

7.1

Gweddill y Ceisiadau

Remainder Applications

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

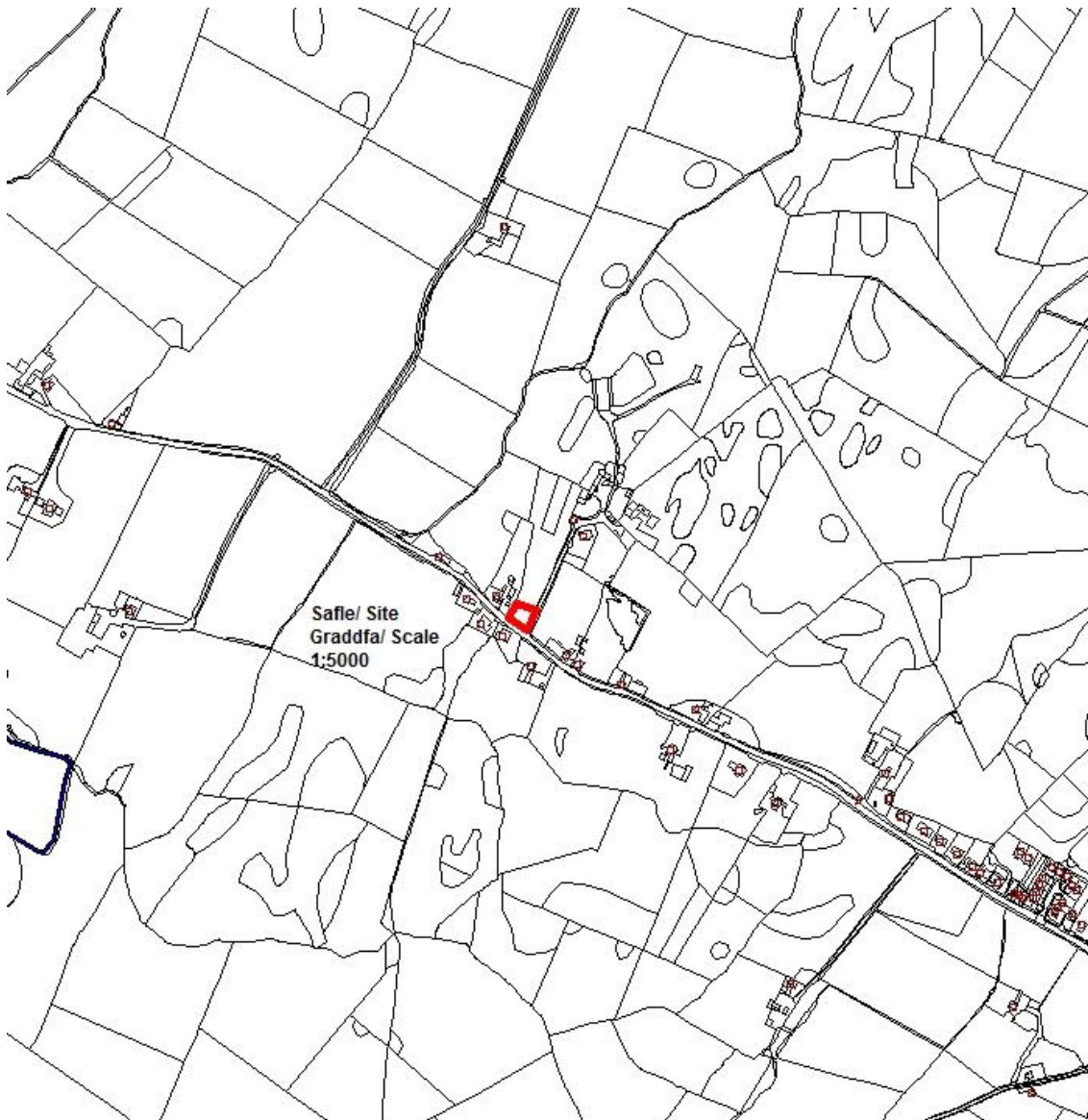
Ymgeisydd Applicant

**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: 02/04/2014

Report of Head of Planning Service (NJ)

Recommendation:

Permit

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 PT2 in relation to housing in rural clusters and complies with Policy 50 of the Ynys Môn Local Plan.

At its meeting held on 6th December discussion of the reasons for approving the application contrary to officer recommendation was undertaken. It was resolved to defer consideration of the application in order to allow the Planning Officer to consult with the applicant regarding the provision of evidence of an affordable housing need.

That consultation has now been completed and additional information has been provided by the applicant.

At its meeting held on 5th March however the Committee resolved to undertake a site visit in order to assess the proposal and in particular the proposed access to the site, before making its determination.

In the interim the applicant submitted a revised proposal for access.

The site was visited on 19th March 2014.

1. Proposal and Site

The application is a full application for the erection of a detached two storey dwelling together with the construction of a new vehicular access. The Highway Authority objected to the access as originally proposed due to substandard visibility. Further to discussions with the Highway Authority a revised access proposal has now been submitted and is the subject of consultation. The site lies to the north west of the settlement of Llynfaes within a cluster of dwellings. The land forms part of the curtilage of the dwelling known as Glasfryn and lies fronting the B5109. A new access is proposed onto the existing track that serves the existing properties.

