore it is not considered that the proposal will unacceptably increase the number of traffic to that of the existing. The property benefits of existing off road parking provisions.

ix) The proposed development will result in overdevelopment of the site.

Response – There is acceptable space within the curtilage of the property to accommodate the proposal without appearing cramped or overdeveloped.

x) Inappropriate development for the site.

Response – As previously stated the proposal will be used a summer house with occasional use for overnight stay. A condition will be imposed on the permission stating that the log cabin shall only be used for purposes incidental to the enjoyment of the dwellinghouse. Therefore the proposal is considered to be acceptable.

5. Relevant Planning History

28C403 - Full application for the demolition of the existing garage together with the erection of a two storey dwelling at Sea Forth, Rhosneigr – Approved 02/08/2007

6. Main Planning Considerations

Affect of the proposal on the surrounding landscape – The proposal entails the siting of a relatively small log cabin (measuring 9m (length) x 3.5m (width) x 2.43m (height)) for use as a summer house with occasional use for overnight stay. It is acknowledged that the proposed log cabin will be sited to the front of the existing dwelling on lower ground level, fronting the sea. However, it is not considered that the proposal would have a detrimental affect on the surrounding landscape to such a degree it should warrant refusing the application. The proposed log cabin will be sited within the residential curtilage of the property known as Sea Forth. There is sufficient space within the curtilage of the property to accommodate the proposal without appearing cramped or overdeveloped.

Affect of the proposal on the amenities of the neighbouring properties - A condition will be imposed on the permission stating that the log cabin shall only be used for purposes incidental to the enjoyment of the dwellinghouse. The log cabin will be sited on lower ground level than that of the neighbouring dwellings and will be partly obscured from the line of sight from the neighbouring properties. Therefore it is not considered that the proposal will have an additional detrimental affect on the amenities of the neighbouring properties.

7. Conclusion

The proposal is considered acceptable subject to conditions.

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 log cabin hereby permitted shall only be used as a private log cabin incidental to the enjoyment of the adjoining dwelling known as Sea Forth, Warren Road, Rhosneigr and for no commercial or business use whatsoever.

Reason: To protect the amenities of nearby residential occupiers.

(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 13/08/2013 under planning application reference 28C483.

Reason: For the avoidance of doubt.

7.5

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **30C713** Application Number

Ymgeisydd Applicant

**Dewi Roberts
c/o CDN Planning
1 & 2 Connaught House
Riverside Business Park
Benarth Road
Conwy
LL32 8UB**

Codi un twrbin wynt 10KW gyda uchder hwb hyd at uchafswm o 15.5m, diamedr rotor hyd at uchafswm o 7.5m a uchder blaen unionsyth vertigol hyd at uchafswm o 19.25m ar dir ger

Erection of one 10KW wind turbine with a maximum hub height of up to 15.5m, rotor diameter of up to 7.5m and a maximum upright vertical tip height of up to 19.25m on land at

Bryn Mair, Llanbedrgoch



Planning Committee: 04/12/2013

Report of Head of Planning Service (MTD)

Recommendation:

Permit.

Reason for Reporting to Committee:

The application was previously called in by the then Councillor Barry Durkin. It has however been resolved to refer all applications for wind turbines to committee.

No response has been received from Cllrs V Hughes, I Williams or D Hughes in respect of the re notifications of amendments.

Members will recall visiting the site on 16/10/2013

1. Proposal and Site

The application is made for a single wind turbine with a hub height of 15.5 metres, rotor diameter of 7.5 metres and a maximum blade tip height of 19.25 metres on land at Bryn Mair which is on the outskirts of the village of Llanbedgoch.

2. Key Issue(s)

The key issues are:

- Principle of development
- Landscape and Visual Impact
- Residential Amenity
- MOD Radar and Low Flying Issues
- Nature Conservation.

