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CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL

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RHYBUDD O GYFARFOD	NOTICE OF MEETING	
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE	
DYDD MERCHER, 9 IONAWR, 2013 ➔ 1.00 o'r gloch ←	WEDNESDAY, 9 JANUARY 2013 ➔ 1.00 pm ←	
SIAMBR Y CYNGOR- SWYDDFEYDD Y CYNGOR, LLANGFNI	COUNCIL CHAMBER - COUNCIL OFFICES, LLANGFNI	
Swyddog Pwyllgor	Mairwen Hughes (01248) 752 516	Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

W J Chorlton
E G Davies
Lewis Davies
R Dew
Jim Evans
K P Hughes
W T Hughes
Vaughan Hughes
C McGregor
R L Owen
J A Roberts (Cadeirydd/Chair)
Eric Roberts
H W Thomas

A g e n d a

Members are reminded that background papers referred to within committee reports are available for inspection in electronic format on the day of the meeting at the Council Chamber from 12.30 p.m. onwards; alternatively these may be inspected at the Development Control section during normal office hours. Documents referred to in reports may also be viewed in full on the electronic application files.

Any additional information to hand following publication of reports will be verbally reported upon to the meeting.

Before a decision notice is released conditions of approval or reasons for refusal given in written reports may be subject to minor amendments to account for typographical errors.

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None to be considered by this meeting.

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None to be considered by this meeting.

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None to be considered by this meeting.

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Planning and Orders Committee

Minutes of the meeting held on 5 December, 2012

- PRESENT:** Councillor J.Arwel Roberts (Chair)
Councillor W.T.Hughes (Vice-Chair)
- Councillors Lewis Davies, Richard A.Dew, Jim Evans, Kenneth Hughes,
Vaughan Hughes, Clive McGregor, R.L.Owen, Eric Roberts
- IN ATTENDANCE:** Planning Development Manager (DFJ)
Planning Assistants
Senior Engineer Development Control (EJ)
Legal Services Manager
Committee Officer (ATH)
- APOLOGIES:** Councillors W.J.Chorlton, E.G.Davies
- ALSO PRESENT:** Local Member: Councillor A.M.Jones (for application 7.2)
-

1 APOLOGIES

Apologies for absence were submitted as noted above.

2 DECLARATION OF INTEREST

Declarations of interest were received and recorded under the respective items.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 7 November, 2012 were submitted and confirmed as correct.

4 SITE VISITS

The minutes of the site visit held on 21 November, 2012 were submitted and confirmed as correct.

5 PUBLIC SPEAKING

The Chair informed the Committee that there would be public speakers in respect of applications 7.1 and 7.2

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 10C114A Full application for the siting of a solar array farm on land adjacent to Tai Moelion, Ty Croes

The Planning Development Manager informed the Committee that it is recommended that Members visit the application site prior to making any determination on account of the nature and scale of the development.

It was resolved to undertake a site visit in accordance with the Officer's recommendation.

6.2 37C174C Full application for the erection of one wind turbine with a maximum hub height of up to 36.5m, a maximum rotor diameter of up to 30m and a maximum vertical tip height of up to 46.1m together with the installation of a control kiosk and access track on land at Tre-lfan, Brynsiencyn

The Planning Development Manager reported that it is considered that it would be beneficial for the Members to view the site and its context prior to determining the application.

It was resolved to undertake a site visit in accordance with the Officer's recommendation.

6.3 39C285D Full application for the erection of 17 dwellings on land at Lon Gamfa, Menai Bridge

The Planning Development Manager informed the Committee that the Local Member had requested that a site visit be made; it was also considered necessary for Members to view the site and its context before considering the application in the meeting scheduled for January, 2013.

It was resolved to visit the application site for the reasons stated.

6.4 41C103N Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 33m and a maximum upright vertical tip height of up to 62m, the construction of an access track together with the erection of an equipment housing cabinet on land at Ty Gwyn, Penmynydd.

The Planning Development Manager reported that a site visit was held on 21st November, 2012. However, new information with a view to addressing an objection to the application by the Countryside Council for Wales has just been received. In order to allow consultees an opportunity to review that information it is recommended that the application is deferred with a view to presenting a full report and recommendation to the Committee's meeting in January, 2013.

It was resolved to defer the consideration of the application for the reason given.

7 APPLICATIONS ARISING

7.1 20C277 Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 56m and a maximum upright vertical tip height of up to 72m together with the erection of a transformer station, utility housing and new access track and hardstanding land at Tai Hen, Rhosgoch

(Councillor W.T.Hughes declared an interest in this application and he withdrew from the meeting during the discussion thereon).

The application was reported to the Committee as it had been decided that delegated powers will not be used in connection with wind turbine developments. A site visit was carried out in August 2012.

Prior to the Committee's considering the application, the Legal Services Manager reminded the Committee that changes in the Planning Matters Procedure Rules had been in effect on a 12 month pilot basis, the two major changes affecting this Committee being the prohibiting of a Local Member on the Committee from proposing, seconding or voting on an application in his/her electoral ward, and that a Member of the Committee had to be present during every previous consideration of an application including a site visit in order to participate in the consideration and determination of the application subsequently. The pilot had come to an end last month and a report on the matter with a view to implementing the changes permanently is to be considered by the County Council on the 6th December. The Executive in its deliberation on the issue has recommended a further 12 month trial period. The Legal Services Manager advised Members that technically therefore this meeting of the Planning and Orders Committee is operating under the old Planning Matters procedure rules in force before the pilot changes. However it is a matter for the Members as individuals to decide at their own discretion whether they wish to adhere to the changed rules even though technically those are not in force but having regard to the recommendation to be made to the County Council.

The Chair invited Mairede Thomas, an objector to the application to address the Committee.

Mairede Thomas informed the Committee that she was speaking on behalf of the owners of Tyn y Gors and she proceeded to draw Members' attention to the following issues in respect of the application:

- The proximity to Tyn y Gors of the group of turbines at the back of the property, the nearest turbine being 46m high and situated at a distance of 520 metres from the House. The resultant effect when standing in the garden is overbearing.
- The comparative scale of the current application which is for a 72m high turbine at a distance of 445m from the property.
- Tyn y Gors is surrounded on one side by the 24 turbines of the Rhyd y Groes wind farm; there are 15 turbines to the North East; four to the North and another 5 to the North West. To the South the Llyn Alaw wind farm can be glimpsed and two further turbines have been approved to the Southeast.
- The owners of Tyn y Gors have spent the last 7 years extending and reorientating their property so that most of the rooms have windows giving a prospect to the South West which is the one direction which is free of turbines. Approving the current application would mean that these 7 years would have been wasted and would mean the property is surrounded by turbines. However, none of the existing turbines are so large or so close or as overpowering as the subject of the application today.
- The effects on amenity of the noise and flicker generated by the turbines already in situ. Video footage of the flicker shown to her by the owners shows that it is unpleasant and they have explained that they are disturbed by the noise. The nearest turbines are to the North so the prevailing wind carries the noise away from the house. The subject of the current application however is directly in the path of the prevailing south westerlies meaning that there is nothing in the landscape to prevent the noise reaching the house. It would give rise to severe noise disturbance and would produce flicker for more of the time. These are health hazards.
- No mitigation for the noise and flicker other than the application of a condition compelling the developers to purchase the property of Tyn y Gors at market price in compensation.
- Refusal is possible on the grounds that the Welsh Government Planning Guidance suggests a minimum separation distance of 500m between turbines and homes.
- Admission by the developers that both nearby properties would be substantially affected.
- Overwhelming loss of amenity for the occupants of Tyn y Gors coupled with real danger from turbine noise are compelling reasons to use the Welsh Government Guidance and Local Plan to reject the application.

There were no questions from the Committee's Members on the submission given.

Mr James Merrigan was then invited by the Chair to address the Committee in support of the application.

Mr Merrigan cited the following reasons as grounds for approving the application –

- A community benefit payment to be made available at a rate of £5,000 per annum.
- Income generated from the turbine will help sustain the applicant's farm and will be invested back into the local economy.
- The limited degree of impact the turbine would have is significantly outweighed by the benefits it offers. It would also be viewed in the context of the nearby existing Rhyd y Groes wind farm located a couple of fields away.
- The proposal is fully in accordance with Development Plan and governmental energy policy. Based on the planning merits of the proposal, the application should be approved.
- The majority of people support the proposal. Whilst the Council received 40 letters of objection, 240 letters of support were received during the same timeframe.

Mr Merrigan concluded by saying that should the Committee grant the application, it would allow the applicant the opportunity to help fund his farming activities and to maintain the rural landscape by farming it as well as releasing £5,000 per annum to enable community benefits. In return, there will be a wind turbine on the landscape for a temporary period of 25 years. The benefits of the proposal therefore clearly outweigh any potential harm.

There were no questions to Mr Merrigan from the Committee's Members.

The Development Control Manager drew Members' attention to the written report setting out the application and the associated considerations. At the time of writing the report the applicants had submitted an appeal against non-determination but that had yet to be validated. The Officer informed Members that the Planning Inspectorate had now validated the appeal meaning that the local Planning Authority is not able to determine the planning application as per the recommendation of the report. However the Inspectorate has confirmed that the application can be presented to the Committee for its recommendation only and not for determination. The Committee can only make a resolution on the Local Planning Authority's position in the appeal and is therefore being asked to state its view in respect of the Officer's recommendation. The Officer then proceeded to refer Members to pages 22 and 24 of the report which describes the setting of the listed building of St Peirio Church, Rhosbeirio. Whilst an assessment of the impact on the building was undertaken at the time a fuller assessment has since been carried out by the Authority's Conservation Officer. In his opinion the impact on the listed building is significant graduating to moderate which can be mitigated by landscaping. It was the intention to stipulate a condition to that effect. Although the Officer recommendation is one of approval, the validation of the appeal against non determination means that the Planning Inspectorate will now deal with the application as one that has been refused. Given that in this instance the officers cannot defend a refusal there are two options available to the Committee, namely to confirm its support for the recommendation of approval thereby confirming to the Inspectorate that the Authority will not be contesting the appeal, or to state that it does not support the recommendation and is supportive of the Authority's contesting the appeal. In such a situation, it would be for the Committee to defend that position at appeal.

Councillor Clive McGregor said that had the application been presented for determination his view would be to reject it on the grounds that he believed the proposal constitutes a step too far in terms of the scale of the development within a rural area and its impact on the listed building of St Peirio church and the surrounding landscape. The proposed turbine will generate 500kw of power which is on a larger scale than any previous proposal of this kind and which he believed to be to more than what is required for farming needs alone and is for financial profit. On that basis he proposed that the Committee does not support the recommendation of approval. Councillor Eric Roberts concurred with the views expressed by Councillor McGregor and he said that it was his view that the community benefits in this case did not outweigh the harm which the development would occasion. He therefore seconded Councillor McGregor's proposal. There were also doubts expressed as to whether landscaping would ameliorate the impact of the development on the listed building of the church.

Councillors Lewis Davies, Jim Evans, Clive McGregor, Eric Roberts and Vaughan Hughes voted in favour of not endorsing the Officer's recommendation of approval.

It was resolved not to endorse the Officer's recommendation of approval on the grounds that the proposed development would have a detrimental impact on the surrounding landscape of the area and also on the listed building of St Peirio Church.

The Development Control Manager indicated that pursuant to the Rules, Councillors Clive McGregor and Eric Roberts would be the ones to defend the decision on appeal.

7.2 44C292 Erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 56m and a maximum upright vertical blade tip height of up to 72m together with the erection of a transformer station and utility housing, formation of a new access track and hardstanding and formation of a new link road near the junction with the B5111 on land associated with Llety, O.S. field numbers 0268 and 6366, Rhosybol

(Councillor W.T.Hughes declared an interest in this application and he withdrew from the meeting during the discussion thereon).

The application was reported to the Committee as it had been decided that delegated powers will not be used in connection with wind turbine developments. A site visit was undertaken in August 2012.

Ms Bethan Griffiths, an objector to the proposal was invited by the Chair to address the Committee. Ms Griffiths highlighted the following issues as grounds for objecting to the application

- The manner in which the application was presented and the fact that the original applicant submitting the application had said that he owned the land of four other people which information was amended by e-mail only when it was understood by objectors to the application that the information was inaccurate. The application should have been presented anew with the correct plans otherwise it is not founded on true information and should not go ahead in law.
- The proximity of the proposal to nearby properties. The Welsh Government guidance advises that wind turbines should not be located within 500m of residential properties. The current proposal is for a turbine situated at 338m from the nearest property and is within 450m to three other properties.
- Concerns regarding the location of the proposed turbine on a road close to the main highway between Rhosybol and Llanerchymedd. A turbine as large as the one proposed will draw attention on a road that is already hazardous.
- The suitability of the single road to sustain the engines and lorries necessary to erect and service the turbine.
- Effects on amenity in terms of noise and potential effects on health which are contentious issues.
- Approval of the application could have repercussions for the wildlife in the vicinity.
- The Residential Amenity report is misleading and incorrect and states that the turbine would be visible from only one room in the property nearest to it whereas it would be visible from 4 rooms.
- The turbine would be visible from a wide area as it would be located on a hill. Anglesey is an Area of Outstanding Natural Beauty. A report undertaken shows wind turbine density on Anglesey is at least 7 times greater than the national average.

There were no questions to Ms Griffiths from Members of the Committee.

On the invitation of the Chair, Mr James Merrigan addressed the Committee in support of the application and he made the following points –

- Aside from the community benefit payment of £5,000 per annum and the clear benefits associated with the income generated being invested back into the local farm, the perceived impacts of the turbine are acceptable and that the limited degree of impact the development would have in terms of where it can be viewed from are significantly outweighed by the benefits it offers.
- Out of the statutory and internal consultees requested to provide an opinion by the Council, the officer's report highlights that only two out of a potential twelve objected. These were the Community Council and the Built Environment Section based on potential landscape impact and visual amenity considerations associated with one nearby house.
- The property in question is a bungalow located around 346m from the proposed turbine. Barring small evergreen trees in the front garden, the house would have a view of the proposal. However, the property does already have clear views of pylons spanning from Wylfa Power Station. It also has views of the existing Trysglwyn Wind Farm.
- The closest home to Trysglwyn Wind Farm with open views of turbines is located around 270m away from the closest turbine which is 76m closer than the closest property in question in this instance.
- In the context of existing pylons and an existing wind farm therefore, he did not believe that there would be an unacceptable impact in terms of landscape concerns or residential visual amenity. The turbine would not be overbearing.
- The benefits of the proposal as regards providing community and economic benefits far outweigh any temporary concerns that could result in refusal. The development is for a limited period of 25 years.

The Planning Development Manager informed the Committee that the circumstances of this application were similar to that of 7.1 in that the applicants had submitted an appeal against non-determination which had now been validated by the Planning Inspectorate. However in

this instance the Officer recommendation is one of refusal of the application meaning that the Officers can, and are prepared to defend the position of refusal. Should the Committee disagree with the recommendation it can state that it does not wish the Authority to contest the appeal and that it would have approved the application had it been in a position to do so.

Councillor Aled Morris Jones addressed the Committee as Local Member. He informed Members at the outset that he had previously declared an interest in this matter and had sought legal advice which had confirmed that the interest was personal and not prejudicial. He thanked the Committee for visiting the site and viewing the proposed location of the wind turbine and he stated that the proposal is within Llandyfrydog rather than Rhosybol. He said that he was concerned by the number of wind turbine applications that exist within the areas of Llandyfrydog and Rhosybol. He had asked for a map to be shown indicating the locations where wind turbines had been giving planning consent, the current wind turbine farm at Trysglwyn along with proposed wind turbine sites. He believed that consideration had to be given to the density of such developments and that he was concerned that they were beginning to surround the areas of Llandyfrydog and Rhosybol. He made specific reference to the assessment of the impact of the development on the visual amenity of the residents of the property known as Rhosydd Bungalow as documented in the written report which the Officer state would be substantially affected to an overbearing and overwhelming degree for the reasons outlined. He asked Members to endorse the Officer's position on the application and said that the overriding concern was the scale of the proposed development wherever it would be sited in the area.

Councillors Clive McGregor and Vaughan Hughes sought advice on their position given that they had not been present at the site visit when it was carried out in August. The Legal Services Manager confirmed that the period during which changes to the Planning Matters Procedure Rules had been piloted and were in force had now come to an end and had not been extended as yet meaning that the Committee was in a period of interregnum. It was therefore open to those Members to participate in the discussion although they had not been present on the site visit and especially bearing in mind the Officer's advice that the Committee is not able to come to a determination on the application.

Councillor Clive McGregor indicated that his view was the same as with the previous application and that he believed the current proposal represented a step too far. Councillor Eric Roberts proposed that the recommendation of refusal be endorsed and he was seconded by Councillor R.L.Owen.

It was resolved to support the Officer's recommendation of refusal of the application for the reasons given.

(Councillors Clive McGregor and Vaughan Hughes did not vote on the matter)

8 ECONOMIC APPLICATIONS

There were none to be considered at this meeting of the Planning and Orders Committee.

9 AFFORDABLE HOUSING APPLICATIONS

There were none to be considered at this meeting of the Planning and Orders Committee.

10 DEPARTURE APPLICATIONS

10.1 24C268E Renewal of planning permission 22C268B – Outline application for the erection of a dwelling together with the construction of a new access on plot 3 on land adjoining Gwelfor, Cerrigman

The Planning Development Manager informed the Committee that the application was a departure from the development plan which the local planning authority is minded to approve on the grounds that it can be supported under the Stopped Ynys Môn Unitary Development Plan. Moreover the advanced stage reached in the preparation of the Stopped Ynys Môn Unitary Development Plan means that in this instance weight can be attributed such as to outweigh the provisions of the

development plan. The application is on an infill plot, there is previous planning history to the site and the current application is for a renewal of planning permission.

Councillor Jim Evans proposed that the application be approved and the proposal was seconded by Councillor Eric Roberts.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the report.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 19C1015A Full application for the erection of five dwellings together with the construction of a new vehicular and pedestrian access at English Methodist Church, Longford Road, Holyhead, Ynys Môn

The application has been presented to the Planning and Orders Committee as the applicant is related to a relevant officer as defined within paragraph 4.6.10.42 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Development Control Manager informed Members that the Town Council had now responded to the application and although the Council does not object to this specific application it has expressed concerns regarding the traffic situation within the area in general. The Highways Officers are however satisfied with the development.

Councillor Eric Roberts proposed that the application be approved and the proposal was seconded by Councillor Clive McGregor.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the report and to no additional adverse comment being received by the closing date for representations of 12th December.

11.2 49C171G/1 Full application for alterations and extensions at 4 Gorwelion, Valley, LL65 3AP

The application has been brought for determination by the Planning and Orders Committee as the applicant is related to a "relevant officer" as defined within paragraph 4.6.10.42 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Development Control Manager confirmed that no objection to the proposal had been received and that the design of the proposed extensions was acceptable.

Councillor Clive McGregor proposed that the application be approved and his proposal was seconded by Councillor Eric Roberts.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the report.

12 REMAINDER OF APPLICATIONS

12.1 11C591 Change of use of derelict land to form a nature and recreation area on land to the rear of 16-21 Bro Trehirion, Amlwch

Councillor W.T.Hughes declared an interest in this application but having received legal advice that the interest was personal and not prejudicial under Paragraph 12 of the Code of Conduct he remained at the meeting and participated in the discussion and voting thereon.

The application has been reported to the Planning and Orders Committee as the land is owned by the Isle of Anglesey County Council. The Local Member has also called the application to the Planning Committee due to local residents' concerns.

The Chair informed Members that the Local Member has requested that the Committee visit the site.

It was resolved to visit the application site in accordance with the Local Member's request.

12.2 19C1105 Full application for the installation of a below ground cut-off drain, inspection chamber and small packaged pump station on land adjacent to 1-12, Lllys Watling, Holyhead, LL65 2PB

The application has been presented to the Planning and Orders Committee as it is made on Council owned land.

The Development Control Manager informed the Committee that since the report had been drafted representations had been received from the occupants of Flats 10 and 11 at Lllys Watling who although not opposed to the application had expressed concerns regarding the potential noise that might be produced by the proposed pump station which is also an issue raised in the Officer's report. Since writing the report the Authority's Environmental Health Officer has confirmed that the pump station will not create a nuisance in terms of noise effects.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the condition contained within the report.

12.3 46LPA965/CC Full application for the widening of the slipway on land at Lôn Isallt, Trearddur Bay, LL65 2UN

The application has been referred to the Planning and Orders Committee as it is made on Council owned land.

Councillor Clive McGregor proposed that the application be approved and the proposal was seconded by Councillor Kenneth Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the report.

12.4 48LPA851C/CC Upgrade to the household waste recycling centre at Gwalchmai Recycling Centre, Gwalchmai

The proposal has been brought to the attention of the Planning and Orders Committee as it is made by the Council's Waste Management Department.

The Development Control Manager explained that the application was in relation to traffic management on site and is intended to separate public and commercial traffic flows at the site for safety purposes and also for increased ease of use of the site. The recommendation is one of approval with an amendment to condition 2. A condition cannot require a site to be kept "clean" and "tidy" as that is a subjective test.

Councillor Eric Roberts proposed that the application be approved with the amendment and the proposal was seconded by Councillor Clive McGregor.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions in the report as amended.

13 OTHER MATTERS

13.1 33C258A Application to determine whether prior approval is required for the erection of an extension to the existing agricultural shed for the housing of animals at Cefn Poeth, Penmynydd

The Planning Development Manager reported that it had been determined that the prior approval of the Local Planning Authority was not required for the above development and that it constitutes permitted development. The matter has been reported to the Planning and Orders Committee therefore for information as the applicant is related to a member of staff.

It was resolved to accept the report and to note the information.

13.2 Application to determine whether prior approval is required for the erection of an agricultural shed for the storage of machinery and fodder at Bryn Derwydd, Brynsiencyn

The Planning Development Manager reported that it had been determined that the prior approval of the Local Planning Authority was not required for the above development and that it

constitutes permitted development. The matter has been reported to the Planning and Orders Committee therefore for information purposes only.

It was resolved to accept the report and to note the information.

**Councillor J.Arwel Roberts
Chair**

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PLANNING SITE VISITS

Minutes of the meeting held on 19 December, 2012

- PRESENT:** Councillor J.Arwel Roberts (Chair)
- Councillors W.J.Chorlton, E.G.Davies, Richard Dew, Jim Evans, Kenneth Hughes, Vaughan Hughes, W.T.Hughes, Clive McGregor, R.L.Owen, Eric Roberts
- IN ATTENDANCE:** Development Management Team Leader (Nia Jones)
Development Control Officer (Highways) (Richard Eames) (for item 3 only)
Committee Officer (ATH)
- APOLOGIES:** Councillor Lewis Davies
- ALSO PRESENT:** Local Members: Councillor H.Eifion Jones (item 2), Councillor Selwyn Williams (item 3), Councillor R.Dylan Jones (item 4)
-

1. 10C114A - Full application for the siting of a solar array farm on land adjacent to Tai Moelion, Ty Croes

The site was visited upon the recommendation of the Officers made at the meeting of the Planning and Orders Committee held on 5 December, 2012.

The Planning Officer showed Members a map of the development site which amounted to 30 hectares in total of which 10 hectares were being earmarked for the development. The Officer explained that the proposal entailed the siting of 3,200 solar modules comprising of 20 cells each. Each module measures 10m in length by 3m in width and is 2.5m high. Members viewed the site and were informed by the Officer that sheep would be able to graze between the modules meaning there would be a mixed use of the site. The modules will generate 15 megawatts of power. The solar modules are also meant to be anti-reflective.

Members asked questions of the Officer on issues in relation to power and orientation and they also viewed the proposed development site from an alternative perspective towards the rear of the site. The Officer confirmed that a landscape and visual impact assessment had been undertaken.

