

Rhif y Cais: 12C426 Application Number

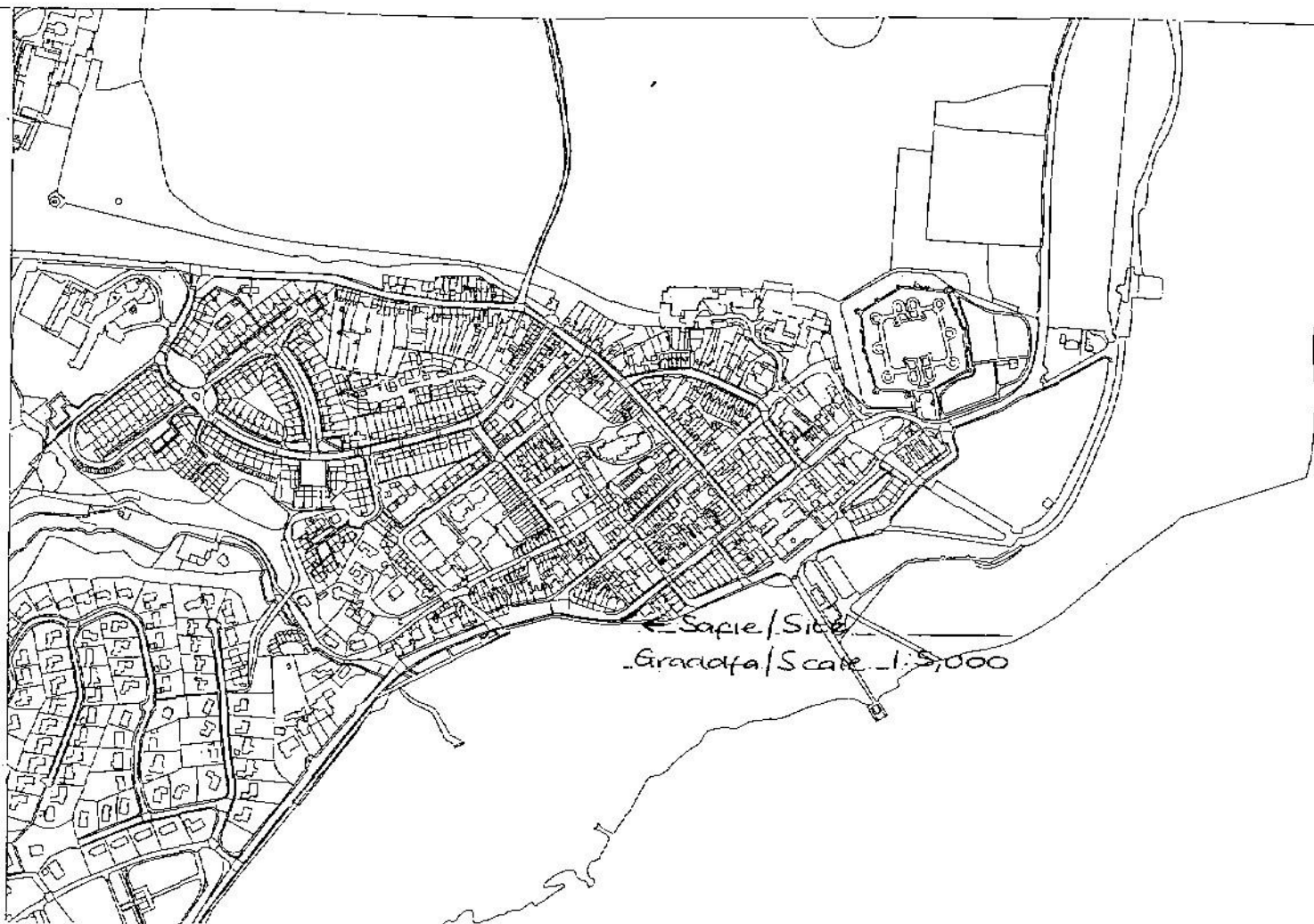
Ymgeisydd Applicant

Mr Stephen Burkhill  
Dwr Cymru / Welsh Water  
Vista  
St David's Park  
Ewloe  
Flintshire  
North Wales  
CH5 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 7<sup>th</sup> 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