2. Key Issue(s)

The applications main issues are whether the proposal complies with current policies on the provision of affordable housing; whether the proposal will affect the amenities of the neighbouring properties and whether the proposal will have a detrimental effect on highway safety.

3. Main Policies

Ynys Môn Local Plan

Policy 1 - General Policy

Policy 31 - Landscape

Policy 50 - Listed Settlement

Policy 53 - Housing in the Countryside

Gwynedd Structure Plan

Policy A2 - Housing Policy

D4 - Location, Siting and Design Policy

D28 - Design Policy

D29 - Design

Stopped Unitary Development Plan

Policy GP1 - Development Control Guidance

Policy GP2 - Design

Policy HP5 - Countryside Hamlets and Clusters Policy HP6 - Dwellings in the Open Countryside Policy EN1 - Landscape Character

Planning Policy Wales, 6th Edition

Interim Planning Policy - Housing in Rural Clusters (December, 2011)

Technical Advice Note 2 Planning and Affordable Housing

4. Response to Consultation and Publicity

All consultees have been consulted on the receipt of the amended access proposal for the development but no replies had been received at the time of writing this report. The following represents the consultee replies prior to the access amendment:

Community Council - No response at the time of writing this report

Councillor Bob Parry - Call-in - The location of the dwelling is in a cluster and should be granted

Councillor Dylan Rees - No response at the time of writing this report

Councillor Nicola Roberts - No response at the time of writing this report

Welsh Water - Standard comments /informative

Natural Resource Wales - No response at the time of writing this report

Highways – Recommendation of refusal on the original access proposal. A revised access proposal has been received and the formal recommendation of the Highway Authority was awaited at the time of writing.

Drainage - Comments / informative

Footpath Officer - Standard comments / informative

Housing Service – The applicants are confirmed as complying with affordable housing needs policies; mortgage providers are not currently providing mortgages on self-build projects with affordable housing S106 agreements but are providing mortgages on the standard Anglesey S106 agreement; mortgages may be reintroduced in the future; the availability or otherwise of mortgages is not within the influence of the Council but is not an indication that the policy itself is ineffective.

Further to the receipt of an amended access proposal, further publicity has been undertaken. The latest date for the receipt of representations was the 10/04/2014 and at the time of writing this report no letters of representation had been received at the department.

Supporting documentation has been submitted by the applicants including evidence of lack of mortgage availability offer to them where S106 restrictions are imposed and details in relation to the need for the dwelling. However it was reported at the meeting of the Planning and Orders Committee held on 5th March that the applicant had confirmed a willingness to enter into a S106 agreement in accordance with Policy PT2 requirements. The applicants have been assessed by the Housing Service on the basis of information submitted to demonstrate affordable housing need.

5. Relevant Planning History

14C135 - Erection of a bungalow together with alterations to the existing access on part of OS enc 4775, Glasfryn, Bodwrog - Refused 04/08/97. One of the reasons for refusal was that the proposal would consolidate sporadic development unrelated to any village nucleus and as such would detrimentally affect the amenities and character of the area.

6. Main Planning Considerations

Policy Considerations: 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 applicants have been assessed in accordance with affordable housing policy criteria and are considered to be in need of affordable housing. Details have been provided of why a dwelling available in the locality at an affordable price is unsuitable and justification provided for the size of dwelling proposed in the application.

The applicants have provided evidence that self-build mortgages are not readily available currently for affordable dwellings where S106 legal agreements are in place.

The application was originally made is for full planning permission for a dwelling as an exception under the Housing in Rural Clusters Policy PT2 but without the 'affordable housing' restriction attached. However, it was verbally reported to the March meeting of the Planning and Orders Committee that the application was amended in as much as the applicant had confirmed acceptance of the principle of a s106 agreement to restrict the dwelling as an affordable dwelling under the requirement of Policy PT2.

The applicants comply with the affordable housing policies and the justification for the dwelling is considered acceptable. The application has been amended in as much as the applicants accept the requirement for a s106 agreement to limit future occupancy as an affordable dwelling to meet local housing needs in perpetuity.

Effect on amenities of neighbouring properties - There is ample space within the site to accommodate the dwelling, provision of parking and turning area and private amenity area without affecting the amenities currently enjoyed by the occupants of the surrounding properties.

Highway Considerations: The applicant has, following discussions with the Highway Authority, submitted a revised access proposal for the site to overcome the objection to the application on grounds of substandard visibility following discussion with the Highway Authority. The formal recommendation of the Highway Authority was awaited at the time of writing.

7. Conclusion

The applicants have been assessed as being in affordable housing need and justification has been provided for the dwelling in this respect. The proposal therefore meets Policy PT2 requirements.

The applicant has indicated a willingness to enter into a S106 agreement to secure the dwelling as an affordable dwelling in accordance with Policy PT2 requirements.

The applicant has submitted a revised access proposal for the site in order to overcome the highway safety objection to the scheme. Subject to the Highway Authority recommendation, the scheme is considered acceptable.