2. 37C174C – Full application for the erection of one wind turbine with a maximum hub height of up to 36.5m, a maximum rotor diameter of up to 30m and a maximum upright vertical tip height of up to 46.1m together with the installation of a control kiosk and access track on land at Tre-lfan, Brynsiencyn

The site was visited upon the recommendation of the Officers made at the meeting of the Planning and Orders Committee held on 5 December, 2012

The Planning Officer referred to the dimensions of the proposed wind turbine and she informed Members that an access plan to the site was available. She referred to Melin Bodowyr as a listed building in relation to which a visual image had been submitted. She also directed Members to the two properties nearest the proposal the residents of which had expressed concern regarding the potential impact of the proposal in terms of shadow flicker. She explained that the application was accompanied by a shadow flicker assessment but which was based on a larger scale turbine. Shadow flicker from a turbine of the size proposed is not likely to reach the properties in question.

Concerns have also been expressed by residents of properties in the opposite direction the owner of which has planning permission for a holiday conversion and is worried by the potential effects from a tourist perspective.

Members asked questions regarding the visual impact of the proposal from the direction of Gwynedd. The Officer confirmed that a visual impact assessment from the perspective of Gwynedd had been carried out and has been assessed by officers. The proposed development site is also 1.1 km from the AONB. The Officer said that other issues arising related to the potential effects on the area as an area of archaeological interest as regards the archaeological landmarks to be found at Caer Leb and the 2 standing stones in terms of the potential impact on the archaeological setting.

3. 39C285D – Full application for the erection of 17 dwellings on land at Lôn Gamfa, Menai Bridge

The site was visited upon the recommendation of the Officers made at the meeting of the Planning and Orders Committee held on 5th December, 2012.

The Planning Officer informed Members that confirmation allowing access onto the site had not been received. Members viewed the proposed development site from the end of the adjacent housing estate. The Officer stated that the main issues arising are highways and drainage issues. There are also concerns in relation to parking. The Authority's Highways and Drainage Sections have confirmed that they are satisfied with the proposal. The application has been advertised as a departure as it falls outside the Development Plan but it is within the provisions of the Stopped Unitary Development Plan. An ecological report is also available regarding which there are questions by the Council's Ecological Officer.

The Development Control Officer (Highways) showed Members a copy of the access plan and he explained that access and traffic to the site would be governed by a priority system. A full independent audit survey of the site entrance has been conducted the results of which are satisfactory.

The Local Member referred to issues in respect of parking, highways, flooding and overlooking.

4. 11C591 – Change of use of derelict land to form a nature and recreation area on land to the rear of 16-21 Bro Trehirion, Amlwch

The site was visited at the request of the Local Member.

The Planning Officer stated that the application entailed a change of use of derelict land into a nature area complete with pathways and interpretation boards. She showed Members a plan of the proposed layout of the site. Members viewed the site and noted its proximity to nearby residential properties. The Local Member referred to residents' concerns.

**Councillor J.Arwel Roberts
Chair**

6.1 Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **19C313A** Application Number

Ymgeisydd Applicant

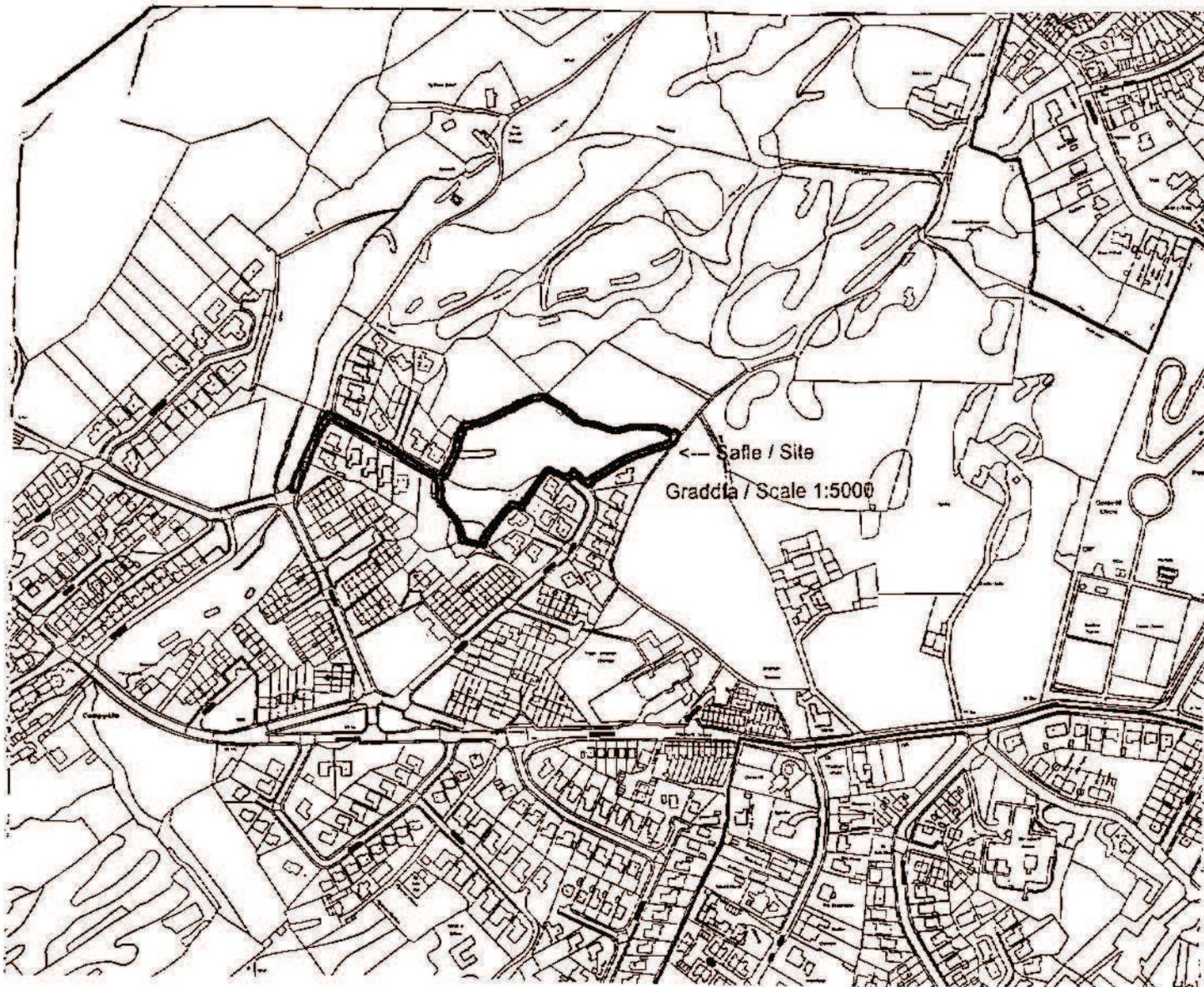
**Executors of the Estate of Eleanor Bouch Jones Deceased
c/o Jan Tyrer Planning Consultant**

**Aweifryn
Allt Cichle
Llandegfan
Menai Bridge
Ynys Mon
LL59 5TD**

Cais amlinellol ar gyfer codi 22 annedd ynghyd a
chreu mynedfa newydd ar dir rhwng

Outline application for the erection of 22 dwellings
together with the construction of a new access on
land between

Pentrefelin and Waenfawr Estate, Holyhead



Planning Committee: 09/01/2013

Report of Head of Planning Service (NJ)

Recommendation:

Site Visit

Reason for Reporting to Committee:

It is considered that due to the nature and context of the development that it would be beneficial for the members to view the site prior to making any determination.

1. Recommendation

Site Visit

Rhif y Cais: 39C285D Application Number

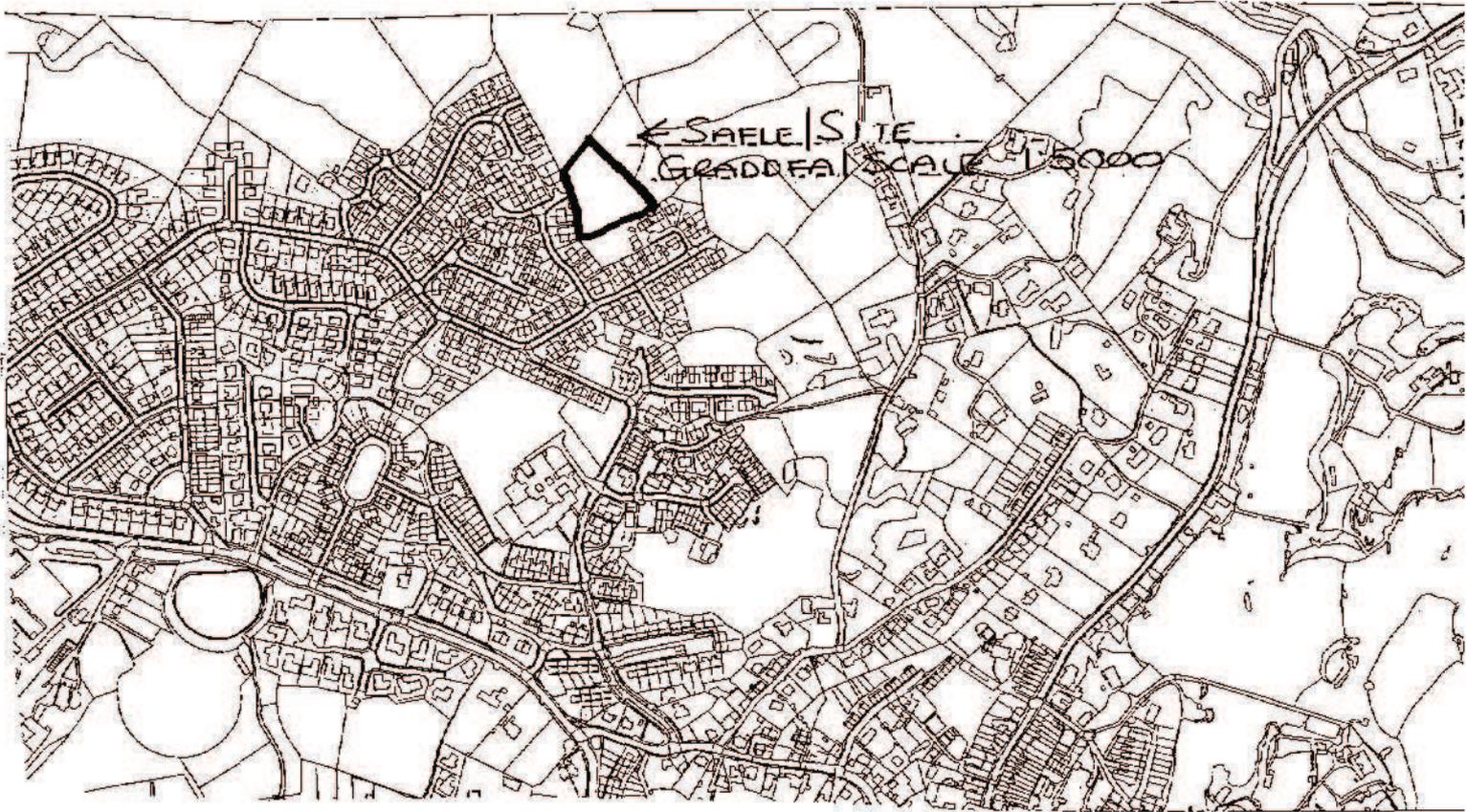
Ymgeisydd Applicant

**Bennett Homes
c/o J S Allan RIBA
Gerallt
3 Stâd Castellor
Cemaes
Ynys Môn
LL67 0NP**

Cais llawn ar gyfer codi 17 o dai ar dir yn

Full application for the erection of 17 dwellings on land at

Lon Gamfa, Menai Bridge



Planning Committee: 09/01/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Defer

Reason for Reporting to Committee:

There was an outstanding consultation response from the council's Environmental Adviser which needs to be resolved before a full report on the planning application can be submitted to the Planning Committee.

1. Recommendation

Defer

7.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 10C114A Application Number

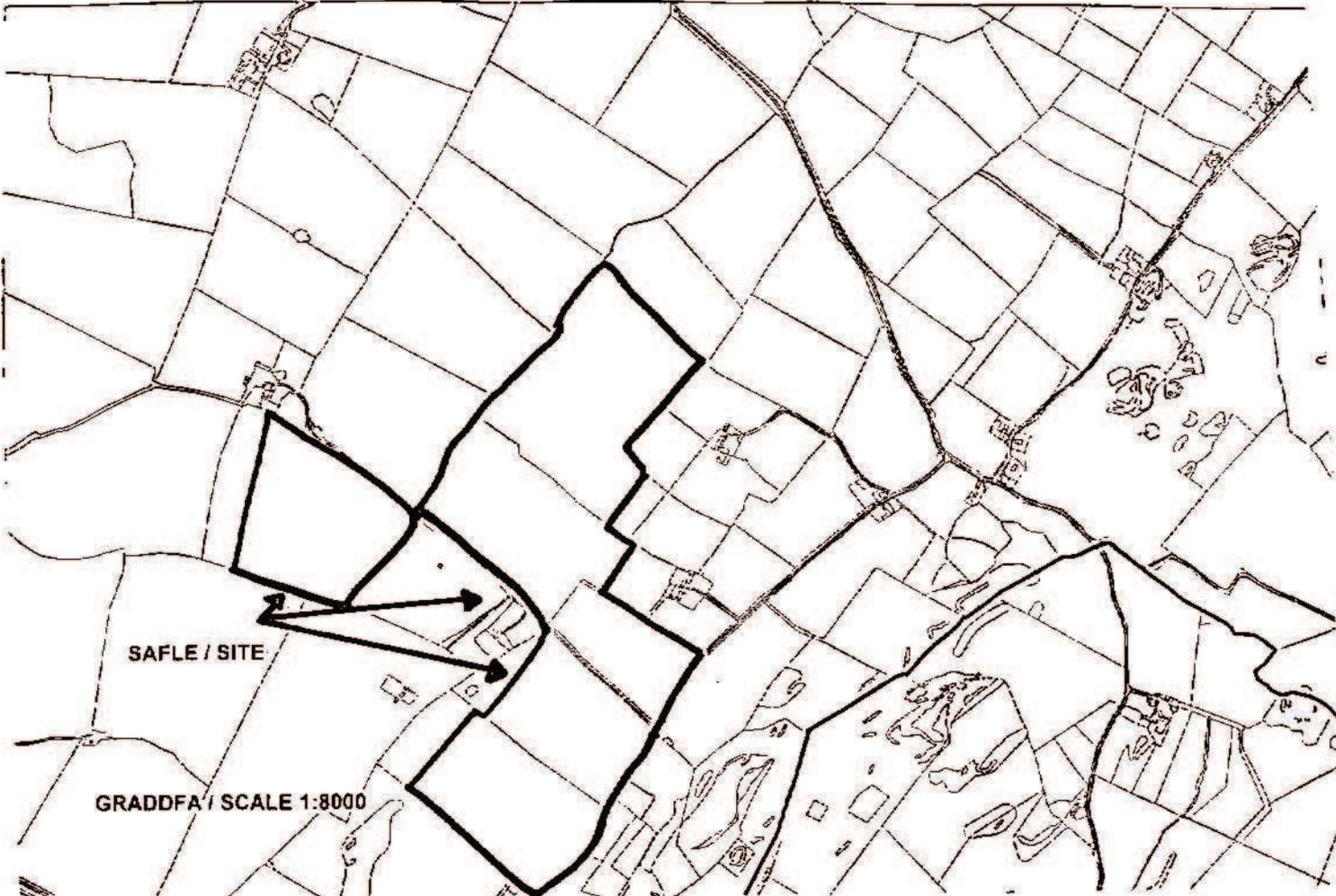
Ymgeisydd Applicant

Bodorgan Environmental Management Ltd
c/o D.K. Symes Associates
Mr. Douglas Symes
39 Main Road
Middleton Cheney
Banbury
Oxfordshire
OX17 2ND

Cais llawn ar gyfer lleoli fferm arae heulol ar dir ger

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

Tai Moelion, Ty Croes



Planning Committee: 09/01/2013

Report of Head of Planning Service (DFJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is presented to committee due to the scale and nature of the proposal.

1. Proposal and Site

The application is for the erection of a solar farm on 30 hectares of improved pasture land at Tai Moelion Farm that lies in an isolated location 3km north east of the village of Aberffraw, 0.5km to the west of the hamlet of Soar and just north of the Holyhead to Chester mainline railway line.

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.

The applicant advises 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; approximately 10 hectares. These component parts are as follows;

- 6 fields containing 3200 solar modules (comprising of 20 cells) each being 10m in length 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.
- 18 inverter/transformer buildings (approximately one for each 1.5 MW of energy). Each building measures 3m x 5m x 2.5m in height.
- Earth bunds and landscaping.

The modules are set back from existing field boundaries which are being retained and a 2m security fence will surround the site.

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.

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
30 Landscape
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
EN2 Area of Outstanding Natural Beauty
EN14 TPO's 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 summarized as follows;

Chief Environmental Health Officer – No observations.

SP Energy Networks – Advise that they have apparatus within the development site and that the developer needs to take appropriate steps to avoid any danger during site works.

Environment Agency Wales – Assess the application as having a low environmental risk and set out standard advice regarding the water environment and the need to obtain all relevant authorization in this respect.

Public Rights of Way Section – Do not object but note that footpath 52 bisects the site and requests that the developer works in conjunction with them to improve the footpath.

Councils Ecological Advisor – Raises no objections

Councils AONB Officer – Raises no objections.

Countryside Council for Wales – Do not object as they consider that the proposals will not adversely affect either protected species or landscape.

Highway Authority – Do not object.

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

No representations have been received to date.

5. Relevant Planning History

10C114/SCR – A screening opinion for the siting of a solar array farm was determined on the 26.11.12 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. 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 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. 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, an Ecological Assessment Together with a Cultural Heritage Assessment.

The assessment encompasses a study area of 1km around the site and the statutorily designated Area of Outstanding natural Beauty (AONB) lying beyond the Holyhead to Chester mainline railway line. The site is outside the AONB but is within a Special Landscape Area (SLA) and is described in the assessment as lying within a shallow north east to south west trending valley set in a rolling landscape interspersed with rocky knolls, scrubland vegetation, small copses and field boundaries. The site itself is located on open and isolated farmland within this landscape.

The railway embankment forms a distinctive feature in this landscape being 8m in height and running against the grain of the natural landscape. The embankment lies between the site and the AONB beyond.

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 (in the form of planting and earth banks) establish and mature. It is also noted that the site will not be illuminated during hours of darkness.

Any adverse impacts are predicted to be local to the site and will be greater on nearby dwellings and users of the public footpath crossing the site. However, proposed mitigation as described above will be provided. 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.

The Countryside Council for Wales are satisfied with the assessment carried out and do not consider that the development will have a significant adverse effect. The local planning authority also 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; the Environment Agency Wales or the Countryside Council for Wales raise any objections on ecological matters. The local planning authority agrees with this 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 no cultural heritage assets within the site and identified that an archaeological watching brief would be adequate mitigation.

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.

The Environment Agency Wales seem to agree with this analysis and have assessed the application as having a low environmental risk. 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.

A one way system is proposed with “on-site” movement being via Aberffraw and the unclassified road leading past Cae Mawr, Tŷ Mawr Farm and Graig. The “off-site” route will be via Soar back to Aberffraw passing Cerrig Cafael and Glanrafon.

A potential alternative for “off-site” traffic is via Ty Croes Station and past Bodelwa.

The Highway Authority has confirmed that they have no objections. 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.

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) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 26.11.12 and 03.12.12 under planning application reference 10C114A.

Reason; To define the scope of the permission and provide clarity.

Rhif y Cais: 11C591 Application Number

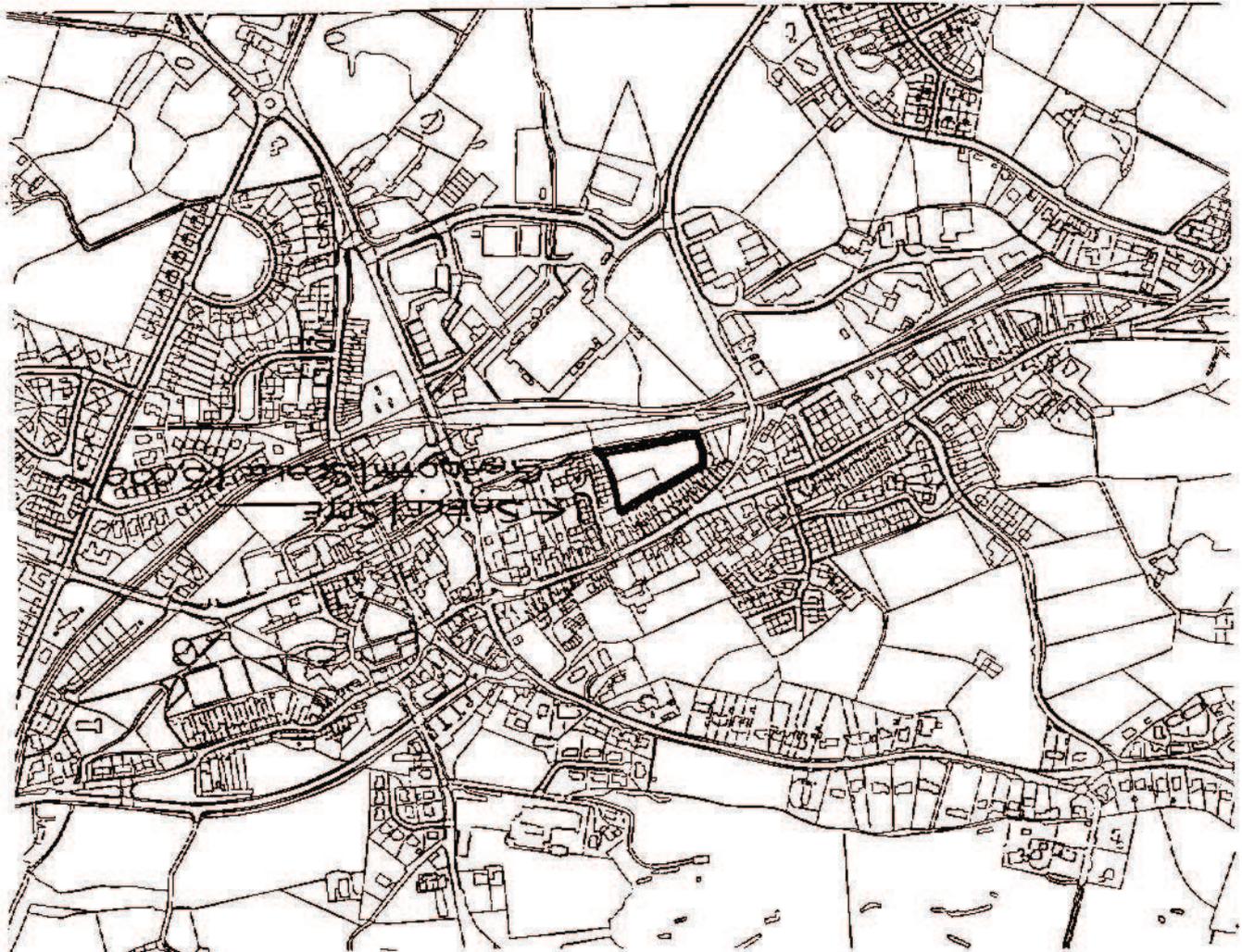
Ymgeisydd Applicant

**Cyngor Tref Amlwch
c/o RGR Partnership
1st Floor NatWest Bank Building
Glanhwfa Road
Llangefni
LL77 7EN**

Newid defnydd o dir diffaith i greu ardâl natur a hamdden ar dir tu cefn i

Change of use of derelict land to form a nature and recreation area on land to the rear of

16 - 21 Bor Trehirion, Amlwch



Planning Committee: 09/01/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The land is owned by the Isle of Anglesey County Council.

A site visit was held on 19th December 2012.

1. Proposal and Site

The application site comprises an area of around 0.5 hectares which has trees and vegetation present. The Design & Access Statement states that the area has been subject to anti-social behaviour in recent years. The application site is abutted by properties facing Mona Street and adjacent sheltered housing.

The proposal entails a change of use of the area to a recreation ground, including clearance of vegetation, access & fencing improvements, provision of seating areas & landscaping.

2. Key Issue(s)

- Principle of Development
- Amenities of Area
- Residential Amenity.