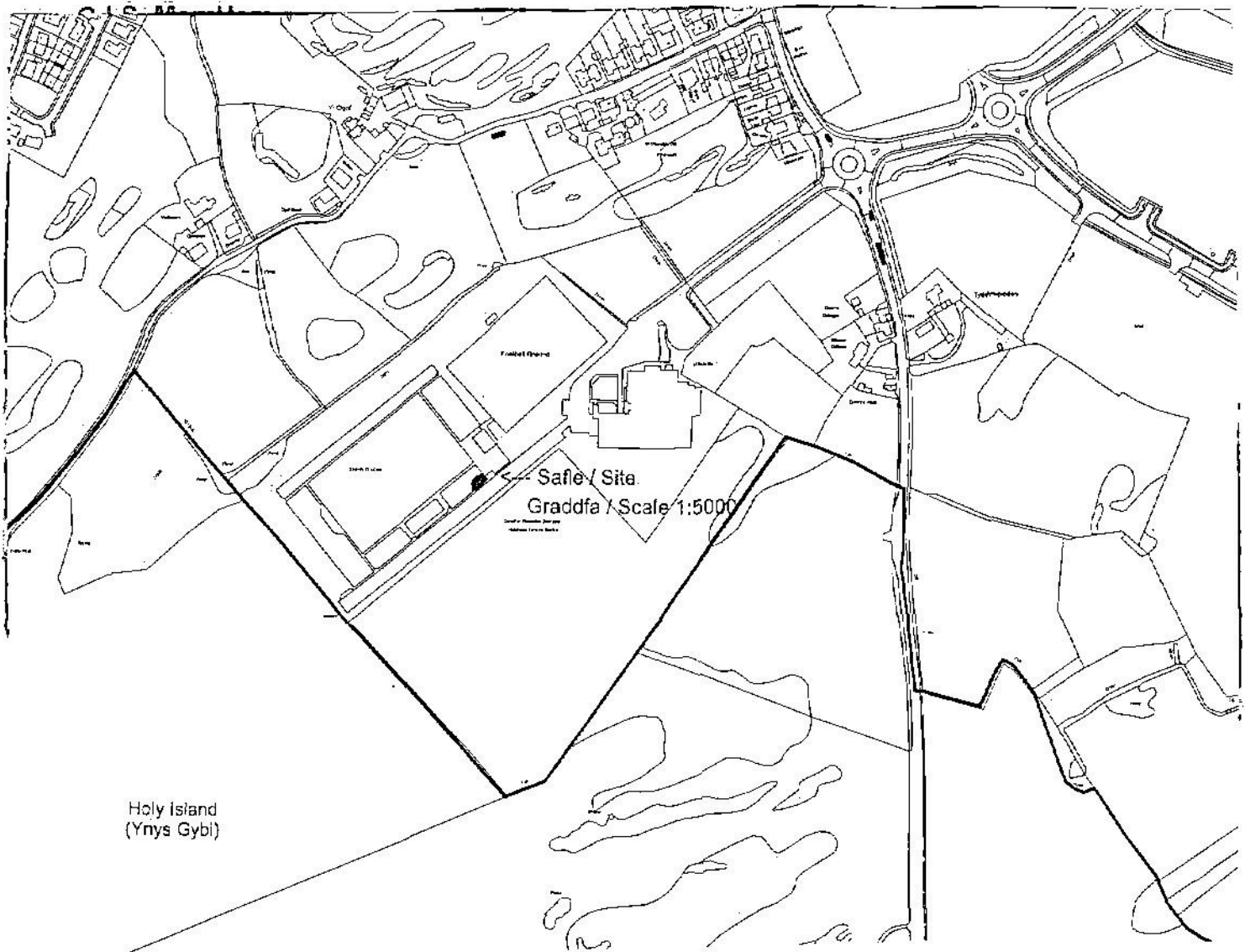
Ymgeisydd Applicant

**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 14<sup>th</sup> 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