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy

D3 Landscape Conservation Area

Ynys Mon Local Plan

31 Landscape

41 Conservation of Buildings

45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

8b Energy Developments

EP 18 Renewable Energy

EN1 Landscape Character

Planning Policy Wales Edition 5

Technical Advice Note 8 Renewable Energy (2005)

Planning implications of Renewable and Low Carbon Energy (February 2011)

Supplementary Planning Guidance Onshore Wind Energy (2013)

Previous Local Member – Requested that the application be presented to the Planning Committee for consideration and determination.

Community Council – Recommended refusal on the grounds that the wind turbine is too big and will have a detrimental impact on the surrounding open countryside.

Highways – comments, informative regarding nearby bridleway.

Bridleway 19 is located adjacent and the development should not affect movement.

Drainage - Informatives recommended.

Environmental Services – No objection subject to compliance with listed criteria.

Ecological and Environmental – commented that the turbine should be located a minimum distance of 50m from hedges unless NRW indicate otherwise.

Ministry of Defence – No objection.

Natural Resources Wales – No objection.

RSPB Have indicated that “Scottish Natural Heritage” guidance “Survey Methods for Use in Assessing the Impacts of Onshore Windfarms on Bird Communities” and “Natural Heritage assessment of small scale wind energy projects which do not require formal Environmental Impact Assessment (EIA) are of relevance.

Gwynedd Archaeological Planning Service – The turbine is located in an area of high archaeological potential and have therefore recommended archaeological conditions be attached to any permission.

Welsh Water – No response at time of writing report.

CADW – Proposal will not have any direct significant adverse impact on nearby Scheduled Ancient Monuments.

Environment Agency – Standard Advice

Arqiva – No objection.

Response to Publicity.

12 letters received objecting to the application on the following grounds:

- The turbine will be a blot on the landscape due to its height.
- Concerned that if granted will lead to more applications for wind turbines.
- Turbines are noisy and there may be associated health risks to humans and animals.
- Turbines have killed many birds and wildlife and are not environmentally friendly.
- Turbines will have a detrimental impact on tourism.

May distract road users and throw ice

Residential amenity will be harmed Harm to listed building

5. Relevant Planning History

None.

6. Main Planning Considerations

Principle of development

Policy C7 of the Gwynedd Structure Plan states: “There will be a presumption in favour of renewable energy projects provided that the impacts upon the locality is acceptable to the local planning authority. Where applicable, the proposals should be supported by an environmental assessment.”

Policy 45 of the Ynys Mon Local Plan states: “Renewable energy projects will be permitted where it can be clearly demonstrated that there will not be any unacceptable impact on i. Landscape character, ii. Sites of international, national or local importance for nature conservation, iii. species which are of nature conservation importance iv. the standard of amenity enjoyed by the resident and tourist population and vi.

Essential public services and communications.

Policy 8B- Energy Developments of the Stopped Ynys Mon Unitary Development Plan 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 and 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.

The Council’s Supplementary Planning Guidance 2013 outlines criteria which proposed turbines should adhere to it should be noted in respect of this that the turbine is classified as small being under 20m to tip. It is not considered that the provision of this document prevents the granting of permission in this instance.

The policies listed above provide a presumption in favour of renewable energy developments. This is subject to the listed criteria being satisfied,

Landscape and Visual Impact

The proposed turbine is located within an area designated as a Special Landscape Area under the provisions of Policy 31 of the Ynys Mon Local Plan, D3 of the Gwynedd Structure Plan and EN1 of the Stopped Ynys Mon Unitary Development Plan.

The proposed site is slightly elevated however due to the natural topography of the surrounding landscape prominent views of the turbine would be minimal.

An assessment it has been concluded that the impact on the Landscape of Historic Interest is likely to be local and not significant.

Residential Amenity

Local properties would have views of the proposed turbine with the nearest residential dwelling being located approximately 160 metres to the South However, there is a caravan site to the east and this lies approximately 80m distant. The caravans however do not face the site and it is proposed to include screen planting to mitigate what views there would be. A condition has been worded to ensure this takes place.