3. Main Policies

Gwynedd Structure Plan

CH1 (Recreation & Tourist Development)

D4 (Location, Design & Siting)

D14 (Protection of Broad-leaved Woodland)

Ynys Mon Local Plan

1 (General Policy)

14 (Recreation & Community Facilities)

17 (Recreation & Community Facilities)

32 (Landscape)

Stopped Ynys Mon Unitary Development Plan

GP1 (Development Control Guidance)

GP2 (Design)

CC1 (Community Facilities)

Planning Policy Wales Edition 5 (November 2012)

4. Response to Consultation and Publicity

Local Member Called the application to the planning committee due to local residents concerns.

Community Council Leave the decision to the local planning authority.

Highways No recommendation.

Network Rail No objection.

Welsh Water Conditional permission.

Response to Publicity

One petition received from residents of Bro Trehinion and Mona Street objecting to the planning application and signed by 45 people.

5. Relevant Planning History

No material planning history.

6. Main Planning Considerations

Principle of Development

Policy CH1 of the Gwynedd Structure Plan states proposals for recreation and tourist development will be permitted where they accord with the policy framework of the plan.

Policy 14 of the Ynys Mon Local Plan states that the council will permit recreational & community facilities shown on the proposals maps and other schemes subject to the following criteria:

- i. Increase the quality and range of facilities for local residents and visitors.
- ii. Relieve pressure on more environmentally sensitive areas.
- iii. Increase public access to open areas which have recreational value.

Policy 17 of the Ynys Mon Local Plan states that the council will permit community facilities shown on the proposals plan and other schemes will be permitted on suitable sites within the development boundary or within the edge of other settlements.

Policy CC1 of the Stopped UDP states that the council will permit the development of community facilities which maintain or improve community facilities within or adjacent to development boundaries.

The principle of the development accords with the policies listed above.

Amenities of the Area

It is considered that positive weight can be attributed to the proposal will significantly improve the amenities of the area in terms of clearing the site and the quality of the proposals.

Residential Amenity

A petition has been received objecting to the development.

It is not considered that the proposal unacceptably affect the amenities of adjacent properties. Any anti-social behaviour which could occur would be a matter for the police.

7. Conclusion

The principle of the development is acceptable and that the proposals will enhance the amenities of the area. It is not considered that the development will unacceptably affect residential amenities.

8. Recommendation

Permit

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

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

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans tabled below and contained in the form of application, and in any other documents accompanying such application.

Drawing No	Drawing Name
BM2624-A4-03	Location Plan
1831.01	Site Survey
1831.04	Planting Plan
1831.02	Landscape Proposals
1831.04	Grit stone Footpath
1831.05	1.2 m High Kissing Gate and Fence Details

Unless otherwise approved in writing by the local planning authority or included within any provision of the conditions of this planning permission.

Reason To ensure that the development is implemented in accord with the approved details.

(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 proposed development site is crossed by a public sewer with the approximate position being marked on the Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has right of access to its apparatus at all times. No part of the building will be permitted within 3 meters of the line of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto.

Rhif y Cais: 37C174C Application Number

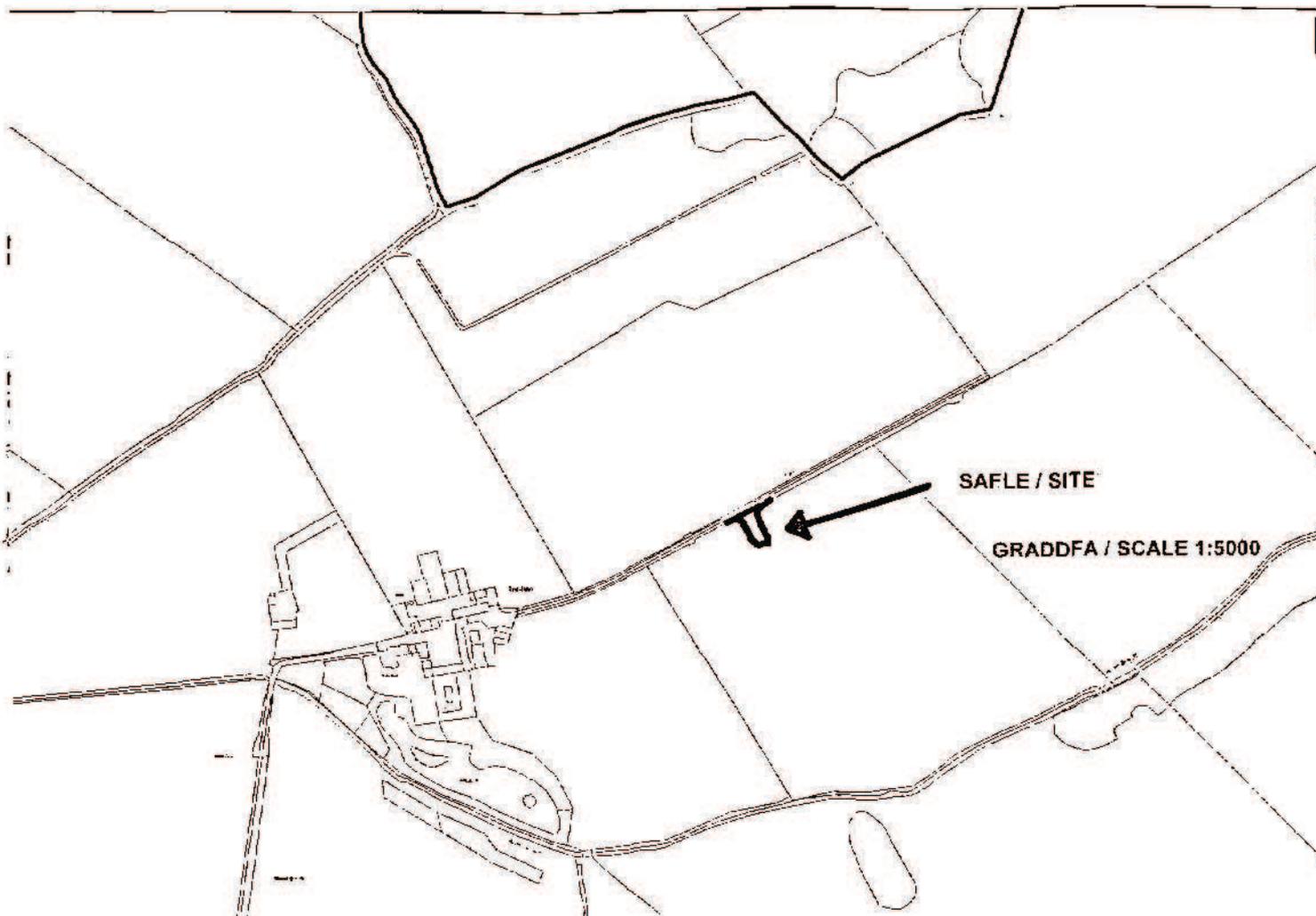
Ymgeisydd Applicant

**Mr Richard Rogers
c/o Mr Peter Leach
Awel Menai Cyf
Maes Gwenith
Nercwys
Mold
Sir y Fflint
CH74EL**

Cais llawn ar gyfer codi un tŵrbîn gwynt gyda uchder hwb hyd at cyfanswm o 36.5m, diamder rotor hyd at uchafswm o 30m, a uchder blaen unionsyth hyd at uchafswm o 46.1m ynghyd a gosod ciosg rheoli a thrac mynediad ar dir yn

Full application for the erection of one wind turbine with a maximum hub height of up to 36.5m, a maximum rotor diameter of up to 30m, and a maximum upright vertical tip height of up to 46.1m together with the installation of a control kiosk and access track on land at

Tre-Ifan, Brynsiencyn



Planning Committee: 09/01/2013

Report of Head of Planning (NJ)

Recommendation:

Refuse

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.

A site visit was held on 19th December 2012.

1. Proposal and Site

The application site comprises an agricultural field, accessed along an existing farm track, which itself is accessed from a minor road leading from the A4080.

The application is made for a single wind turbine with a maximum height to the tip of the blade of 46.1 meters, maximum height to hub of 36.5 meters and a maximum rotor diameter of up to 30 meters. The maximum rated power of the turbine being applied for is 50 kw. The height of the proposed structure compares with some 45m height for the Penmynydd mast.

The proposal also includes ancillary structures including a control building and access roads/hard standings.

The planning application is supported by the following:

Statement in Support of the Application which includes an assessment of landscape and visual impact undertaken by the developer, noise report, shadow flicker report, and a Phase 1 ecology report.

A plan showing the proposed transport delivery route and an Archaeological Assessment have also been submitted.

2. Key Issues(s)

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

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy

D1 AONB

D3 Landscape Conservation Area

Ynys Mon Local Plan

1 General

30 Landscape

31 Landscape

35 Nature Conservation

45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

GP1 Development Control Guidance

EP 18 Renewable Energy
EN1 Landscape Character
EN2 Area of Outstanding Natural Beauty
EN4 Biodiversity

Planning Policy Wales Edition 5 (November 2012)

Technical Advice Note 5 Planning and Nature Conservation (2009)

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

Technical Advice Note 8 Planning for 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 Wind Energy Developments (January 1994).

Natural England Technical Information Note TIN051 (Bats and Inshore Wind Turbines) Interim Guidance

4. Response to Consultation and Publicity

Local Member Supports the decision to bring all wind turbine applications to Committee for determination

Community Council: Concerns raised initially regarding lack of public consultation, no community engagement statement has been submitted, the submission in relation to visual effects is weak and additional photomontages are required and a full landscape and Visual Impact Assessment is required; it is premature to consider the noise effects until the exact model of turbine is known; the turbine location has moved since the screening opinion was made; several properties are located within 500m of the turbine which is contrary to the new SPG guidelines; a tourism Impact Assessment is required; insufficient detail provided in relation to shadow flicker, construction traffic, ecological and archaeological effects and TV reception and radar. Objects to the application on the basis of the results of the Archaeological Assessment, on the basis that no Transport Assessment has been undertaken and because it is intended that construction traffic will be directed through the village of Brynsiencyn.

Drainage: comments for construction phase

Highways Suggested conditions in relation to site access and informatives regarding construction phase

Snowdonia National Park Authority: It is not considered that the scheme will impact on views out of the National Park due to its size and location but reverse views may impact on the National Park's setting.

Environmental Advisor Additional information in relation to distance from landscape features / re-siting of turbine suggested. Additional details submitted and proposal considered to comply with TIN051 guidance.

Environmental Health Officer It is considered that the proposal should be able to comply with the simplified ETSU condition

Built Environment Not able to support the current proposal on the grounds that there would be a significant adverse visual impact; potential cumulative landscape and visual Impact to the coastal AONB and landscape and significant changes to landscape character.

Arqiva No objections on the grounds of the effect on television reception.

Gwynedd Archaeological Planning Service: A pre-determination Archaeological Assessment was requested. This has been prepared but is not considered sufficient to meet current guidelines as the report doesn't sufficiently consider setting impact. Further details requested by GAPS but not received at the time of writing.

CADW: No evaluation of the potential impact of the proposed turbine on the setting of scheduled ancient monuments and as such the application has not demonstrated that it would not have an adverse impact. Comments awaited in response to the submitted Archaeological Assessment.

Countryside Council for Wales Does not object to the proposal as it is unlikely to affect, either directly or indirectly, the features, functionality or integrity of statutory protected sites of ecological, geological or geomorphologic interest. It is unlikely that protected species are present in the area of the proposal and it is not considered that the proposal will be detrimental to the maintenance of the favourable conservation status of any statutory protected species populations present in their natural range.

The proposal is within 1km of the Anglesey AONB within a relatively flat agricultural landscape with hedgerow boundaries and mature hedgerow trees and the erection of any vertical structure of the proposed scale within this type of landscape will generate adverse visual effects and create a focal point within the wider countryside. Given separation distance and topography, the proposed turbine is unlikely to have substantial adverse effects on the AONB.

Local or regional impacts may arise however in relation to the AONB which should be assessed together with cumulative impacts.

Ministry of Defence Conditional permission.

Response to Publicity

587 letters have been received objecting to the planning application on the following grounds:

- The proposal will dominate the landscape;
- The proposal will constitute a major visual intrusion;
- The proposal will represent an alien industrial structure in a previously unspoilt landscape;
- There will be unacceptable cumulative impacts with other proposals leading to the area becoming a wind farm;
- There will be negative impacts on the setting of listed buildings;
- The proposal will detract from the marquis column;
- There will be significant landscape and visual amenity impacts;
- Detrimental effect on tourism assets and the tourism economy;
- Will set a precedent for further development;
- National policies promoting the use of renewable resources must not be given primacy over local landscape policies;
- Detrimental impacts on the AONB and the National Park;
- Detrimental effects on protected species and wildlife;
- Noise and shadow flicker effects;
- health effects;
- Insufficient detail in the application rendering it invalid;
- Archaeological implications;
- Other technologies exist which are more efficient than wind turbines;
- Traffic and transportation implications.

5. Relevant Planning History

37C174/SCR Screening opinion for the erection of one 18m high wind turbine on land at Tre Ifan, Brynsiencyn -- EIA

not required 19/11/10

37C174A/SCR Screening opinion for the siting of a 40m high 500kw wind turbine and associated sub-station on land at Tre Ifan, Brynsiencyn – EIA not required 22/6/11

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.

Planning Policy Wales was updated to Edition 5 in November 2012. The most significant change was the clarification and strengthening of the presumption in favour of sustainable development. In terms of section 12.8 Renewable and Low Carbon Energy of the revised Planning Policy Wales there are no significant changes.

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. At 330KW, the turbine subject to this report is categorised as “Sub Local Authority” in Planning Policy Wales which includes developments of between 50KW & 5MW (Figure 12.3). Table 3.1 of Practice Guidance – Planning Implications of Renewable and Low Carbon Energy states there are no rigid categories to describe the scale of individual wind turbines but that installations tend to fall within 4 main bandwidths. The turbine subject to this report would fall within the “Medium” category which is classed at heights of up to 65m to blade tip - but at 50kw it is at the lowest end of the spectrum, with ‘Small’ turbines being defined as between 1.5 and 50kw with a typical height of 20m to blade tip. As a “Sub Local Authority” or a “Medium” installation the scale of the turbine is acceptable in principle in policy terms in this location but there are also detailed considerations within the policy considerations to take into account.

Section 12.10.1 of PPW (Edition 5) reproduced below highlights matters that should be taken into account by the local planning authority in dealing with renewable and low carbon energy development and associated infrastructure. 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; and
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal”

Technical Advice Note 8 Planning for Renewable Energy (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. In order to meet these targets the Assembly Government has concluded that 800MW of additional installed capacity is required from onshore wind sources.

Paragraph 2.12 of TAN 8 states the Assembly Government expects local planning authorities to encourage, via their development plan policies and when considering individual planning applications, smaller community based wind farm schemes (generally less than 5 MW). The paragraph explains that local planning authorities could define “community based”. There are no policy definitions which can currently be used and weighted in this regard. The application confirms that the scheme is intended to support farm diversification and economic viability objectives but also aims to benefit the wider community by, wherever possible, awarding construction, operation and maintenance contracts locally; spending increased farm income on local farm services and improvements and contributing 2.5% of net profit from the project per annum to be held in trust to support local community projects (pg. 2 Planning Statement).

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.

The Council's adopted Supplementary Planning Guidance: 'Wind Energy Development' (1994) is a material consideration in determining wind turbine applications. However, due to the age of the document, it is in the process of being replaced by an updated version called 'Onshore Wind Energy', which is currently at the 2nd post consultation stage and can only be attributed little weight.

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 “Sub Local Authority” or “Medium” is acceptable in principle in this location. Weight can also be attributed to the benefits to the rural economy. As detailed in the policies listed there are also other environmental and community considerations which need to be assessed, and these are considered below.

Landscape and Visual Impact

The application is supported by a Zone of Theoretical Visibility Map (ZTV) up to 15km, panoramic images, photomontages, long section images and a Design and Access Statement. Additional photographs are contained in the Archaeological Assessment. The Landscape and Visual Assessment contained in the DAS does not follow recommended methodology but has been considered adequate to assess this proposal.

The proposed site is within Landscape Character Area 12 East Central Anglesey (LCA). The LCA forms the inland buffer zone to the Menai Strait and reflects much of the typical undulating landscape of Anglesey. LCA 12 is the third largest LCA on the island occupying an area of 100kms².

Key relevant issues for LCA 12 in terms of this proposal are:

- the effects upon the coastal habitat and the need to have regard to the AONB Management Plan; the impact of development on settlement edges;
- impacts on transportation corridors and the character and quality of the gateway into Anglesey.

The site is approximately 1.1 kms from the edge of the AONB (the A4080 at Brynsiencyn), at approximately 21 (AOD) and in an open farmed landscape of large field enclosures, inland of the Coastal Landscape.

The ZTV map indicates theoretical views from the AONB. It shows limited impact in Landscape Character Area 13 and theoretical views in Landscape Character Area 14. A greater portion of LCA14 is shown to be within the ZTV than is the closer LCA13. Views of the turbine from these areas are likely to be similar in scale to a photomontage from Llangaffo presented as part of the application. The magnitude of change in views is considered to be high and significant in the AONB. The ZTV extends into Gwynedd and it is considered that the prominence of the turbine would increase from elevated viewpoints eg Caernarfon Castle. Views would place the turbine in the context of the coastal AONB where it would be seen as a skyline feature. Although its prominence would diminish with distance, it is judged to be significantly adverse creating the impression of a wind turbine within the AONB landscape.

In relation to visual receptors, there are some direct and open views from nearby footpaths whilst in some parts, views may be obscured by Tre Ifan itself and surrounding trees. The development would be a prominent and recognisable feature and significantly adverse in its impact up to a 1km radius of the site. Views from the Wales Coastal Path, given distance and screening, are not considered significant.

In relation to cumulative impacts, in-combination views with existing windfarms in the north of the island are unlikely given distance. Views of Anglesey from the A487 are of the AONB along the Menai Strait. The turbine would be visible above the AONB, breaching the skyline. There are potential sequential and in-combination effects from the A487 with other proposals clustered in the Penmynydd area which would create the impression of a landscape with wind turbines, harming the visual setting of the AONB.

There are theoretical in-combination effects from road corridors eg the A5 and A55 near Rhostrehwfa where the turbines would be seen against the backdrop of mountains and be understood as a new and recognised element in the view. There would be a cumulative visual impact when considered with existing pylons and telecommunications masts in those views.

The introduction of a turbine to LCA 12 may further reduce the sensitivity of this landscape to additional change, particularly further wind turbines and reduce the quality of the landscape ‘buffer’ to the AONB.

Section 8.4 of TAN 8 states that there is an implicit objective to maintain the quality and integrity of AONBs, i.e. there should be no change in landscape character from turbines. Similarly, for the remainder of Wales, outside Strategic Search Areas, the implicit objective is also to maintain landscape character i.e. again, there should be no change in landscape character from turbines.

In accordance with TAN8, the implicit objective is that there should be no significant change in landscape character from a wind turbine development within such an area. The north of Anglesey has been subject to considerable landscape change and visual impact from three existing wind farms together with other approved schemes. The introduction of a turbine to a further Landscape Character Area could bring about a change where turbines were a feature common in much of the county. The proposal would bring about significant adverse visual effects; significant impact to the Landscape Character Area and potential cumulative landscape and visual effects to the coastal AONB landscape and transportation corridors.

Cultural Heritage

An Archaeological Assessment has been submitted which suggests that the proposal will have direct physical impact upon stone boundary walls which are of local importance only; there is a medium to high risk of unknown buried archaeological remains being present on the site due to the nature and extent of known archaeological sites in the area which leads to a requirement for an intensive watching brief during construction; in terms of visual impacts, the proposal is shown to have visual impacts upon three scheduled ancient monuments, two being defined as medium to high level (Trefwri standing stone and Pont Sarn-Las hut group) and one as low impact (Bodowyr Burial Chamber). The Gwynedd Archaeological Planning Service has indicated however that the report doesn't sufficiently consider setting impact in line with current guidelines and has requested further information. However, it is suggested that the impact on the setting of the Trefwri standing stone may be unacceptable. That information is awaited at the time of writing. A response from CADW on the Archaeological Assessment is also awaited.

Ecology

An ecological survey report was submitted in support of the application which suggests that there is no evidence of sensitive habitats or protected species at the site of the proposed turbine. The turbine is positioned over 50m from any hedgerows and collision risk for bats is extremely low.

The Countryside Council for Wales has reviewed the application and survey report and concludes that the proposal will not be detrimental to the maintenance of the favourable conservation status of any protected species populations present in their natural range. The Council's Ecological Advisor considers that the application meets current TIN051 guidance.

Noise

The application proposes the Endurance E-3120 wind turbine as the candidate turbine for the site although final selection will only be made prior to construction should planning consent be granted. A paragraph in the Planning Statement and a computer generated noise map are produced in support of the application. The proposal has however been assessed by the Environmental Health Officer who confirms that the candidate turbine should be able to comply with the simplified ETSU condition. The turbine is not located in an area generally considered to have cumulative noise impact but this should be considered should any future additional developments be proposed.

Residential Amenity

An assessment of the impacts on the residential amenities of surrounding properties has been undertaken, which included both residential properties and the holiday cottages under construction at Tyddyn Adda and Dolwaenydd.

Policy C7 of the Gwynedd Structure Plan supports renewable energy developments if the impact on the locality is

acceptable. Policy 45 of the Ynys Mon Local Plan requires that renewable energy development does not have an unacceptable impact on “the standard of amenity enjoyed by the resident and tourist population”. Policy EP18 of the Stopped Ynys Mon Unitary Development Plan includes the same criterion but requires it not to have a significant adverse impact. Policies 1 and GP1 of the Ynys Mon Local Plan and the Stopped Ynys Mon Unitary Development Plan are also material in considering residential amenity.

Paragraph 12.8.14 of Planning Policy Wales (Edition 5) (November 2012) states that:

“...developers will need to be sensitive to local circumstances, including siting in relation to local landform, proximity to dwellings and other planning considerations...”

Annex D of TAN 8 lists factors which should typically be reviewed to identify “technically feasible areas” for the development of onshore wind energy schemes. At paragraph 3.4 it states “500M is currently considered a typical separation distance between a wind turbine and residential property to avoid unacceptable noise impacts, however when applied in a rigid manner it can lead to conservative results and so some flexibility is again advised”

The Council’s Supplementary Planning Guidance Wind Energy Development (1994) “SPG” states that the council will give favourable consideration to renewable energy projects in those cases where it can be clearly demonstrated that there would be no adverse impacts on the listed considerations which include “the standard of amenity enjoyed by residents and the tourist populations”. Under 7.3 “Public Safety, Shadow Flicker Disturbances, Visual Intrusion and Impact on Highway Safety” the “SPG” contains a recommended standard that no turbine shall be sited nearer than 400 metres from the nearest dwelling house, with a possible exception of dwellings occupied by the owners of land where it is proposed to locate turbines.

As indicated previously in the report little weight can be attributed to the draft SPG which is currently being prepared by the Council.

Officers have also considered decisions made by Planning Inspectors in relation to residential visual amenity. Such an analysis indicates that a common threshold criterion applied by Inspectors for assessing visual residential amenity is where the change in the view would affect the fundamental living conditions. Various terms are used to describe this threshold, e.g. ‘overbearing’, ‘overwhelming’, ‘overpowering’ or ‘oppressive’.

Some of the closest properties to the proposed turbine are:

Property	Approximate Distance from Proposal
Llys Elen	449m
Ty Mawr	470m
Cae’r Ffynnon	516m
Dolwaenydd	540m
Bodlew Bach Annex	568m
Tyddyn Adda	572m
Bodlew Bach	584m

All are further than the 400m distance advocated under the current SPG and all but two are further than the 500m distance suggested in TAN 8.

Annex C of Planning Policy Wales provides advice on Shadow Flicker and Reflected light. Shadow flicker is only found to occur within properties up to 10 rotor diameters of a turbine and within 130 degrees either side of north at these latitudes in the UK. There are no residential properties within this area. The applicants have submitted a shadow flicker analysis based on a larger turbine (hub height of 40m and tip height of 65.75m and a rotor diameter of 51.5m) indicating the degree of shadow flicker which would affect

identified properties. The applicant's state that as the application is made for a smaller turbine, it is unlikely that shadow flicker will affect any residential properties as none are within the 10 rotor diameter distance.