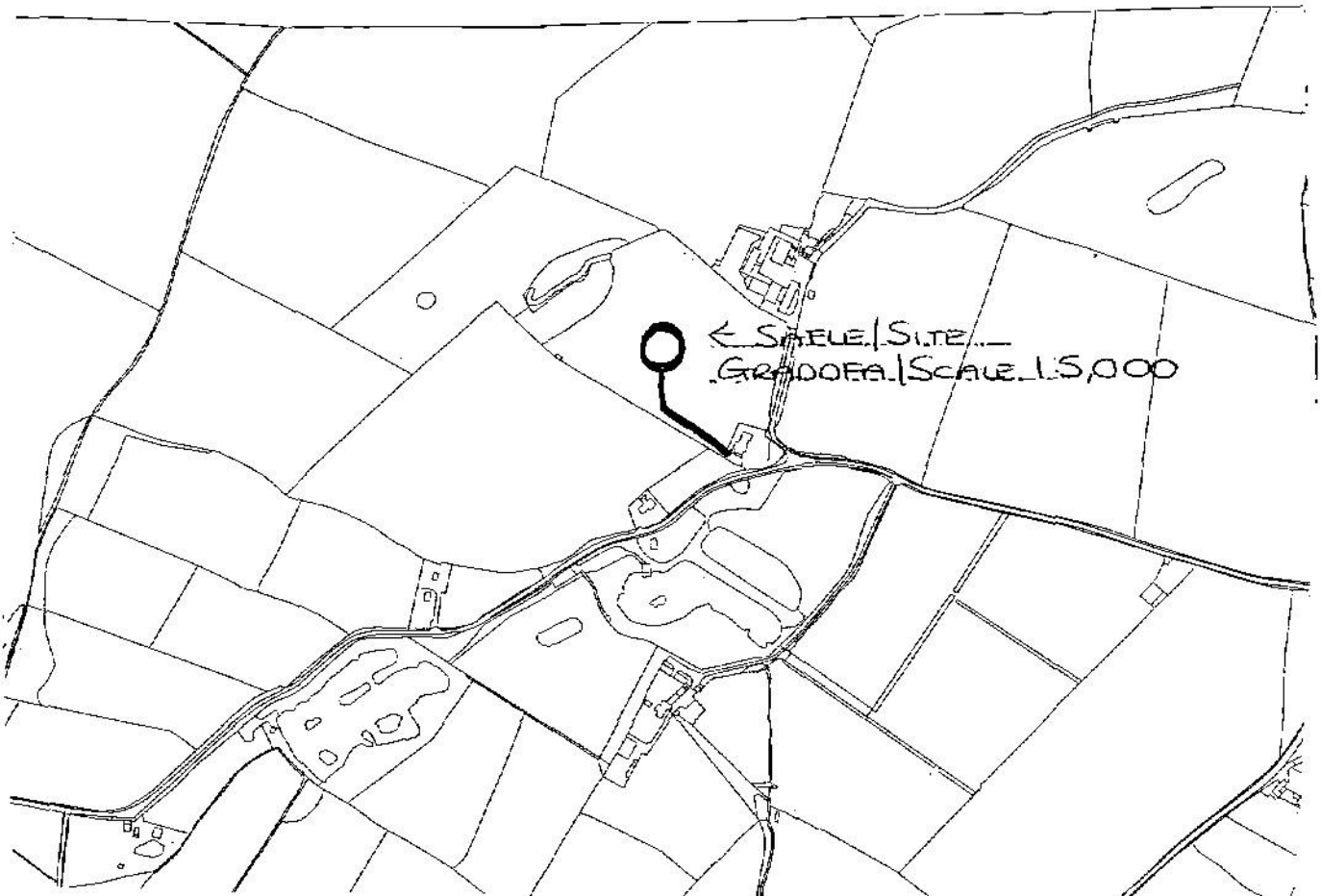
Ymgeisydd Applicant

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:**

<b>13.02 metres</b>	<b>maximum tip height *(to the upright vertical tip of an attached blade)</b>
<b>9.42 metres</b>	<b>maximum hub height</b>
<b>7.19metres</b>	<b>maximum rotor diameter</b>

