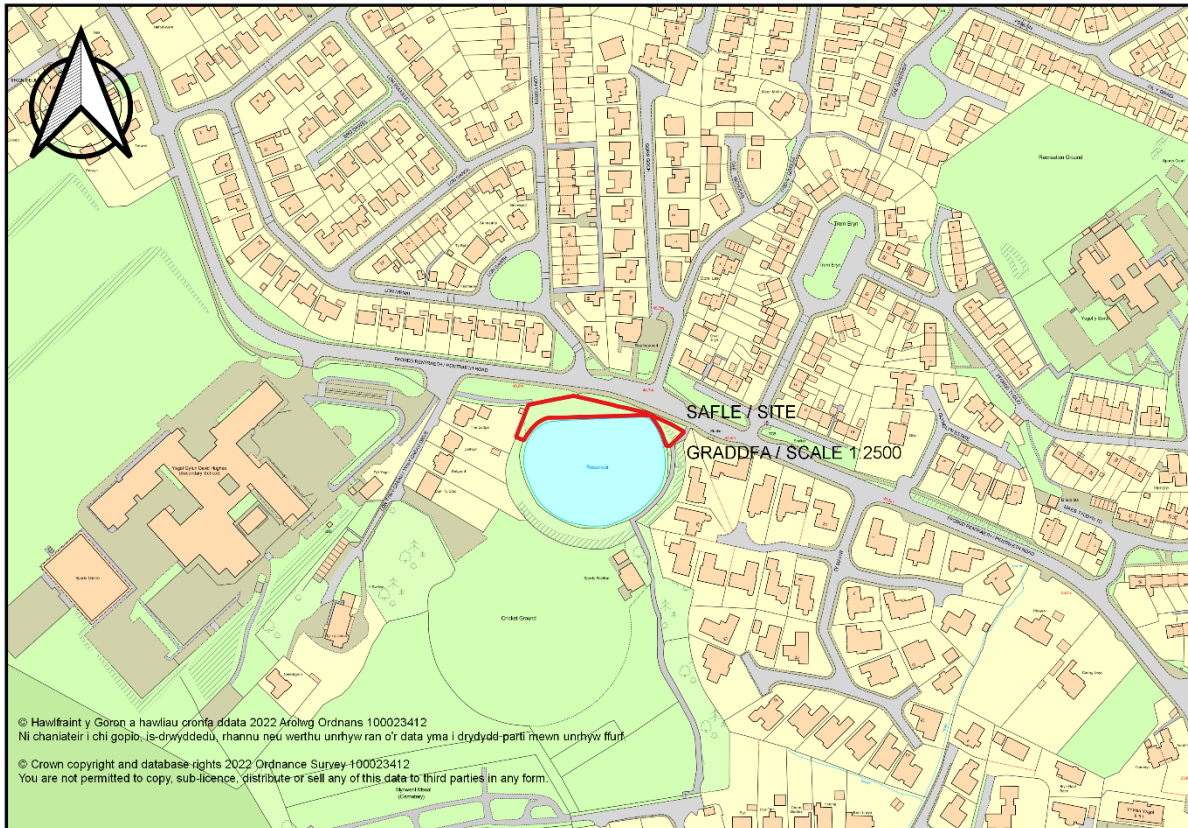


**Application Reference:** TPO/2022/16

**Applicant:** Head of Highways, Waste and Property

**Description:** Application for works to 6 trees protected by a Tree Preservation Order at

**Site Address:** Land between the reservoir and 30, Ty Mawr Estate, Menai Bridge



### Report of Head of Regulation and Economic Development Service (Edward Henderson)

**Recommendation:** Permit

### Reason for Reporting to Committee

The site is managed by the Council's Property section and owned by the Local Authority.

### Proposal and Site

The trees are subject to Tree Preservation Order titled 'Old Reservoir' Menai Bridge, Ynys Mon' made in 1988. They are situated on land which is part of the northern embankment of the reservoir, located off the Pentraeth road in Menai Bridge.

The trees have recently been surveyed for reasons of ash dieback and six trees are proposed for felling due to their condition and their location near the footpath along the highway used by the public and children walking to Ysgol David Hughes.

### **Key Issues**

The main issue is the likely effect on public amenity from the proposed works, and whether they are justified, having regard to the reasons put forward in support of them.

### **Policies**

#### **Joint Local Development Plan**

Technical Advice Note 10: Tree Preservation Orders (1997)

### **Response to Consultation and Publicity**

Consultations and publicity of TPO applications is discretionary. There has been no consultation or publicity for this application.

### **Relevant Planning History**

39C557/TPO - Tree Preservation Order - Cais i dorri 1 coeden onnen, gostwng uchder 1 coeden onnen ynghyd a gwaith i 1 coeden sycamorwydden sydd wedi eu diogelu gan Orchymyn Diogelu Coed yn / Application to remove 1 ash tree, reduce 1 ash tree and works to 1 sycamore tree which are protected by a TPO - Cronfa Dwr, Porthaethwy/ Menai Bridge Reservoir

TPO/2019/16 - Cais i wneud gwaith ar goed sydd wedi ei warchod gan Orchymyn Diogelu Coed yn / Application for works to trees protected by a Tree Preservation Order at Cronfa Dwr, Porthaethwy/ Menai Bridge Reservoir - Tynnwyd yn ôl / Withdrawn 8/10/2019

TPO/2019/17 - Cais i wneud gwaith ar 1 goeden a cwmpo pump coeden sydd wedi eu gwarchod gan Orchymyn Diogelu Coed yn / Application for works to 1 tree and the felling of 5 trees protected by a Tree Preservation Order at Cronfa Dwr, Porthaethwy/ Menai Bridge Reservoir – Caniatâu / Permit 10/12/2019

### **Main Planning Considerations**

The application is accompanied by a report (TMM arboriculture) carried out on August 16<sup>th</sup> 2022 which has identified 6 trees with ash dieback and recommends felling of them due to their proximity to the footpath (used by the public and Ysgol David Hughes students) and highway.

Ash Dieback is a disease of ash widespread on Anglesey – it is predicted that it will infect and kill up to 95% of ash trees and all ash trees on this site are infected to some degree; however not all require work at this time.

The woodland surrounding the reservoir is visible from the Pentraeth Road providing a backdrop to the Ty Mawr estate in views on the approach from Menai Bridge. They enclose the public footpath, enhancing the mostly treed and wooded footpath link between this part of Menai Bridge and the cemetery and A5 below. The trees are managed by the Property section who need to ensure the safety of pedestrians on the footpath and highway and commission periodic safety reports for the site.

### **Effects on public amenity**

The ash trees are visible among adjacent trees which are mostly sycamore, birch and willow. Their removal will have a negligible effect on public amenity i.e., viewpoints from the Pentraeth road and public footpath.

All works must be carried out the correct British Standard for tree works. No replacements are required as it is anticipated that some natural regeneration will occur within the woodland. However, there may be opportunities for replanting if repeated ash dieback work creates openings in the canopy and other site conditions and constraints permit.

### **Conclusion**

It is considered that the minor adverse amenity effects are justified by the reasons for the works i.e., the condition of the trees and the presence of ash dieback.

### **Recommendation**

That the application is permitted subject to the following condition:

**(01) The proposed works are done to British Standard 3998:2010 Tree Work – Recommendations.**

Reason: In the interest of amenity.

### **Informative**

All birds, their nests and eggs are protected by law. Any disturbance between 1st March and 30th September could constitute a criminal offence.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** VAR/2022/48

**Applicant:** Susan Madine & Diane Broad

**Description:** Application under Section 73 for the variation of condition (04) of planning permission reference 45C260B (Full application for change of use of the existing building from A1 (retail) to mixed use A1 and A3 (retail and food and drink)) so as to change the existing opening hours at

**Site Address:** Madryn House, Pen Dref Street, Newborough



**Report of Head of Regulation and Economic Development Service (Colette Redfern)**

**Recommendation:** Refuse

**Reason for Reporting to Committee**

At the request of the Local Member.

**Proposal and Site**

The application site is a corner building situated on a crossroads in the centre of the settlement of Newborough. The building was previously used as a Class A1 building (post office) and was granted planning permission in January 2017 for a mixed use development comprising of A1 and A3 to be used as a café/hotfood takeaway retailer. Condition (04) of the permission restricted the opening hours of the premises to 09:00 - 17:00 (Monday to Saturday and 10:00 - 16:00 on Sundays)

There is a mix of residential and commercial properties located in the immediate locality.

The application is to extend the opening hours to 08:00 - 23:00 7 days per week.

### **Key Issues**

The applications main issues are whether extending the opening hours will have a detrimental impact on the amenities of neighbouring properties.

### **Policies**

#### **Joint Local Development Plan**

Policy PCYFF 2: Development Criteria

Planning Policy Wales (Edition 11, February 2021)

### **Response to Consultation and Publicity**

<b>Consultee</b>	<b>Response</b>
Cynghorydd John Ifan Jones	Call-in due to local concerns
Cynghorydd Arfon Wyn	No response to date
Cyngor Cymuned Rhosyr Community Council	No response to date
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No comments
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Dim gwrthwynebiad
Iechyd yr Amgylchedd / Environmental Health	No observations

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 19/08/2022. At the time of writing this report 8 letters of representation objecting to the application and 10 letters in support of the proposal had been received at the department. The main issues raised in objection to the proposal can be summarised as follows;

- i. Extending the opening hours would lead to youths hanging around the square.
- ii. Noise disturbance
- iii. Parking problems would be exacerbated if the hours of opening were extended.
- iv. External customer seating area blocks the pavement

Other personal comments have been received that are not material planning considerations.

The main issues raised in support of the application can be summarised as follows;

- i. The business is an asset to the small community
- ii. The business employs local people and the food served is locally sourced

Other issues raised include responding to the personal comments raised in the objection letters that are not material planning considerations.

Following receipt of the letters of objection the applicants have also submitted a letter in support of their application and provided the following information;

- i. Only business in the village that have opening hours restricted to 5pm.
- ii. Do not play loud music and customer general conversation is low
- iii. Parking problems exist in the village at present and the 2 car parks are poorly sign posted
- iv. Ensure that the pavements has clear pedestrian access

The applicant have also responded to the personal comments that are not material planning considerations.

### **Relevant Planning History**

45C62 – Change of use of ground floor bank into a shop at Midland Bank Premises, Newborough – Approved 28/8/87

45C62A – Change of use of ground floor bank into a flat at Midland Bank Premises, Newborough – Approved 28/8/87

45C62B – Change of use of ground floor bank into snack bar//café at Midland Bank Premises, NEWBOROUGH – Refused 28/8/87 (lack of parking)  
Site history adjoining land

45C260 – Change of use of dwelling into a hot food takeaway with self contained flat above at Yr Erw, Market Square, Newborough – Approved 26/10/99

45C260A/AD – Erection of a shop sign at Yr Erw, Market Square, Newborough – Allowed 14/06/00

46C260B - Full application for change of use of the existing building from A1 (retail) to mixed use A1 and A3 (retail and food and drink) at Madryn House, Newborough - Approved 30/01/17

45C260C/DIS - Application to discharge condition (02) (additional information with respect to extraction system) of planning permission 45C260B at Madryn House, Newborough - Condition discharged 13/09/17

FPL/2018/27 - Full application for the change of use of the first floor residential flat into arts.crafts gallery and shop (Class A1) as an extension to the existing ground floor shop and cafe at Madryn House, Newborough - Approved 14/05/19

ADV/2019/2 - Application for the siting of 2 non-illuminated signs at Flat, Madryn House, Newborough - Approved 10/04/19

### **Main Planning Considerations**

The applications main issues are whether the change in the opening hours will have a detrimental impact on the amenities of the neighbouring properties.

Policy Context – Policy PCYFF2 of the Joint Local Development Plan states that a proposal should demonstrate its compliance with;

- 1. Relevant policies in the plan;
- 2. National planning policy and guidance...

Additionally, planning permission will be refused where the proposed development would have an unacceptable adverse impact on:

7. The health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisances;...

**Impact on surrounding properties and surrounding area –** The application site is a corner property located on the crossroads in the centre of the village of Newborough. The immediate neighbouring property, located on Chapel Street is a 'Fish and Chip Shop' and the immediate neighbouring property located along Pendref Street. There are commercial premises located on the adjoining corners of the crossroads.

The Fish and Chip shop is open until 8:30pm in the summer and 7:30 in the winter and the convenience store situated on the opposite corner of Chapel Street/Pendref Street is open until 9 pm. There is also a public house which is located directly opposite the convenience store.