In a recent appeal decision at Bodneithior, Llandyfydog, the Inspector referred to The Companion Guide to PPS 22 'Planning for Renewable Energy' and the guidance contained therein that shadow flicker effects do not occur above a distance equivalent to ten times the rotor diameter of a turbine. The relevant distance in this case is 300m. Llys Elen is the closest property at approximately 449m distance.

Annex C goes on to state turbines can also cause flashes of reflected light, which can be visible for some distances. The guidance states that reflected light can be mitigated by the choice of blade colour and a condition can be recommended on the colour to mitigate impacts.

Other Material Considerations

The Ministry of Defence has no objections to the development subject to conditions.

The effects of the development on tourism is a material consideration. The Isle of Anglesey Council commissioned research on "The Impact of Wind Turbines on Tourism" which has been weighted in making the recommendation below.

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".

The Council's Highways Section is satisfied with the proposal subject to conditions.

7. Conclusion

The policies listed above provide a presumption in favor of renewable energy developments subject to the considerations listed. As detailed in the policies there are also other environmental and community considerations which need to be assessed and in this instance the proposed development is considered unacceptable for the reasons provided below.

There would be a significant adverse local visual impact; a cumulative landscape and visual impact including a significant impact on the AONB and the introduction of a significant change to Landscape Character Area 12. The impacts on archaeological sites are not clearly identified

8. Recommendation

That planning permission is **refused** for the following reasons:

(01) The scale of the proposed development would result in significant adverse visual effects; significant changes to Landscape Character and potential cumulative landscape and visual effects to the coastal AONB. This would be contrary to the provisions of policies C7, D1, D3 of the Gwynedd Structure Plan, 1, 30, 31, 45 of the Ynys Mon Local Plan, EN1, EN2, GP1, EP18 of the Stopped Ynys Mon Unitary Development Plan, Planning Policy Wales (Edition 5) (November 2012) and the Isle of Anglesey Council Supplementary Planning Guidance Wind Energy Development (1994).

(02) It has not been demonstrated that the proposal will not adversely affect the setting of scheduled ancient monuments and the proposal is therefore contrary to policies D15 of the Gwynedd Structure Plan, policies 1, 39 and 45 of the Ynys Mon Local Plan, policies GP1 and EN12 of the stopped Ynys Mon Unitary

9. Other Relevant Policies

Gwynedd Structure Plan

FF11 (Traffic)

D32 Landscaping Schemes

Ynys Mon Local Plan

32 (Landscape)

Stopped Anglesey Unitary Development Plan

TR3 (Highway Design)

EN14 (Tree Preservation Orders & Hedgerows)

EN16 (Landscape Features of Major Importance for Flora & Fauna)

Technical Advice Note 5 Nature Conservation and Planning (2009)

Technical Advice Note 11 Noise (1997)

Welsh Government Circular letter 01.04.09 Transportation Issues Arising From Wind Farms

Rhif y Cais: 41C103N Application Number

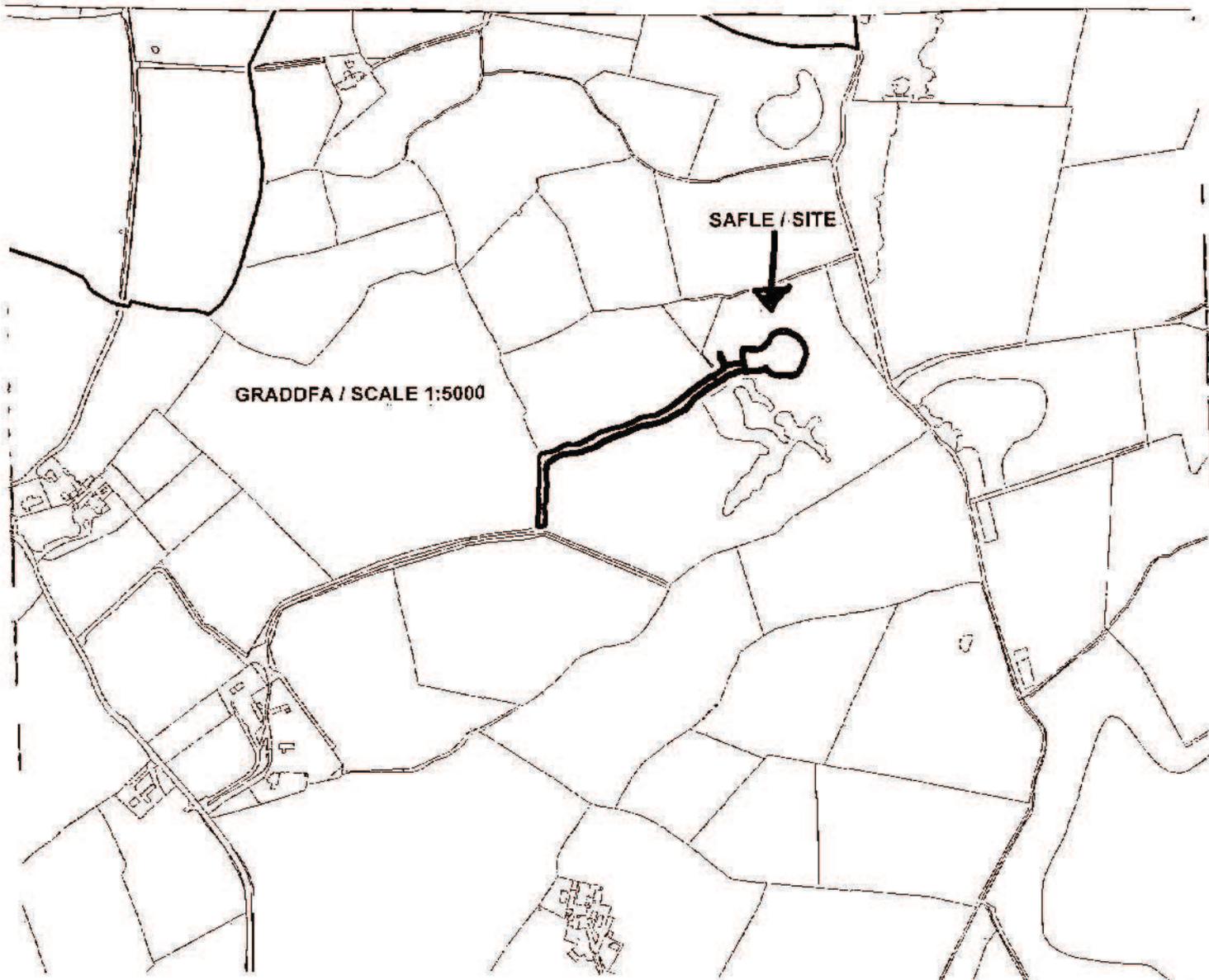
Ymgeisydd Applicant.

Windberry Operations Ltd
c/o Savills
Wessex House
Priors Walk
East Borough
Wimborne
Dorset
BH21 1PB

Cais llawn ar gyfer codi un twrbîn wynt gyda uchder hwb hyd at uchafswm o 44m, diamedr rotor hyd at uchafswm o 33m a uchder blaen unionsyth hyd at uchafswm o 62m, creu trac fynedfa ynghyd a chodi cabinet storio offer ar dir yn

Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 33m and a maximum upright vertical tip height of up to 62m, the construction of an access track together with the erection of an equipment housing cabinet on land at

Ty Gwyn, Penmynydd



Planning Committee: 09/01/2013

Report of Head of Planning Service (NJ)

Recommendation:

Refuse

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.

A site visit was held on 21st November 2012.

The application was deferred at the meeting held on 5th December to allow the resolution of outstanding matters.

1. Proposal and Site

The application site comprises an agricultural field, accessed along an existing farm track, which itself is accessed from a minor road leading from the B5420 at Penmynydd and minor roads leading to Rhoscefnhir to the north.

The application is made for a single wind turbine with a maximum height to the tip of the blade of 62 meters, maximum height to hub of 44.28 meters and a maximum rotor diameter of 33 meters. The maximum rated power of the turbine being applied for is 330 kw. The height of the proposed structure compares with 106m height for the BBC mast at Llanddona and some 45m height for the Penmynydd mast.

The proposal also includes ancillary structures including a control building and access roads/hard standings. The application erroneously stated that the applicant is the owner of adjoining residential property at Tŷ Gwyn. This is not the case and the developer has acknowledged and apologised for the error.

The planning application is supported by the following:

- Landscape and Visual Assessment including Photomontages.
- Design and Access Statement
- Ecological Assessment and Bat Survey Report.
- Noise Report
- Cultural Heritage Assessment
- Shadow Flicker and Safety Report

2. Key Issue(s)

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

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy

D1 AONB

D3 Landscape Conservation Area

D22 Setting Listed Building

Ynys Mon Local Plan

1 (General)

30 Landscape

31 Landscape

41 Conservation of Buildings

45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

GP1 Development Control Guidance

EP 18 Renewable Energy

EN1 Landscape Character

EN2 Area of Outstanding Natural Beauty

EN13 Setting of Listed Buildings

Planning Policy Wales Edition 5 (November 2012)

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

Technical Advice Note 8 Renewable Energy (2005)

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

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

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

Supplementary Planning Guidance Wind Energy Developments (January 1994).

Natural England Technical Information Note TIN051 (Bats and Inshore Wind Turbines) Interim Guidance.

4. Response to Consultation and Publicity

Local Member Called the application to the planning committee on the basis of the strong objection locally and across the island

Community Councils:

Penmynydd (in which area the proposal is located) Objection based on landscape impacts and the impacts on the lives of local residents

Pentraeth (adjoining area) Unacceptable due to the fact that the turbine will be visible from a wide area in both Anglesey and Gwynedd; it will affect the amenities of nearby residents; it will detrimentally affect surrounding landscape

Highways Suggested conditions in relation to site access and informatives regarding construction phase

RSPB No comments

Environmental Advisor Additional information in relation to bats / re-siting of turbine suggested. Data set in subsequently submitted Bat Survey Report is incomplete and survey should be re-done / turbine should be

relocated to comply with TIN051 guidance. Some additional information submitted but concern remains that the turbine should be re-sited.

Environmental Health Officer In response to the initial consultation it was indicated that noise levels at an adjoining property would be slightly higher than the limit in the simplified ETSU assessment method but as the data used was likely to be noisier than could be achieved by a similar non-tonal turbine, it was anticipated that a different model could comply with the simplified ETSU limit. A noise survey was undertaken and a report submitted which supersedes that previously submitted in support of the application. Having assessed the content of the report the EHO advises that whilst ETSU limits can be achieved, insufficient assurance has been provided that tonal noise problems will not occur and that the local authority should reject the applicant's turbine choice. As it is anticipated that a similar non-tonal turbine could achieve acceptable noise levels, a condition is proposed that the turbine to be installed on the site should not be tonal.

Built Environment Not able to support the current proposal on the grounds that there would be a significant adverse visual impact; potential cumulative landscape and visual Impact to the coastal AONB and landscape and transport corridors and significant changes to landscape character.

Arqiva No objections on the grounds of the effect on television reception.

Gwynedd Archaeological Planning Service Suggested condition requiring archaeological watching brief.

Countryside Council for Wales objects to the issuing of consent until incomplete data set in the Bat Survey Report is addressed, either through further survey work or modelling. The agent has supplied additional information in relation to landscape features and indicates that no further information is required in support of the application. The Countryside Council for Wales has confirmed, in response to this, its continuing objection in the absence of further information. Some additional information has been provided but was still being assessed at the time of writing.

Ministry of Defence Conditional permission.

Response to Publicity

369 letters have been received objecting to the planning application on the following grounds:

The proposal will dominate the landscape;

The proposal will constitute a major visual intrusion;

The proposal will represent an alien industrial structure in a previously unspoilt landscape;

There will be unacceptable cumulative impacts with other proposals leading to the area becoming a wind farm;

There will be negative impacts on the setting of listed buildings;

The proposal will detract from the marquis column;

There will be significant landscape and visual amenity impacts;

Detrimental effect on tourism assets and the tourism economy;

Will set a precedent for further development;

National policies promoting the use of renewable resources must not be given primacy over local landscape policies;

Detrimental impacts on the AONB and the National Park;

Detrimental effects on protected species, wildlife and wetlands;

Noise and shadow flicker effects; health effects;

Insufficient detail in the application rendering it invalid;

Archaeological implications;

Other technologies exist which are more efficient than wind turbines.

5. Relevant Planning History

41C103B Construction of a new agricultural vehicular access and track on land at Tŷ Gwyn, Penmynydd – withdrawn 8/10/08

41C103K/SCR Screening opinion for the siting of one wind turbine with a maximum hub height of up to 49.9m, rotor diameter of up to 33.4m and a maximum upright vertical tip height of up to 66.6m on land at Tŷ Gwyn, Penmynydd - EIA not required

41C103M Full application for the erection of a temporary 40.5m high anemometer on land at Tŷ Gwyn, Penmynydd - Refused 9/7/12

41C103P/SCR Screening opinion for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 33m and a maximum upright vertical tip height of up to 62m, the construction of an access track together with the erection of an equipment housing cabinet on land at Tŷ Gwyn, Penmynydd - EIA not required

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.

Since the last Planning Committee Planning Policy Wales was updated to Edition 5 in November. The most significant change was the clarification and strengthening of the presumption in favour of sustainable development. In terms of section 12.8 Renewable and Low Carbon Energy of the revised Planning Policy Wales there are no significant changes.

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. At 500KW the turbine subject to this report is a categorised as “Sub Local Authority” in Planning Policy Wales which includes developments of between 50KW & 5MW (Figure 12.3). Table 3.1 of Practice Guidance – Planning Implications of Renewable and Low Carbon Energy states there are no rigid categories to describe the scale of individual wind turbines but that installations tend to fall within 4 main bandwidths. The turbine subject to this report would fall within the “Medium” category (but at 330kw and potentially supplying 185 homes it is slightly below the ‘typical’ rating of 500Kw and which would potentially

supply 205 homes)-. As a “Sub Local Authority” or a “Medium” installation the scale of the turbine is acceptable in principle in policy terms in this location but there are also detailed considerations within the policy considerations to take into account.

Section 12.10.1 of PPW (Edition 5) 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; and
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal.

Technical Advice Note 8 Planning for Renewable Energy (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. In order to meet these targets the Assembly Government has concluded that 800MW of additional installed capacity is required from onshore wind sources.

Paragraph 2.12 of TAN 8 states the Assembly Government expects local planning authorities to encourage, via their development plan policies and when considering individual planning applications, smaller community based wind farm schemes (generally less than 5 MW). The paragraph explains that local planning authorities could define “community based”. There are no policy definitions which can currently be used and weighted in this regard. The application confirms that the scheme is in principle a feed in tariff proposal which will benefit the local landowner in his rural diversification objectives (para.4.33 Planning Design and Access Statement).

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.

The council's adopted Supplementary Planning Guidance: 'Wind Energy Development' (1994) is a material consideration in determining wind turbine applications. However, due to the age of the document, it is in the process of being replaced by an updated version called 'Onshore Wind Energy', which is currently at the 2nd post consultation stage and can only be attributed little weight.

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 "Sub Local Authority" or "Medium" is acceptable in principle in this location. Weight can also be attributed to the benefits to the rural economy. As detailed in the policies listed there are also other environmental and community considerations which need to be assessed, and these are considered below.

Landscape and Visual Impact

The application is supported by a Landscape and Visual Impact Assessment (LVIA) prepared by the Environmental Dimension Partnership (EDP) and dated May 2012. The assessment includes a Zone of Theoretical Visibility Map (ZTV) up to 10km, and 7 viewpoint visualisations presented in the form of Photomontages, Existing Photographs and Wireframe images.

The proposed site is within Landscape Character Area 12 East Central Anglesey (LCA). The LCA forms the inland buffer zone to the Menai Strait and reflects much of the typical undulating landscape of Anglesey. LCA 12 is the third largest LCA on the island occupying an area of 100kms².

Key relevant issues for LCA 12 in terms of this proposal are: -

- the effects upon the coastal habitat and the need to have regard to the AONB Management Plan; the impact of development on settlement edges;
- impacts on transportation corridors and the character and quality of the gateway into Anglesey.

The site is approximately 3.1 kms from the edge of the AONB (the A5025 at Menai Bridge), at approximately 57 (AOD) and in an open farmed landscape of large field enclosures, inland of the Coastal Landscape.

The submitted LVIA assesses that the addition of the turbine proposal would result:

- in a Very High to High magnitude of change within 500 metres resulting in borderline significant effects;
- the effect from 500 metres to 1km are predicted not to be significant.
- The magnitude of change is presented as being dependant on distance, in the manner in which a visual receptor would be.

There are currently no medium to large wind turbines located within Landscape Character Area 12 and none are easily visible from it. The submitted LVIA assesses that the addition of a turbine at Tŷ Gwyn would result in a Very High to High magnitude of change within 500m of the turbine resulting in borderline significant effects while the effect from 500m to 1km are predicted not to be significant. However, the magnitude of change is presented as being dependant on distance, the effect lessening as distance increases, in the same way as visual receptors are assessed. There is no standard published methodology for the quantification of this effect and it is considered that a distance threshold is an oversimplification of the magnitude of change to a landscape. A turbine of this scale could be expected to become a defining landscape element and result in

significant changes to existing landscape combinations and patterns well beyond 500 metres.

The introduction of a turbine to LCA 12 may further reduce the sensitivity of this landscape to additional change, particularly further wind turbines and reduce the quality of the landscape 'buffer' to the AONB and coastal landscape.

The ZTV map indicates theoretical views from the AONB. Viewpoint 6 is taken from the edge of the Pentraeth Forest within the AONB. EDP Table 2 within the LVIA provides an indication of the criteria against which the magnitude of change at a landscape or visual receptor is judged in the Assessment. The magnitude of change for the visual receptor at viewpoint 6 is described as being low by the developer (defined as 'the development will form a minor constituent of the view being partially visible or at sufficient distance to be a small component'). However, it is considered that it would be better described as a medium rather than low change (defined as 'the development will form a new and recognisable element within the view which is likely to be recognised by the receptor'). The sensitivity of each receptor and the magnitude of change combine to identify the level of effect, in accordance with a standard matrix recommended within guidance published by Scottish Natural Heritage (Visual Assessment of Windfarms Best Practice (2002)). A low magnitude of change produces a moderate to moderate/minor effect which is not significant. Assessing the effect as medium produces a major/moderate effect which is significant in the AONB. Viewpoints from public footpaths are taken within 1.5km of the site and predicted to be significant adverse in effect where there are open views to the site. Significant effects are predicted for the settlement of Rhoscefnhir where there are direct views from properties.

In terms of cumulative impacts, the proposal is judged unlikely to produce significant intervisibility or effects in combination with other consented windfarms and turbine sites. The application assesses potential cumulative effects with a windfarm development which has been screened for EIA and known as the Braint Windfarm. No formal application for planning permission has been submitted to date.

In relation to current live planning applications, it is considered that there would be additional in-combination effects on the AONB at viewpoint 6, discussed above, Potential sequential and in-combination views of the island and the AONB (with the turbines potentially breaching the skyline) are likely from the A55 and A487. Road corridors are likely to see in-combination views being produced, and cumulative effects would occur on public footpaths and at Rhoscefnhir for example.

Section 8.4 of TAN 8 states that there is an implicit objective to maintain the quality and integrity of AONBs, i.e. there should be no change in landscape character from turbines. Similarly, for the remainder of Wales, outside Strategic Search Areas, the implicit objective is also to maintain landscape character i.e. again, there should be no change in landscape character from turbines.

The LVIA identifies a potential significant adverse visual effect on sensitive receptors within a 2.1km radius of the site and there are potentially additional in-combination effects from other proposals. The Tŷ Gwyn proposal will have a significant adverse effect on the edge of the settlement of Rhoscefnhir while there are likely to be cumulative visual effects on the AONB at Pentraeth Forest (viewpoint 6). Significant adverse landscape character effects are likely to occur off the island where the turbine would be a prominent and uncharacteristic feature. Such effects would potentially reduce the sensitivity of the landscape to further change. In accordance with TAN8, the implicit objective is that there should be no significant change in landscape character from a wind turbine development within such an area. The north of Anglesey has been subject to considerable landscape change and visual impact from three existing wind farms together with other approved schemes. The introduction of a turbine to a further Landscape Character Area could bring about a change where turbines were a feature common in much of the county.

Cultural Heritage

A report outlining impacts on scheduled ancient monuments and listed buildings in the vicinity of the site has been submitted and assessed as being acceptable for this proposal by the Gwynedd Archaeological Planning

Service. Some concern is expressed regarding potential cumulative impacts but it is premature at this stage to comment as archaeological assessments are awaited for other sites, some of which are not at planning application stage. A condition is suggested by the Gwynedd Archaeological Planning Service in relation to an archaeological watching brief for the construction phase of this project.

Ecology

An ecological assessment was submitted in support of the application which suggests that the proposal will have neutral impacts overall on designated sites and species although a bat survey was anticipated at the time of submission. A Bat Survey Report was subsequently submitted but concern was raised by the Council's Ecological Advisor and the Countryside Council for Wales that the proposal was located closer to a landscape feature than the 50m distance advocated in the TIN051 guidance while a gap in the submitted data exists due to equipment failure during the survey in August 2012. The Ecological Advisor suggested that the turbine be moved in order to comply with advocated distances. The Countryside Council for Wales requested that further survey work or modelling be undertaken to rectify the incomplete data set. The developer disputes that the landscape feature referred to is a hedge and suggests that sufficient information has been submitted in support of the application to demonstrate that it meets current standards. The Council's Ecological Advisor continued to suggest that the turbine should be relocated. The Countryside Council for Wales continued to object to the proposal until further information is provided. Some additional detail from the bat survey work not previously submitted was made available by the developer but the Ecological Advisor, in accordance with the precautionary approach advocated within paragraph 2.4 of TAN 5, remains of the opinion that the application has not demonstrated that the proposal will have no unacceptable impact on bats and continues to advise that the turbine should, in the absence of robust data, be moved in accordance with the separation distance advised in the TIN 051 Guidance. The agent has previously indicated that the turbine is unlikely to be moved. The comments of the Countryside Council for Wales were awaited at the time of writing. However, given that it has not been conclusively demonstrated that there will be no unacceptable impact on bats, a precautionary approach as advocated in paragraph 5.5 of Planning Policy Wales (Edition 5) and in paragraph 6.2.2 of TAN 5, is followed.

Noise

The initial noise assessment report submitted with the application predicted that noise levels at surrounding properties would be within the ETSU-R-97 limit of 35dB LA90 up to wind speeds of 10m/s at 10m in height with the exception of Rhyd y Delyn Bach which was just over this limit. The Environmental Health Officer commented on the appraisal and raised concerns that even with the application of a tonal penalty, the proposal may lead to concerns in terms of noise nuisance to neighbouring occupiers. Nevertheless, the Section undertook a noise assessment based upon the worst case noise level of 7m/s at 10m height and also concluded that noise levels at Rhyd y Delyn Bach would just exceed the simplified ETSU limit. Cumulative noise impacts with a proposed turbine at a site at Marchynys, Penmynydd (41C66E) were not considered to be of concern. It was suggested however that as the data for the candidate turbine is noisier than that which could be achieved by a non-tonal turbine, that a similar non-tonal turbine could comply with the simplified ETSU assessment method.

The developer commissioned a noise survey to include a background noise assessment with the noise predictions for wind turbine noise still based on the candidate Enercon E33 330kW turbine with a hub height of 44m. This Supplementary Noise Assessment was submitted to supersede the originally submitted report. The report concludes that the turbine noise levels meet the simplified ETSU limit of 35dB LA90 for all properties apart from Rhyd y Delyn Bach and Maes Llwyn/Llwyn Ogan for which a noise survey to set noise limits in accordance with ETSU-R-97 has been undertaken. It is stated that predicted noise levels including a +5dB tonal penalty are relatively low and below the background noise limits at all wind speeds below ETSU-R-97 limits and below WHO guidance on sleep disturbance. The Report considers tonal noise and suggests that tonal noise will not be an issue at the nearest properties, in particular as downwind noise levels will not

occur frequently because of the prevailing wind direction. The Environmental Health Officer states that the candidate turbine has an audible tone and does not consider that sufficient reassurance has been provided that that low frequency noise problems will not occur. It is suggested that the candidate turbine choice should be rejected. Given however that a similar non-tonal turbine could achieve acceptable noise limits, it is proposed that this matter can be dealt with by condition.