**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)

**12.4**

**Gweddill y Ceisiadau**

**Remainder Applications**

Rhif y Cais: **26C14H** Application Number

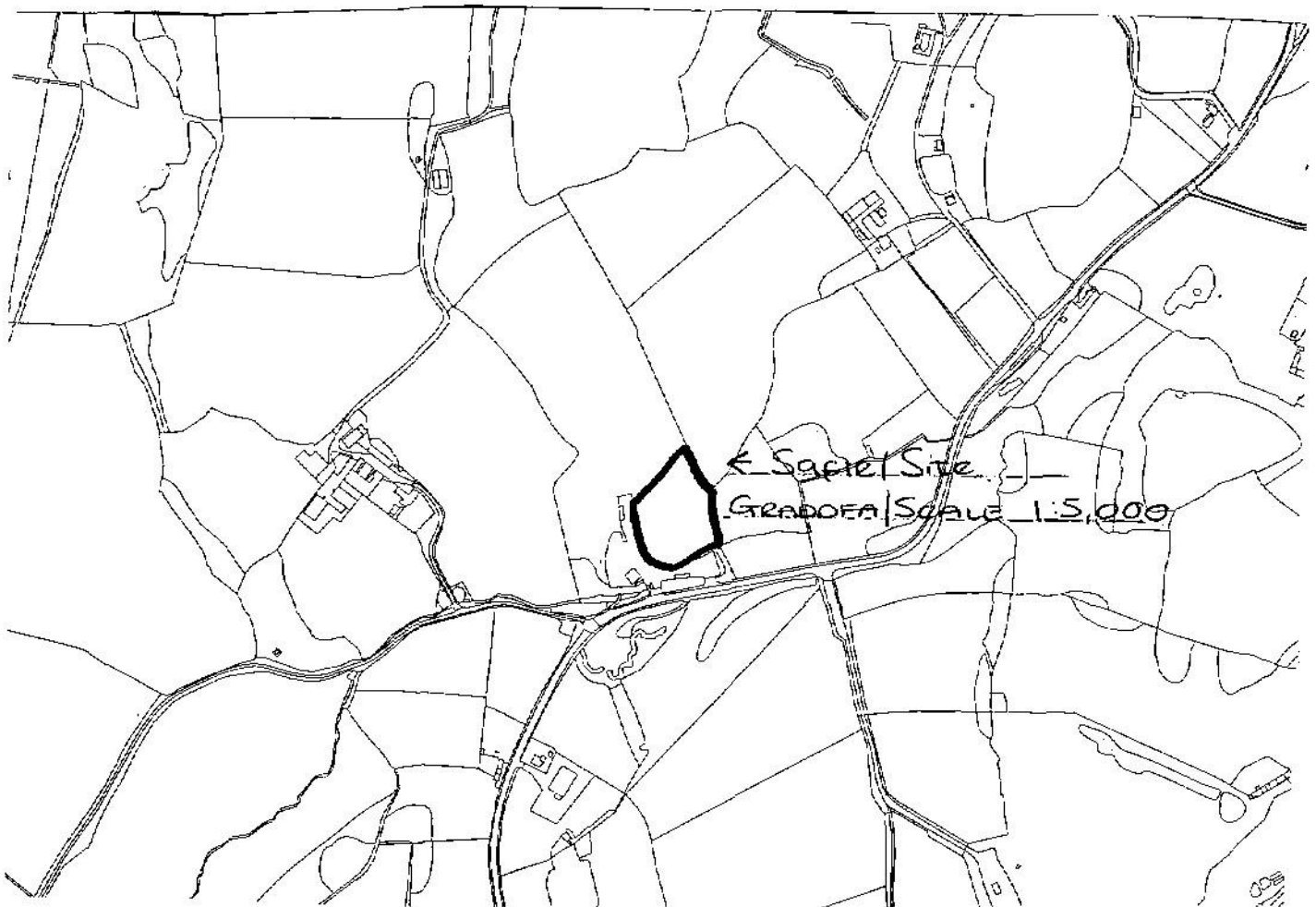
Ymgeisydd Applicant

**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.

12.5

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 35C304 Application Number