8. Recommendation

Subject to the expiry of consultations and subject to no new issues arising which have not already been considered in the determination of this application; subject to the recommendation of the Highway Authority and any additional conditions required in relation to access arrangements and subject to a S106 agreement

to limit occupancy of the dwelling to local persons in affordable housing needs in accordance with Policy PT2 requirements, the recommendation is to **permit** the proposal subject to the following:

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

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

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

Reason: To ensure a satisfactory appearance of the development.

(03) No development shall take place until the access and visibility splays detailed on drawing number 107 AL.1.02 Revision D received on 16-3-14 under planning reference 14C135A have been completed and made available for use.

Reason: to provide adequate visibility at the access for users of the site and of the public highway

(04) 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.

(05) 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.

(06) 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.

7.2

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **19C1046C/LB** Application Number

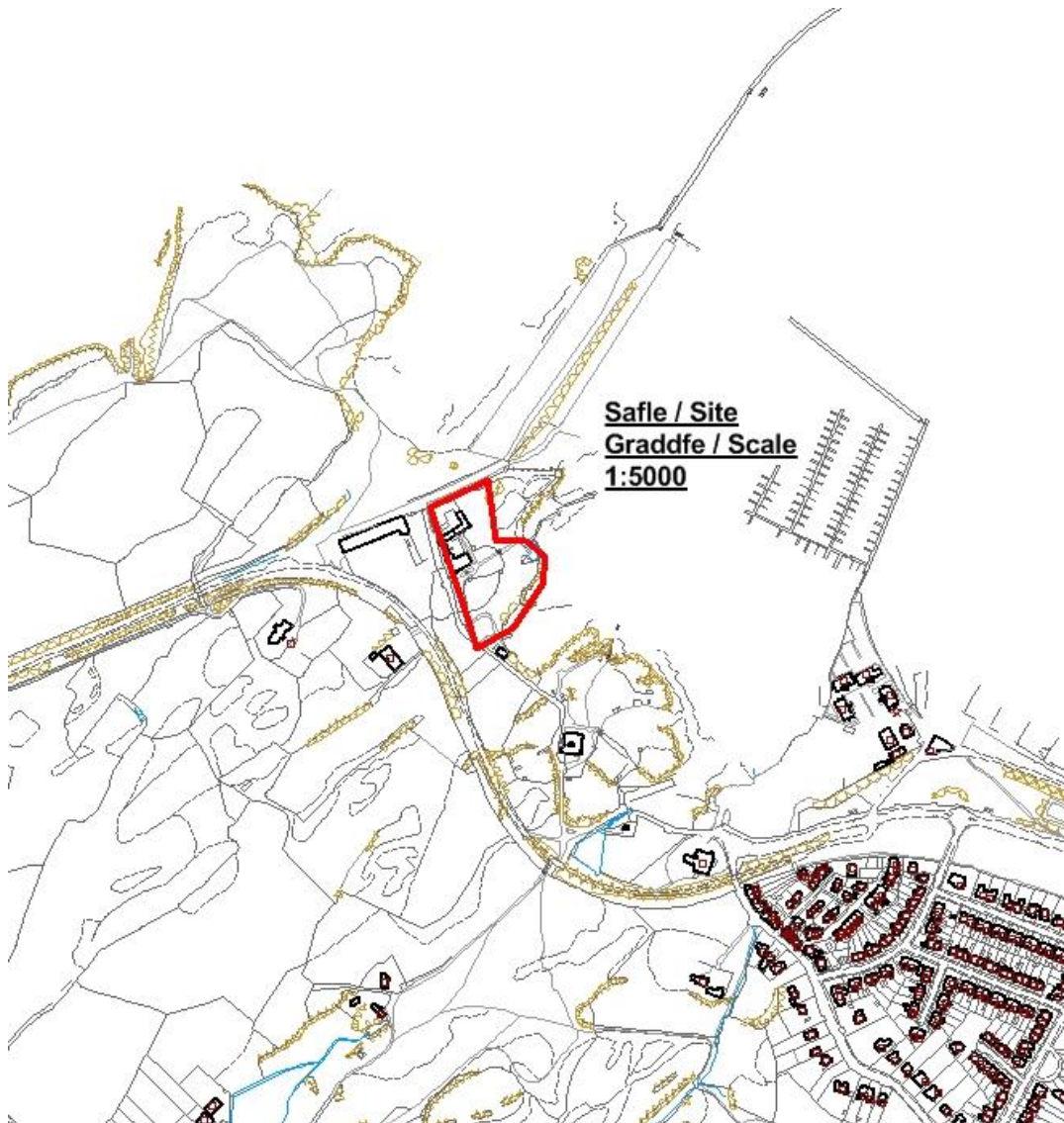
Ymgeisydd Applicant

**Conygar Stena
c/o Mr Jeffrey St Paul
Jeff St Paul Consulting
Tyddyn Sadler
Cerrigceinwen
Bodorgan
Ynys Môn
LL62 5EF**

Cais am ganiatâd adeilad rhestredig ar gyfer
dymchwel rhan o'r ty yn

Application for listed building consent for demolition
of part of the house at

Soldiers Point, Holyhead



Planning Committee: 02/04/2014

Report of Head of Planning Service (AMG)

Recommendation:

Permit

Reason for Reporting to Committee:

At its meeting held on the 5th March 2014 the Members resolved that a site visit should take place prior to determining the application. The site visit took place on the 19th March 2014 and the Members will be familiar with the site and its setting.