Residential Amenity

An assessment of the impacts on the amenities of surrounding properties has been undertaken, which included both residential properties and the holiday cottage at Tŷ Gwyn and the 5 star guest house at Neuadd Lwyd.

Policy C7 of the Gwynedd Structure Plan supports renewable energy developments if the impact on the locality is acceptable. Policy 45 of the Ynys Mon Local Plan requires that renewable energy development does not have an unacceptable impact on “the standard of amenity enjoyed by the resident and tourist population”. Policy EP18 of the Stopped Ynys Mon Unitary Development Plan includes the same criterion but requires it not to have a significant adverse impact. Policies 1 and GP1 of the Ynys Mon Local Plan and the Stopped Ynys Mon Unitary Development Plan are also material in considering residential amenity.

Paragraph 12.8.14 of Planning Policy Wales (Edition 5) (November 2012) states that:

“...developers will need to be sensitive to local circumstances, including siting in relation to local landform, proximity to dwellings and other planning considerations...”

Annex D of TAN 8 lists factors which should typically be reviewed to identify “technically feasible areas” for the development of onshore wind energy schemes. At paragraph 3.4 it states “500M is currently considered a typical separation distance between a wind turbine and residential property to avoid unacceptable noise impacts, however when applied in a rigid manner it can lead to conservative results and so some flexibility is again advised”

The Council’s Supplementary Planning Guidance Wind Energy Development (1994) “SPG” states that the council will give favourable consideration to renewable energy projects in those cases where it can be clearly demonstrated that there would be no adverse impacts on the listed considerations which include “the standard of amenity enjoyed by residents and the tourist populations”. Under 7.3 “Public Safety, Shadow Flicker Disturbances, Visual Intrusion and Impact on Highway Safety” the “SPG” contains a recommended standard that no turbine shall be sited nearer than 400 metres from the nearest dwelling house, with a possible exception of dwellings occupied by the owners of land where it is proposed to locate turbines.

As indicated previously in the report little weight can be attributed to the draft SPG which is currently being prepared by the Council.

Officers have also considered decisions made by Planning Inspectors in relation to residential visual amenity. Such an analysis indicates that a common threshold criterion applied by Inspectors for assessing visual residential amenity is where the change in the view would affect the fundamental living conditions. Various terms are used to describe this threshold, e.g. ‘overbearing’, ‘overwhelming’, ‘overpowering’ or ‘oppressive’.

Some of the closest properties to the proposed turbine are:

Property	Approximate Distance from Proposal

Rhyd y Delyn Bach	523m
Llwyn Ogan	620m
Tŷ Gwyn & Tŷ Gwyn Holiday Cottage	648m
LLwyn Hudol & adjacent outbuilding with planning permission for conversion to residential use	650m
Maes Llwyn	656m
Neuadd Lwyd	713m
Bryn Eglwys	812m

All are further than the 400m distance advocated under the current SPG and all are further than the 500m distance suggested in TAN 8.

A wire frame and photomontage image from near the dwelling at Rhyd y Delyn Bach has been submitted in support of the application. Rhyd y Delyn Bach is the closest property to the site while Llwyn Hudol has an open aspect looking directly towards the application site from the garden area and part of the dwelling. However, whilst the turbine will be prominent in views, taking into account the proximity, siting, extent of the turbine visible and scale of turbine officers do not consider that the turbine would be “overbearing” or “overwhelming” in relation to the residential visual amenity of the above properties. .

Annex C of Planning Policy Wales provides advice on Shadow Flicker and Reflected light. Shadow flicker is only found to occur within properties up to 10 rotor diameters of a turbine and within 130 degrees either side of north at these latitudes in the UK. There are no residential properties within this area

Annex C goes on to state turbines can also cause flashes of reflected light, which can be visible for some distances. The guidance states that reflected light can be mitigated by the choice of blade colour and a condition can be recommended on the colour to mitigate impacts.

Other Matters

The Ministry of Defence has no objections to the development subject to conditions.

The effects of the development on tourism is a material consideration. The Isle of Anglesey Council commissioned research on “The Impact of Wind Turbines on Tourism” which has been weighted in making the recommendation below.

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”.

The Council’s Highways Section is satisfied with the proposal subject to conditions.

7. Conclusion

The policies listed above provide a presumption in favor of renewable energy developments subject to the considerations listed. As detailed in the policies there are also other environmental and community considerations which need to be assessed and in this instance the proposed development is considered unacceptable for the reasons provided below.

There would be a significant adverse local visual impact; a cumulative landscape and visual impact including a significant impact on the AONB at Pentraeth Forest and the introduction of a significant change to Landscape Character Area 12.

Insufficient information has been provided in relation to the proposal's impacts upon bats and as such a precautionary approach must be taken.

8. Recommendation

That planning permission is **refused** for the following reasons:

(01) The scale of the proposed development would result in significant adverse visual effects; significant changes to Landscape Character and potential cumulative landscape and visual effects to the Pentraeth Forest and coastal AONB. This would be contrary to the provisions of policies C7, D1, D3 of the Gwynedd Structure Plan, 1, 30, 31, 45 of the Ynys Mon Local Plan, EN1, EN2, GP1, EP18 of the Stopped Ynys Mon Unitary Development Plan, Planning Policy Wales (Edition 5) (November 2012) and the Isle of Anglesey Council Supplementary Planning Guidance Wind Energy Development (1994).

(02) It has not been demonstrated that the proposal will not adversely affect protected species (bats) and the proposal is therefore contrary to policies D4 and D10 of the Gwynedd Structure Plan, policies 1, 34, 35 and 45 of the Ynys Mon Local Plan, policies GP1 and EN4 of the stopped Ynys Mon Unitary Development Plan and the precautionary approach advised within Planning Policy Wales (Edition 5) (November 2012) and Technical Advice Note 5 Nature Conservation and Planning (2009).

9. Other Relevant Policies

Gwynedd Structure Plan

FF11 (Traffic)

D32 Landscaping Schemes

Ynys Mon Local Plan

32 (Landscape)

35 (Nature Conservation)

Stopped Anglesey Unitary Development Plan

TR3 (Highway Design)

EN4 (Biodiversity)

EN14 (Tree Preservation Orders & Hedgerows)

EN16 (Landscape Features of Major Importance for Flora & Fauna)

Technical Advice Note 5 Nature Conservation and Planning (2009)

Technical Advice Note 11 Noise (1997)

Welsh Government Circular letter 01.04.09 Transportation Issues Arising From Wind Farms

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11.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 32C110A Application Number

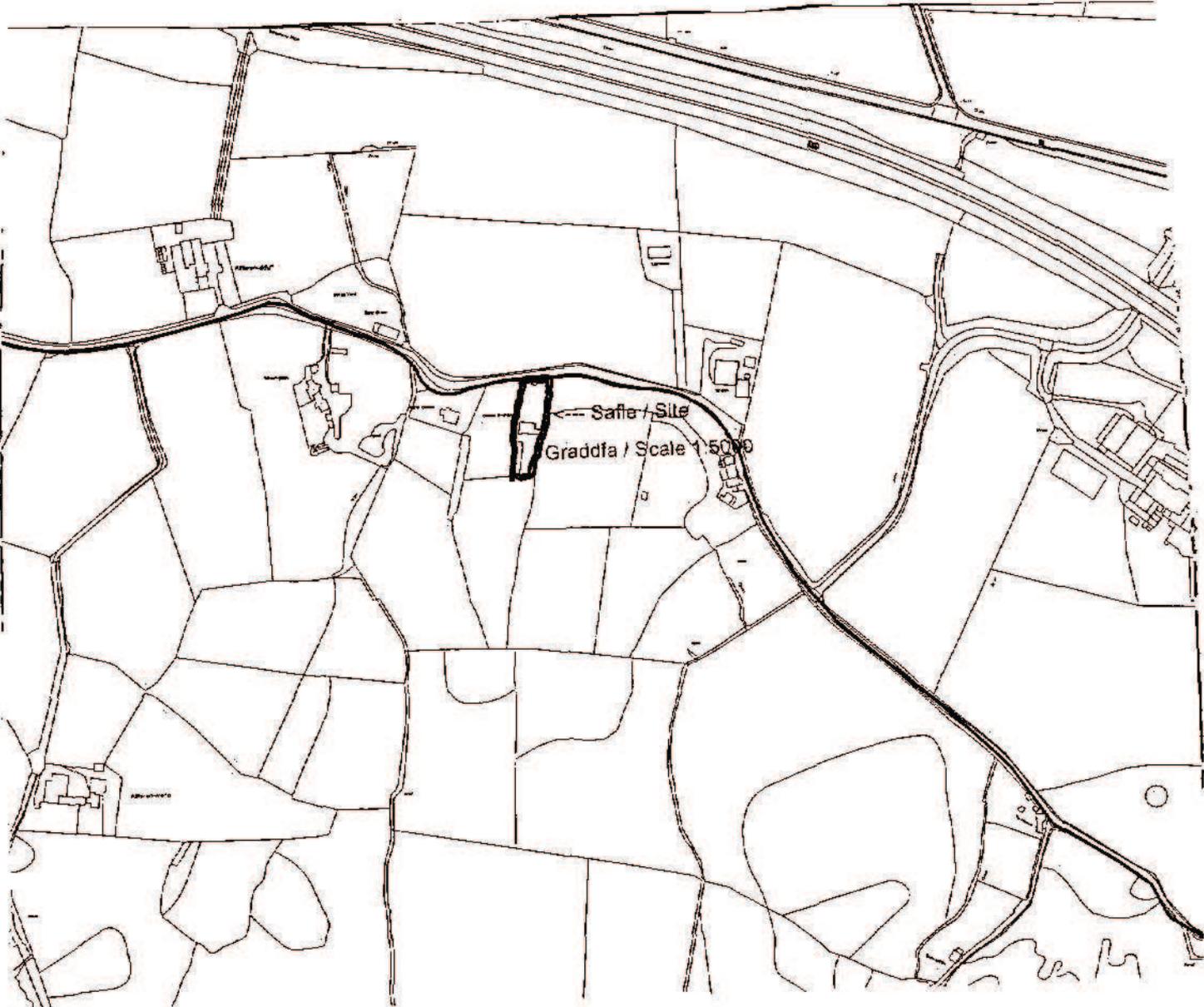
Ymgeisydd Applicant

Mr. & Mrs R & C Williams
c/o Mr Gerwyn Williams
Bryn Clyd
Caergeiliog
Caergybi
Ynys Môn
LL65 3YG

Cais llawn ar gyfer codi ystafell haul yn

Full application for the erection of a conservatory at

Caeau Bychan, Caergeiliog



Planning Committee: 09/01/2013

Report of Head of Planning Service (AMG)

Recommendation:

Permit

Reason for Reporting to Committee:

The applicant is related to a 'relevant officer' as defined within paragraph 4.6.10.4 of the Constitution.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

1. Proposal and Site

The dwelling is situated on the outskirts of Caergeiliog. The property is a detached dormer bungalow type property.

The proposal entails the erection of a conservatory at the side of the dwelling.

2. Key Issue(s)

The applications key issues are the design of the proposed development and the affect of the proposal on occupiers of neighbouring properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 42 – Design

Policy 58 – Extensions

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D29 – Standard of Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Planning Policy Wales, Edition 5, November 2012

Technical Advice Note 12: Design

Supplementary Planning Guidance Design Guide for the Urban and Rural Environment 2008

4. Response to Consultation and Publicity

Local Member – No response received at time of writing the report.

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

Welsh Water – Comments.

Drainage – Comments.

Public Consultation – The proposal was advertised through two means of publicity; the placing 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 representations is the 21st November 2012. At the time of writing this report no representations had been received at the department.

5. Relevant Planning History

32C110 - Alterations and extensions to create two additional first floor bedrooms and the installation of two additional dormer windows at Caeau Bychan, Caergeiliog – Approved 16/06/2003

6. Main Planning Considerations

Design – The proposal entails the erection of a conservatory at the side of the property. The proposal appears satisfactory in terms of siting, design and materials. There is acceptable space within the site to accommodate the proposed extension without appearing cramped or overdeveloped.

Effect of the proposal on occupiers of neighbouring properties - I do not consider that the proposal will affect the amenities of the neighbouring properties. There is a distance of approximately 40m between the proposed conservatory and the nearest neighbouring property. Planning Policy Wales states that “the planning system does not exist to protect the private interests of one person against the activities of another”.

7. Conclusion

Having considered the above and all other material consideration it is my recommendation that the application be approved 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 development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 09/10/2012 under planning application reference 32C110A.

Reason: For the avoidance of doubt.

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12.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 12C426 Application Number

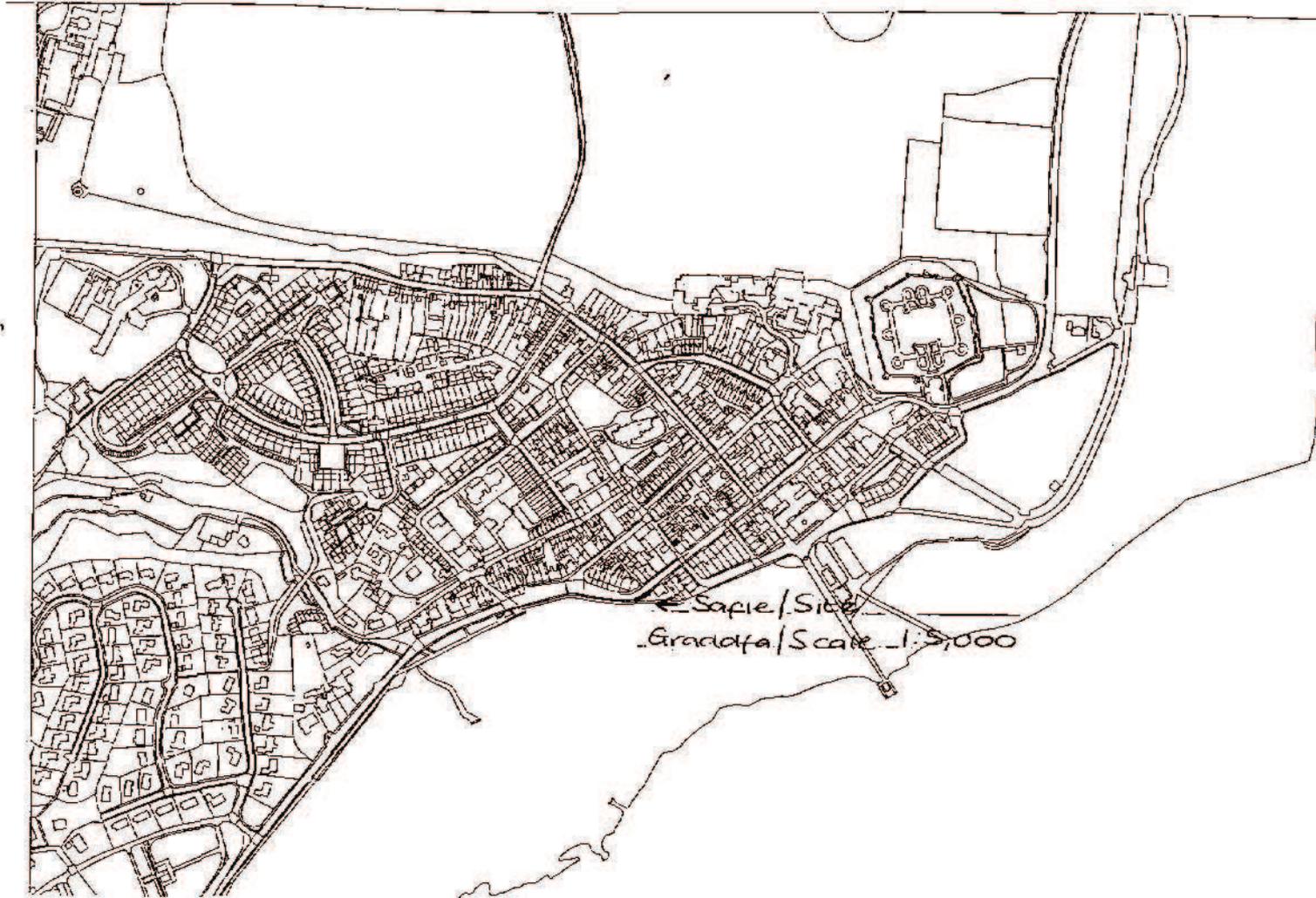
Ymgeisydd Applicant

Mr Stephen Burkhill
Dwr Cymru / Welsh Water
Vista
St David's Park
Ewloe
Flintshire
North Wales
CH6 3DT

Gosod 2 giosc i gadw offer rheoli ar gyfer gorsaf
bwmplio bach ar dir ger

Siting of 2 kiosks housing control equipment for a
small package pumping station on land adjoining

51 Castle Street, Beaumaris, LL58 8BB



Planning Committee: 09/01/2013

Report of Head of Planning Service (SCR)

Recommendation:

The application is on Council owned land.

Reason for Reporting to Committee:

The application is on Council owned land.

1. Proposal and Site

The application is for the siting of two kiosks to house control equipment for a small package pumping station which will resolve an existing drainage problem at 47 and 49 Castle Street, Beaumaris.

The two kiosks will be situated side by side on the pavement next to the existing light and security camera column which are situated approximately 18 metres away from the property known as 51 Castle Street which is a Grade II Listed Building. The site is situated within the designated Area of Outstanding Natural Beauty and within the designated Conservation Area.

2. Key Issue(s)

The applications main issues are whether the proposal will affect the surrounding landscape which is designated as an Area of Outstanding Beauty, effect of proposal on the setting of the neighbouring listed building and conservation area or whether the proposal will have an adverse effect on the safety of the users of the pavement or affect the amenities of the occupants of the neighbouring properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 27 – Sewage Treatment

Policy 30 – AONB

Policy 40 – Conservation of Buildings

Policy 41 – Conservation of Buildings

Gwynedd Structure Plan

Policy D1 – AONB

Policy D4 – Location, siting and design

Policy D22 – Listed Building

Policy D25 – Conservation Area

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN2 – AONB

Policy EN13 – Conservation of Buildings

Policy WP10 – Waste Water

Supplementary Planning Guidance – Beaumaris Conservation Character Appraisal

4. Response to Consultation and Publicity

Local Member – No response to date

Town Council – No response to date

Welsh Water – No response to date

Environment Agency – No response to date

Highways – Comments and recommend conditional approval

The application was afforded three means of publicity. These were by the posting of a notice near the site, the serving of personal notifications on the owners of neighbouring properties and the publication of a notice in the local press. The latest date for the receipt of representations was the 7th January, 2012 and 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

Effect of proposal on the designated Area of Outstanding Natural Beauty and the setting of neighbouring Listed Building and on the Beaumaris Conservation Area – The application site is located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognizes its importance in landscape quality and nature conservation terms.

The primary objective for an AONB designation is the conservation and enhancement of their natural beauty. Local authorities have a statutory duty to have regard to AONB purposes and development control decisions affecting AONB's should in the first instance favour conservation of natural beauty.

The proposed kiosks have been situated within the wider part of the pavement and are mitigated by the existing soft landscape planting to the backdrop. The finishing materials of both kiosks are in keeping with the existing street furniture and therefore the proposal will not harm the surrounding landscape.

Highway Safety – The Highways Authority have objected to the temporary closure of both lanes of Castle Street during the construction works and have recommended a condition be included on the permission that the applicant explore other means of traffic management.

Effect on surrounding properties – The proposal is to improve the existing waste disposal facilities in the area. The proposed kiosks will be situated approximately 18 metres away from the immediate neighbouring property known as 51 Castle Street and therefore the proposal will not harm the amenities currently enjoyed by the occupants of the neighbouring properties.

7. Conclusion

The proposal respects the character of the designated Conservation Area with the use of similar finishing material and therefore the proposal will not have an adverse effect on the designated Area of Outstanding Natural Beauty or Beaumaris Conservation Area or harm the amenities of the occupants of neighbouring properties.

8. Recommendation

Permit

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

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

(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 23:11:12 under planning application reference 12C426.

Reason: For the avoidance of doubt.

(03) No development shall be permitted to take place until the written approval of the local planning authority, in conjunction with the Highway Authority, has been obtained in relation to the 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, including staff and contractor parking facilities. The works shall be carried out strictly in accordance with the approved details.

Reason: To comply with the requirements of the Highway Authority.

Rhif y Cais: **19C845G** Application Number

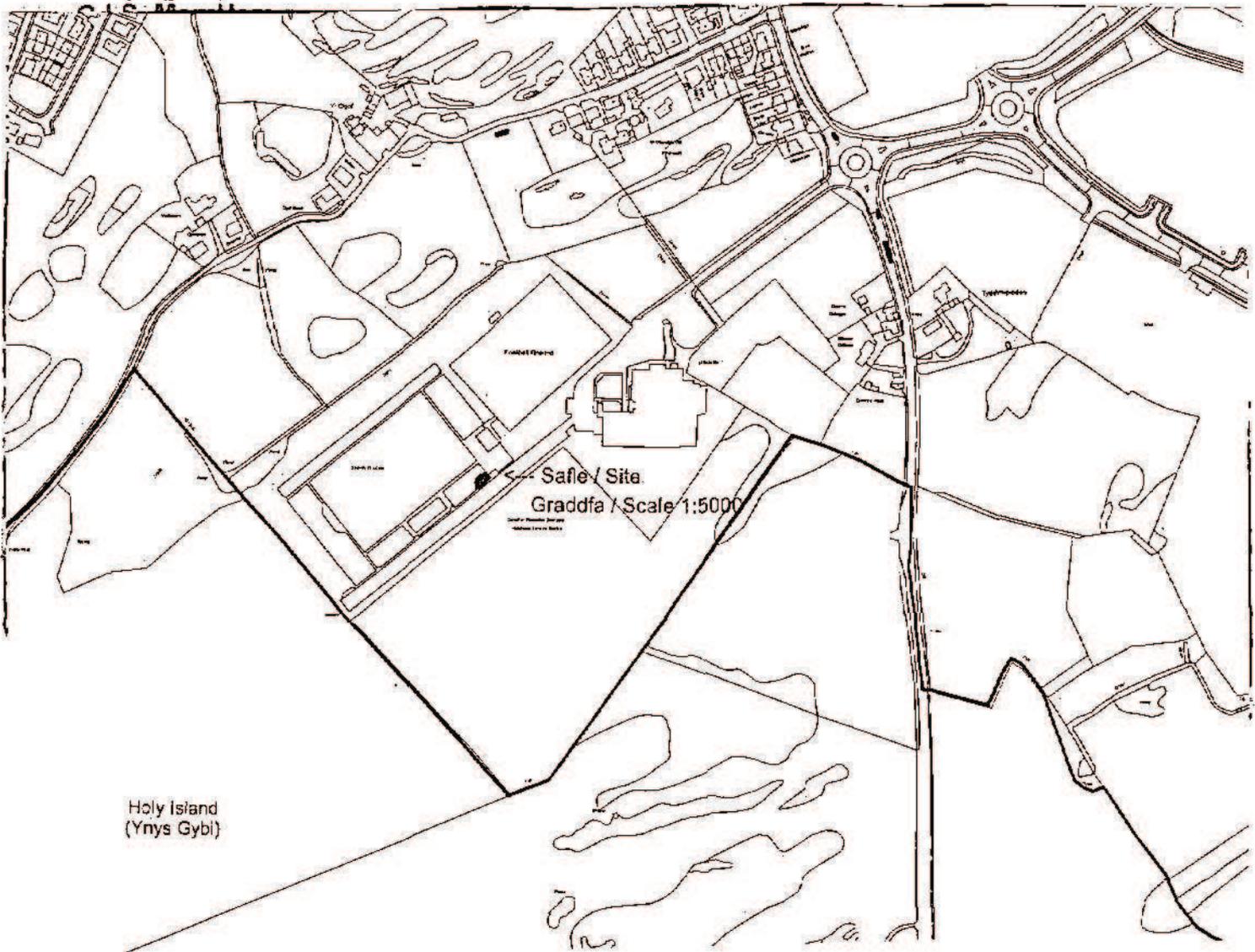
Ymgeisydd Applicant

**Mr Richard Parry
27 Tan y Bryn Road
Holyhead
Ynys Môn
LL65 1AR**

Cais ôl-weithredol i gadw'r estyniad i'r clwb yn

Retrospective application for the retention of the extension to the clubhouse at

Holyhead Hotspur Clubhouse, Holyhead Leisure Centre, Kingsland, Holyhead



Planning Committee: 09/01/2013

Report of Head of Planning Service (AMG)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made on Council owned land.