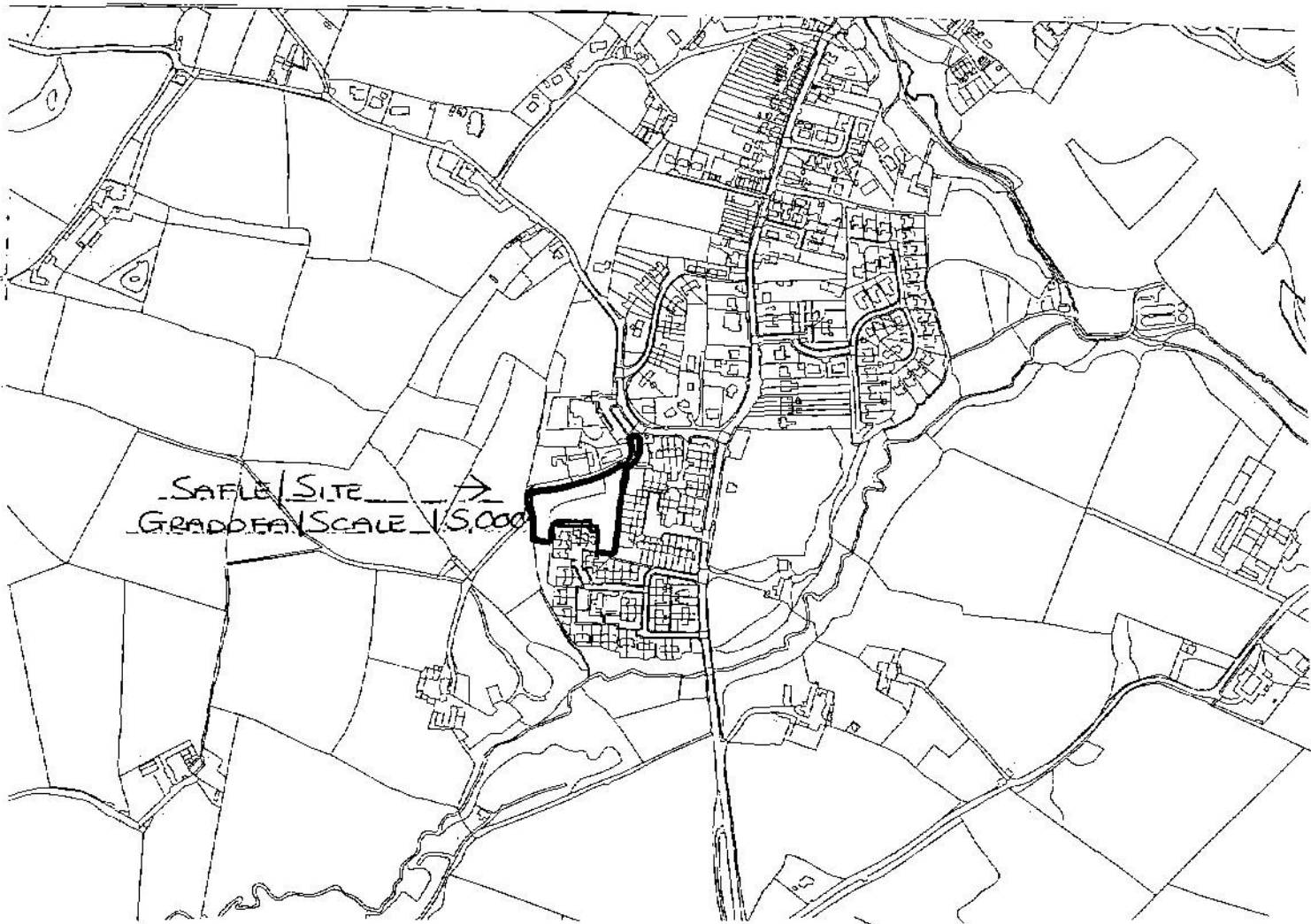
Ymgeisydd Applicant

**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 11<sup>th</sup> 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 11<sup>th</sup> 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 11<sup>th</sup> 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