The property also utilises the external area to provide external seating area for customers.

The increase in the hours of opening of the premises until 11pm, 7 days per week in this location will have a high potential to result in increased noise levels to the immediate neighbourhood. The proposal would by reason of noise with the late night opening with customers socializing and the comings and goings of customers would inevitably result in noise and disturbance. In my opinion this would exacerbate the intrusion into the privacy of the occupiers of neighbouring dwellings.

### **Conclusion**

Extending the opening hours of the premises until 11pm cannot be supported as the proposal would by reason of noise and number of visitors to the establishment together with the use of the outside seating area would detrimentally affect the amenities of the neighbouring residential properties and is contrary to local and national policies.

### **Recommendation**

That the application is refused for the following reason:

(01) The local planning authority consider that extending the hours of operation will adversely affect the amenities of the occupants of nearby properties by reason of noise and general disturbance and is therefore contrary to Policy PCYFF2 of the Gwynedd and Anglesey Joint Local Development Plan.

**Application Reference:** FPL/2022/134

**Applicant:** Forest Lodge Properties Ltd

**Description:** Full application for conversion of the outbuilding into a 2 bedroom holiday let at

**Site Address:** Tithe Barn, Henblas, Llangristiolus



**Report of Head of Regulation and Economic Development Service (Sion Hughes)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is presented before the planning committee at the request of local member Nicola Roberts who showed concern regarding the impact of holiday homes on the island and also stated the scheme warranted closer scrutiny due to the historic and local importance of the building.

**Proposal and Site**

The site is located in the open countryside of the Llangristiolus area, with access to the site afforded via a private lane which also serves as means of access for a farm and the Henblas wedding facility. Special Landscape Area designation is given to the area and forms part of the Malltraeth Marsh and Surrounds designation. The site includes the recently converted Tithe Barn together with its associated garden and

drive area, along with the building subject to this application sited to the rear of the plot bordering with the open countryside beyond. The land rises slightly from the highway, before dropping again which mostly obscures view of the site from the highway and completely obscures the building subject to this application. The Tithe Barn itself is a Listed Building and therefore by virtue of being within the curtilage of a Listed Building, the structure subject to this application is also a Listed structure. The structure is in a poor state of condition and does not include a roof or any windows/doors. Historically, the building was used as a cottage and benefits from an extant permission to convert it into a garage under application VAR/2020/15.

This application is made to convert the derelict structure into a two bed holiday unit together with alterations and extensions thereto. The proposal seeks to retain the ruinous structure by utilising it as a cladding of sort, with a new structure erected within the walls to form the holiday unit. The existing structure will house the two bedrooms, while the extension will provision space for a open plan living area together with plant and store rooms.

### **Key Issues**

The key issues are if the proposal complies with the relevant policies of the Joint Local Development Plan and if the design of the proposal is acceptable in the context of the adjacent Listed Building.

### **Policies**

#### **Joint Local Development Plan**

Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 4: Design and Landscaping  
 Policy AT 2: Enabling Development  
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
 Policy AMG 2: Special Landscape Areas  
 Policy AMG 5: Local Biodiversity Conservation  
 Policy TWR 2: Holiday Accommodation

### **Response to Consultation and Publicity**

<b>Consultee</b>	<b>Response</b>
Cyngor Cymuned Llangristiolus Community Council	No response.
Cynhorydd Geraint Ap Ifan Bebb	No response.
Cynghorydd Nicola Roberts	Called to committee
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection.
Dwr Cymru Welsh Water	No objection.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with amended ecology survey.
Iechyd yr Amgylchedd / Environmental Health	Standard informatives.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	TWR 2 is the relevant policy.

Ymgynghorydd Tirwedd / Landscape Advisor	Conditions.
Ymgynghorydd Treftadaeth / Heritage Advisor	LBC application recommended for approval.
GCAC / GAPS	Condition.

Publicity was afforded to the scheme by the posting of personal letters to occupiers of neighbouring properties together with the placing of an advert in the local press. The latest date for representations to be made was the 29/06/2022. At the time of writing this report, no letters of objection had been received at this department.

### Relevant Planning History

VAR/2020/15 - Cais o dan Adran 73 i amrywio amod (03)(Bydd y datblygiad a ganiateir dan y caniatad yn cael ei weithredu yn unol a'r cynlluniau a gymeradwywyd) o ganiatâd cynllunio rhif 36C49H (Newid defnydd ysgubor yn annedd, addasiadau ac estyniadau i'r hen fwthyn diffaith i mewn i garej ynghyd â gosod tanc septig) er mwyn diwygio dyluniad yn / Application under Section 73 for the variation of condition (03) (The development permitted by this consent shall be carried out in strict accordance to the plans submitted) of planning permission reference 36C49H (Change of use of barn into a dwelling, alterations and extensions to the former derelict cottage into a garage together with the installation of a septic tank) so as to amend design at - Tithe Barn, Henblas, Bodorgan - [object Object] - Caniatáu / Permit

FPL/2021/103 - Cais llawn ar gyfer trosi yr adeilad allanol yn annedd ynghyd a datblygiadau cysylltiedig yn / Full application for the conversion of outbuilding into a dwelling together with associated development at - Tithe Barn, Llangristiolus - [object Object] - Gwrthod / Refused

36C49H - Full Planning - Cais llawn ar gyfer newid defnydd yr adeilad allanol i annedd yn / Full application for the conversion of the outbuilding into a dwelling at - Tithe Barn, Henblas, Bodorgan.

### Main Planning Considerations

#### Principle of Development

Policy TWR 2 is the relevant policy of the JLDP to be considered when assessing conversion schemes. TWR 2 supports conversion of existing buildings into holiday accommodation providing *'they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met:*

- i. In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;*
- ii. That the proposed development is appropriate in scale considering the site, location and/or settlement in question;*
- iii. That the proposal will not result in a loss of permanent housing stock;*
- iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;*
- v. That the development does not lead to an over-concentration of such accommodation within the area.'*

The 'Replacement Dwellings and Conversions in the Countryside' Supplementary Planning Guidance provides further guidance in relation to TWR 2. In relation to criterion ii. of TWR 2, the SPG provides guidance on what is considered 'appropriate scale' as part of conversion schemes. Section 8 of the SPG states that buildings proposed for conversion should be suitable for the proposed use and not require extensive rebuilding or any large extensions. Any extensions should be small and not an aspiration to add luxury. It is noted that the scheme proposes a significant level of rebuilding together with a comparatively large extension which equates to a 150% increase in floor area.

Policy AT 2 of the JLDP 'Enabling Development' aims to secure the preservation and/or alternative use of a listed building providing the following (relevant) criteria are met:

1. It will not materially harm the heritage values of the heritage asset or its setting

3. It will secure the long-term future of the heritage asset and, where applicable, it's continued use for a sympathetic purpose.

6. It is demonstrated that the amount of enabling development proposed is the minimum necessary to secure the future of the heritage asset, and that it causes minimal harm to other public interests.

The design of the scheme is considered acceptable by the local authority Heritage officer and it is not considered that the proposal would be detrimental to the setting of the Tithe Barn. The scheme will secure a viable use for the structure which ensures its future in a sympathetic manner. Whilst the extension is large in comparative terms, in absolute terms it is considered small in size at 48m<sup>2</sup> floor area. The total floor area for the unit will be 80m<sup>2</sup>. Purely for context, TAI 5 sets out 90m<sup>2</sup> as the maximum floor area for a single storey 2 bedroom dwelling. Whilst TAI 5 is not relevant, it is a useful point to illustrate that the extension is the minimum necessary to secure the future of the asset as required by point 6.

Whilst the scheme may not effectively conform with policy TWR 2, it is considered that holiday use is the most acceptable use in line with enabling development and other policies of the JLDP. The structure does have extant permission for use as a garage, however it is considered holiday accommodation is a more sympathetic use to the historic use of the structure as a cottage. This view was also shared by the Council for British Archaeology, who made the following comments on the accompanying Listed Building Consent application *'the domestic use is more sympathetic to the site's heritage than converting the ruin into a garage and store.'*

### **Design**

The structure is located within the curtilage of a Listed Building and therefore the design of the scheme is a primary consideration in order to ensure the character and distinctiveness of the historic asset is retained. The stone remains of the building will be retained and re pointed which will appear as a cladding, with dark cladding and sheeting used for the new structures. This design was considered acceptable by the local authority heritage officer. Policy PS 20 of the JLDP requires that Proposals preserve and where appropriate enhance the heritage assets, their setting and significant views into and out of the building/area. It is considered that the scheme achieves this and thus conforms with PS 20.

### **Ecology**

Under policy AMG 5 of the JLDP and the councils duty under The Environment Wales Act (2016), all proposals are expected to demonstrate a net gain to biodiversity. Owing to the ruinous state of the structure, the ecology survey submitted alongside the application identified limited opportunities for protected species such as bats to use the building, but none the less, the scheme proposes several ecological enhancement features.

### **Conclusion**

The scheme does not effectively conform with the relevant holiday accommodation policy of the JLDP, however in line with policy AT 2 it is considered that the scheme is acceptable on planning balance as it will secure the future use of structure and retention of the historic asset.

### **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

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

**accompanying such application unless included within any provision of the conditions of this planning permission.**

- Site Location Plan / 20-205-100 A
- Proposed Floor Plans and Elevations / 20-205-120 F
- Site Plan - As Proposed / 20-205-110 E

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

**(03) No development (including clearance, stripping out or demolition) shall take place until a photographic survey of the buildings has been undertaken in accordance with the *Gwynedd Archaeological Planning Service Requirements for General Photographic Surveys of Buildings*, and the survey has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that an adequate record is made of all structures affected by the proposals and that the record is held within the public domain for future reference and research.

**(04) The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.**

Reason: To define the scope of this permission.

**(05) No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained. Soft landscape works shall include planting plans; written specifications; schedules of plants noting species and proposed numbers/densities where appropriate.**

Reason: In accordance with policies AMG 5 (biodiversity enhancement) and PCYFF 4 (visual amenity) of the Joint Local Development Plan.

**(06) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**

Reason: In accordance with policies AMG 5 (biodiversity enhancement) and PCYFF 4 (visual amenity) of the Joint Local Development Plan.

**(07) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of residential and visual amenity.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, AT 2, PS 20, AMG 2, AMG 5, TWR 2.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.



(erection of a new foundation phase and child care unit) and MAO/2022/16 (Minor amendments) on land adjacent to Ysgol y Graig, Llangefni.

### **Key Issues**

The key issue is whether the statutory consultees are satisfied that the information submitted is sufficient to discharge the conditions.

### **Policies**

#### **Joint Local Development Plan**

Policy AT4 – Protection of non-designated archaeological sites and their settings  
Policy TRA4 – Managing Transport Impacts  
Strategic Policy PS19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy AMG5 – Local Biodiversity Conservation

### **Response to Consultation and Publicity**

<b>Consultee</b>	<b>Response</b>
GCAG / GAPS	Satisfied with the information and confirmed that the condition could be discharged.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the information submitted and confirmed that the condition could be discharged.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Natural Resources Wales have confirmed that they are satisfied with the information submitted.

There was no requirement to carry out publicity as part of this planning application.

### **Relevant Planning History**

FPL/2021/361 - Full application for the erection of a new foundation phase and child care unit, external play areas, car park and associated work on land adjacent to - Ysgol y Graig, Llangefni – Permit 7/7/22

MAO/2022/16 - Minor amendments to scheme previously approved under planning permission FPL/2021/361 (erection of new foundation phase unit) so as to allow the re-wording of conditions (07) (biosecurity risk assessment), (17) (construction traffic management plan), (18) (landscaping), (20) (pedestrian paths) and (21) (landscape) on land adjacent to - Ysgol y Graig, Llangefni – Permit 27/7/22

### **Main Planning Considerations**

Planning permission was granted under planning application FPL/2021/361 for the erection of a new foundation phase and child care unit on land near Ysgol y Graig, Llangefni. A minor amendment application was later submitted under MAO/2022/16 to make slight changes to the wording of some of the original conditions.

Condition (02) (a) of Planning application FPL/2021/361 requested the applicant provide a specification for a programme of archaeological work for the site.

A Written Scheme of Investigation for Archaeological Mitigation has been received from the applicant and Gwynedd Archaeological Planning Service has confirmed that they are satisfied with the information and confirmed that condition (02) (a) can be discharged.

Condition (07) of MAO/2022/16 stated that the applicant would need to provide a site-wide Biosecurity Risk Assessment (particularly Montbretia). The risk assessment would need to include measures to control, remove or long-term management of invasive species during construction and operation.