1. Proposal and Site

The site is located within the grounds of Holyhead Leisure Centre. The site is located within an area of outstanding natural beauty.

The application is for the retention of the extension to the clubhouse. The clubhouse is currently used by the Holyhead Hotspur Football Club.

2. Key Issue(s)

The key issues to consider are whether or not the proposal will have an affect on the character of the locality, together with the affect on amenities of the neighbouring properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 14 – Recreation and Community Facilities

Policy 30 – Landscape

Policy 42 - Design

Gwynedd Structure Plan

Policy CH1 – Recreation and Tourist Development

Policy D1 – Area of Outstanding Natural Beauty

Policy D4 – Location, Siting and Design

Policy D29 – Standard of Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN2 – Areas of Outstanding Natural Beauty

Policy TO11 – Sports and Leisure Facilities

Planning Policy Wales, Edition 5, November 2012

Technical Advice Note 9: Enforcement of Planning Control

Technical Advice Note 12: Design

4. Response to Consultation and Publicity

Local Member – No response received at time of writing report.

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

Highways – No response received at time of writing report.

Welsh Water – No response received at time of writing report.

Environmental Health – No response received at time of writing report.

Property Section - No response received at time of writing report.

Public Consultation – The application was afforded two means of publicity. These were by the posting of a site notice near the site and publication of a notice in the local press. The latest date for the receipt of representations is the 14th January 2013. At the time of writing this report no representations had been received at the department.

5. Relevant Planning History

19LPA296 - Phase 2 Sports Centre, Holyhead – Approved 05/09/72

19LPA296A - Amended phase 2 – Approved 02/11/77

19LPA296C - Phase 3 Sports Centre Holyhead – No objection 07/11/79

19LPA296D - Water treatment and chemical store building at Holyhead Sports Centre, Holyhead – No objection 05/01/83

46LPA296F/DC - Erection of a single storey extension for the use as a store – No objection 04/02/87

46LPA296G/DC - Foyer and swimming pool extension and external refurbishment at Holyhead Leisure Centre, Holyhead – No objection 07/12/1987

46LPA296H/DC - Erection of a new entrance, offices, beauty salon and sports activity areas at Holyhead Sports Centre, Kingsland, Holyhead – No objection 21/02/91

19C845 - Siting of a spectators shelter at The New Oval, Holyhead Leisure Centre, Holyhead – Approved 04/03/2004

19C845A - Change of use of land for the siting of a pre-fabricated building to be used as a clubhouse at Holyhead Leisure Centre, Holyhead – Approved 27/07/06

19C845B - Construction of a physio room under the spectators stand to The Oval, Holyhead Leisure Centre, Holyhead – Approved 14/04/08

19C845C - Retention of alterations and extensions to Clubhouse, The Oval, Holyhead Leisure Centre, Holyhead – Approved 16/01/09

19C845D - Application to erect a covered standing spectator area at Holyhead Leisure Centre, Kingsland, Holyhead – Approved 08/04/10

19C845E - Application for the variation of condition (01) on planning permission 19C845A to allow for an extension to the period for the siting of the clubhouse at The Oval, Holyhead Leisure Centre, Kingsland, Holyhead – Approved 16/08/2011

19C845F - Application for the variation of condition (01) on planning permission 19C845C to allow for an extension to the period for retaining the extensions to the clubhouse at The Oval, Holyhead Leisure Centre, Kingsland, Holyhead – Approved 16/08/2011

6. Main Planning Considerations

Affect on the character of the locality – Although the site is located within a designated area of outstanding natural beauty, it is not considered that in this instance the designation is not one of the main issues due to the context of the site. The extension comprises of a blue coloured container to provide a cellar store. Temporary permission has previously been approved for alterations and extensions to the clubhouse. The Council are concerned that these temporary buildings which are clearly unacceptable in terms of construction and design will develop a degree of permanency. Therefore, the Local Planning Authority only considers it acceptable to approve the extension for a temporary period until 25/07/2016 to correspond with the previous temporary permissions.

Affect on amenities of the neighbouring properties – It is not considered that the proposal will have an additional detrimental effect on the amenities of the neighbouring properties as the clubhouse is located within the grounds of the existing leisure centre complex and that no representations have been received to date by the occupiers or owners of the neighbouring properties.

7. Conclusion

The extension comprises of a blue coloured container to provide a cellar store. Temporary permission has previously been approved for alterations and extensions to the clubhouse. The Council are concerned that these temporary buildings which are clearly unacceptable in terms of construction and design will develop a degree of permanency. Therefore, the Local Planning Authority only considers it acceptable to approve the extension for a temporary period until 25/07/2016 to correspond with the previous temporary permissions.

8. Recommendation

Permit subject to no additional adverse comments received following publicity.

(01) The building hereby permitted shall be removed from the land by the 25/07/2016.

Reason: The local planning authority has granted permission for a temporary period only as they wish to re-consider the position on the 25/07/2016 in light of circumstances prevailing at that date.

(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 03/12/2012 under planning application reference 19C845G.

Reason: For the avoidance of doubt.

Rhif y Cais: **25C102B** Application Number

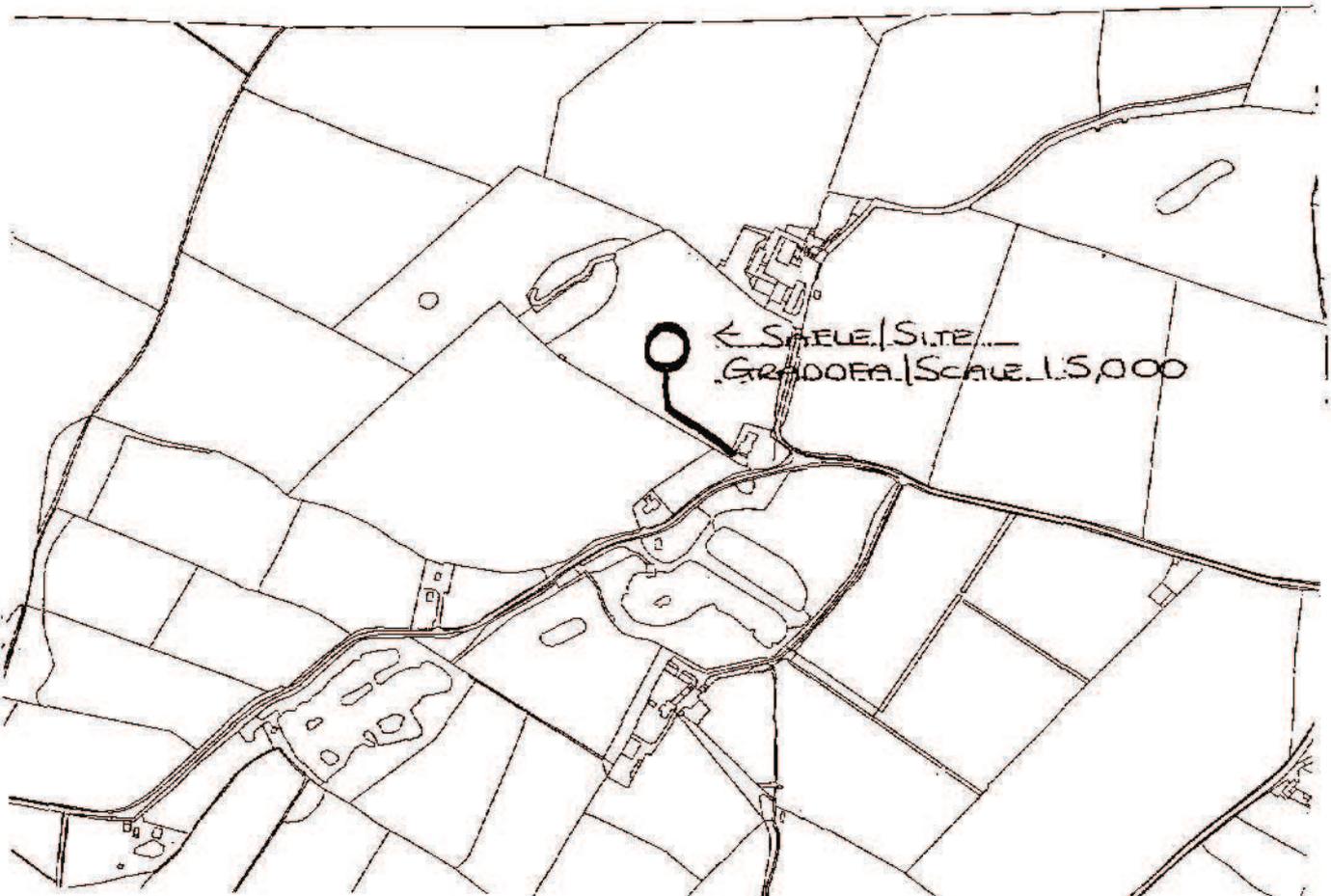
Ymgeisydd Applicant

Mr. David Thomas
c/o Dragon Power Services Ltd
Mr. David North
Old Smithy
Field Street
Valley
Anglesey
LL65 3EG

Cais llawn ar gyfer codi un twrbin gwynt gyda uchder hwb hyd at cyfanswm o 9.42m, diamedr rotor hyd at uchafswm o 7.19m a uchder blaen unionsyth hyd at uchafswm o 13.02m ar dir yn

Full application for the erection of one wind turbine with a maximum hub height of up to 9.42m, a maximum rotor diameter of up to 7.19m, and a maximum upright vertical tip height of up to 13.02m on land at

Chwaen Bach, Llanerchymedd



Planning Committee: 09/01/2013

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.

1. Proposal and Site

The application is made for a single wind turbine with a maximum height to the tip of the blade of 13.02m meters and a maximum rotor diameter of 7.19m meters. The make and model is specified in the planning application which will be installed on a monopole fixed to a concrete foundation. The submitted details indicate that cabling to the electricity network will be underground.

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 Mon Local Plan

31 Landscape

45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

EP 18 Renewable Energy

EN1 Landscape Character

Planning Policy Wales Edition 5 (November 2012)

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 Wind Energy Developments (January 1994).

4. Response to Consultation and Publicity

Community Council - Do not support as unsure of Councils policies

Highways - Comments no objection

Drainage Informatives recommended.

Environmental Services Conditional permission.

Environmental Advisor - No objection

Countryside Council for Wales Does not object to the proposal

MOD - No Objection

Arqiva No objections on the grounds of the effect on television reception.

Welsh Water No comments.

Environment Agency Low environmental risk.

5. Relevant Planning History

25C102/SCR - Screening opinion - no EIA required

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.

Section 12.8 (Renewable and Low Carbon Energy) of Planning Policy Wales (4th Edition Feb 2011) gives strong support for renewable energy projects in line with the Welsh Assembly Government's Energy Policy Statement (2010), paragraph 12.8.1 states:

"...It explains our aim by 2050, at the latest, to be in a position where almost all of our local energy needs can be met by low carbon electricity production. Our approach is to reduce energy consumption and improve energy efficiency first and maximise renewable and low carbon energy generation at every scale across Wales..."

Paragraph 12.8.2 states:

"...Planning policy at all levels should facilitate delivery of both the Assembly Government's overall Energy Policy statement, and UK and European targets on renewable energy..."

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 Section 5.5), the Coast (See Section 5.6) and the Historic Environment (See Section 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 4.2);*
- *grid connection issues where renewable (electricity) energy developments are proposed; and*
- *the capacity of, and effects on, the transportation network relating to the construction and operation of the proposal.*

Paragraph 12.8.13 states the impacts from renewable energy developments and associated infrastructure will vary depending on their type, location and scale. This requires different policy and development control considerations. A table is provided at Figure 12.3 (Renewable and low energy scales for planning purposes).

Technical Advice Note 8 Renewable Energy (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. In order to meet these targets the Assembly Government has concluded that 800MW of additional installed capacity is required from onshore wind sources.

Paragraph 2.12 of TAN 8 states the Assembly Government expects local planning authorities to encourage, via their development plan policies and when considering individual planning applications, smaller community based wind farm schemes (generally less than 5 MW). The development subject to this report can be regarded as small but it is not a community based scheme.

Paragraph 2.13 states:

“Most areas outside SSAs should remain free of large wind power schemes. Local planning authorities may wish to consider the cumulative impact of small schemes in areas outside of the SSAs and establish suitable criteria for separation distances from each other and from the perimeter of existing wind power schemes or the SSAs.”

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”.

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.

The council's adopted Supplementary Planning Guidance: 'Wind Energy Development' (1994) is a material consideration in determining wind turbine applications. However, due to the age of the document, it is in the process of being replaced by an updated version called 'Onshore Wind Energy', which is currently at consultation stage and can only be attributed little weight.

The policies listed above provide a presumption in favour of renewable energy developments subject to detailed considerations. The impacts from renewable energy developments will also vary depending on their location and scale and require different policy and development control considerations

Landscape and Visual Impact

The proposal would be 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 Supplementary Planning Guidance (SPG), Wind Energy Development (January 1994) that development will not be permitted on sites that could impair the quality and setting and enjoyment of the protected landscape. Proposals with 2km of the AONB need to be carefully assessed; and that the boundary does not imply a sharp barrier between conservation values within, and outside.

Given the size and location of the turbine it is considered that it would not result in a significant change to the landscape character area which would warrant a refusal

Residential Amenity

Annex D of TAN 8 lists factors which should typically be reviewed to identify “technically feasible areas” for the development of onshore wind energy schemes. At paragraph 3.4 it states “500M is currently considered a typical separation distance between a wind turbine and residential property to avoid unacceptable noise impacts, however when applied in a rigid manner it can lead to conservative results

and so some flexibility is again advised”

The council's Supplementary Planning Guidance Wind Energy Development (1994) “SPG” states that the council will give favourable consideration to renewable energy projects in those cases where it can be clearly demonstrated that there would be no adverse impacts on the listed considerations which include “the standard of amenity enjoyed by residents and the tourist populations”. Under 7.3 “Public Safety, Shadow Flicker Disturbances, Visual Intrusion and Impact on Highway Safety” the “SPG” contains a recommended standard that no turbine shall be sited nearer than 400 metres from the nearest dwelling house, with a possible exception of dwellings occupied by the owners of land where it is proposed to locate turbines.

As indicated previously in the report little weight can be attributed to the draft SPG which is currently being prepared by the council.

Officers have assessed the impact on the visual/residential amenity of surrounding residential properties. On the basis of the size of the proposed turbine and distances from these properties it is not considered that the resident's amenity is affected to an unacceptable degree.

Annex C of Planning Policy Wales provides advice on Shadow Flicker and Reflected light. Shadow flicker is only found to occur within properties up to 10 rotor diameters of a turbine and within 130 degrees either side of north at these latitudes in the UK. There are no residential properties within this area in this case and shadow flicker nuisance is not expected to occur within any residential properties as a result of the development, a condition has, however, been recommended on a precautionary basis.

Annex C goes on to state turbines can also cause flashes of reflected light, which can be visible for some distances. The guidance states that reflected light can be mitigated by the choice of blade colour and a condition has been recommended on the colour to mitigate impacts to mitigate the impacts.

The application has also been assessed by the council's Environmental Services Section who do not consider that the development will have an unacceptable impact in terms of noise subject to the conditions recommended.

Other Issues

The Ministry of Defence have no objections to the development.

No objections are raised by the Countryside Council for Wales or the council's Environmental Adviser on the grounds of the effect on protected species or other grounds as per their consultation responses.

The effects of the development on tourism is a material consideration. The Isle of Anglesey Council commissioned research on “The Impact of Wind Turbines on Tourism” which has been weighted in making the recommendation below.

7. Conclusion

The principle of the development is considered acceptable. In terms of visual/residential amenity, shadow flicker/reflected light and noise officers consider that the proposal is acceptable subject to conditions. In landscape and visual impact terms the proposed turbine would not have a significant adverse cumulative landscape impact and would not have a significant impact on the landscape.

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 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:

13.02 metres	maximum tip height *(to the upright vertical tip of an attached blade)
9.42 metres	maximum hub height
7.19metres	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 turbines have been submitted in writing to, and approved in writing by, the local planning authority. The turbine blades shall rotate in the same direction. The development shall thereafter be implemented only in accordance with the approved details.

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 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 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.

(07) All cabling in connection with the development hereby approved shall be installed underground (unless otherwise approved in writing by the local planning authority)

Reason: In the interests of amenity.

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

- 1) The date construction starts and ends.**
- 2) The maximum extension height of any construction equipment.**
- 3) The latitude and longitude of every 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.

(09) 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 manufacturer's instructions and the site survey.**
- 2) The wind Turbine shall be serviced in accordance with the manufacturer's recommendations.**
- 3) The cumulative noise from the wind turbine, measured 3.5m from the facade of any occupied neighbouring property not in the ownership of the applicant, shall not exceed 35dB LA90, (10 minutes) up to wind speeds of 9m/s at hub height. Where the most noise sensitive 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.**
- 4) The Wind Turbine shall not be tonal in character.**

The development shall thereafter be implemented only in accordance with the approved details.

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

Informatives

The applicant is advised to contact Colin Edwards (Chief Engineer) 01248 752350 to discuss the requirements of a condition survey of the highway network before commencement of any development on the site. The survey will be useful for all parties to provide a record of the condition of the public highway prior to the completion of the development.

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)

Rhif y Cais: 26C14H Application Number

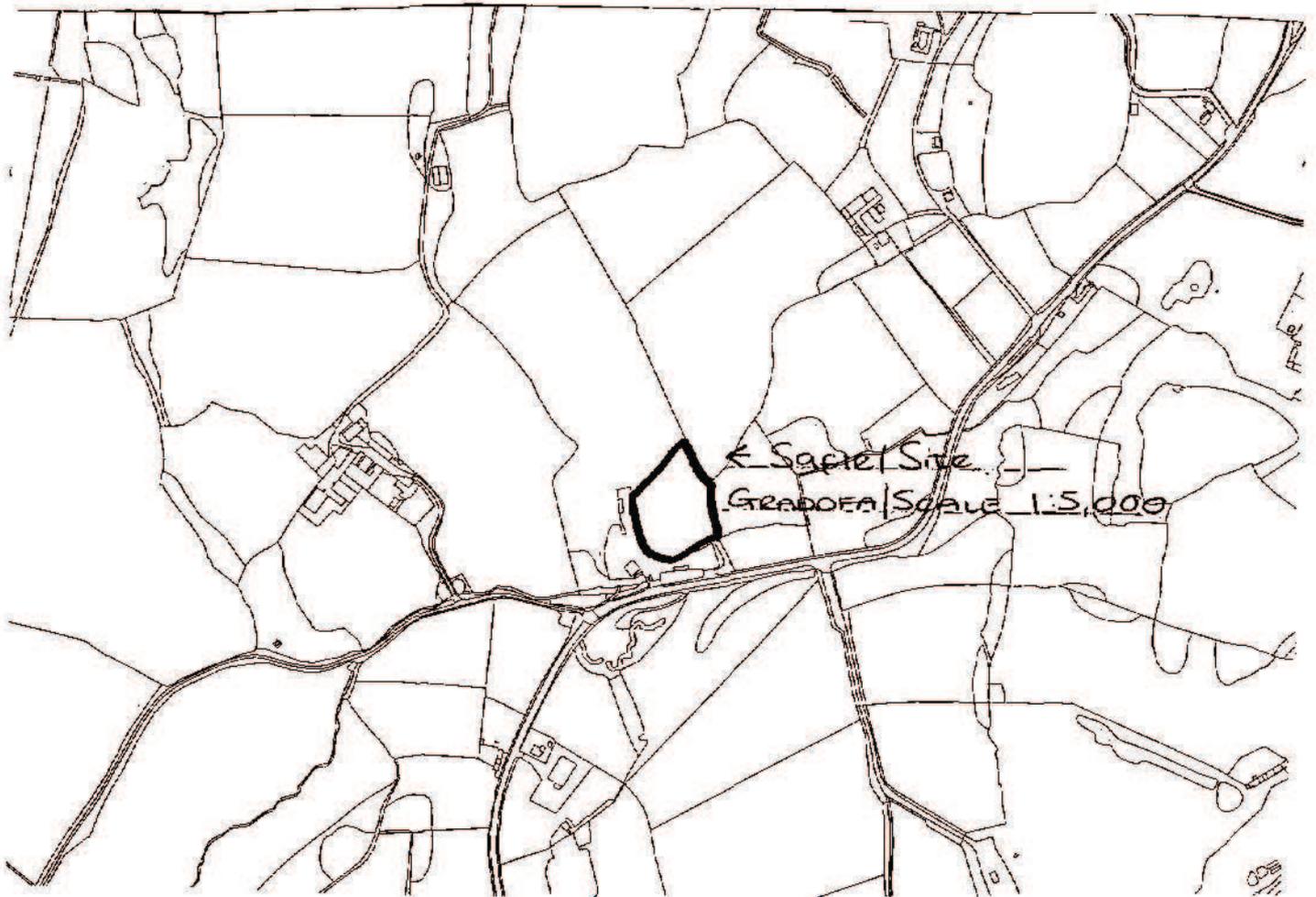
Ymgeisydd Applicant

Mr Gwilym Owen
c/o Mr Dermot McGee
Egniol Environmental Ltd
Tre Felin
Bangor
Gwynedd
LL57 4LH

Cais llawn ar gyfer canolfan ailgylchu anadweithiol yn

Full application for an inert recycling centre at

Nant Newydd Quarry, Brynteg



Planning Committee: 09/01/2013

Report of Head of Planning Service (RWW)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member

1. Proposal and Site

This is an application to regulate the inert waste recycling activities currently taking place at the quarry.

2. Key Issue(s)

Whether the proposal will contribute to improving waste management operations currently on site without compromising the site's environmental management. Is the proposal acceptable in planning policy terms?

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 29 – Waste Disposal

Stopped Ynys Môn Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy WP5 – Recycling

Policy WP7 – Civic Amenity Sites

Gwynedd Structure Plan

Policy D18 – Waste Disposal Undertaking

Technical Advice Note 21 – Waste

Technical Advice Note Minerals (Wales) 1:

Aggregates

4. Response to Consultation and Publicity

Local Member – Call in the application to Committee due to the proximity to the site of Cors Erddreiniog.

Community Council

Highways Authority (Drainage)

Environmental Services (Health)

Welsh Water

Environment Agency

Countryside Council for Wales
Ecological Consultants –

Campaign for the protection of Rural Wales –

North Wales Wildlife Trust –

The application was publicised with a notice on site and personal notifications to residents. No observations in response have been received so far.

5. Relevant Planning History

26C14 - Extensions to existing limestone quarry at Nant Newydd Quarry, Brynteg.
No Objection - 09/07/1986

26C14A - Extension to existing quarry together with the retention of an office and workshop at Nant Newydd Quarry, Brynteg.
No Objection - 10/01/1990

26C14B - Restoration of quarry by infilling with inert waste at Nant Newydd, Brynteg.
Permitted - 29/03/1996

26C14C - Recycling of waste aggregate by use of a power screen at Nant Newydd Quarry, Brynteg.
Permitted - 10/04/1997

26C14D/SCR - Screening opinion for the renewal of planning permission 26C14B to allow for the continuation of quarry working and the progressive restoration of the quarry by infilling with inert waste at Nant Newydd Quarry, Brynteg.
EIA not Required - 27/11/2007

26C14E - Variation of condition (02) on planning permission ref: 26C14B to allow winning \ working of minerals until 31\12\2010, tipping operations until 31\12\2011 and retention of buildings, vehicles, plant and machinery until 31\03\2012 at Nant Newydd Quarry, Brynteg.
Withdrawn - 20/05/2008

26C14F/SCO - Scoping opinion for the variation of condition (02) on planning permission ref: 26C14B to allow winning \ working of minerals until 31\12\2010, tipping operations until 31\12\2011 and retention of buildings, vehicles, plant and machinery until 31\03\2012 at Nant Newydd Quarry, Brynteg.
Opinion Given - 20/08/2008

26LPA695/CC - Application for a certificate of lawfulness for an existing use with that use being for haulage and renting of machinery at Nant Newydd Quarry, Brynteg.
Withdrawn - 29/03/1996

6. Main Planning Considerations

Planning application 26C14C was permitted for the recycling of aggregate on the site in 1997, with operations to cease on 31 December 2008. Notwithstanding, the site operator was not aware that the permission was temporary and as a result he has continued to recycle waste on site.