1. Proposal and Site

The site is situated adjacent to the breakwater in Holyhead and is located within the designated Holyhead Conservation Area. The building is included in the statutory register of listed buildings on Anglesey and Wales as being grade II. The subject building is physically connected to another grade II listed building namely the elaborate castellated screen wall and service buildings which form two courtyards.

The application is for Listed Building Consent for demolition of part of the house at Soldiers Point, Holyhead.

2. Key Issue(s)

The main planning issues are whether the proposal will have an affect on the character of the listed building.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 40 – Conservation of Buildings

Policy 41 – Conservation of Buildings

Policy 42 – Design

Gwynedd Structure Plan

Policy D3 – Conservation Areas

Policy D4 – Location, Siting and Design

Policy D21 – Listed Buildings

Policy D22 – Listed Buildings

Policy D23 – Demolition of Listed Buildings

Policy D24 – Demolition Within Conservation Areas

Policy D29 – Standard of Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN13 – Conservation of Buildings

Planning Policy Wales, Edition 6, February 2014

Technical Advice Note 12: Design

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

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

Conservation Area Character Appraisal - Holyhead Beach

4. Response to Consultation and Publicity

Councillor Robert Llewelyn Jones – Referred the application to the Planning and Orders Committee for determination as the building is an icon building for Holyhead and there is a need to look in depth at what is

proposed by the application.

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

Councillor Arwel Roberts – Has concerns regarding the amount of the building that will be demolished.

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

The Ancient Monuments Society - No response received at time of writing the report.

The Council for British Archaeology - No response received at time of writing the report.

The Georgian Group - No observations to make

The Royal Commission on the Ancient and Historical Monuments of Wales – There will not be a need to make a special record of this structure if consent for demolition is granted.

The Society for the Protection of Ancient Buildings - No response received at time of writing the report.

The Victorian Society - No response received at time of writing the report.

Gwynedd Archaeological Trust - No response received at time of writing the report.

Public Consultation – The proposal was advertised through three means of publicity; the placing a site notice near the site, the distribution of personal letters of notification to the owners/occupiers of properties in the immediate locality together with a notice in the local newspaper. At the time of writing this report one letter of representations had been received at the department. The main issues raised can be summarised as follows:

i) This application appears to be out of step with planning application 19C1046A/EIA/ECON as the application states the restoration of listed building 'Soldiers Point' as a "tourist / leisure / training facility, to include the relocated Maritime museum and workshop, together with new, subterranean visitor centre. This would be achieved by bringing the currently derelict Soldiers Point buildings back into beneficial use". The Holyhead Waterfront development outline planning consent has not yet realised any full planning detail and as such this application seems contrary to the stated aims of the original application. It is argued that any plan for Soldiers Point should be within the full planning detail for the whole project. This application would put the restoration of Soldiers Point at risk as it is most likely that without a plan for the whole building and proper support measures put in place the building would collapse. Soldiers Point is an important part of Holyhead's heritage and must be preserved as a focal point for tourism and benefit the local economy.

Response – This application is for Listed Building Consent for the demolition of the single storey service wing which connects the original house to the contemporary service block. On the 15th September 2011 the main house was subjected to a catastrophic fire which resulted in almost the complete loss of the interior of the building. The proposed demolition is to help secure what remains of the house from unauthorised entry and arson. It is not considered that the proposed demolition will have an adverse impact on the special architectural or historical importance of the building, the value of the heritage asset or its setting. The proposed demolition will contribute to improving the security of the site and the survival of the house. Any further proposals for Soldiers Point will be subject to the requisite planning consent.

5. Relevant Planning History

19C1046/SCO- Request for Scoping Opinion for regeneration works comprising of: 1) a pontoon system of floating boardwalks, protected by a new breakwater, with capacity for approximately 500 boats; 2) a marina office (Captainerie and washroom); 3) a chandlery; 4) approximately 400 residential units; 5) a hotel; 6) leisure \ retail units; 7) a new sailing club building; 8) boat storage facilities; 9) boat maintenance facilities; 10) car parking and hard/soft landscaping 11) infrastructure including new roads and drainage systems and to include reclamation of land from the sea at Holyhead Waterfront, Holyhead – Environmental Impact Assessment Required 29/01/2010

19C1046A/EIA/ECON - Outline application for a mixed-use development consisting of a new marina, residential properties, a hotel, commercial, leisure and retail uses together with associated land reclamation and service infrastructure at Holyhead Waterfront, Holyhead – Approved 14/02/2014

19C1046B/SCR - Screening opinion for the erection of 25 vertical axis wind turbines with a maximum height of 23.5m on land at Holyhead Port, Holyhead – Withdrawn 25/08/2011

19C179 - Retention of caravan at rear of Soldiers Point Hotel, Holyhead – Refused 30/06/1986

6. Main Planning Considerations

Affect of the proposal on the character of the listed building – The proposal entails the demolition of the single storey service wing which connects the original house to the contemporary service block. On the 15th September 2011 the main house was subjected to a catastrophic fire which resulted in almost the complete loss of the interior of the building. The proposed demolition is to help secure what remains of the house from unauthorised entry and arson. The Conservation Area Character Appraisal for Holyhead Beach identifies that the extensions proposed for demolition were constructed between 1852 and 1900. It is not considered that the proposed demolition will have an adverse impact on the special architectural or historical importance of the building, the value of the heritage asset or its setting. The proposed demolition will contribute to improving the security of the site and the survival of the house.