An Invasive Species Survey has been carried and Natural Resources Wales has confirmed that they are satisfied with the information submitted and the condition can be discharged.

Condition (17) of MAO/2022/16 stated that the applicant would need to provide a Construction Traffic Management Plan (CTMP) for the development. The CTMP has been submitted with the planning application and the Highways Authority has confirmed that they are satisfied with the information and the condition can be discharged.

### **Conclusion**

Sufficient information has been received to discharge conditions (02) (a) (Archaeological Mitigation), (07) (Biosecurity Risk Assessment) and (17) (CTMP).

### **Recommendation**

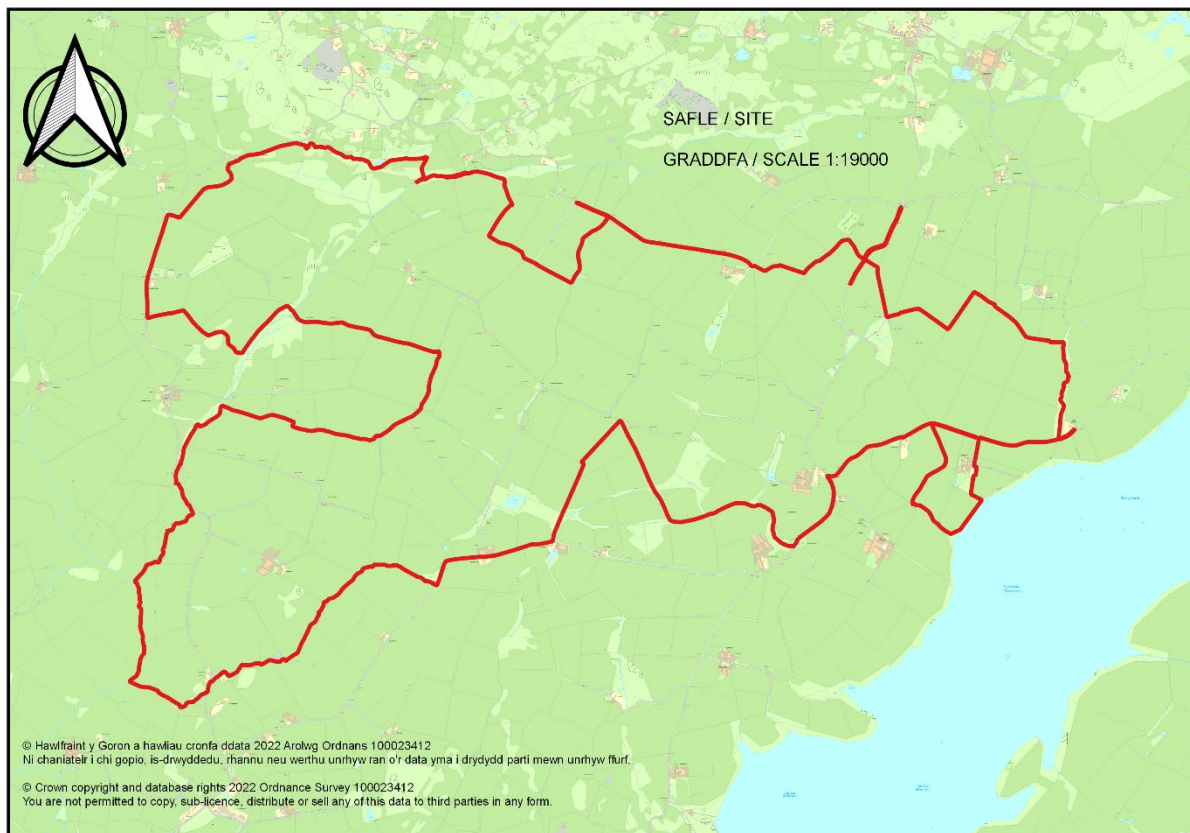
That the application is permitted

**Application Reference: VAR/2021/65**

**Applicant:** Ventient Energy Limited

**Description:** Application under Section 73 for the variation of conditions 13 and 14 of planning permission reference 47C74 Erection of 34 wind turbines which shall measure 53 metres in total height with the construction of access tracks and ancillary developments to include transformers, a sub-station and three anemometer masts on land to the North of Llyn Alaw so as to extend the operational phase until 22/10/2032, extend the decommissioning period to 12 months and clarification regarding the period wind turbines shall be decommissioned if it fails to produce continuous electricity at

**Site Address:** Llyn Alaw Windfarm, Llanbabo



**Report of Head of Regulation and Economic Development Service (Iwan Jones)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

As the application is accompanied by an addendum to an Environmental Impact Assessment it shall be referred to the Planning and Orders Committee for determination in accordance with paragraph 3.5.3.5(ii) of the Constitution.

## **Proposal and Site**

The application is submitted for the variation of conditions 13 and 14 of planning permission 47C74. Condition 13 relates to the time in which the turbines shall be sited on the land whilst condition 14 relates to removal of the turbines from the land.

Planning Permission 47C74 was approved on 19/12/1996 and gives permission for the construction of 34 wind turbines on land at Llyn Alaw, Carreglefn.

The application seeks to vary conditions 13 to allow the operational phase of the turbines for a further period of 10 years up to 22.10.2032. Subsequently, the application also seeks to vary condition 14 to extend the period where the wind farm needs to be decommissioned (except for the substation) as well as extend the period where a turbine needs to be dismantled if it is not producing electricity to the local grid.

The application site is located towards the north of the Llyn Alaw reservoir and is characterised by undulating topography and open fields which is predominately in agriculture use for grazing and arable purposes. There is a dispersed pattern of villages, clusters, singles houses and farms within the area.

The Llyn Alaw Wind Farm became fully operational on the 23rd October, 1997 and consists of 34 turbines with a tip height of 53 meters, 31 meter hub height, 44 meter rotor diameter with a totally installed capacity of 20.4 megawatt (MW). The structures are positioned in clusters and scattered across the 1,197 hectare<sup>2</sup> application site.

An Environmental Impact Assessment (EIA) addendum has been prepared in line with EIA Regulations 2017 and submitted as part of the application. The EIA provides further information to identify the potential significant effect and cumulative impacts as a result of extending the operational phase of the development.

## **Key Issues**

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have a detrimental impact upon any nearby designates sites, neighbouring residential properties and surrounding landscape.

## **Policies**

### **Joint Local Development Plan**

Policy PCYFF 2: Development Criteria  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 6: Water Conservation  
Policy PCYFF 5: Carbon Management  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Strategic Policy PS 7: Renewable Energy Technology  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
Strategic Policy PS 1: Welsh Language and Culture  
Strategic Policy PS 2: Infrastructure and Developer Contributions  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 2: Special Landscape Areas  
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Policy AMG 4: Coastal Protection  
 Policy AMG 6: Protecting Sites of Regional or Local Significance  
 Policy AMG 5: Local Biodiversity Conservation  
 Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens  
 Policy AT 3: Locally or Regionally Significant Non-Designated Heritage Assets  
 Policy AT 4: Protection of Non-Designated Archaeological Sites and their Setting  
 Policy ADN 1: On-shore Wind Energy  
 Anglesey County Council Supplementary Planning Guidance - Onshore Wind Energy Guidance  
 Anglesey County Council Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities

## National Policy

Planning Policy Wales (Edition 11, February 2021)  
 The Planning (Wales) Act 2015  
 Well-Being of Future Generations (Wales) Act 2015  
 Future Wales: The National Plan 2040  
 Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)  
 Technical Advice Note 11: Noise (1997)  
 Technical Advice Note 24: The Historic Environment (2017)

## Response to Consultation and Publicity

Consultee	Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy comments within main core of the report
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Condition Proposed to ensure Ecological Enhancement
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Ymgynghorydd Tirwedd / Landscape Advisor	The proposed development will have a significant adverse effects on landscape character within a 2 kilometre radius of the site and significant adverse visual effects on footpath and residential receptors.
Wales and West Utilities	No Response
Cadw Scheduled Monuments	No Objection
GCAG / GAPS	No Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditions proposed to safeguard protected species and nearby Site Special Scientific Interest
Ymgynghorydd Treftadaeth / Heritage Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	Noise Conditions proposed to safeguard nearby residential properties
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No Response
Scottish Power Energy Networks	No Response

Uned Datblygu Economaidd / Economic Development Unit	No Response
Gwasanaeth Tân Gogledd Cymru /North Wales Fire Service	No Response
RSPB Cymru / Wales	No Response
Arquiva Ltd	No Response
North Wales Wildlife Trust	No Objection
Swyddog Llwybrau Troed / Footpaths Officer	No Response
North Wales Police Headquarters	No Response
National Grid	No Response
Cynghorydd Llinos Medi Huws	No Response
Cynghorydd John Griffith	No Response
Cynghorydd Kenneth P. Hughes	No Response
Cyngor Cymuned Tref Alaw Community Council	No Response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties, together with site notices. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 04/10/2021. At the time of writing this report, no letters of representation had been received.

### **Relevant Planning History**

47C74 - Erection of 34 wind turbines which shall measure 53 metres in total height with the construction of access tracks and ancillary developments to include transformers, a sub-station and three anemometer masts – Approved 19/16/1996

SCO/2020/2 - Scoping opinion for extending the temporary planning permission so as to extend the operational life of the development by an additional 10 years – Advice Given – 24/07/2020

### **Main Planning Considerations**

The application seeks to extend the operational life of the Llyn Alaw wind farm by a further period of 10 years to 25 years, 35 years from the point of first generation which will expire on the 23th October, 2032. The application confirms that the applicant has submitted the application in an effort to maximise the wind farm's generating potential and that although the life time was originally set at 25 years, if properly maintained turbines can operate beyond their original design life and contribute to the meeting of targets and supply of renewable power without the requirement for repowering.

Condition 13 of the permission requires that the turbines are removed from the site within 25 years of a written notification to the Regional Electricity Company of the commencement of power generation by all the wind turbines comprised in the development or within 9 months of the wind turbines permanently ceasing to generate power.

Condition 14 of the permission requires that within 9 months of the implementation of condition 13 that all the wind turbines together with any ancillary equipment (except the site substation) shall be dismantled down to ground level and the land reinstated to a condition suitable for the grazing of animals. . The application seeks permission to extend the decommissioning period of the Wind Farm from 6 to 12 months, which is in line with recent similar repowering consent at Rhyd y Groes Wind Farm and

Trysglwyn Wind Farm life extensions. In the event that a wind turbine ceases to operate for a continuous period of 9 months, the turbine shall be dismantled down to ground level and removed from the land.

There would be no additional construction works proposed as part of varying both conditions as the life extension can make use of all existing infrastructure. Extending the consent would however require ongoing and potentially additional maintenance work as the apparatuses get older.

A number of designations were in place prior to the application for the existing wind farm being granted permission. The ES in support of the original application assessed the likely impact of the proposals on these designations. An ES addendum has been submitted with the current application addressing all matters to date which was referred to in the scoping opinion issued by the Council on the 24/07/2020.

The aim of the ES that supports the application is to protect the environment and ensuring that, the Local planning Authority have all the necessary information required when deciding whether or not to grant planning permission for a project which is likely to have significant effects on the environment. In the event consent is granted the Local Authority does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

From review and assessment of the submitted ES addendum it is considered that sufficient Environmental Information has been provided in support of this application and that the content of the ES submitted is reflective of the Scoping Opinion provided by the Council.

When assessing the application, the Local Planning Authority has considered all information contained within the application and its associated ES in relation to the requirements of the Anglesey and Gwynedd Local Development Plan and any other relevant material considerations.

#### **Principle of development and Planning Policy:**

National and Local Development Plan policies provides guidance on such applications. Whilst there is an emphasis that renewable energy should be encouraged, proposed developments should not harm the surrounding area, designated sites and existing neighbouring properties.

#### **National Planning Policy:**

The principle strategic policy document for applications in Wales is Planning Policy Wales: Edition 11 (2021) (PPW), together with a number of Technical Advice Notes (TAN). In addition, the Welsh Government published 'Future Wales – the National Plan 2040' (Future Wales) in February 2021 which now forms part of the statutory development plan for Wales and seeks to guide decision making at a regional and local level.

PPW provides guidance on energy proposals. Section 5.9.29 PPW provides guidance in relation to extension and re-powering of existing renewable energy infrastructure:-

“5.9.29 The extension and re-powering of existing renewable energy infrastructure is important in meeting renewable energy and decarbonisation targets. Planning authorities should support such schemes and take into account changes in renewable energy technology and viability, which may mean, for example, that the format of a repowered wind farm will be different from an existing scheme. Planning authorities should set out broad criteria for the determination of life extension and re-powering applications, based on the additional impact of the new scheme.”