Notwithstanding the unauthorised activity currently taking place at the quarry, Technical Advice Note 21: Waste, and the objectives of the Regional Waste Plan outline the need to develop a sustainable network of facilities for the treatment of waste with particular emphasis on the need to provide facilities for reusing and recycling waste. The demand for reusing or recycling waste materials has increased considerably in response to the European Directive through the Landfill Regulations(Wales and England) 2000, to divert landfill waste to resources where waste is utilized sustainably.

As a result of the above, the operators of Nant Newydd Quarry have been recycling a large proportion of the waste that is imported to the site and landfilling the inert waste that cannot be recycled as part of the quarry's recovery scheme.

It is noted that comment has been made with regard to the proximity to the site of Cors Erddreiniog. I have not received any observations as yet from the Countryside Council for Wales on this application. However, the marshland is protected under the conditions of planning permission 26C14G/EIA permitting the quarry to operate until 2020 and for disposal to continue until 2021. Although I have received no comment from the Environment Agency so far, I am aware that waste operations of this kind are the subject of an environmental management licence that will also contribute to the protection of the environment.

I have not received an advisory comment from the Highways Authority with regard to this application. However, it is not the applicant's intention for traffic levels to increase in excess of the levels permitted under planning permission 26C14B of four lorries returning per hour or 32 lorries per day.

I have received no comment from the Council's Environmental Health Department on the application as yet. However, information provided by the applicant notes that he will accept conditions relating to dust suppression and the management of noise levels consistent with the current conditions.

It is considered that the current recycling operations at Chwarel Nant Newydd contribute to increasing the level of inert waste that is reused and recycled within the waste strategy at the expense of landfill. In addition the by-products reduce the dependency on primary aggregate.

7. Conclusion

With the proviso that no relevant and material objections are received during the consultation period, and subject to the relevant planning conditions, it is recommended that the application be permitted.

8. Recommendation

Permit.

Rhif y Cais: 35C304 Application Number

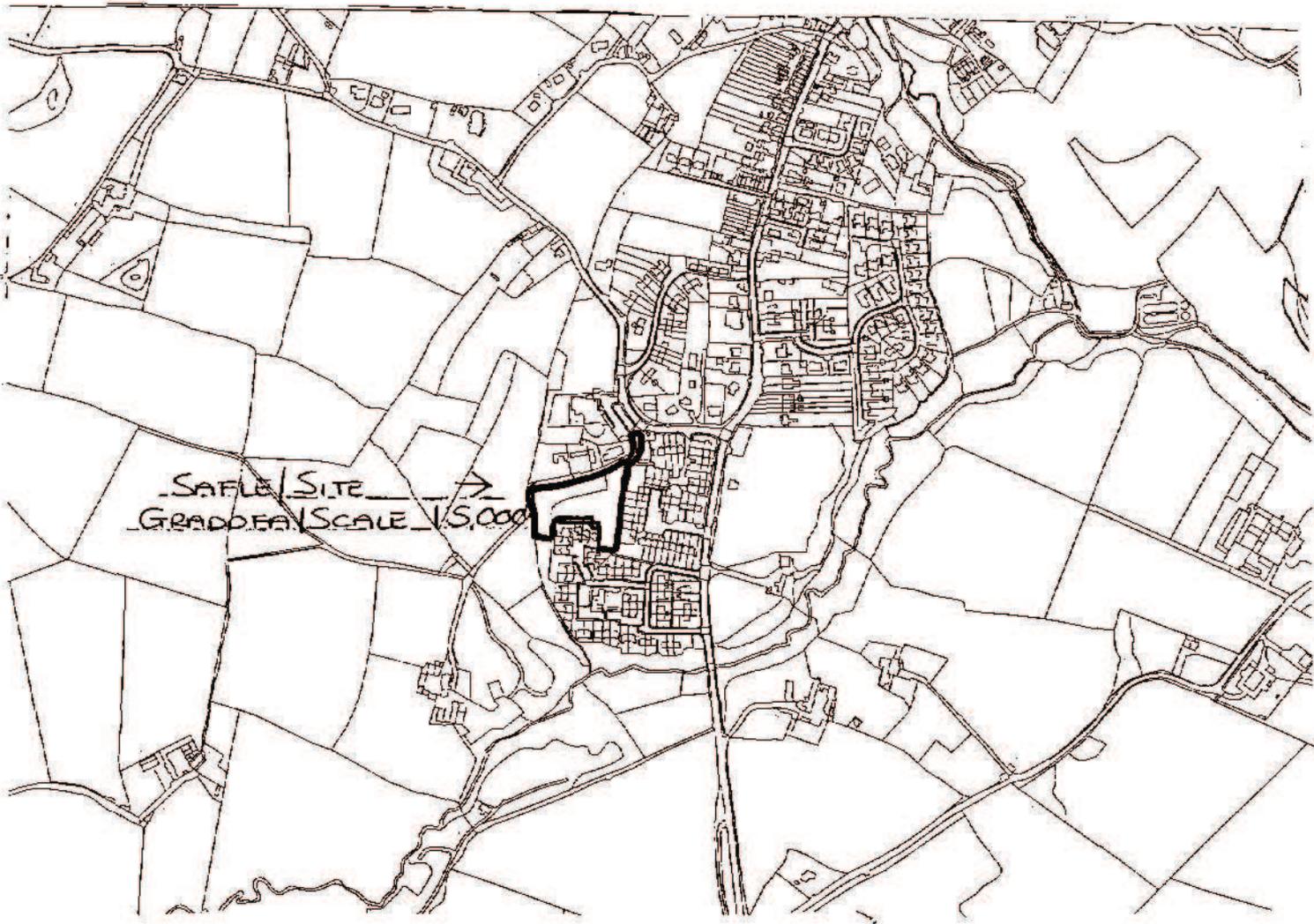
Ymgeisydd Applicant

**North Wales Housing Association Ltd
c/o Cadnant Planning Ltd
1 Connaught House
Riverside Business Park
Benarth Road
Conwy
LL32 8UB**

Cais llawn i godi 9 ty fforddiadwy ar dir ger

Full application for the erection of 9 affordable dwellings on land near

Bryn Paun, Llangoed



Planning Committee: 09/01/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The applicant has served notice on the Isle of Anglesey Council.

1. Proposal and Site

The application is made for 9 affordable dwellings and associated highway improvements.

The mix of dwellings comprises two 2 bedroom dwellings, six 3 bedroom dwellings and one 4 bedroom dwelling.

The properties will be a mix of rentals and below market value purchase; the mix will be decided based on the needs of the community. Those purchased will only be sold outright if the original occupiers wish to purchase at a later date and the difference between the original purchase value and market value is payable to the Council. The 4 properties outside the settlement boundary will be rented or if purchased it will not be possible to purchase them on an outright basis. It is the applicant's proposal to include these provisions in a lease on the land.

2. Key Issue(s)

- Acceptability of the development on an exception basis
- Other material planning considerations.

3. Main Policies

Gwynedd Structure Plan

A1 - Housing

A3 - Housing

A8 - Affordable Housing.

Ynys Mon Local Plan

49 Defined Settlements

52 Exception Sites

Stopped Ynys Mon Unitary Development Plan

HP4 Villages

HP7 Affordable Housing – Housing Need

Supplementary Planning Guidance Affordable Housing (May 2004)

Affordable Housing Delivery Statement (2009)

Planning Policy Wales Edition 5 (November 2012)

Technical Advice Note 2: Planning and Affordable Housing (2006)

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

4. Response to Consultation and Publicity

Local Member No observations at the time of writing.

Community Council No observations at the time of writing.

Highways No observations at the time of writing.

Drainage No observations at the time of writing.

Housing The application resulted from a survey undertaken in 2009 and the Housing Department have worked with the Housing Association to develop the scheme. The council's Rural Housing Enabler has worked with Llangoed Community Council in undertaking the survey and discuss plans & has held open meetings for local people to see the plans and express interest. Fourteen people came forward with a local connection and we are confident that we will be able to let the houses through either a shared equity scheme or a percentage rental basis. We will keep in contact with the community if the application is successful to arrange further publicity. The houses will contribute to the supply of affordable housing in an area where housing need is acknowledged therefore the Housing Department support the application.

Environmental Services No observations at the time of writing.

Environmental Advisor No observations at the time of writing.

Countryside Council for Wales No observations at the time of writing.

Welsh Water No observations at the time of writing.

Environment Agency No observations at the time of writing.

Response to Publicity

One letter received stating that the "Brownies & Guides" currently occupy a parcel of land within this proposed development & that the loss of the land will impact upon them. A proposed extension to the hut has been stopped and there will be significantly less room in which to play and practice camping skills.

5. Relevant Planning History

35C304A/SCR Screening Opinion No EIA required 11.12.12.

6. Main Planning Considerations

Principle of Development

A portion of the application site is allocated as residential proposal T28 in the Ynys Mon Local Plan and part of the site is outside the settlement boundary. A larger section of the application site is allocated as housing proposal T42 in the Stopped Ynys Mon Unitary Development Plan. A greater area of the application site is located outside the defined settlement boundary.

The principle of developing those dwellings within the settlement boundary for residential purposes is acceptable. In relation to the Ynys Mon Local Plan development boundary approximately two pairs of semi-detached (4 dwellings) are located outside the settlement boundary and need to be considered on an exception basis.

A Housing Needs Survey was undertaken in 2009 and in collaboration with Llangoed and Penmon Community Council. The survey indicated that affordability was an issue in the Llangoed area. Evidence from the questionnaire indicated that 27 households wished to move and that the majority of households would consider Llangoed. Twenty of these households included Llangoed as their first choice. The majority of the households who wished to move required 2 to three bedroom dwellings. The submitted details indicate that the mix of dwellings in terms sizes was also arrived at following local consultation. Having regard to income levels the Housing Needs Survey concluded that 16 households would be in need of affordable housing in Llangoed over next 1-5 years (2009).

The potential provision within the settlement boundary is a material assessing the number of affordable housing units proposed as follows:

- The Joint Planning Policy Unit have confirmed that there are no sites within the settlement boundary of Llangoed which have planning permission or are allocated which could accrue affordable housing units.
- The affordable level in Llangoed is around £98,000 and there were no properties for sale at or below this price nor were there any properties available for rent.
- Council stock – The best information currently available shows that there are around 13 on the list for 2 and 3 bed properties with 60 points or more, but many more with fewer points. Turnover of Council properties is low and estimated at around 3 every 2 years.
- Empty homes - There are 3 empty properties on the list, two of them in rural locations outside Llangoed village. The Empty Property Officer is writing to the owners to make enquiries about their intentions but she suspects looking at the locations that they will be in need of renovation.

On the basis of the above some of the potential need for affordable homes in Llangoed could be met within the settlement boundary, but the principle of providing the outstanding balance outside the settlement boundary is acceptable. As described previously the design of the type of dwellings and the tenure are derived from the Housing Needs Survey (2009).

Other Material Considerations

The design and layout of the development is considered acceptable in relation to material planning policies.

7. Conclusion

The principle of the development is acceptable but a number of consultations are currently outstanding and report therefore requests delegated powers.

8. Recommendation

That Officers are granted delegated powers to permit the application subject to the following and any other conditions recommended by outstanding consultees:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

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

(02) The landscaping scheme as shown on drawing number 12/15/LP/01 shall be implemented not later than the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner.

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

(03) Any trees or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

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

(04) No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall be constructed with the approved slab levels.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

(05) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

Reason: To ensure a satisfactory appearance to the development.

(06) The colour of the external self-coloured render on the dwellings hereby approved shall be agreed in writing with the local planning authority prior to the commencement of the development hereby approved. The details approved under the provisions of this condition shall be used in the development hereby approved.

Reason: To ensure a satisfactory appearance to the development.

(07) The dwellings 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), (or any subsequent equivalent and/or standard as may be in force at the time of registration). 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.

(08) Construction of the dwellings 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 dwellings in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3). (or any subsequent equivalent and/or standard as may be in force at the time of registration).

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

(09) Prior to the occupation of the dwellings 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 dwellings in accordance with requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3), (or any subsequent equivalent and/or standard as may be in force at the time of registration).

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

9. Other Relevant Policies

Gwynedd Structure Plan

D4 – Location, Siting and design

D28 – Slates

D29 – Standard of Design

D32 - Landscaping

Ynys Mon Local Plan

1 General Policy

26 Car Parking

42 Design

48 Housing Development Criteria

Stopped Anglesey Unitary Development Plan

GP1 Development Control Guidance

GP2 Design

TR10 Parking Standards

EN14 Tree Preservation Orders and Hedgerows

HP2 Housing Density

Isle of Anglesey Council Parking Standards 2008

Supplementary Planning Guidance: Design in the Urban and Rural Environment

Technical Advice Note 5 Nature Conservation and Planning (2009)

Technical Advice Note 18 Transport (2007)

Rhif y Cais: 39C291E/1 Application Number

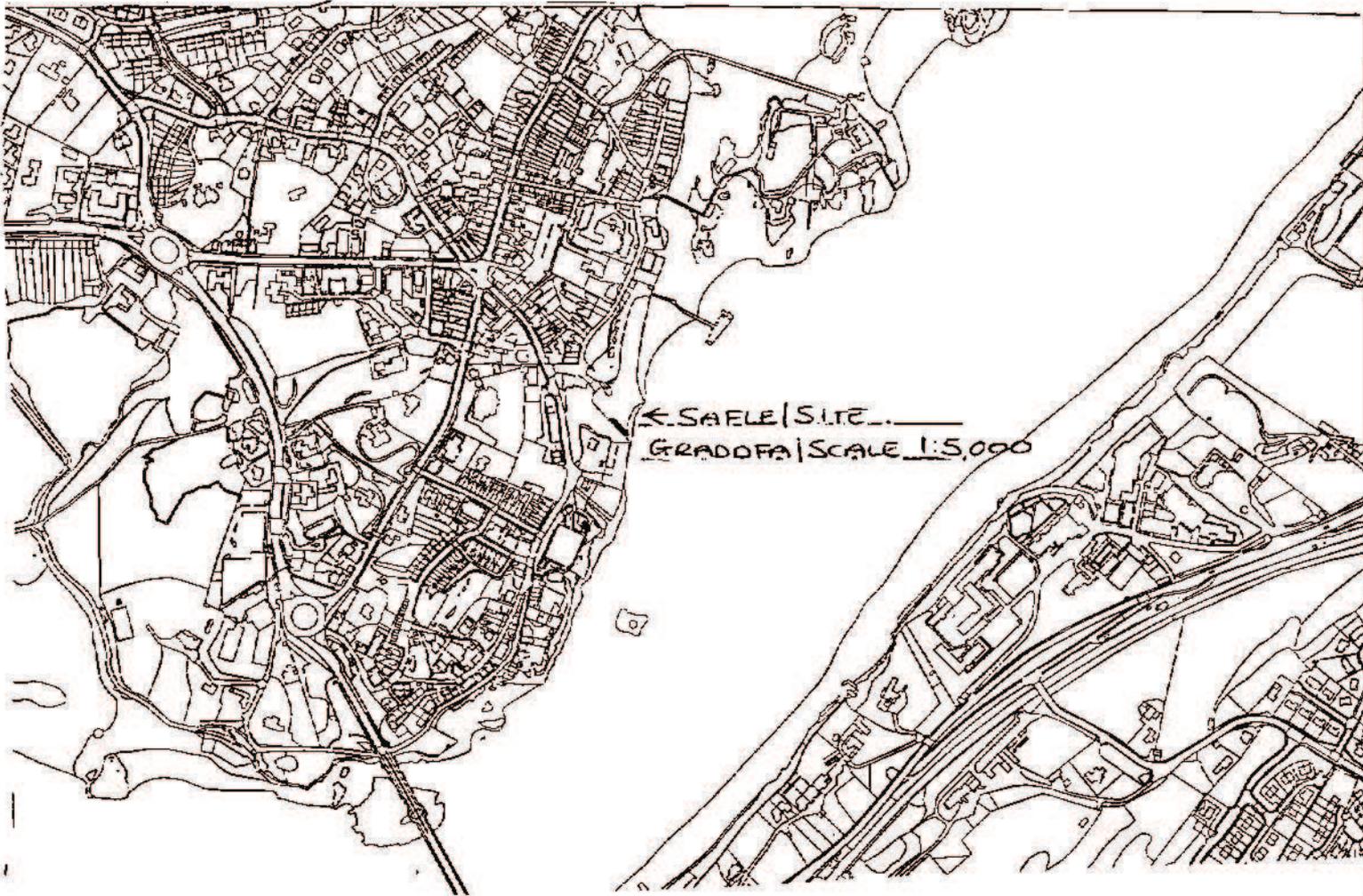
Ymgeisydd Applicant

York Desgin & Construction Ltd
c/o Mr Lester Roberts
Planscape
1 Lychgate House
St Marys Court
Whitford
Holywell
Flintshire
CH8 9AG

Gosod dau pontwn arnofio yn

Installation of two floating pontoons at

Porth Daniel Boat Yard, Water Street, Menai Bridge



Planning Committee: 09/01/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The applicant has served notice on the Isle of Anglesey Council who acts as an agent for the Crown Estate.

1. Proposal and Site

The application is made for two floating pontoons to provide access to the Menai Striaits from the existing boat yard at Porth Daniel. The floating pontoon in close proximity to a wall which comprises a listed structure (grade II). The design of the structure is such that it is not attached to the listed wall.

2. Key Issue(s)

- Design and any Effect on the Listed Structure
- Site of Special Scientific Interest & Menai Strait SAC designation.
- Effect on Amenities

3. Main Policies

Gwynedd Structure Plan

D4 – Location, Siting & Design

D10 – Safeguard County's Heritage

D21 – Listed Building

D22 – Setting Listed Building

Ynys Mon Local Plan

1 - General

33 – Nature Conservation

41 – Conservation of Buildings

42 - Design

Stopped Ynys Mon Unitary Development Plan

GP2 - Design

EN5 – International Sites

EN6 – National Sites

EN13 – Conservation of Buildings

Planning Policy Wales Edition 5

Technical Advice Note 6 Nature Conservation and Planning

Technical Advise Note 12 (Wales): Design

Welsh Office Circular 61/96 "Planning and the Historic Environment: Historical Buildings and Conservation Area"

4. Response to Consultation and Publicity

Local Member No observations received.

Community Council Recommend refusal on the grounds of over development of the area, visual effect of drilling into a listed historical wall, obtrusive, clarification also requested as regards the ownership of the land.

Highways Comments awaited at the time of writing.

Ecological & Environmental Adviser No ecological comment, the proposal is within an SSSI, and also some metres from the Menai Strait SAC designation. I therefore advise CCW be consulted on this case.

Countryside Council for Wales Comments awaited at the time of writing.

Environment Agency Comments awaited at the time of writing.

Response to Publicity

None at the time of writing.

5. Relevant Planning History

39C291B/1 Installation of a floating pontoon Conditionally approved 04.08.11.

6. Main Planning Considerations

Planning History

Planning permission has been granted for an identical floating pontoon adjacent but this has not yet been constructed.

Design and any Effect on the Listed Structure

The design of the development is considered acceptable. It is not affixed to the listed wall so will not affect the listed structure. In accord with statutory requirements special regard has been taken of the effect on the setting of the listed wall.

Site of Special Scientific Interest & Menai Strait SAC designation

The application site is within a Site of Special Scientific Interest and is adjacent to the Menai Straits SAC. No ecological comments are made from the council's Ecological Adviser but comments are awaited from the Countryside Council at the time of writing.

Effect on Amenities

Policy 1 of the Ynys Mon Local Plan and GP 1 of the Stopped Ynys Mon Unitary Development Plan relate the effect on residential amenities and pollution and nuisance problems will be assessed in determining planning applications. It is not considered that the proposals will unacceptably affect the amenities of any adjacent properties.

7. Conclusion

Subject to the receipt of comments from the Countryside Council for Wales the development is considered

acceptable.

8. Recommendation

That permission is **permitted** subject to the following conditions:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

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

In formatives

It may be necessary to obtain a separate application for Listed Building Consent if any structure is attached or affixed in any way to the listed wall and no works should commence until Listed Building Consent is obtained.

Rhif y Cais: **44C182C** Application Number

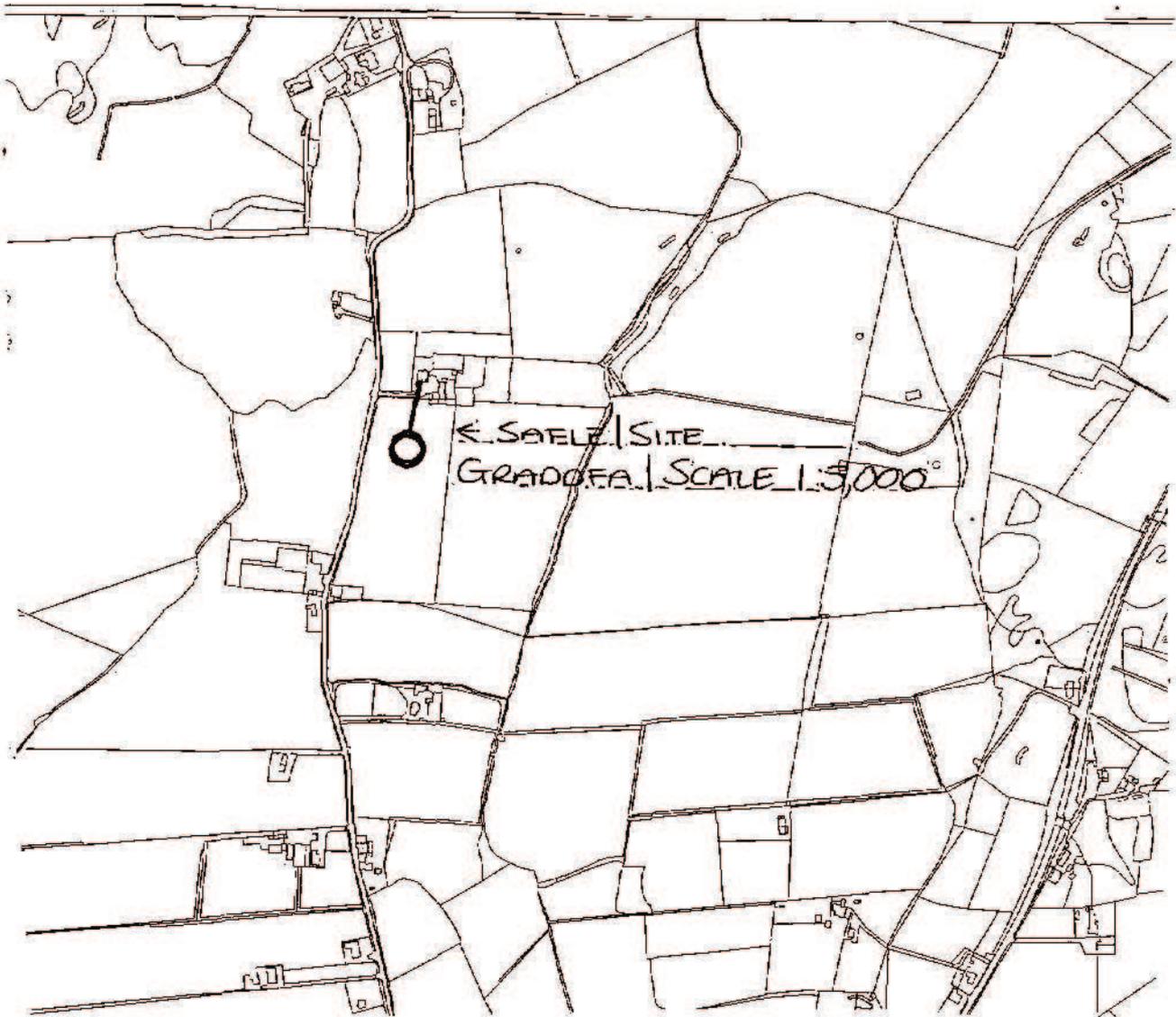
Ymgeisydd Applicant

**Miss Marie Louise Henaghan
c/o RGR Partnership
1st Floor NatWest Bank Building
Glanhwfa Road
Llangefni
LL77 7EN**

Cais llawn i godi un twrbîn gwyntgyda uchder hwb hyd at 15.1m, diamedr rotor hyd at 5.6m a uchder blaen unionsyth fertigol hyd at uchafswm o 17.5m ar dir yn

Full application for the erection of one wind turbine with a maximum hub height of 15.1m, a rotor diameter of 5.6m and a maximum vertical upright height of 17.5m on land at

Bryn Goleu, Rhosybol



Planning Committee: 09/01/2013

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.