Given the distance from the properties and their orientation and the screen planting proposed it is not considered that the proposal would result in an unacceptable effect on the outlook of these dwellings or upon residential amenity. The effect on property values is not a material consideration which can be attributed significant weight in this assessment.

The term “shadow flicker” refers to the flickering effect caused when rotating wind turbine blades periodically casting shadows over neighbouring properties as they turn, given the location of the site it is not considered that harm will be created in respect thereof.

Radar and Low Flying Aircraft

The Ministry of Defence “MOD” have confirmed that they have no objections to the proposals on the grounds of creating a physical obstruction to military aircraft or interference to Air Traffic Control and Air Defence radar installations.

Nature Conservation

The RSPB have indicated that regard should be taken of Scottish Guidance which includes guidance on the potential impacts on habitats of protected species.

The application has been subject to a survey and assessment in respect of bats and no object is raised to the proposal

Other Issues

It is understood that small wind turbines generally do not result in problems to television reception. A condition has been recommended requiring the developer to rectify any television reception difficulties.

In terms of Health and Safety the proposals are not situated in proximity to any roads or buildings having

regard to advice in Annex C, paragraphs 2.19 and 2.20 of "TAN 8".

It is understood that a connection to the grid will be subject of a separate application by the statutory undertaker and as such it is not decisive in the consideration of the current application.

7. Conclusion

The proposal is considered acceptable subject to conditions.

8. Recommendation

Permit.

(01) The development hereby approved shall commence not later than five years from the date of this approval.

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

(02) The planning permission is for a period not exceeding 25 years ("the 25 year period") from the date that the development is first connected to the electricity grid ("the grid"). The dates of (a) first connection to the grid and (b) of the full operation of the turbine "the commissioning" shall be notified in writing to the local planning authority within 28 days of each of these 2 events occurring.

Reason: To enable the Local Planning Authority to review the position in the light of circumstances prevailing at the end of the period.

(03) The turbine hereby approved shall not exceed:

19.25 metres	maximum tip height *(to the upright vertical tip of an attached blade)
15.5 metres	maximum hub height
7.5 metres	maximum rotor diameter

No wind turbine shall be installed on site until details of the make, model, design, size, transformer location, power rating, sound levels, external finish and colour of the proposed turbine has been submitted in writing to, and approved in writing by, the local planning authority.

Reason: To define the scope of the permission having regard to the assessed impact of the development.

(04) At the end of the 25 year period, the turbine shall be decommissioned and all related above ground structures shall be removed from the site. Twelve months before the decommissioning of the turbine, a written scheme for the restoration of the site ("the decommissioning scheme") shall be submitted to the local planning authority for approval in writing. The decommissioning scheme shall make provision for the removal of the wind turbine and its associated ancillary equipment to a depth of at least 1m below ground. All decommissioning and restoration works shall be carried out in accordance with the decommissioning scheme as approved and in accord with the timetable therein.

Reason: To ensure a satisfactory appearance upon cessation of the development.

(05) If the wind turbine hereby permitted fails to produce electricity for supply to the grid for a continuous period of 12 months the wind turbine and its associated ancillary equipment shall be removed to a depth of at least 1m below ground and removed from the site and the land shall be reinstated within a period of 6 months from the end of that 12 month period in accordance with a scheme ("the removal scheme") submitted to and approved in writing by the local planning authority prior to the commencement of the development. The developer shall provide written operational data for the turbine to the local planning authority on reasonable written request.

Reason: In the interests of the amenities of the locality.

(06) Within 6 months of the “the commissioning” and on the written request of the local planning authority including any timescales set out therein; a written mitigation scheme including a timetable (“the mitigation scheme”) setting out the details of work necessary to mitigate any adverse effects to domestic television and radio signals in the area caused by the development shall be submitted to and approved in writing by the local planning authority. The mitigation scheme shall include provision for investigating and dealing with any claim by any person for domestic loss or interference at their household, and any mitigation works must be carried out in accordance with the approved mitigation scheme.