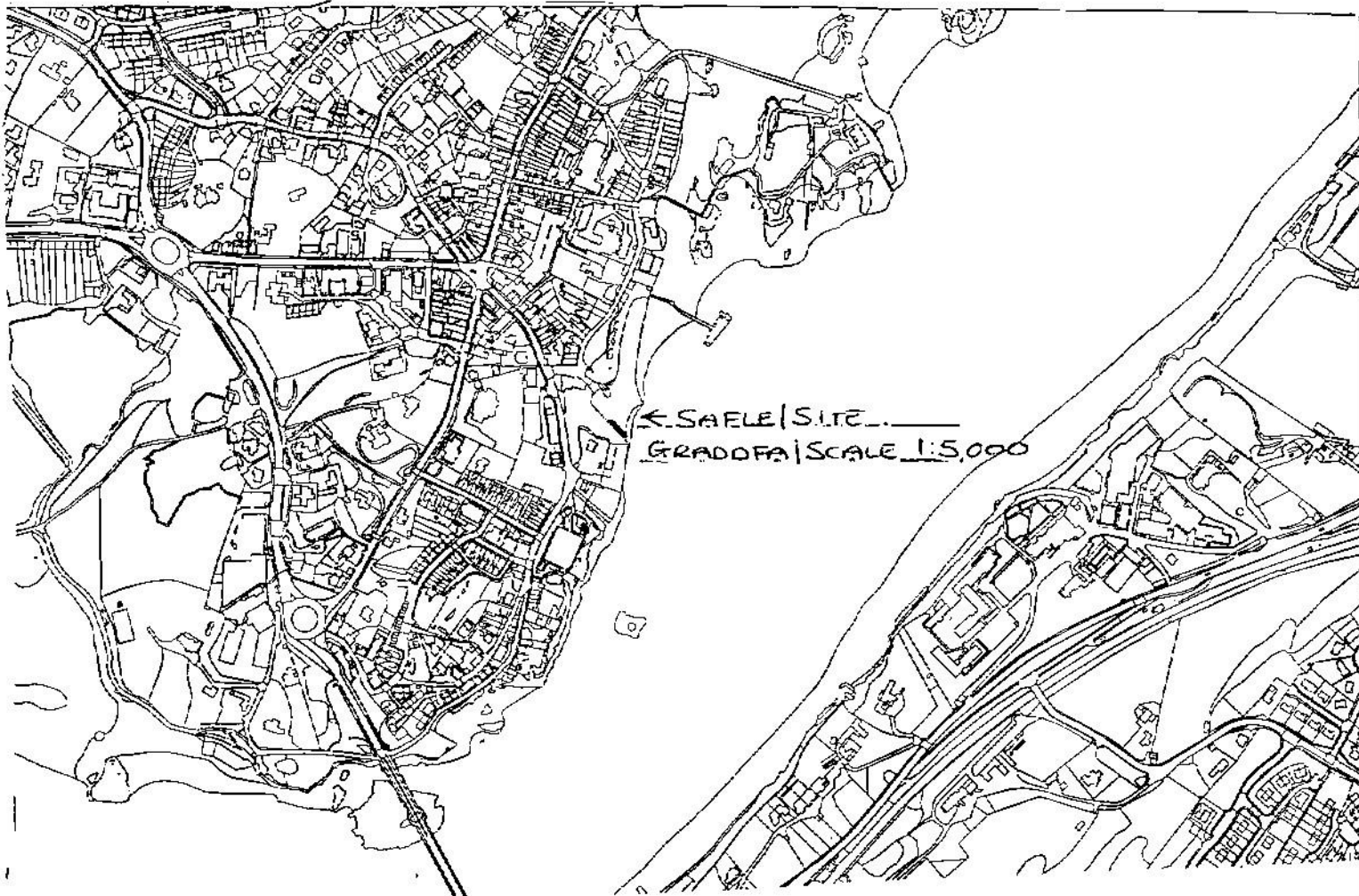
Ymgeisydd Applicant

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

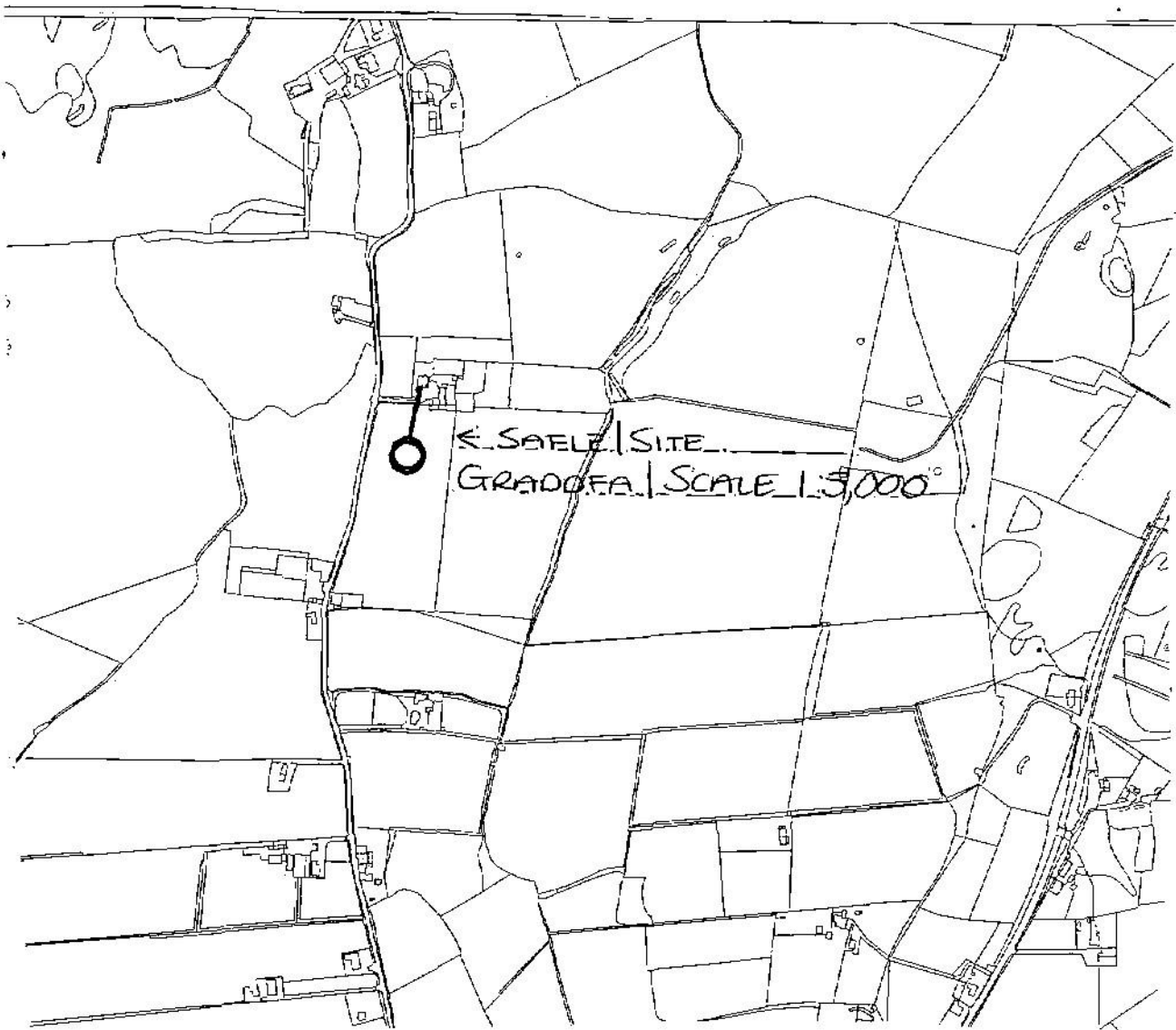
Ymgisydd Applicant

**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 2<sup>nd</sup> 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:**

<b>17.5 metres</b>	<b>maximum tip height *(to the upright vertical tip of an attached blade)</b>
<b>15.1 metres</b>	<b>maximum hub height</b>
<b>5.6 metres</b>	<b>maximum rotor diameter</b>