7. Conclusion

Comments have been received from consultees and all material considerations have been taken into account but have not altered the recommendation made.

8. Recommendation

Permit subject to no adverse observations received by CADW.

(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 Planning (Listed Buildings and Conservation Areas) Act 1990.

(02) No works authorised by this consent shall take place until: a programme of building recording and analysis; the making of a detailed record; a watching brief during the works affecting the historic fabric; has been undertaken by a person or body approved by the local planning authority and in accordance with the scheme approved by the local planning authority in writing.

Reason: To ensure that the development is in the interest of the protection of the listed building(s)

(03) Before any work begins, the method of ensuring the safety and the stability of the buildings and their fabric to be retained throughout the period of demolition, structural engineers' drawings and or a method statement, indicating the proposed method shall be approved in writing with the local planning authority and carried out in accordance with the scheme approved.

Reason: To ensure that the development is in the interest of the protection of the listed building(s)

(04) Before any work begins, the method of proposed demolition in the location of the two listed buildings to be retained shall be approved in writing by the local planning authority and the work shall be carried out with the scheme approved.

Reason: To ensure that the development is in the interest of the protection of the listed building(s)

(05) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 04/12/2013 & 23/01/2014 under planning application reference 19C1046C/LB

Reason: For the avoidance of doubt.

NOTE: This decision notice refers to the granting of Listed Building Consent only. Planning Permission may also be required and until such time as the necessary permission is granted no development may be carried out at the property.

7.3

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **33C302** Application Number

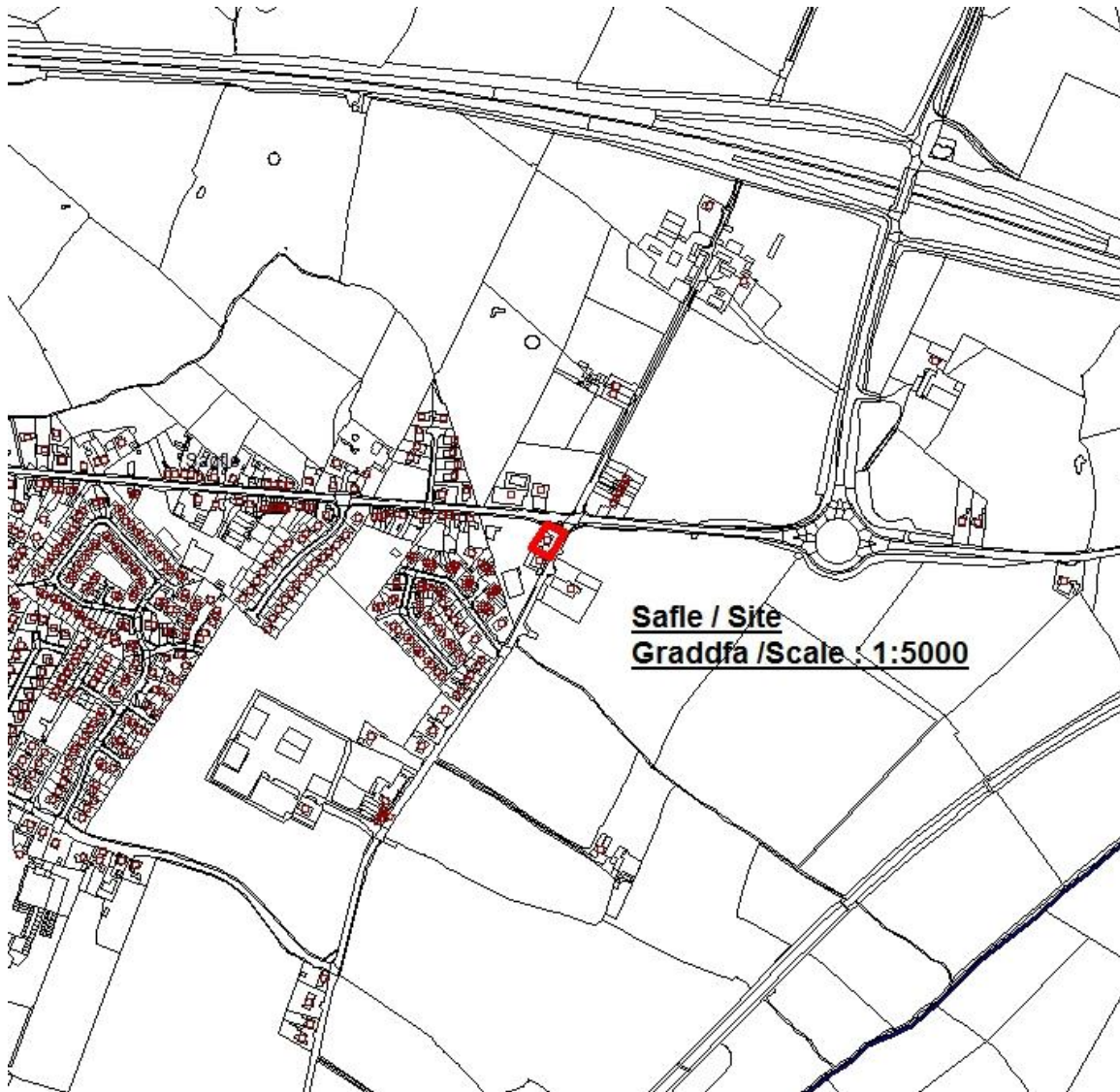
Ymgeisydd Applicant

Mr S. C. Lee
c/o ERW Consulting
Llys Elwen,
Engedi,
Bryngwran,
Anglesey,
LL65 3RR