Reason: To safeguard the amenity of the area.

(07) Within 12 months of the “the commissioning” and on the written request of the local planning authority including any timescales set out therein; a written scheme to mitigate any incidence of shadow flicker at any affected property including a timetable (“the alleviation scheme”) shall be submitted to and approved in writing by the local planning authority. The operation of the development shall thereafter be carried out in accordance with “the alleviation scheme”.

Reason: To safeguard the amenities of the occupants of the adjacent dwelling.

(08) All cabling on the site between the wind turbine and the site sub-station shall be installed underground.

Reason: In the interests of amenity.

(09) The development shall not commence until the following has been submitted to and approved in writing by the local planning authority.

- The date construction starts and ends.
- The maximum extension height of any construction equipment.
- The latitude and longitude of the turbine.

The development shall thereafter be undertaken strictly in accord with the details approved under the provisions of this condition.

Reason: To ensure that military aircraft avoid the area and avoid the danger of collision.

(10) No wind turbine shall be installed on site until confirmation of the following has been submitted to and approved in writing by the local planning authority:

1) The turbine shall only be installed by a suitably qualified person, in accordance with the manufactures instructions and the site survey and written confirmation of compliance shall be submitted to the local planning authority within 14 days of the completion of the installation of the turbine.

2) The wind turbine shall be serviced in accordance with the manufacturers recommendations and the local planning authority may request written confirmation of compliance with such servicing on reasonable request.

3) The Noise from the turbine shall not exceed the greater of 40dB $L_{Aeq (5 min)}$ or 5dB(A) above the L_{90} background noise level 3.5m from the facade of any occupied neighbouring property not in the ownership of the applicant. Where the nearest part of any adjacent premises is above ground level, the monitoring location shall be 1m from the facade and a facade correction of -3dB(A) applied. Monitoring data shall be retained by the developer for six years and copies made available to the local planning authority upon reasonable request.

4) The wind turbine shall not be tonal in character.

The development shall thereafter be implemented and retained strictly in accordance with the details approved under the provision of this condition.

Reason: In the interests of the amenities of the occupants of neighbouring dwellings.

(11) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and agreed by the local planning authority.

Reason: To record or safeguard any archaeological evidence that may be present at the site.

(12) No development shall commence until a scheme of landscaping / screening is submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented within 1 month of the erection of the turbine unless otherwise agreed with the Local Planning Authority.

Informatives.

The applicant is advised to seek the written approval of the Highway Authority regarding site compound location, traffic management scheme, vehicle wheel washing facilities (if appropriate), hours and days of operation and the management and operation of construction vehicles.

9. Other Relevant Policies

Gwynedd Structure Plan

FF11 (Traffic)

Ynys Môn Local Plan

1 (General Policy)

Stopped Ynys Môn Unitary Development Plan

GP1 (Development Control Guidance)