Future Wales acknowledges that Wales is abundant in opportunities to generate renewable energy and states that the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of their commitment to decarbonisation and tackling the climate emergency and refers to the ambitious targets set for the generation of renewable energy.

PPW Energy Section is in line with Future Wales by seeking to maximise renewable and low carbon energy generation stating that Local Authorities should facilitate all forms of renewable and low carbon energy development.

It states that developments should seek suitable ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy developments.

Welsh Government's expectation for all new renewable energy projects in Wales to include at least an element of local ownership, to retain wealth and provide real benefit to communities. Locally owned generation provides a strong opportunity to retain economic value, contributing to prosperity.

In addition to the national and local policy framework, consideration should also include an assessment against the relevant legislative framework in Wales. In particular regard should be had to the Wellbeing of Future Generations Act 2015.

The Well-being of Future Generations Act requires Local Authorities in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change. The Act requires Local Authorities to carry out sustainable development and places a legal duty on them to do so.

Part 2 of the Act defines sustainable development as "the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals". In this context, the sustainable development principle means that public bodies "must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own need".

The Planning (Wales) Act 2015 requires that any statutory body carrying out a planning function must exercise those functions in accordance with the principles of sustainable development as set out in the Wellbeing of Future Generations Act 2015.

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

### **Local Development Plan Policy:**

The Renewable Energy Technology section lies within Chapter 6.2 of the adopted Ynys Mon and Gwynedd Joint Local Development plan (JLDP). This gave the context for renewable energy at the time the Plan was prepared and contains positive planning policies for renewable energy.

Policy ADN 1 (On – Shore Wind Energy) within the Joint Local Development Plan (JLDP) deals with on-shore wind energy proposals, however the policy does not specifically refer to life extension applications.

The policy refers to wind turbine typology as outlined within table 9 of the explanation to the policy. This existing wind farm would be categorised as a Large Scale wind farm since there are over 10 turbines on the wind farm.

The basis for assessing the typology of wind farms acceptable within the Plan area was based upon the Landscape Sensitivity and Capacity Study commissioned for the Isle of Anglesey, Gwynedd and Snowdonia National Park. This study identified the type of development that could be potentially accommodated within different landscape character areas. However it should be noted that this specific wind farm was operational at the time of the Landscape Sensitivity and Capacity Study and therefore its life extension would not impact upon the capacity to accommodate further development within the character area as identified in this study.

In light of the above the suitability of the proposal can be considered against Policy ADN 1 of the JLDP. The policy states that all proposal should conform to the following criteria:

- i. all impacts on landscape character, heritage assets and natural resources have been adequately mitigated, ensuring that the special qualities of all locally, nationally and internationally important landscape, biodiversity and heritage designations, including, where appropriate, their settings are conserved or enhanced;
- ii. the proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise, shadow flicker and impact on public health, and will not have an unacceptable impact on roads, rail or aviation safety;
- iii. the proposal will not result in significant harm to the residential visual amenities of nearby residents;
- iv. the proposal will not result in unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunication systems;
- v. the proposal will not have unacceptable cumulative impacts in relation to existing wind turbines, and those which have permission, and other prominent landscape features;
- vi. turbines and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.

The EIA addendum submitted as part of the application provides information which the Council's experts has evaluate to ascertain whether the proposal satisfies these matters. These matters are outlined within the report.

#### **Welsh Language:**

Policy PS1 of the JLDP sets the context for the assessment of the potential impact of proposals upon the Welsh language and culture and confirms the need for development to promote and support the use of the Welsh Language. Guidance is provided within the policy relating to the requirement to submit a Welsh Language Statement / Impact Assessment for various types of development.

Since the footprint of the turbines and associated buildings has an area of more than 1,000 sq meters, a Welsh Language Statement has been submitted with the application, in line with the Anglesey County Council Maintaining and Creating Sustainable and Sustainable Communities Supplementary Planning Guidance (SPG).

As a wind farm already exists on the site, it is not considered that the proposal will have a significant effect on the Welsh Language. The greatest effect on the Welsh language will be the de-commissioning process once the active period comes to an end. This work will require additional workers which could possibly lead to temporary inward migration of workers who are non-Welsh speakers.

A Decommissioning Method Statement would therefore be conditioned as part of any approval. The statement would require a comprehensive consideration of the effects of decommissioning on the Welsh Language using the methodology that has been included in the SPG Sustaining and Creating Distinctive and Sustainable Communities.

#### **Landscape:**

Chapter 6 of the ES comprises a detailed Landscape Visual Impact Assessment (LVIA) carried out by Chartered Landscape Architects from Pegasus Group. The LVIA is accompanied by visualisations which will assists with the assessment.

The LVIA confirms that the Llyn Alaw Wind Farm, is already and established component of the current landscape and acts as a visual baseline, having been operational for over 23 years. The life extension will not increase the height of any of the structures or introduce any additional new elements into the landscape.

The impact upon the landscape was assessed as part of the original planning application. Although harm to the landscape was acknowledged as part of the assessment, it was concluded that ... 'the benefits of providing renewable energy resources would, in this instance be, outweighed by the damage to the landscape'.

Notwithstanding the decision to approve the original application, as part of the scoping opinion the Local Authority requested that the assessment of the effect of the proposed extension on landscape and views be carried out against a 'future baseline' scenario as though the Llyn Alaw wind turbines had already been removed from the site and were being added back into the landscape and views for a further period of 10 years. The study area for the LVIA was set at 10km radius from the turbines and is considered to be an appropriate distance within which any significant effects would have potential to occur.

The assessment considered the effects of the proposed extension on landscape character, on views from 12 representative viewpoints which was agreed with the Council as part of the scoping opinion. The assessment also considers the additional temporary effects associated with the eventual decommissioning of the proposed extension. Finally, the LVIA assesses the potential cumulative effect of the development in combination with other developments in the surrounding areas. All effects reported in the LVIA are considered to be long term and temporary.

### **Local Landscapes Effects:**

It is considered there would be no new effects on landscape features (trees, hedges, topographical features) from the proposal. The assessment therefore focuses on landscape character effects.

The study area includes 4 Landscape Character Areas (LCAs). The site is located in the northern half of LCA 5, North West Anglesey. Several elevated viewpoints within other landforms such as Mynydd Bodafon and Mynydd Parys are contained within the visual assessment.

As identified in the Landscape Sensitivity and Capacity Assessment (LSCA), the overall sensitivity to this wind energy developments is medium, with increasing sensitivity on areas adjacent to the Area of Outstanding Natural Beauty AONB and the Mynydd Mechell SLA.

While natural and built features means that theoretical visibility is reduced on site, and influence decreases away from the site (moving to the south west), the windfarm would remain the dominant windfarm within the LCA (North West Anglesey) and local landscape character.

Effects on the remaining LCAs within the study area, namely LCA 6: Amlwch and Environs, LCA 8: Dulas Bay Hinterland and LCA: North West Anglesey, are not considered significant.

It is considered that effects on landscape character during commission would not be significant. Positive effects would result following the restoration of grassland where decommissioning requires above ground infrastructure to be removed. As the site is progressively decommissioned, the baseline situation would be restored and significant effects on character types removed.

The site is wholly within LANDMAP Visual and Sensory Aspect Area: Drumlins with windfarms (YNSMNVS010) with the drumlin landscape subdivided in LANDMAP into aspect areas of drumlins and drumlins with windfarms, where the windfarm component defines the aspect area. As noted in the LCA description Wind turbines form very intrusive elements, lowering integrity and raising character. LANDMAP aspect areas are reviewed for change in characteristics and qualities. It is therefore likely that should the site be decommissioned in 2022, LANDMAP aspect areas would change in the future to reflect changes.

### **Designated landscapes Effects:**

#### **Anglesey AONB:**

An assessment upon the AONB was scoped out as part of the scoping opinion. Nevertheless several viewpoints have been taken from within the AONB. None are assessed as significant and it is not considered that the proposal would harm either of the AONB special qualities of expansive views or peace and tranquillity.

### **Mynydd Parys Special Landscape Area (SLA)**

The windfarm was permitted in 1996, with the application submitted in 1994 prior to the Ynys Môn local plan, which defined all the island outside of the AONB as a Special Landscape Area (SLA). SLAs were reviewed in 2012 and Mynydd Mechell SLA borders the site boundary with the nearest wind turbines some 600m away from the boundary.

The SLA description notes that wind turbines from outside the SLA form occasional modern detractors on the horizon and threaten the highly rural, naturalistic qualities of the landscape.

VP5 is from the SLA's southern slopes with the windfarm noted as significant in the view. Viewpoint 6 is from further to the north where effects are assessed as not significant. Views from the SLA are not noted among the SLA's special qualities and the proposal would not have a significant effect on its special qualities.

### **Visual effects:**

The ES addendum has included an assessment on residential visual amenity (RVAA). An assessment of the impact from the proposed development upon residential visual amenity has been undertaken by Pegasus Group under the overarching guidelines for LVIA

The assessment has considered relevant factors and the probability of a property becoming an unattractive place to live as the result of the potentially overbearing effects of a proposal as outlined within policy ADN 1 of the JLDP. The RVAA identifies if any of these residents would experience a significant effect on any view from their property during the operational period of the proposed extension, and specifically details which views would be affected. The RVAA solely considers the visual component of residential amenity and the impact upon living conditions of nearby residents.

. The assessments acknowledges that different receptor groups have varying degrees of sensitivity to change in the view. It is acknowledged that residents are generally considered to be more sensitive to changes in view from certain rooms within the dwellinghouses and areas of their curtilages. Although not the sole factor, the magnitude of visual change on residential properties is likely to be greater with closer proximity to the turbines.

It is considered that the occupiers of most dwellings experiences the wider landscape in passing on a regular basis. Residents of certain properties considered within the RVAA would most likely to have views of the proposed extension on a regular basis as they leave and approach their properties through the wider landscape. The impacts on views from the dwellings itself and its curtilage, as these impacts are likely to have the greatest influence on living conditions.

In relation to residential visual amenity, decisions by Planning Inspectors have often indicated that a common threshold criterion applied from residential amenity is where the change in the view would affect the fundamental living condition. Various terms are used to describe this threshold e.g 'overbearing', 'overwhelming' 'overpowering' or 'oppressive'.

Of the 12 properties within a 600m trigger distance, seven were considered to experience significant effects, of these three experienced these effects from both the property and curtilage, two from the curtilage only and two from the property only. The assessment concludes that effects were not overbearing.

Since the original decision, two separate conversion schemes have been approved within the vicinity. These approved residential units are located within close vicinity to nearby existing dwellinghouses which were assessed as part of the original approval together with the current application. It is therefore considered the proposed dwellinghouse would not have an overwhelming or overpowering impact at any property such that its use was restricted or their general enjoyment impinged upon to such an extent as to make them unbearable.

The assessment also acknowledges the effects on nearby settlements. An assessment on the effects on the settlement of Carreglefn and properties to the south of the settlement were deemed not significant. It was considered that much of the settlement does not have complete views of the windfarm. Notwithstanding the assessed effect on the whole settlement, groups of properties, may experience localised significant effects.

The other settlements within the 5km area for assessment (Llanrhyddlad and Llanfaethlu) would not experience significant effects.

With respect to public footpaths, one footpath crosses the site's northern boundary and would experience significant effects. Significant effects were predicted to a group of 5 footpaths to the north within a 2km radius which although initially intermittent, open up to provide longer duration and more substantial views of the site. To the immediate south the footpath that provides a pedestrian link would not experience significant effects and effects on a group of a further six footpaths to the south would not be significant.

No significant effects were predicted to either the national or local (copper trail) cycle routes. No significant effects were either identified on the A5025. Minor roads are not considered within the assessment due to the number within the study area. Where views exist within a 1.5km radius these are likely to be of short duration and sequential to vehicular traffic, and significant within a range of 1.5 kms.

No significant effects were identified as a result of de-commissioning. Effects at decommissioning would be the same as with the current consent unless the level of (e.g. removal of below ground or access roads) is required or the duration of decommissioning changed substantially.

### **Cumulative landscape effects:**

Three cumulative wireframe visualisations have been carried out from several viewpoints. Since the original consent the Ysgellog turbines have been constructed. Rhyd y groes, Trysglwyn and Wylfa would have been part of the original baseline with consent given since for repowering at Rhyd y Groes and an extension at Trysglwyn. Two Developments of National Significance (Alaw Môn Solar Farm and Môn Solar Farm) are not part of the assessment. The proposed Awel y Môr offshore windfarm (Gwynt y Môr extension) falls outside the study area. Effects from Wylfa are now restricted to decommissioning, which extends well beyond the life extension proposed.