Cais llawn i newid defnydd o annedd (C3) i fod yn rhan o (A3) siop i werthu pethau poeth i fwyta allan a rhan annedd (C3) ynghyd a chreu ychwanegiad i safle parcio yn

Full application for change of use from a dwelling (C3) into a part (A3) hot food takeaway and part (C3) dwelling together with creation of additional parking at

Penffordd, Gaerwen



Planning Committee: 02/04/2014

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application was initially submitted to the Planning and Orders Committee at the request of the Local Member. At its meeting held on 5th March the Members resolved to undertake a site visit prior to making a determination. The site was visited on 19th March.

1. Proposal and Site

The site is situated within the development boundary of the village of Gaerwen and is located on a cross roads on the A5, on the Gaerwen Station Road, next to the Ty Crwn Garage and opposite the Gaerwen Arms. A car sales garage is situated to the rear of the property and the Stermat store and filling station is located on the opposite side of the A5.

The property is currently a bungalow. The proposal is to change the use of the bungalow into a mixed use as a hot food takeaway and living accommodation. Parking provision is made within the site.

2. Key Issue(s)

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

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 2 – New Jobs

Policy 5 – Design

Policy 21 - Hot Food Takeaways

Policy 26 – Parking Standards

Gwynedd Structure Plan

Policy B1 – Employment

Policy D4 – Location, Siting and Design

Policy E1 – New Retail Developments

Policy FF1 – Traffic Generation

Policy FF12 – Parking Provision

Stopped Unitary Development Plan

Policy GP1 – Development control Guidance

Policy GP2 – Design

Policy TR10 – Parking Standards

Policy EP13 – Hot Food Takeaways

Planning Policy Wales (Edition 6)

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

Supplementary Planning Guidance – Parking Standards

Supplementary Planning Guidance – Hot Food Takeaways

Technical Advice Note 18 - Transport

4. Response to Consultation and Publicity

Cllr V Hughes: requests that the Committee visit the site in order to give full consideration to the location in relation to highway safety issues.

Cllr H E Jones – no reply at the time of writing

Community Council – No reply at the time of writing

Welsh Water – Recommended conditional approval

Highways – Concerns expressed in relation to original plans. Formal response awaited at the time of writing in relation to amended parking proposals but considered that refusal would be difficult to sustain on appeal. Traffic Order to introduce parking restrictions may be of assistance but cannot be conditioned as part of any approval and is subject to a separate formal process.

Drainage – Requested further information with regards to the means of management of surface water.

Environmental Services – comments for operational phase

JPPU – no objection in principle

North Wales Police – no reply at the time of writing

Response to Publicity

The application was publicised by the posting of a site notice near the site and the serving of personal notifications on the occupants of neighbouring properties. The latest date for the receipt of representation was 18th February 2014. At the time of writing this report 1 letter of representation had been received at the department. The main issues raised were:

i) safety of garage premises due to more people in the locality with food being served late at night when the garage is closed;

ii) the property is located on a dangerous junction and the parking of cars will cause problems with the flow of traffic. There is insufficient space on site for parking which will lead to parking on the roads and pavements in the vicinity.

In addition a letter of support has been received from the agent containing additional information to indicate that hot food takeaways of the type proposed operate on the basis of some 60/70% orders delivered to customers' homes with between 30 and 40% of orders being taken directly at the premises by visiting customers.

5. Relevant Planning History

None

6. Main Planning Considerations

Effect on surrounding properties – The property is currently a vacant dwelling. On its shared boundaries are an MOT test centre / garage and a car sales area; opposite the entrance to the site is the Gaerwen Arms public house; opposite the site on the A5 is the Stermat store and filling station. The property is surrounded by commercial development. There is a bus stop near the site entrance and near the boundary of the site on the A5.

A terrace of dwellings is located opposite the Stermat complex; there are dwellings at the Ty'n Rhos Estate to the south of the site and fronting the A5 some hundred meters distant.

It is not anticipated that the use of the property as a hot food takeaway will affect residential amenities or the general amenities of the area to such an extent as to warrant refusal. The property is situated in a commercial area and even activity later into the evening will not impact residential amenities to a degree sufficient to warrant refusal.

Concern has been expressed regarding the security of nearby property due to increased activity in the

locality later at night. A public house is situated opposite the site and it is unclear why there should be any more risk from a takeaway than from this establishment. The proposal includes living accommodation which would secure an on-site presence overnight.

Affect on Highway Safety – The highway Authority objected to the originally submitted scheme due to pedestrian/ vehicular conflicts in the proposed layout and vehicular manoeuvring near the junction. An amended layout has since been received which meets Parking Standards in relation to parking spaces contained within the curtilage.