1. Proposal and Site

The application is made for a single wind turbine with a maximum height to the tip of the blade of 17.5m meters and a maximum rotor diameter of 5.6m meters. The rated power of the turbine is 6KW. The make and model is specified in the planning application which will be installed on a monopole fixed to a concrete foundation. The submitted details indicate that cabling to the electricity network will be .

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 Mon Local Plan

31 Landscape

45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan

EP 18 Renewable Energy

EN1 Landscape Character

Planning Policy Wales Edition 5 (November 2012)

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 Wind Energy Developments (January 1994).

4. Response to Consultation and Publicity

Community Council - Have resolved to object to turbines proposed in their area

Highways - Comments no objection

Drainage Informatives recommended.

Environmental Services Conditional permission.

Environmental Advisor No objection

Countryside Council for Wales Does not object to the proposal

MOD No objection

Arqiva No objections on the grounds of the effect on television reception.

Welsh Water No comments.

Environment Agency Low environmental risk.

5. Relevant Planning History

44C182D/SCR screening opinion no EIA required

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.

Section 12.8 (Renewable and Low Carbon Energy) of Planning Policy Wales (4th Edition Feb 2011) gives strong support for renewable energy projects in line with the Welsh Assembly Government's Energy Policy Statement (2010), paragraph 12.8.1 states:

"...It explains our aim by 2050, at the latest, to be in a position where almost all of our local energy needs can be met by low carbon electricity production. Our approach is to reduce energy consumption and improve energy efficiency first and maximise renewable and low carbon energy generation at every scale across Wales..."

Paragraph 12.8.2 states:

"...Planning policy at all levels should facilitate delivery of both the Assembly Government's overall Energy Policy statement, and UK and European targets on renewable energy..."

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 Section 5.5), the Coast (See Section 5.6) and the Historic Environment (See Section 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 4.2);*
- *grid connection issues where renewable (electricity) energy developments are proposed; and*
- *the capacity of, and effects on, the transportation network relating to the construction and operation of the proposal.*

Paragraph 12.8.13 states the impacts from renewable energy developments and associated infrastructure will vary depending on their type, location and scale. This requires different policy and development control considerations. A table is provided at Figure 12.3 (Renewable and low energy scales for planning purposes).

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. In order to meet these targets the Assembly Government has concluded that 800MW of additional installed capacity is required from onshore wind sources.

Paragraph 2.12 of TAN 8 states the Assembly Government expects local planning authorities to encourage, via their development plan policies and when considering individual planning applications, smaller community based wind farm schemes (generally less than 5 MW). The development subject to this report can be regarded as small but it is not a community based scheme.

Paragraph 2.13 states:

“Most areas outside SSAs should remain free of large wind power schemes. Local planning authorities may wish to consider the cumulative impact of small schemes in areas outside of the SSAs and establish suitable criteria for separation distances from each other and from the perimeter of existing wind power schemes or the SSAs.”

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”.

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.

The council's adopted Supplementary Planning Guidance: 'Wind Energy Development' (1994) is a material consideration in determining wind turbine applications. However, due to the age of the document, it is in the process of being replaced by an updated version called 'Onshore Wind Energy', which is currently at the 2nd post-consultation stage and can only be attributed little weight.

The policies listed above provide a presumption in favour of renewable energy developments subject to detailed considerations. The impacts from renewable energy developments will also vary depending on their location and scale and require different policy and development control considerations

Landscape and Visual Impact

The proposal would be 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 Supplementary Planning Guidance (SPG), Wind Energy Development (January 1994) that development will not be permitted on sites that could impair the quality and setting and enjoyment of the protected landscape. Proposals with 2km of the AONB need to be carefully assessed; and that the boundary does not imply a sharp barrier between conservation values within, and outside.

Given the size and location of the turbine it is considered that it would not result in a significant change to the landscape character area which would warrant a refusal.

Residential Amenity

Annex D of TAN 8 lists factors which should typically be reviewed to identify “technically feasible areas” for the development of onshore wind energy schemes. At paragraph 3.4 it states “500M is currently considered a typical separation distance between a wind turbine and residential property to avoid unacceptable noise impacts, however when applied in a rigid manner it can lead to conservative results and so some flexibility is again advised”

The council's Supplementary Planning Guidance Wind Energy Development (1994) “SPG” states that the council will give favourable consideration to renewable energy projects in those cases where it can be

clearly demonstrated that there would be no adverse impacts on the listed considerations which include “the standard of amenity enjoyed by residents and the tourist populations”. Under 7.3 “Public Safety, Shadow Flicker Disturbances, Visual Intrusion and Impact on Highway Safety” the “SPG” contains a recommended standard that no turbine shall be sited nearer than 400 metres from the nearest dwelling house, with a possible exception of dwellings occupied by the owners of land where it is proposed to locate turbines.

As indicated previously in the report little weight can be attributed to the draft SPG which is currently being prepared by the council.

Officers have assessed the impact on the visual/residential amenity of surrounding residential properties. On the basis of the size of the proposed turbine and distances from these properties it is not considered that the resident’s amenity is affected to an unacceptable degree.

Annex C of Planning Policy Wales provides advice on Shadow Flicker and Reflected light. Shadow flicker is only found to occur within properties up to 10 rotor diameters of a turbine and within 130 degrees either side of north at these latitudes in the UK. There are no residential properties within this area in this case and shadow flicker nuisance is not expected to occur within any residential properties as a result of the development, a condition has, however, been recommended on a precautionary basis.

Annex C goes on to state turbines can also cause flashes of reflected light, which can be visible for some distances. The guidance states that reflected light can be mitigated by the choice of blade colour and a condition has been recommended on the colour to mitigate impacts to mitigate the impacts.

The application has also been assessed by the council’s Environmental Services Section who do not consider that the development will have an unacceptable impact in terms of noise subject to the conditions recommended.

Other Issues

The Ministry of Defence have no objections to the development subject to conditions.

No objections are raised by the Countryside Council for Wales or the council’s Environmental Adviser on the grounds of the effect on protected species or other grounds as per their consultation responses.

The effects of the development on tourism is a material consideration. The Isle of Anglesey Council commissioned research on “The Impact of Wind Turbines on Tourism” which has been weighted in making the recommendation below.

7. Conclusion

The principle of the development is considered acceptable. In terms of visual/residential amenity, shadow flicker/reflected light and noise officers consider that the proposal is acceptable subject to conditions. In landscape and visual impact terms the proposed turbine would not have a significant adverse cumulative landscape impact and would not have a significant impact on the landscape,

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 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:

17.5 metres	maximum tip height *(to the upright vertical tip of an attached blade)
15.1 metres	maximum hub height
5.6 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 turbines have been submitted in writing to, and approved in writing by, the local planning authority. The turbine blades shall rotate in the same direction. The development shall thereafter be implemented only in accordance with the approved details.

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 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 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.

(07) All cabling in connection with the development hereby approved shall be installed underground (unless otherwise approved in writing by the local planning authority)

Reason: In the interests of amenity.

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

- 1) The date construction starts and ends.**
- 2) The maximum extension height of any construction equipment.**
- 3) The latitude and longitude of every 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.

(09) 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 manufacturer's instructions and the site survey.**
- 2) The wind Turbine shall be serviced in accordance with the manufacturer's recommendations.**
- 3) The cumulative noise from the wind turbine, measured 3.5m from the facade of any occupied neighbouring property not in the ownership of the applicant, shall not exceed 35dB LA90, (10 minutes) up to wind speeds of 9m/s at hub height. Where the most noise sensitive 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.**
- 4) The Wind Turbine shall not be tonal in character.**

The development shall thereafter be implemented only in accordance with the approved details.

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

A construction method statement shall be prepared in conjunction with the Countryside Council for Wales prior to the commencement of any works and agreed in writing with the local planning authority this method statement shall be adhered to at all times during construction

Reason: To minimize any adverse affects on the biodiversity of the location

Informatives

The applicant is advised to contact Colin Edwards (Chief Engineer) 01248 752350 to discuss the

requirements of a condition survey of the highway network before commencement of any development on the site. The survey will be useful for all parties to provide a record of the condition of the public highway prior to the completion of the development.

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)

Rhif y Cais: 46C483B Application Number

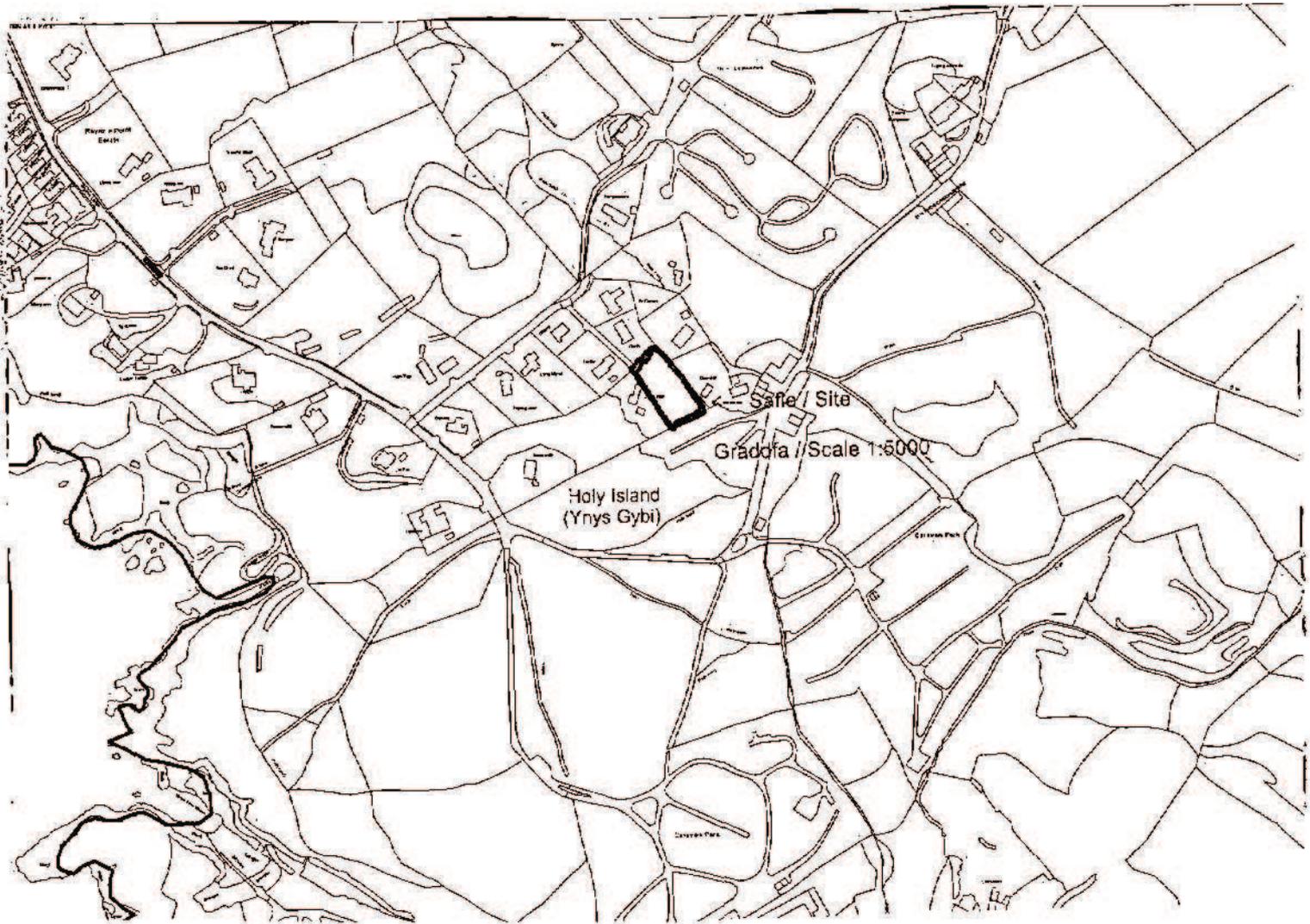
Ymgeisydd Applicant

Mr P Evans
c/o Alan J Williams & Associates
48 Refail Farm,
Rhoscolyn,
Holyhead,
Anglesey.
LL65 2EX.

Cais ôl-weithredol ar gyfer codi modurdy ar dir ger

Retrospective application for the erection of a garage on land adjacent to

The Log Cabin, Off Ravenspoint Road, Trearddur Bay



Planning Committee: 09/01/2013

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Chairman of the Planning and Orders Committee

1. Proposal and Site

The site is situated off Ravenspoint Road on land which is currently being developed for residential purposes. The site is situated to the rear of the property known as Garth and next to Gwynfair. To the rear of the application site is an established caravan site. Access to the site is afforded along an unclassified track off Ravenspoint Road which serves the neighbouring properties and caravan site. The majority of the surrounding properties are single storey dwellings or detached dormer construction.

Outline planning permission was granted for a dwelling and detached garage in June 2010. During the process of determining a detailed application for the erection of a dwelling and detached garage at the front of the site works commenced on the construction of a building along the rear boundary of the site. The applicant was advised to stop works on the site as this building did not have planning permission and were advised that should they wish to retain the building a full planning application would be required.

The current application is a retrospective application for the erection and retention of the garage at the rear of the site. As part of the current application the applicant has submitted a Unilateral Agreement which states retrospective planning permission should be granted for the garage at the rear of the site the garage that was previously approved under planning permission 46C483A/DA at the front of the site would be revoked.

2. Key Issue(s)

The applications key issues are whether the proposal will affect the amenities of neighbouring properties or on the character and appearance of the surrounding area.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 31 - Landscape

Policy 42 – Design

Gwynedd Structure Plan

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 EN1 – Landscape Character

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

Technical Advice Note 9: Enforcement of Planning Control

4. Response to Consultation and Publicity

Local Member – Happy for Officer to determine application

Community Council – No comment

Highways – No recommendation

Drainage – Standard comments

Welsh Water – Comments

Countryside Council for Wales – No objection

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 14th August, 2012 and at the time of writing this report 12 letters of representation had been received at the department. The issues raised can be summarised as follows:

- i) Loss of privacy, view and light as the large building overshadows caravans on the neighbouring caravan site
- ii) General disturbance by way of noise and pollution from vehicles, light pollution from security lighting
- iii) Flooding from site
- iv) Out of character with the surrounding area
- v) Due to the scale of the building it may be used for residential purposes in the future
- vi) Building has been erected in the wrong place to that granted planning permission
- vii) Plans incorrect
- viii) Building too close to boundary with neighbouring caravan site and this has resulted in one caravan owner leaving the site
- ix) Static caravan has been placed on the site
- x) The garage at the front of the plot which has the benefit of planning permission should be erected before applying to retain the garage at the rear of the site
- xi) Construction work has been allowed to continue on the site without the benefit of planning permission

In response to these issues I would state:

- i) A sun study submitted as part of the application illustrates that the proposal will not overshadow the neighbouring caravans until approximately 8 pm in the month of August, it is not considered that this will detrimentally affect the amenities of the neighbouring caravans to such a degree as to warrant the refusal of the application. There are no windows in the side or rear of the garage which would result in overlooking to the neighbouring properties/caravans.
- ii) A condition will be imposed on the permission to restrict the use of the garage for private use and ancillary to the dwelling. It is not considered that private vehicles/boats will disturb the owners of the neighbouring properties to such a degree as to warrant the refusal of the application. It is likely that household security lights would be erected at the front of the garage and not at the rear which would face the neighbouring caravan site.
- iii) The application has been forwarded to the Drainage Section of the Authority and to Welsh Water and no objections have been raised by either party.
- iv) The garage will be approximately 5.2 metres high and will be lower in height than the neighbouring residential properties. It is acknowledged that the proposed garage will be higher than the caravans at the rear of the site however this is a permanent structure within a residential curtilage and respects the character of the surrounding properties.
- v) Planning is being sought for a private garage only. Should the applicant submit an application to change the use of the building in future this will be determined in accordance with current policies at that time.
- vi) The application is a retrospective planning application as the building has been erected without the benefit of planning permission. The applicant has submitted a Unilateral Agreement which would revoke the planning permission granted for the detached garage at the front of the site under planning permission 46C483A/DA.
- vii) The plans have been amended to illustrate what has been built on the site
- viii) The building has been erected approximately 1.2 metres away from the boundary of the site with the neighbouring caravan site. As stated above the sun study illustrated that the garage will not affect the amenities of the neighbouring caravans by way of overshadowing at this distance.
- ix) Planning permission is not required for the siting of a temporary static caravan during renovation/construction of a dwelling or its retention thereafter for incidental use.
- x) As stated above the applicant has submitted a Unilateral Agreement which would revoke the planning permission granted for the detached garage at the front of the site under planning permission 46C483A/DA.
- xi) During the course of determining planning application 46C483A/DA the applicant/builder were advised to stop construction works on the building and the matter was referred to the departmental Enforcement Section. The correct procedure in cases such as this is to invite the submission of an application. Paragraph 12 of Technical Advice Note 9: Enforcement of Planning Control states that where a local planning authority considers that an unauthorised development could be made acceptable by the imposition of planning conditions it should invite the owner or occupier of the land to submit an application for planning permission...

5. Relevant Planning History

46C483 - Outline application for the erection of a dwelling and a private garage on land adjacent to Log Cabin, Ravenspoint Road, Trearddur – Approved 09:06:10

46C483A/DA - Reserved matters application for the erection of a dwelling and a private garage on land adjacent to Log Cabin, Ravenspoint Road, Trearddur – Approved 01:06:12

6. Main Planning Considerations

Effect on amenities of neighbouring properties – The sun study submitted as part of the application illustrates that the garage will not overshadow the neighbouring caravans until approximately 8 pm. There are no windows in the rear or side elevation of the garage and therefore the proposal will not result in overlooking to the caravans. The site plan submitted as part of the application illustrated that screening by way of a hedge will be planted along the boundary of the site with the neighbouring caravan site.

Effect on surrounding landscape – The scale and height of the garage and the materials to be used in the construction of the garage will respect the character of the surrounding properties and will not harm the surrounding landscape.

7. Conclusion

The proposal will not adversely affect the amenities of the occupants of the neighbouring properties or have an adverse effect on the surrounding landscape.

8. Recommendation

Permit

(01) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 12:07:12 under planning application reference 46C483B.

Reason: For the avoidance of doubt.

(02) The garage hereby permitted shall only be used as a private garage incidental to the enjoyment of the adjoining dwelling approved under planning permission 46C483A/DA and for no commercial or business use whatsoever.

Reason: In the interests of residential amenity.

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Materion Eraill

Other Matters

Rhif y Cais: 16C136C Application Number

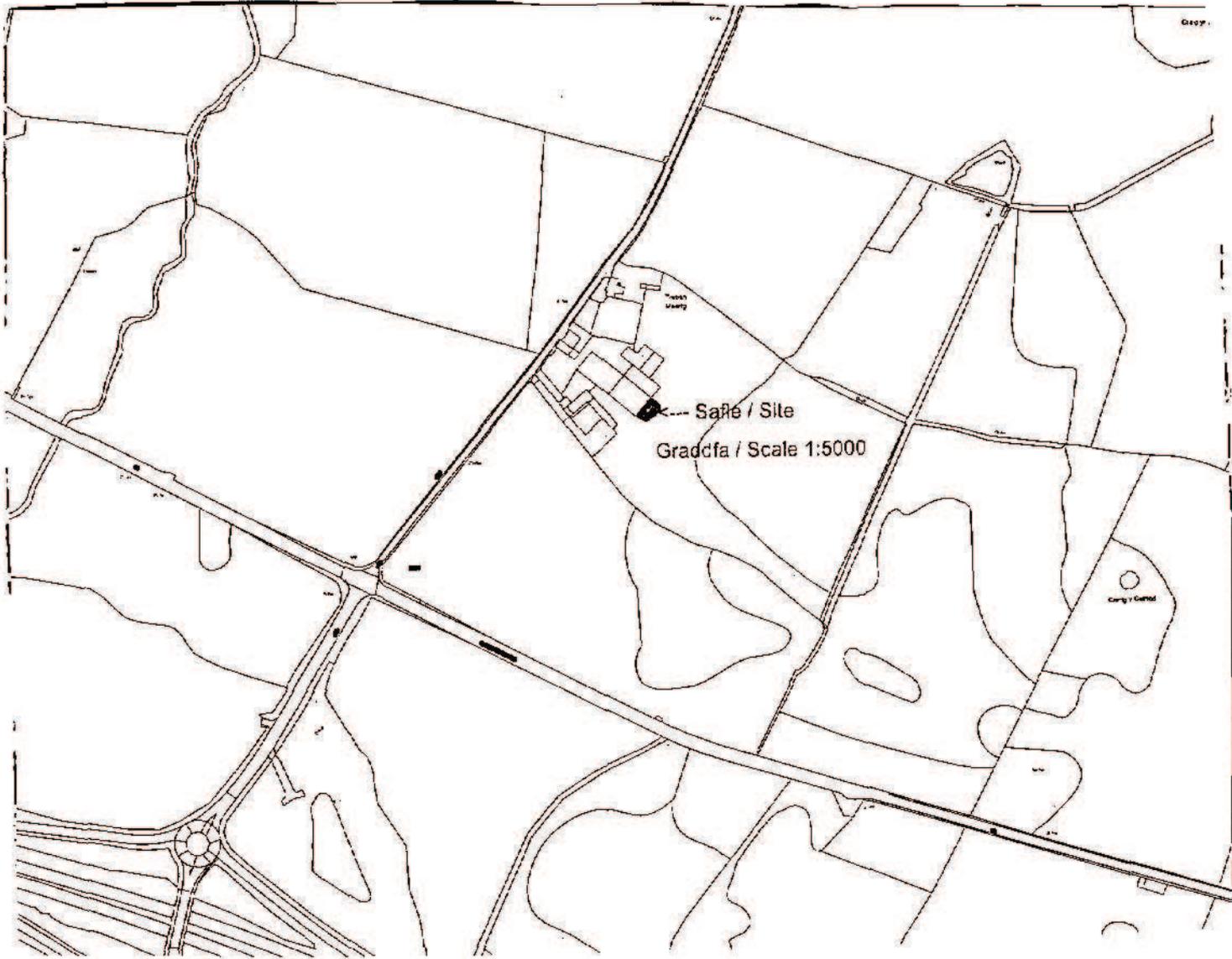
Ymgeisydd Applicant

Mr Robert Gethin Parry
Treban Meurig
Bryngwran
Holyhead
Ynys Môn
LL65 3YN

Cais i bennu os oes angen caniatad cynllunio ar gyfer codi sied amaethyddol ar gyfer cartrefu da byw ar dir yn

Application to determine whether prior approval is required for the erection of an agricultural shed for the housing of livestock on land at

Treban Meurig, Bryngwran



Planning Committee: 09/01/2013

Report of Head of Planning Service (AMG)

The applicant is related to a Councillor.

It was determined that prior approval of the Local Planning Authority was not required for the above development and that it constituted permitted development.

The matter is therefore reported for information purposes only.

Planning Committee: 09/01/2013

Report of Head of Planning Service (EH)

The applicant is related to a member of staff.

It was determined that prior approval of the Local Planning Authority was not required for the above development and that it constituted permitted development.

The matter is therefore reported for information purposes only.