The projects considered extend over a number of LCAs and the main cumulative identified where additional windfarms / turbines could merge and views available in multiple opposite directions. The assessment addresses the combined effects of the application with Trysglwyn, Rhyd y Groes and Ysgellog. It is agreed that while each has locally significant landscape character effects, each is separated such that there are no additional in-combination significant effects.

Llyn Alaw is located in an area where other potentially significant energy schemes are proposed within the area where significant effects are assessed at least up to 2km such that each proposal may reinforce these significant effects. The life span of the proposed solar arrays greatly exceed the proposed 10 year extension, such that the Wind Turbine Group (WTG) would be a feature in the early years of these schemes, should any be approved.

Energy infrastructure is assessed as one element of landscape character but not a defining element of the landscape. This application, which if consented would be decommissioned following 10 years, would not tip the balance in terms of energy infrastructure becoming a defining element. However, successive

life extensions and the new projects have capacity to bring about landscape change, such that it becomes a distinct element of local landscape character and relevant to National Policy considerations.

#### **Cumulative Visual Effects:**

The above mentioned DNS projects are not considered in the assessment and localised significant in-combination or sequential cumulative visual effects could result from these projects. The life span of the proposed solar arrays greatly exceed the proposed 10 year extension, such that the WTG would be a feature in the early years of these schemes, should they be approved.

#### **Assessment of effects in relation to landscape and visual impact policies:**

Several aspects of the proposal is contrary to specific policies within the JLDP.

Notably, the 2012 SLA review noted harm to the SLA from Wind Energy and a threat to the Historic Landscape and scenic quality (both SLA qualities). An extension of time would in effect continue this harm and would not conserve or enhance its setting as required in policies PS 7 and ADN1. In addition, significant harm has been identified to the amenity of residential receptors which is also a requirement under these policies.

The proposal identifies significant adverse effects on landscape character within a 2km radius of the site and the appearance of the area (visual effects) within a similar area which is considered contrary to policy PCYFF 3 of the JLDP.

The proposal would have a significant adverse effect on particular SLA qualities related to views from part of the site which is contrary to policies PS 19 and AMG2 of the JLDP. The site is designated for a number of characteristics and qualities with views being one.

However, although significant cumulative effects with DNS Solar Array proposals may occur during the early life of these proposals, cumulative effects with respect to other developments are not assessed as significant and conform with the requirements of ADN1. In addition, the proposal would not affect additional landscape features and no adverse effects are predicted through decommissioning.

#### **Landscape Conclusion:**

The LVIA has identified significant adverse effects on landscape character within a 2 kilometre radius of the site and significant adverse visual effects on footpath and residential receptors.

#### **Ecology and Ornithology:**

Detailed information regarding ecology and ornithology has been included within Chapter 8 of the ES Addendum. The application site is not located within any ecological or ornithological designations, although Llyn Alaw Site of Special Scientific Interest (SSSI) is within 750m of the closest turbine. The impact of the development has been assessed by specialist officers within the Authority together consultation taken place with Natural Resources for Wales (NRW).

The site supports primarily agricultural habitat, with the majority of the habitat present being improved grassland used for stock grazing. There are also arable habitats present, and occasional blocks of woodland, scattered scrub and species poor hedgerow. Although a wide range of habitats, mammals, amphibians, reptiles, invertebrates and birds are normally assessed when considering a development for new turbines, the life extension will result in no physical changes until the decommissioning stage. The only effects that the ongoing operation of the turbines will have on birds and bats were considered within the ES addendum.

Surveys were carried out at the site between July 2020 and March 2021. The surveys included the following:

- Bat roost assessment of trees within the site boundary
- Static bat surveys using full spectrum detectors placed in the vicinity of turbines, with four detectors recording between certain dates
- Weekly bat and bird carcass searches and associated searcher efficiency and carcass persistence trials
- Bird Carcasses Searches

The data has been analysed following the standard analysis techniques. The results suggest that, the proposed life extension is assessed to not have any significant effects on either ecology or ornithology. Additional controls are being proposed to be put in place during operation and decommissioning through embedded mitigation, and the creation of site specific decommissioning plan which will include methods to ensure habitats and species will be protected.

The ES Addendum includes an Operational Monitoring Report for birds and bats. This document has been assessed by NRW who have concluded that a condition should be imposed as part of any approved which would require annual monitoring of bats and bird to be undertaken for two consecutive years (one year has already been undertaken). This would enable the Authority to monitor the development in an effort to safeguard the nearby SSSI features and European Protected Species.

In line with the Environment Wales Act (2016) a Ecology Enhancement Action Plan has also been submitted as part of the application to ensure that the development maintains and enhances biodiversity. These enhancement measures include the planting of native trees and hedging together with a period of monitoring and management.

### **Curtilage Heritage:**

Historical assets comprises of archaeological, built heritage and historic landscape sites, are an identifiable component of the historic environment. Designated historic assets consists of Schedule Monuments, Listed Buildings, Conservations Areas, World Heritage Sites and Protected Wrecks.

Chapter 9 of the ES addendum assess the potential effect upon the significant of historic assets arising from the proposed life extension which was carried out by Heritage Consultants, Pegasus Group.

Due to the nature of development and the fact there would be no additional ground disturbance arising from the proposed extension, consultation of below ground archaeology was scoped out of the assessment. The scope and methodology of the assessment was agreed with the statutory consultees beforehand. A study area of 5 km was used to identify designated assets for the registered historic landscape sourced from CADW. A study of 1 km was used to identify undesignated assets sourced from Gwynedd Archaeological Trust (GAPS) Historic Environment Record. In addition, the Zone of Theoretical Visibility (ZTW) drawing produced for the LVIA chapter was used as a tool to establish potential visibility of the wind farm and to eliminate historic assets where possible.

The baseline search identified 13 scheduled monuments, one grade I Listed Building, 11 grade II\* Listed Buildings, 81 Grade II Listed Buildings, one registered landscape of outstanding historic value and two conservations areas. Within the 1km search area for undesignated assets, 35 were identified. Once these ZTW was applied, the number of assets were reduced.

It was concluded that three of the identified assets had neutral residual effects whilst three experienced minor adverse effects. No effects have been identified which are considered to be significant.

Cumulative effects were also considered within the Cultural Heritage Chapter of the ES addendum. Considerations for the potential additional cumulative effects arising the proposed extension in combination with other development schemes. The schemes which were included within the case line scenario included Rhyd-y-Groes Wind Farm Repowering, Wylfa Newydd Power Station and Trysclwyn Wind Farm Life Extension. No significant cumulative effects were identified arising from the Llyn Alaw Wind Farm in combination with any other development on any historic assets.

CADW, GAPS together with the Heritage Section of the Authority have all been consulted regarding the application.

GAPS and CADW have evaluated the impact of the proposal upon the nearby Ancient Schedule Monuments. GAPS have confirmed that the assessment contained within the ES addendum meets the relevant professional standards for such work and is in accordance with the agreed scope. GAPS are of the view that the assessment is thorough and well-reasoned and are in general agreement with its conclusions. CADW also concur with the ES addendum and have raised no objection to the application.

The specialist heritage advisor of the Authority has also assessed the application and in particular its impact upon nearby Listed Buildings. He is in agreement with the findings of the submitted assessment on cultural heritage in that extending the life of the wind farm would only result in minor impact upon the setting of the three listed in the vicinity. Consequently, there are no significant built heritage concerns.

It is acknowledged that there would be some effects upon the significance of historic assets arising from the proposed extension. However, in light of the fact that the effects are not considered to be significant, nor cause unacceptable damaging effects in EIA terms, it is considered that the identified impact on setting is not of sufficient magnitude to recommend refusal of the requested extension period. It is however considered that the fixed-term nature of the development remains an important mitigating factor.

#### **Amenity of Neighbouring properties:**

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users. Subsection ii and iii of Policy ADN 1 also ensures that proposal will not result in significant harm to the safety or amenity of sensitive receptors and not result in significant harm to the residential visual amenities of nearby residents.

The impact upon the amenity of surrounding properties were taken into consideration as part of the original application. A legal agreement was attached to the permission which contained covenants relating to noise. These were in place to ensure that the level of noise emitted from the turbines did not cause a detrimental impact upon the amenity of nearby residential properties.

As previously noted, since the original decision, two separate conversion schemes have been approved within the vicinity. These approved residential units are located within close vicinity to nearby existing dwellinghouses which were assessed as part of the original approval together with the current application.

Public Protection were consulted as part of the application and have re-assessed the impact of the development upon residential properties taking matters such as noise and shadow flicker into consideration.

Noise was scoped out of the Environmental Statement addendum. Routine compliance monitoring has been ongoing approximately every 20 months since the development initially became operational. The compliance monitoring has consistently met the imbedded noise limits. No noise complaints (other than equipment which require maintenance) or shadow flicker complaints has been received by the Local Authority during this time.

As this application is to extend the operational life of the wind farm for a further 10 years, the Public Protection have raised no objection to the application subject to a noise controlling condition being imposed on any planning consent.

It is considered that the proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise.

### **Traffic and Transport:**

Since the wind farm is operational there will be no construction works or additional infrastructure required as part of the life extension.

The Local Highways Authority have assessed the application and raised no objection to the proposal. Details regarding the impact upon the highway network during the decommissioning stage will be conditioned as part of any approval.

### **Socio Economic Benefits:**

The turbines have previously been erected and therefore there will be no construction phase. However, by extending the life of the development, there will be a continued operational and maintenance jobs and contracts that will continue to contribute to the local economy for a further period of 10 years. Rents will also be payable to landowners over the proposed extended period together with the requirement to pay business rates.

A community benefit fund was in place as part of the original application. The fund totalled over £42,000 per annum (£2,062 per MW index linked). As part of the current proposal the applicant seeks to increase the community benefit fund to £3,000 per MW from when the current consent expires. The money is dispersed between Tref Alaw, Llannerch-y-medd and Mechell Community Councils who will then be responsible for administering the funds as per the existing arrangement.

Examples of spend of the fund money which has benefitted the communities includes providing funding towards a local community centre, children's play area, benches within local villages, maintaining local cemetery's together with supporting local football and bowling clubs.

It is considered that by extending the operational life of the wind farm there will be increased and local benefit for an additional 10 years.

### **Other matters:**

Policy ADN1 request that the proposal will not result in unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunication systems. As part of the consultation process, the MOD together with Arquivia Ltd have been notified of the application and have raised no objection.

The policy also states that turbines and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.

The applicant has provided indicative measures regarding decommissioning as part of the submission. It is suggested that such a scheme would following the guidance for the restoration and decommissioning of wind farms together with a decommissioning plan drafted for agreement. The document will include measures to safeguard habitats and species and details of restoration measure to be implemented following the removal of wind farm infrastructure.

Any permission granted will include a condition requesting that a decommissioning and site restoration scheme is submitted no later than 12 months before the expiry date of the permission. In addition, a legal agreement would also be in place to ensure a financial commitment to the Council to ensure that the cost of decommissioning will be paid to the Council if the developer defaults on the decommissioning.

### **Conclusion**

Although Policy ADN1 of the JLDP relates to on shore wind turbines, there is no specific policy which relates to life extensions. However, there is a strong presumption within the JLDP in favour of renewable energy. National policy also encourages life extensions of existing windfarms provided that the environmental and landscape impact are acceptable.

The ES addendum has provided valuable knowledge of the likely significant effects of the proposed life extension. It is concluded that the proposal would not pose a significant harm to local sensitive receptors such as heritage and biodiversity subject to adequately worded conditions.

Wind turbines, by their very nature and design can never be fully integrated into a rural landscape and will always serve as somewhat dramatic contrast to those natural elements that make the landscape. Although the life extension will not increase the height of any of the structures or introduce any additional new elements into the landscape, it is considered that the proposed development would have a significant adverse effect on landscape character.

However, it is important to acknowledge that the Lyn Alaw Wind Farm, is already an established component of the current landscape and acts as a visual baseline, having been operational for a period of 25 years.

The key considerations in determining the application can be distilled into a balancing exercise between the benefits of renewable energy generation and impact upon sensitive receptors including landscape effects that it would create.

On balance, it is considered that the benefit of the proposal in terms of additional renewable energy generation over a period of further 10 years outweighs the impact upon the landscape as outlined in the ES addendum. The proposed development will also provide additional socio economic benefits, including local community benefit in the form of a Fund. Planning permission will be subject to the imposition of adequately worded conditions to ensure that the turbine will be decommissioned to ensure satisfactory restoration of the land following the 10-year extension.