The site is located on a busy crossroads which has no parking restrictions. Albeit the Highway Authority considered that parking restrictions would assist such a requirement cannot be imposed as a condition or through a legal agreement as it would need to follow a separate process where objections can legitimately be raised. The Highway Authority considered that refusal on appeal would be difficult to sustain.

The agent has submitted additional information to the effect that only between 30 – 40% of orders are taken directly at the premises and collected on site by customers, with 60 – 70% being delivered to customers' homes.

Technical Details – Additional drainage details have been received and were under consideration at the time of writing.

7. Conclusion

The site is situated in a commercial area of the village and is unlikely to generate unacceptable amenity effects.

The parking arrangements have been modified following discussions with the Highway Authority and no objection is raised on highway safety grounds.

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 premises shall not open to the public before 12pm midday or after 10pm any evening.

Reason: In the interests of amenity

(03) All fumes from the food preparation area shall be mechanically extracted and the extraction system shall be provided with a deodorising filter: all fans and pumps shall be so mounted and installed so as not to give rise to any noise nuisance. Full details of the means of extraction of fumes from the premises to the outside, including the siting of any associated external duct work, vents or extractor fans, shall be agreed in writing with the Local Planning Authority before the development is commenced.

Reason: In the interests of amenity

(04) No use of the premises shall take place for the sale of hot food until the car parking and turning spaces shown on drawing number AL.0.02 Revision B dated 22 January 2014 have been made available for use.

Reason: In the interests of highway safety

7.4

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **44C294B** Application Number

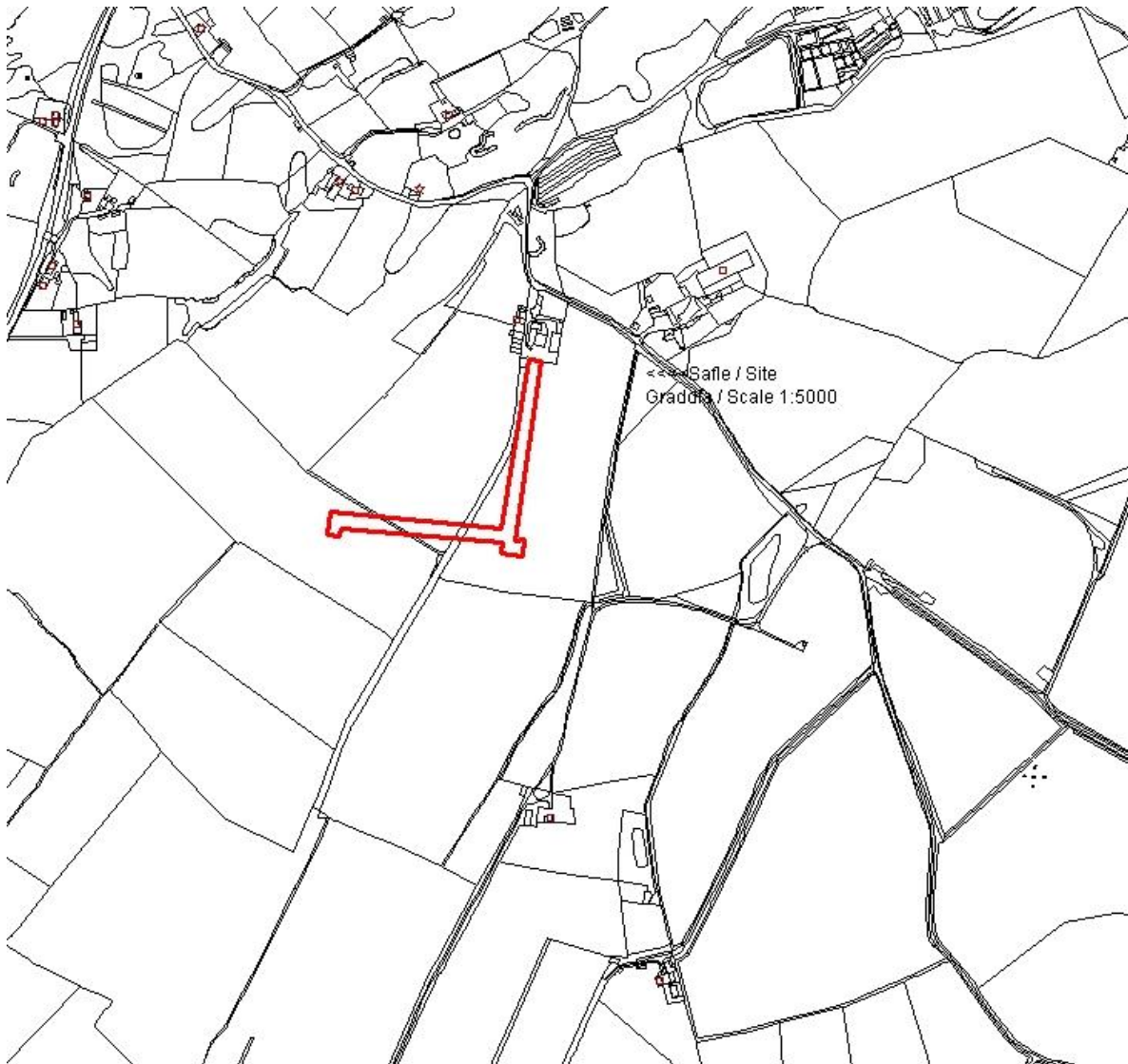
Ymgeisydd Applicant

**Mrs Hilda Owen
c/o Mr John McGarry
Entrust
Daresbury Innovation Centre
Daresbury
Cheshire
WA4 4FS**

Cais llawn i godi twrbin gwynt 20kW gyda uchder hwb hyd at 20.5m, diamedr rotor hyd at 13.1m ac uchder blaen unionsyth fertigol hyd at uchafswm o 27.1m ar dir yn