7.6

Ceisiadau'n Tynnu'n Groes

Departure Applications

Rhif y Cais: **45C438** Application Number

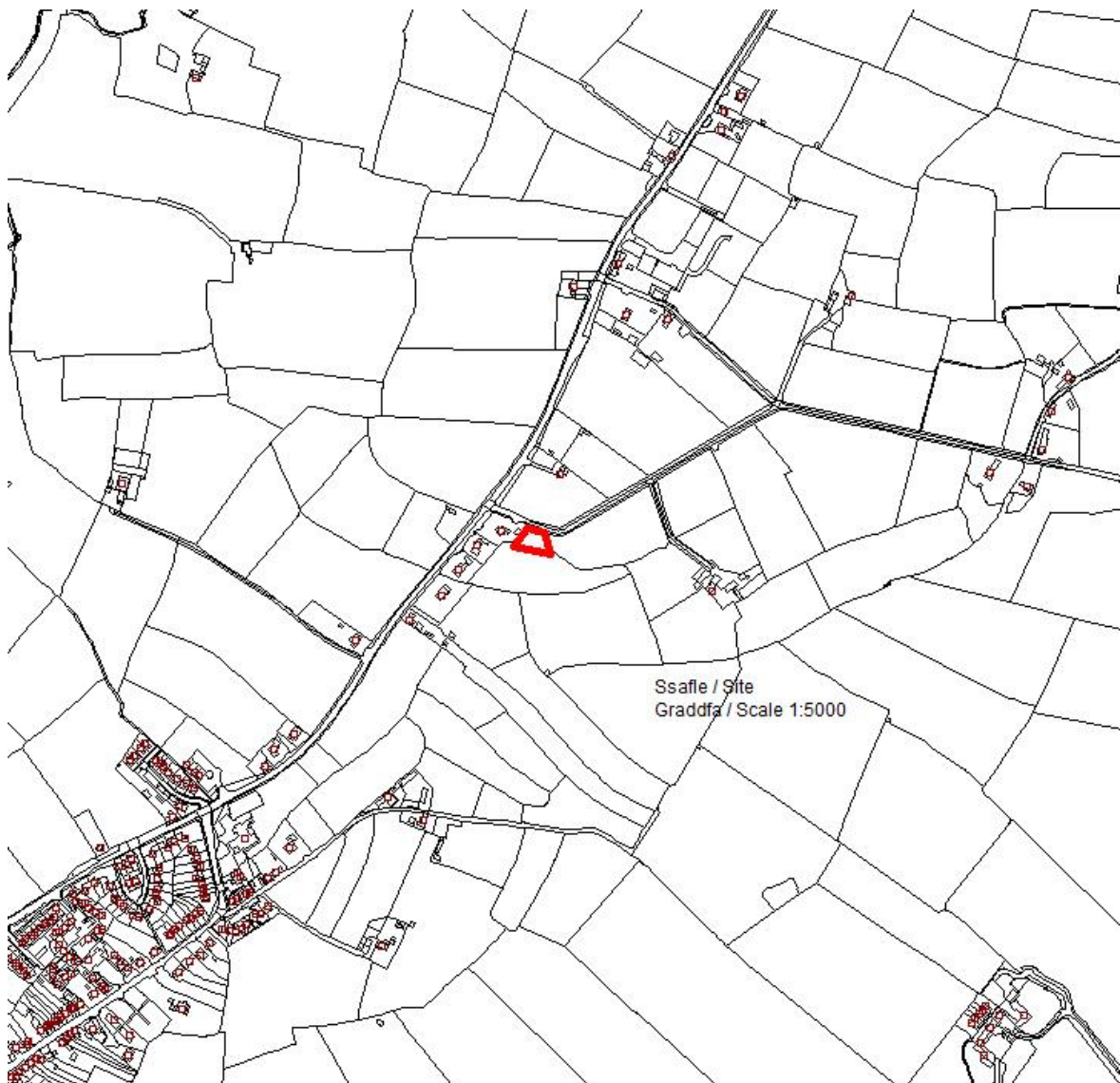
Ymgeisydd Applicant

**Mr John Henryd Williams
c/o Cadnant Planning Ltd
1 Connaught House
Riverside Business Park
Benarth Road
Conwy
LL32 8UB**

Cais amlinellol gyda rhai faterion wedi ei gadw'n ôl ar gyfer codi annedd, chreu mynedfa i gerbydau ynghyd a gosod tanc septic ar dir ger

Outline application with some matters reserved for the erection of a dwelling, the construction of a vehicular access together with the installation of a septic tank on land adjacent to

Bryn Gwyn, Newborough



Planning Committee: 04/12/2013

Report of Head of Planning Service (NJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

The applicant is related to a relevant officer. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

At its meeting held on 6th November the Committee accepted a request by the Local Member Cllr Peter Rogers to defer the application as the applicant was not aware that the proposal was being submitted for consideration at that date. He had asked the Councillor to address the Committee but he was unable to attend that morning. The Committee resolved to defer the application at the Local Member's request.