## **Recommendation**

To approve the application subject to conditions and a legal agreement requiring a bond to be put in place to ensure that an appropriate fund is in place to guarantee the cost of decommissioning and a conditional promise that the money will be paid to the Council to fund the work if the developer defaults on the decommissioning.

**(01) The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Planning Statement – August 2021**

**Environmental Statement Addendum: Volume 1 of 3 Written Statement and Appendixes – August 2021**

**Environmental Statement Addendum: Volume 2 of 3 Supporting Figures and Visualisations – August 2021**

**Environmental Statement Addendum: Volume 3 of 3 Non – Technical Summary – August 2021**

**Environmental Statement Addendum: Volume 1 Appendix**

**Ecological Enhancement Action Plan – 20/05/2022 – 1258623**

**Site Location – GB202153\_M\_011\_A**

**Site Layout – GB2020153\_M\_010\_A**

Reason: For the avoidance of doubt.

**(02) The turbines hereby permitted shall be of a 3 bladed, horizontal axis type with a solid tower of height to hub level of 31 meters and a rotor diameter not exceeding 44 meters.**

Reason: To define the scope of the permission.

**(03) The external finish of the towers of the turbines hereby permitted shall be unpainted grey galvanized steel, and the finish colour of the external non-metallic surfaces of the turbines shall be a shade of light grey. All external surfaces of the turbines shall be of a matt finish.**

Reason: To ensure satisfactory appearance of the turbines.

**(04) All of the blades of the turbines hereby permitted shall rotate in a clockwise direction.**

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

**(05) All cabling on the site between the turbines and the substation shall be underground**

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

**(06) If any wind turbine hereby permitted fails to produce electricity supplied to the local grid for a continuous period of 9 months then, unless otherwise agreed in writing by the Local Planning Authority, that turbine along with any ancillary equipment shall be dismantled down to ground level and removed from the site and land reinstated for agricultural use within 3 months of the implementation of the removal**

Reason: In the interest of the amenities of the locality

**(07) The permission hereby granted shall endure for a time period of 35 years from the date of first export, being 22/10/1997. The expiry is therefore 22/10/2032.**

Reason: For the avoidance of doubt

**(08) No less than 12 months before the expiry of this planning permission, a decommissioning and restoration plan shall be submitted and approved in writing by the Local Planning Authority. Such a scheme will include:**

- Details of the method in how turbines will be removed to ground level, together with the reinstatement of the land;
- Confirmation of the management and indicative timing of works
- The measures to be used during decommissioning to minimise environmental impacts of the works (considering both potential disturbance and pollution prevention measures).
- Details of restoration for the areas disturbed by decommissioning.
- Method statement of the effect of the decommission on the Welsh Language in accordance with the Supplementary Planning Guidance 'Creating Distinctive and Sustainable Communities'
- A traffic management plan to fully address highway issues for abnormal loads during the period of the decommissioning works; and
- Other works of restoration and aftercare, agreed between the Local Planning Authority and developer to be reasonable and necessary

**The scheme shall be implemented as approved and be completed within 12 months from the expiry date of this permission or the date of last export, whichever comes first.**

Reason: In the interest of amenities of the locality and to define the permission having regard to the assessed impact of the development.

**(09) The rating level of noise immissions resulting from the combined effect of the Wind Turbines (including the application of any tonal penalty) when determined in accordance with these conditions shall not be exceeded:**

**(a) At those dwellings listed in Table 1 attached to these Conditions, the values at the relevant wind speeds set out in Table 1.**

**(b) At those dwellings listed in Table 2 attached to these Conditions, values which are 35 dB LA90, 10 minutes, or the background LA90, 10 minutes level plus 5 dB, whichever is greater.**

**(c) At all other dwellings which are lawfully existing or has planning permission prior to 19th December 1996, values which are 43 dB LA90, 10 minutes at 8 metres per second (m/s) wind speed at hub-height as determined within the site averaged over 10-minute periods.**

**ii. Where the noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied. Any deviations from the standard procedure, as described in Section 2.1 of pages 104-109 of ETSU-R-97, shall be reported.**

**iii. Values of the LA90,10 minute noise statistic should be measured using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent UK adopted standard in force at the time of the measurements). The microphone should be mounted at 1.2 – 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent. Measurements should be made in “free field” conditions. To achieve this, the microphone should be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the measurement location. If the calculation of a tonal penalty is required as specified in Paragraph ii., a tonal assessment shall be performed on noise immissions during 2 minutes of each 10 minute period on valid and uncorrupted data.**

**iv. The noise measurements shall be made so as to provide not less than 20 valid data points, excluding those which occurred during periods of rainfall measured in the vicinity of the sound level meter. For those data points considered valid, values of the LA90, 10 minutes noise measurements and corresponding wind speed at hub-height as determined within the site averaged over 10-minute periods, shall be plotted on an XY chart with noise level on the Y-axis and the wind speed on the X-axis. A least squares, “best fit” curve of an order deemed appropriate by the independent consultant (which may not be higher than a fourth order) should be fitted to data points and define the wind farm noise immissions at each relevant wind speed. If the rating level of noise immissions measured in accordance with Paragraph ii. and iii., exceeds the levels referred to or specified in Paragraph i. of these Conditions then the contribution of background noise to the level of noise immissions shall be measured, and used for adjustment.**

**(a) Such background noise levels shall be measured using an LA90 index over a minimum of 6 periods each of 10 minutes duration in accordance with the requirements of paragraph iii. of these Conditions.**

**(b) Such measurements shall be made during a period of further measurements of noise from the combined effect of the Wind Turbines (made in accordance with the requirements of paragraph iv. of these Conditions).**

**(c) A correction using Institute of Acoustics - A Good Practice Guide to The Application of ETSU-R-97 for the assessment and rating of wind turbine noise (May 2013 or any subsequent revision) shall be applied to the measured noise levels to determine the contribution of background noise to the overall levels measured when the Wind Turbines are operating.**

v. The measurements made in accordance with Paragraph ii. and iii., shall be plotted as a least squares, “best fit” curve adjusted for the contribution of background noise in accordance with Paragraph iv., to define the rating level of noise immissions resulting from the combined effect of the Wind Turbines (including the application of any tonal penalty). If this rating level of noise immissions at any of the hub-height wind speeds set out in Table 1 lies at or below the values set out in the Tables attached to this Condition then no further action is necessary. If this rating level of noise immissions at any of the hub-height wind speeds set out in Table 1 exceeds the values set out in the Tables attached to this Condition then the development fails to comply with the Conditions.

**See Table Below**

Reason: To safeguard residential amenity

**(10) Operational monitoring of bats and bird species shall be undertaken for three operational years in line with the methods already used in 2020 and agreed with Natural Resources Wales. Surveys undertaken in 2020 are considered operational year one. Annual monitoring reports shall be submitted to the local planning authority for review within three months.. After three years, unless results dictate a review required prior to this period, the monitoring plan will be reviewed and if further mitigation is considered necessary this will be discussed and agreed with the Local Planning Authority in consultation with Natural Resources Wales.**

Reason: To safeguard protected species.

**(11) No later than 6 months from the date of this permission, threshold levels for the implementation of bat and bird mitigation shall be submitted and approved in writing by the Local Planning Authority. Bird species to be considered are restricted to those listed on Annex 1 of the Bird Directive and / or identifies as features of Llyn Alaw SSSI. Review of thresholds will be undertaken by the Applicant, Local Planning Authority and Natural Resources for Wales following each monitoring report as required by Condition 13 and these thresholds may be amended if required and approved in writing by the Local Planning Authority.**

Reason: To safeguard protected species and designated SSSI

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Table 1: Dwellings Associated with Development**

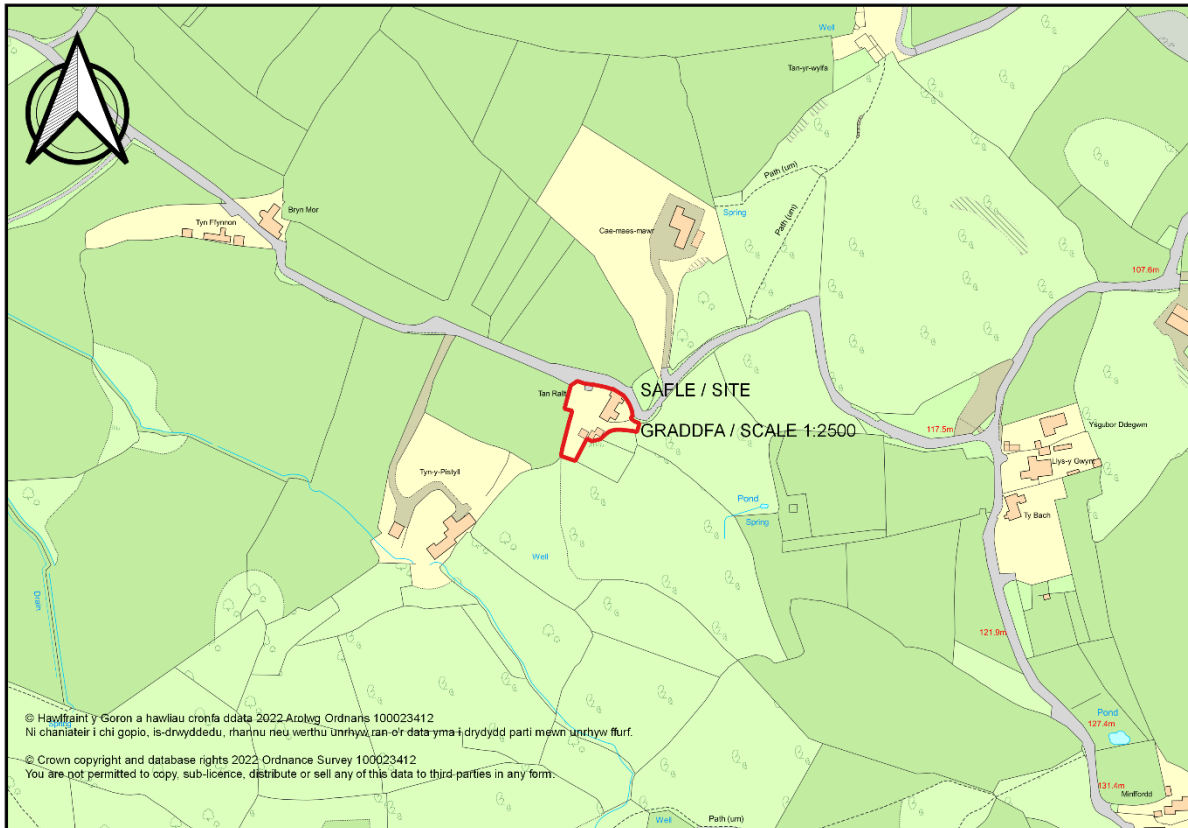
Dwelling name		Wind Speed at Hub Height (m/s) as Determined Within the Site Averaged over 10-minute Periods																
		4.0	4.5	5.0	5.5	6.0	6.5	7.0	7.5	8.0	8.5	9.0	9.5	10.0	10.5	11.0	11.5	12.0
Ty'n-y-rhos 237490, 388010	Noise Criterion dB LA90, 10 minute	35.0	35.0	35.0	35.2	36.2	37.5	38.9	40.5	41.9	43.1	44.4	46.0	47.5	48.9	50.3	51.5	52.7
Brwynog 235380, 386690	Noise Criterion dB LA90, 10 minute	35.0	35.0	35.0	35.0	35.1	36.4	37.9	39.4	40.9	42.1	43.1	44.0	44.7	45.3	45.9	46.3	46.6
Fferam-gyd 237845, 387050	Noise Criterion dB LA90, 10 minute	35.0	35.0	35.0	35.0	35.0	35.0	36.3	37.8	39.2	40.5	41.5	42.3	43.1	43.7	44.3	44.6	44.9