Full application for the erection of a 20kW wind turbine with a maximum hub height of 20.5m, a rotor diameter of 13.1m and a maximum vertical upright height of 27.1m on land at

Plas Newydd, Rhosybol



Planning Committee: 02/04/2014

Report of Head of Planning Service (MTD)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is reported to the committee as it has been decided that delegated powers will not be used in connection with wind turbine developments.

Members will recall visiting the site on the 16th October 2013

1. Proposal and Site

The application was originally made for two wind turbines with a maximum height to the tip of the blades of 27.1 metres and a maximum rotor diameter of 13.1metres. The rated power of each turbine is 20kw.

Following an objection from GATS the scheme has now been amended to an application for 1 turbine which is located to the east of the track.

2. Key Issue(s)

- Principle of the development
- Landscape and Visual Impact
- Residential Amenity.

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy

D3 Landscape Conservation Area

D10 Protection of Natural heritage

Ynys Môn Local Plan

31 Landscape

45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

EP 18 Renewable Energy

EN1 Landscape Character

Planning Policy Wales Edition 6

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

Technical Advice Note 8 Renewable Energy (2005)

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)

Supplementary Planning Guidance On shore wind energy January 2013

4. Response to Consultation and Publicity

Community Council - No Comments

Drainage - comments

Environmental Services - Conditions

Environmental Advisor - No objection

Landscape - No objection

MOD. - No objection

Natural Resources Wales -No objection

73 letters have been received points raised include;

There is a SSSI in close proximity there is a presumption against development likely to harm such a site;

There are 3 scheduled ancient monuments nearby;

Trysglwyn wind farm is in close proximity and the proposals would be contrary to TAN8;

The cumulative impact should be assessed;

Questionable if the 20kw capacity of the turbines is sufficient in relation to their associated impacts on the wider landscape;

One very large windturbine will be created;

Why are 2 required for domestic use;

Major construction will be required for access;

Amenity will be harmed;

There will be harm to Parys mountain;

Tourism will be harmed.

5. Relevant Planning History

44C294/SCR - Screening opinion for erection of one wind turbine with a maximum hub height of up to 20.5m, rotor diameters of up 13.1m and a maximum upright vertical tip height of up to 27.1m on land at Plas Newydd, Rhosybol. No EIA required - 24/01/14

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 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. 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.

Policy EP18 (Renewable Energy) of the Stopped UDP states renewable energy projects will be permitted where it can clearly be demonstrated that there will not be any significant adverse impact on the listed criteria.

Landscape and Visual Impact

This has been assessed and is considered acceptable not having an unacceptable impact on the landscape. It should be noted that the site is 0.3km from the AONB.

Residential Amenity

The SPG On Shore Wind Energy prescribes a distance of 500m separation between medium sized turbines and dwellings. Whereas there are dwellings within this distance with the closest being 228m away, given the nature of the landscape and screening it is not considered that there would be undue harm to those properties.

This concurs with the residential amenity assessment carried out in the applicants submissions

7. Conclusion

It is considered that the site can accommodate the proposed turbines without undue harm to visual or residential amenity

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:

27.1 metres	maximum tip height *(to the upright vertical tip of an attached blade)
20.5 metres	maximum hub height
13.1 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 manufacturer’s recommendations and the local planning authority may request written confirmation of compliance with such servicing on reasonable request.

3) The level of noise emissions from the turbines hereby permitted when measured 3.5m from the façade of any dwelling which lawfully existis or has planning permission for construction at the date of this planning permission shall not exceed 33dB LA90, 10min or 5dB(A) above prevailing LA90, 10 min background noise levels (inclusive of any tonal penalty agreed in writing by the local planning authority) up to wind speeds of 10 m/s derived at height of 10m above ground level at a location near to the turbine. All instrumentation and methodology, for evaluating compliance with this condition and the positions of all measurements of noise and wind speed, shall have been approved in writing

by the local planning authority prior to the commencement of the development.

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 (including any groundworks or site clearance) shall take place until an archaeological specification has been submitted and approved in writing by the archaeological advisors to the Local Planning Authority. The development and all archaeological work shall be carried out and completed in accordance with the approved specification, unless otherwise agreed in writing by the archaeological advisors to the Local Planning Authority.

Reason: To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2012 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

(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 Mon Local Plan

1 (General Policy)

35 (Nature Conservation)

Stopped Anglesey Unitary Development Plan

GP1 (Development Control Guidance)

EN4 (Biodiversity)

Technical Advice Note 5 Nature Conservation and Planning (2009)

Technical Advice Note 11 Noise (1997)