1. Proposal and Site

The application is in outline form, with the means of access and layout of the site being considered as part of the current application. The proposal is for the erection of a detached two storey dwelling on land next to the dwelling known as Bryn Gwyn, Newborough. The site lies approximately 370 metres away from the development boundary of the village of Newborough.

2. Key Issue(s)

The applications main issues are whether a dwelling in this location would comply with current planning policy and whether the proposal will affect the amenities of the neighbouring properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 - General Policy

Policy 49 - Defined Settlement

Policy 53 - Housing in the Countryside

Gwynedd Structure Plan

Policy A2 - Housing

Policy A6 - New Dwellings in the Countryside

Stopped Unitary Development Plan

Policy HP3 - Main and Secondary Centres

Policy HP6 - Dwellings in the Open Countryside

Planning Policy Wales (5th Edition), November 2012

Technical Advice Note 6 - Planning for Sustainable Rural Communities

4. Response to Consultation and Publicity

Councillor A Griffith - No response to date

Councillor P Rogers – Requested that the application be deferred at the November meeting of the Committee

Community Council - No response to date

Welsh Water - Standard comments

Highways - No response to date

Drainage - Requested further information. At the time of writing this report the information had been received at the department

Response to Publicity: The application was afforded three means of publicity. These were by the placing of a notice near the site, the serving of personal notifications on the owners of neighbouring properties together with a notice in the local press. The latest date for the receipt of representations was 30th October, 2013. At the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

None

6. Main Planning Considerations

Policy Context - The site lies approximately 370 metres away from the development boundary of Newborough as defined under Policy 49 of the Ynys Môn Local Plan and Policy HP3 of the Stopped unitary Development Plan and is therefore considered as a departure to current policies. Policy A2 of the Gwynedd Structure Plan indicates that housing land will be located within or on the edge of existing settlements. Policy 53 of the Ynys Môn Local Plan and Policy HP6 of the stopped Unitary Development Plan states that on land in the open countryside the council will refuse permission except where the listed criteria are satisfied. Policy A6 of the Gwynedd Structure Plan, Policy 53 of the Ynys Môn Local Plan and Policy HP6 of the Stopped Unitary Development Plan allow the development of housing in the countryside in exceptional circumstances, for example, which an agricultural or forestry need for a dwelling in that particular location is shown to exist. This is re-affirmed in Planning Policy Wales and the advice contained within Technical Advice Note 6: Agricultural and Rural Development. There is no justifiable need for the erection of a new dwelling at this particular location. No such evidence has been submitted as part of the application. The applicant states within the Design and Access Statement that the site lies within a cluster of dwellings and therefore complies with the requirement of Policy PT2 of the adopted Housing in Rural Clusters. The document has identified clusters which satisfy the criteria of PT2 and the site that forms the current application is not one of the recognised settlements. Therefore the proposal does not comply with the requirements of the Interim Planning Policy: Housing in Rural Clusters.

7. Conclusion

The application is a departure from housing policies which seek to strictly control new development in countryside locations to those which are necessary and justified.

8. Recommendation

Refuse

(01) The local planning authority consider that the proposal would amount to the erection of a new dwelling in the countryside for which no long term need is known to exist for the purposes of agriculture or forestry; the development would therefore be contrary to the approved Policy A6 of the Gwynedd Structure Plan, Policy 53 of the Ynys Môn Local Plan, Policy HP6 of the stopped Unitary Development Plan and the advice contained within Planning Policy Wales (5th Edition, 2012) and Technical Advice Note 6: Planning for Sustainable Rural Communities.