**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

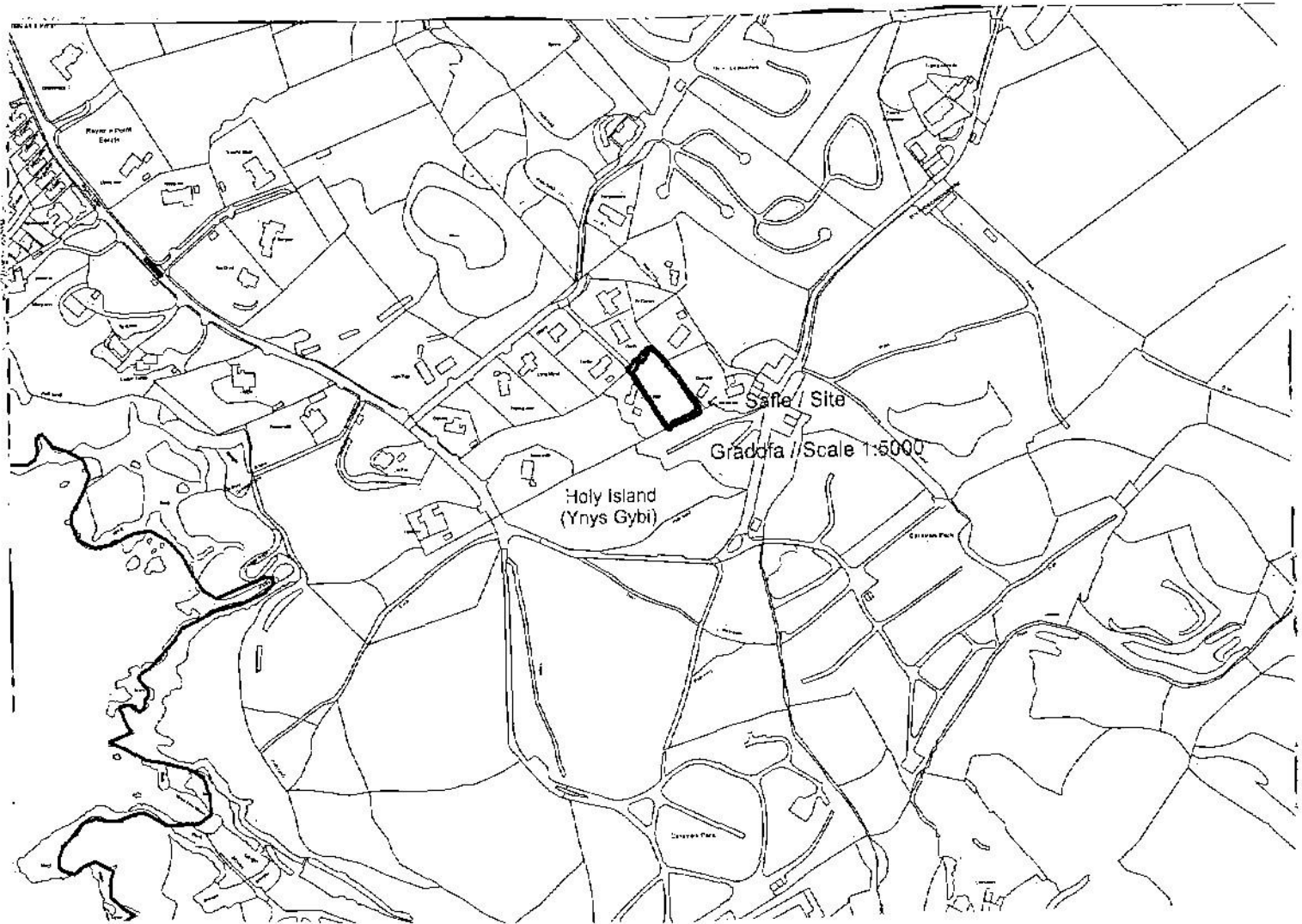
Ymgeisydd Applicant

**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, Trearddŵr 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 14<sup>th</sup> 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.