**Table 2: Dwellings not Associated with Development: Table of Prevailing Background Noise Levels dB LA90, 10 minute**

Dwelling name	Grid Reference	Wind Speed at Hub Height (m/s) as Determined Within the Site Averaged over 10-minute Periods																
		4.0	4.5	5.0	5.5	6.0	6.5	7.0	7.5	8.0	8.5	9.0	9.5	10.0	10.5	11.0	11.5	12.0
Ty'n-y-maen	236890, 386715	23.8	23.4	23.6	24.4	25.5	26.9	28.5	30.4	32.1	34.2	36.1	38.0	39.8	41.5	43.1	44.6	46.0
Trefarthin	236660, 388455	26.7	27.0	27.5	28.0	28.6	29.3	30.1	30.9	31.8	32.8	33.9	34.9	36.0	37.2	38.3	39.4	40.5
Pen-ucheldref	234910, 388410	23.6	24.2	24.9	25.8	26.9	28.1	29.4	30.8	32.2	33.7	35.1	36.6	38.0	39.3	40.5	41.7	42.8
Ucheldref Goed	234945, 388000	25.2	27.5	29.8	32.2	34.6	36.8	38.8	40.7	42.4	43.8	44.9	45.8	46.5	46.9	47.2	47.3	47.4
Pen Padrig	238860, 387910	22.7	24.5	26.4	28.5	30.5	32.5	34.4	36.1	37.7	39.0	40.2	41.3	42.3	43.2	44.2	45.3	46.6
Tynewydd	236655, 386710	31.9	32.1	32.0	31.9	31.9	32.0	32.3	32.8	33.5	34.5	35.6	36.9	38.3	39.7	41.1	42.4	43.6
Ty Newydd	236045, 387960	28.8	29.1	30.9	32.1	33.3	34.6	36.0	37.4	38.8	40.2	41.7	43.1	44.5	45.8	47.1	48.3	49.4
Bryn Pabo	238390, 388190	28.8	29.1	29.6	30.5	31.7	33.2	35.0	36.9	38.9	40.9	42.8	44.5	46.1	47.4	48.4	49.2	49.9
Refail Newydd	239010, 387285	35.4	36.6	37.4	37.9	38.1	38.2	38.3	38.4	38.5	38.9	39.3	39.9	40.7	41.5	42.4	43.4	44.2

**Applicant:** Mr Phil Smith

**Site Address:** Tan Yr Allt Bach, Llanddona



**Recommendation:** Permit

### Call-In to Planning Committee by a Local Member

The application received is for the demolition of existing uPVC extension to the building together with the erection of a glass-linked single-storey gabled extension and a new patio with lower ground floor storage area/ Plant Room underneath at the rural property of Tan Yr Allt Bach, Llanddona. The existing main dwelling is to have an erection of a pitched roof two-storey rear extension along with two new feature bay dormer windows to the 1st floor of the front elevation of the property.

## Key Issues

The key issues are if the proposal complies with current policies, if the proposal is an overdevelopment of the site and whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2 – Development Criteria

Policy PCYFF 3 – Design and Place Shaping

Policy AMG 1 – Area Of Outstanding Natural Beauty Management Plans

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

Technical Advice Note 12: Design (2016)

Planning Policy Wales (11th edition)

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gary Pritchard	Called to committee
Ymgynghorydd Tirwedd / Landscape Advisor	Advice given, Strategy requested and provided.
Cynghorydd Carwyn Jones	Called to committee
Cynghorydd Alun Roberts	Called to committee
Cyngor Cymuned Llanddona Community Council	Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Advice and recommendations given
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Construction Traffic Management Plan requested, conditioned.
Dwr Cymru/Welsh Water	Advice Given
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice Given
Swyddog Awyr Dywyll / Dark Skies Officer	Concerns raised, additional information provided
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No Response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 14/09/2022. At the time of writing this report, no letter of representation had been received at the department.

## Relevant Planning History

None

## **Main Planning Considerations**

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

### **Siting and Design:**

Tan Yr Allt Bach is a detached farmhouse style property located at a rural elevated hill side sloping location adjacent to a main access road down towards Llanddona beach. The property is a detached two storey property with a substantially large sized curtilage/garden area surrounding the property. The existing greenery surrounding the curtilage of the property provides additional screening to the proposal site.

Having visited the site it is noted the front elevation of the proposed new extension is at a high vantage point with views towards the sea and towards Red Wharf Bay at a distance. It is considered the structure will be at a considerable distance from public vantage points of the beach of Llanddona and coastal area of Red Wharf Bay. The proposal site is only viewable from the nearest public beach of Llanddona when the tide is low only.

Policy PCYFF 3 of the Plan states that all proposals will be expected to demonstrate a high quality design which fully takes into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform to the relevant policy criteria:

1) It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

Given the context of other neighbouring buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape. The modern design and material choices of the proposal are aspirational in style but is considered acceptable as to be in keeping with the character of other new modern high quality developments within the immediate locality and on Anglesey as a whole. Information on proposed materials have been received and are considered acceptable as to match the existing style of the property, slated pitched roof and render to match existing property. The addition of a glass link is a modern unique choice of design modernising and enhancing the existing property whilst being placed set back within the site area to not be obtrusive within the rural landscape. It is considered due to many other new modern design aspirational style developments within the area that the design is in-keeping with the character of the area.

Concerns have been raised regarding the impact of the proposal to the local community and types of property that are being created within the Llanddona area. Considering the current property was recently sold for an above average property price, it is, unfortunately, not attainable for local people with average work wages to purchase this type of property within the local area or indeed Anglesey as a whole. It is considered the proposal is in keeping with the existing substantially sized property and within the character of Llanddona as there are numerous different styles and sizes of property within the Llanddona area.

The proposed design compliments and enhances the character of the existing property in line with Policy PCYFF3 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan.

The form and proportion of the development also respect the character of the surrounding built environment and landscape in accordance with the guidance provided in the following Supplementary Planning Guidance Notes:

- Design Guide for the Urban and Rural Environment (2008).

### **Ecological Impact / Dark Skies impact / AONB:**

Dark skies have been consulted regarding the new glazing included as part of the proposal. After receiving comments from the officer further information and clarification have been provided to mitigate any detrimental impact on the designated dark skies area. Drawing Number A.005 – Proposed Dark Skies Strategy has been received by the agent of the application listing the following mitigation measures: Low-Intensity Lighting, Considered Accent Lighting, Vertical Light Spillage Mitigation, Horizontal Light Spillage Mitigation, General Light Spillage Mitigation which have also been labelled on proposed plans on the drawing received. With these measures in place it is considered the impact on the dark skies and AONB area of the new development will be minimized to an extent to not produce a detrimental impact to the immediate area.

A proposed landscape strategy, drawing number A.004 Proposed Landscape Strategy, has also been received as part of this application after agent receiving consultee response from our Landscape Officer. To minimise visual impact of the new proposal it is proposed the Western Boundary of the site is to be planted extensively with local landscaping species of plants. It is also noted that throughout the site that layers of planting is to be planted throughout the site to obscure any additional light included with the new proposal. This planting also provides additional screening to the site of the proposal minimising the visual impact of the proposal.

An ecological survey has been submitted as part of this application and a Bat Activity Survey has been submitted and conducted within the emergence time period of May – September. The survey notes reasonable avoidance and mitigation measures during the construction process and lists bat and bird boxes to be placed on site. An Ecological Mitigation Overlay has also been provided as part of the application clearly labelling the required ecological boxes and their locations within the application site.

### **Adjacent Residential Properties:**

No immediate neighbours are located nearby the property with the nearest immediate adjacent approx. 92m distance away (Cae Maes Mawr, Llanddona). This distance is a greater amount than the indicative minimum distances measured in SPG Guidance Note 8: Proximity of Development. It is considered the proximity of the development is considered acceptable.

Policy PCYFF 2 ensures the development is acceptable if the proposed development would not have an unacceptable adverse impact on:

The health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance.

### **Conclusion**

It is considered that the proposal is acceptable in land use planning terms. The Proposed development is subservient to the existing property in respects of scale and size and does not dominate the original elevation, therefore it is appropriate to the dwelling and its surrounding area.

### **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

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

accompanying such application unless included within any provision of the conditions of this planning permission.

- 2117 Design & Access Statement April 2021 – Revision A
- A.006 – Ecological Mitigation Overlay
- A.003 Rev A – Preliminary Drainage Strategy
- A.500 Rev A – Proposed 3D Visuals
- A.005 – Proposed Dark Skies Strategy
- A.302 Rev A – Proposed Extension Elevations
- A.400 Rev A – Proposed Extension Sections
- A.201 Rev A – Proposed First Floor Plan
- A.200 Rev A – Proposed Ground Floor Plan
- A.300 Rev A – Proposed House North and West Elevation
- A.301 Rev A – Proposed House South and East Elevation
- A.004 – Proposed Landscape Strategy
- A.303 – Proposed Material Mood Board
- A.400 Rev A – Proposed Extension Sections
- A.002 Rev A – Proposed Site Plan
- A.401 Rev A – Proposed Section Renovation Works
- A.004 – Proposed Landscape Strategy
- Clwydian Ecology – Protected Species Survey – 12th of May 2022
- Clwydian Ecology – Bat Activity Survey – 9th August 2022

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3, AMG 1

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** HHP/2022/219

**Applicant:** Head of Housing

**Description:** Full application for alterations and extensions at

**Site Address:** 7 Tre Gof, Llandddaniel



### Report of Head of Regulation and Economic Development Service (Owain Rowlands)

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is presented to the Committee as the Isle of Anglesey County Council are the applicant and the landowner.

### Proposal and Site

The application presented is for the erection of a single storey rear extension to the dwelling.

The application site is a two storey semi-detached property, located in the Tre Gof estate within the development boundary of Llandddaniel as defined by the Joint Local Development Plan.

## Key Issues

The key issues are whether the proposed scheme is acceptable, whether it complies with current policies, and whether the proposed development would impact any neighbouring properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

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

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cynghorydd Alwen Pennant Watkin	No response at the time of writing the report.
Dwr Cymru Welsh Water	Condition regarding surface water and advisory notes for the applicant.
Cyngor Cymuned Llanddaniel Fab Community Council	No response at the time of writing the report.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 08/09/2022. At the time of writing this report, no letters of representations had been received at the department.

## Relevant Planning History

No relevant site history

## Main Planning Considerations

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

## Proposal and Site

The site is a two storey semi-detached property, located in the Tre Gof estate within the development boundary of Llanddaniel as defined by the Joint Local Development Plan. The proposed scheme is for the erection of a single storey rear extension.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties

## **i. Siting and Design**

The proposed extension will extend approximately 5.4m beyond the rear elevation of the property. It will measure 3.8m wide, being brought level with the side elevation of the dwelling, and set 3.2m away from the boundary with neighbouring property 8 Tre Gof. It will have a flat roof at 2.8m in height, which is significantly lower than the main pitch of the dwelling, ensuring that this is a subservient extension.

This extension will accommodate an additional bedroom, lobby and shower room, creating additional living space within the property. The rear elevation will have a bedroom window looking into the rear garden, together with a pedestrian door on the side elevation facing 6 Tre Gof, and a shower room window on the side elevation facing 8 Tre Gof. The extension will be rendered to match the existing dwelling, ensuring integration into the site and its surrounding built environment, and a high quality of design to comply with PCYFF 2.

In order to comply with the Environment Wales Act (2016), all planning applications must show overall biodiversity enhancement. In regards to this application, a bird box has been added to the side elevation of the main dwelling. This is considered to provide overall biodiversity enhancement, and complies with the requirements of the Environment Wales Act and policy PCYFF 4.

## **ii. Impact on Adjacent Residential Properties**

It is not considered that the proposal will have a negative impact upon the privacy and amenities of neighbouring properties. An existing two-metre high timber fence along the side and rear boundaries of the property will ensure that no issues of overlooking will arise from the proposed extension. Despite being in close proximity to neighbouring properties 6 and 8 Tre Gof, the small-scale nature of the development and the existing boundary treatments between the properties ensure that their privacy and amenities are maintained in accordance with policy PCYFF 2.

## **Conclusion**

The proposal is considered a small-scale development that will provide additional living space within the property. It is considered a subservient extension that will integrate into the site with matching finish materials. Giving its siting in relation to neighbouring properties, and the existing boundary treatments, it is not considered to give rise to any greater harm upon the privacy and amenities of any neighbouring properties.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission:**

- **AL.00.01 - Location plan**
- **AL.01.02 - Proposed floor plan**
- **AL.02.02 - Proposed elevations**

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

**(03) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3

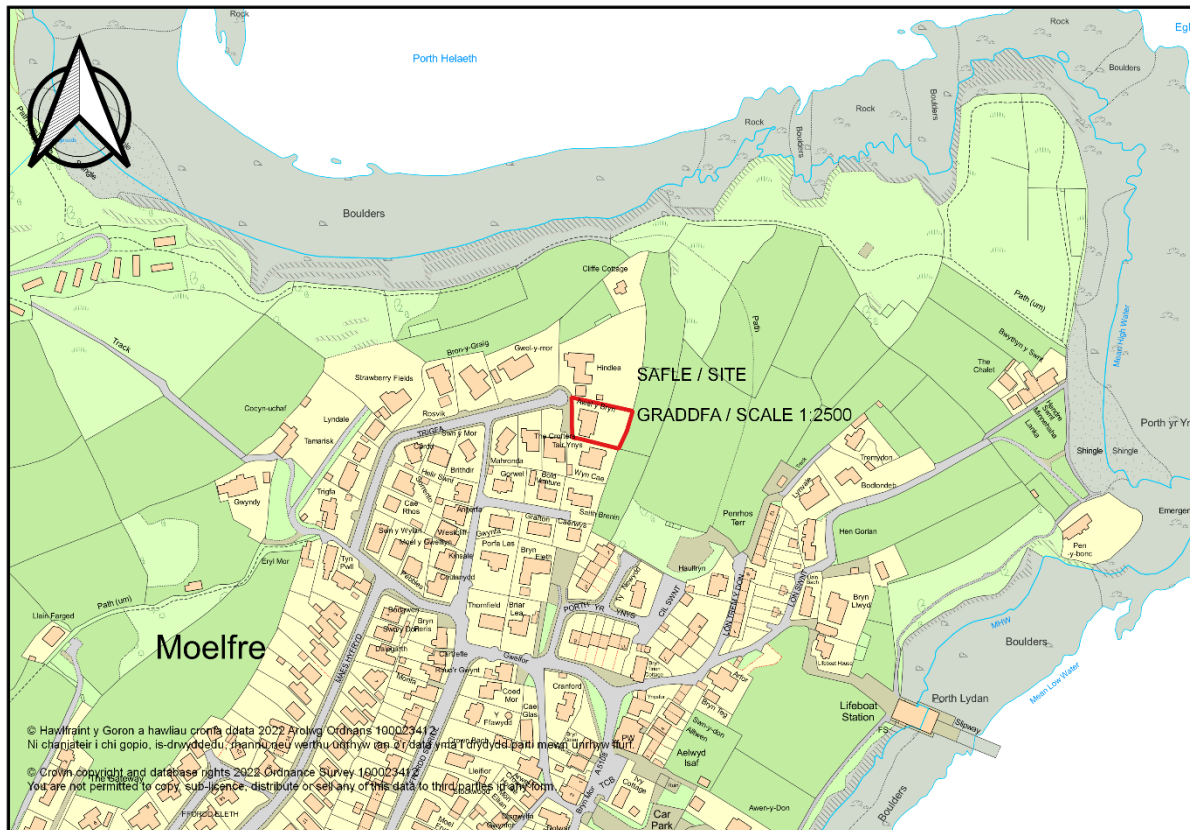
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: HHP/2022/171

Applicant: Mr & Mrs D Adams

Description: Full application for alterations and extensions with Juliet balconies at

Site Address: Awel Y Bryn, Trigfa, Moelfre



## Report of Head of Regulation and Economic Development Service (Huw Rowlands)

Recommendation: Permit

### Reason for Reporting to Committee

Call-In to Planning Committee by a Local Member

### Proposal and Site

The application received is for the erection of new dormer windows to the front and rear elevations of the detached property of Awel Y Bryn, Trigfa, Moelfre to create a new 1st floor living space at the roof space of the existing single storey property.

## Key Issues

The key issues are if the proposal complies with current policies, if the proposal is an overdevelopment of the site and whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2 – Development Criteria  
Policy PCYFF 3 – Design and Place Shaping  
Policy TRA 2 – Parking Standards  
AMG 1: Area of Outstanding Natural Beauty Management Plans

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance – Parking Standards (2008)

Technical Advice Note 12: Design (2016)

Planning Policy Wales (11th edition)

### Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice Given
Cynghorydd Euryr Morris	No Response
Cynghorydd Ieuan Williams	Committee Call-in
Cyngor Cymuned Moelfre Community Council	Objection
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Comments
Cynghorydd Margaret Murley Roberts	No Response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 08/09/2022. At the time of writing this report 2 web comments of objection have been received together with approx 17 Letters of Objection. The main comments summarized were as follows:

- Access and Parking/Vehicle Concerns of additional bedrooms to property.
- Blocked access to Emergency Vehicles, Delivery vans, post vans and Refuse Collection at the location of the end of this Cul-De Sac of the Trigfa residential estate
- Noise pollution/concerns, loss of Peace and Quiet of immediate residential area with the additional occupants
- Capability for the amended property of sleeping 12+ people, “Party House” with potential for late night noise.
- Overdevelopment - Cumulative effect of other previous developments at the site, Garage conversion to accommodate 6 people (Various descriptions of this converted room received: En suite bedroom/Cabin Room/3 bunk beds) and a “Glamping pod” unit (sleeps 2) at the side elevation of the property. Also a new Patio, Hot Tub and fire pit also placed at the rear garden of the property.

- Use of amended property – Property previously advertised as a holiday let business (As recently as 2020)
- Development contributes nothing to immediate area nor the village or Island. Detrimental Impact
- Effect on Privacy of a new “upper floor”
- Out of Character with the estate / Non-cohesive
- Community eroded by intermittent arrival of a sizeable number of short term visitors in which this developments add to.
- Previous flouting of planning rules with the removal of a dry stone wall and extension of the rear garden of the property.
- Loss of light / Overshadowing created by the placement of the new dormer windows.
- Change of 2 bedroom single storey property to a 5 bedroom two storey “monstrosity”
- Possible increase of refuse at the property resulting in possible seagull nuisance and increased vermin.
- Loss of Sea Views to neighbouring properties
- Property a business venture with the proposed extension to increase the revenue received from letting the property out.
- Effect on AONB
- Noise and nuisance caused by existing on going building works at the site
- Safety concerns as Previous fire at the property.

In the response to the large amount of comments received for this application a Justification Statement was requested and received by the agent of the application. It is considered the justification statement provided the required additional information to provide an adequate response to the concerns raised. I have briefly stated a response to the summarized comments above:

- Main consideration with the application is regarding parking concerns. No objection is noted by the Highways department for this application. Nevertheless a Parking Diagram has been submitted as part of the Justification statement displaying space for up to 5 cars on the driveway of the property.
- It is considered the parking will be off road for the owners of this property, not affecting access to the Cul-De-Sac
- The application is for 2 additional bedrooms and Snug area for the property. The use class C3 Dwellings has been specified to remain. It is therefore considered as there is no change of use of the property that the noise levels will remain the same as existing.
- It has been confirmed by the applicant that the use of the property is to be as a dwelling for family use only not as a holiday let business as previously listed. The planning Department cannot speculate on a use of a property and take applications at face value by the information provided.
- It is considered the development of 2 additional bedrooms and “snug” area is not an overdevelopment of the existing site as the footprint remains the same, similar style dormer extensions are within the estate and the extension is subservient towards the existing main dwelling
- As previously stated the department cannot be speculative on the use of the site. As the property is currently a residential property we take it upon us that the use class of C3 Dwelling is the current and intended use.
- The proposal provides additional living space to the occupants of the property
- It is considered any overlooking issues are to be kept to a minimal as the new dormers at the front of the property are facing the public residential road whilst the rear Juliette balcony dormer roof extensions face the rear garden of the property. As the balconies are Juliette style balconies they do not extend out of the dormer extension and will be difficult to peer out on to neighbouring properties.
- The site had a similar previous planning application approved in 2010 for a previous dormer 1st floor extension. The justification statement also includes similar style dormer roof extensions within the estate.
- Cannot comment on dry stone wall, separate issue
- As previously stated the extension is within the roof of the detached property and no additional overshadowing is to be created at the site.
- Cannot police in planning terms the amount of bedrooms that are within a residential C3 Dwelling
- Refuse is not relevant issue as the use of the property is to remain the same
- Loss of sea views is not considered a planning issue

- As the application is a small scale householder it is considered the impact on AONB is to remain the same impact as the existing modernized property.
- On a planning perspective unable to comment on existing building works at the site as are not relevant to the application received.
- Safety concerns – The property will need to comply with Building Regulations department if Planning permission is granted.

### **Relevant Planning History**

40C262 - Addasu ac ehangu yn / Alterations and extensions at - Awel y Bryn, Trigfa Estate, Moelfre – Tynnwyd yn Nol / Withdrawn

40C262A - Addasu ac ehangu yn / Alterations and extensions at Awel y Bryn, Moelfre. Caniatau / Permitted 14/02/2006

40C262B - Adnewyddu caniatad cynllunio rhif 40C262A ar gyfer addasu ac ehangu yn / Renewal of planning permission ref 40C262A for alterations and extensions to - Awel y Bryn, Trigfa Estate, Moelfre. Caniatau/Permitted 28/01/2011

### **Main Planning Considerations**

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

### **Siting and Design:**

The proposal is for the erection of roof dormer windows to include to the detached single storey property of Awel Y Bryn for the creation of a new 1st floor living area to include 2 new double bedrooms with en suites and a Snug area in the middle adjoining the 2 new bedrooms. The proposed dormers to the front and rear elevations allow the existing roof space to be utilised to provide additional accommodation for the applicants without increasing the overall footprint of the property. The proposed new dormer windows are to be flat roofed with horizontal cladding, similar in design to other dormer roof extensions in the immediate vicinity of the residential estate. It is also confirmed the overall roof height will not be increased with this proposal or extend beyond the main external walls of the property, subservient in size and scale to the main existing dwelling.

Policy PCYFF 3 of the Plan states that all proposals will be expected to demonstrate a high quality design which fully takes into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform to the relevant policy criteria:

- 1) It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

Previous planning at the property site include planning approvals granted for a similar scheme for 1st floor living accommodation at the property (see planning ref: 40C262B approved 20/12/2010). This scheme included 2 new 1st floor bedrooms and a substantially sized central rear dormer with a veranda. This previously approved scheme has many similarities in comparison to this current application submitted in terms of size and scale.

Given the context of other buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape as the property is to have the same footprint to existing structure at the site

The form and proportion of the development also respect the character of the surrounding built environment and landscape in accordance with the guidance provided in the following Supplementary Planning Guidance Notes:

- Design Guide for the Urban and Rural Environment (2008).

### **Adjacent Residential Properties:**

Awel Y Bryn is a detached residential property located at an end of a cul-de-sac of detached residential properties within the greater estate of Trigfa at the coastal town of Moelfre. Neighbouring properties are towards the North and South side elevations of the dwelling with a residential road / cul-de sac towards the front elevation and no immediate neighbours towards the rear elevation of the property (fields include a public footpath towards the headland of Moelfre).

Policy PCYFF 2 ensures the development is acceptable if the proposed development would not have an unacceptable adverse impact on:

The health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance.

It is considered any overlooking issues are to be kept to a minimal as the new dormers at the front of the property are facing the public residential road whilst the rear Juliette balcony dormer roof extensions face the rear garden of the property and fields at the rear of the property with views towards the sea. As the balconies are Juliette style balconies they do not extend out of the dormer extension and will be difficult to peer out on to neighbouring properties. It is considered the proposal complies with Policy PCYFF 2.

### **Parking / Highway Concerns:**

No objection is noted by the Highways department for this application. A Parking Diagram has been submitted as part of the Justification statement displaying space for up to 5 cars on the driveway of the property, complying with Parking Standards for use Class C3 Dwellings which requires 4 car parking spaces for a 5 bedroom dwelling on any new development. The justification statement also displays the two roads serving the property providing adequate access for emergency vehicles, deliveries, bin collections etc. and that the proposal site is not reliant on on-street parking.

### **Use of Dwelling:**

In regards of current policy and regulations the planning department cannot police use of C3 dwellings being let out as single unit holiday lets. Nevertheless confirmation from the agent has been received that the use of the property is for the applicant and for their large family only.

It is understandable the use of the property has been a contentious issue as the property has been previously advertised as a holiday let business in the past and the issues that arise with such a business have been felt by the neighbouring residents within the immediate area. The site is no longer advertised as such a business online. We as a department must accept applications at face value with the information provided as part of the application. It is considered the justification document provides an adequate response to concerns raised during the consultation/notification process by providing further clarification of the residential use of the dwelling.

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## Conclusion

It is considered that the proposal is acceptable in land use planning terms. The Proposed development is subservient to the existing property in respects of scale and size and does not dominate the original elevation, therefore it is appropriate to the dwelling and its surrounding area.

## Recommendation

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

- **A(300)01 – Planning Drawing – Proposed Floor Plans & Sections**
- **A(300)02 Revision A – Planning Drawings Proposed Elevations**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: **PCYFF 2, PCYFF 3, TRA 2, AMG 1**

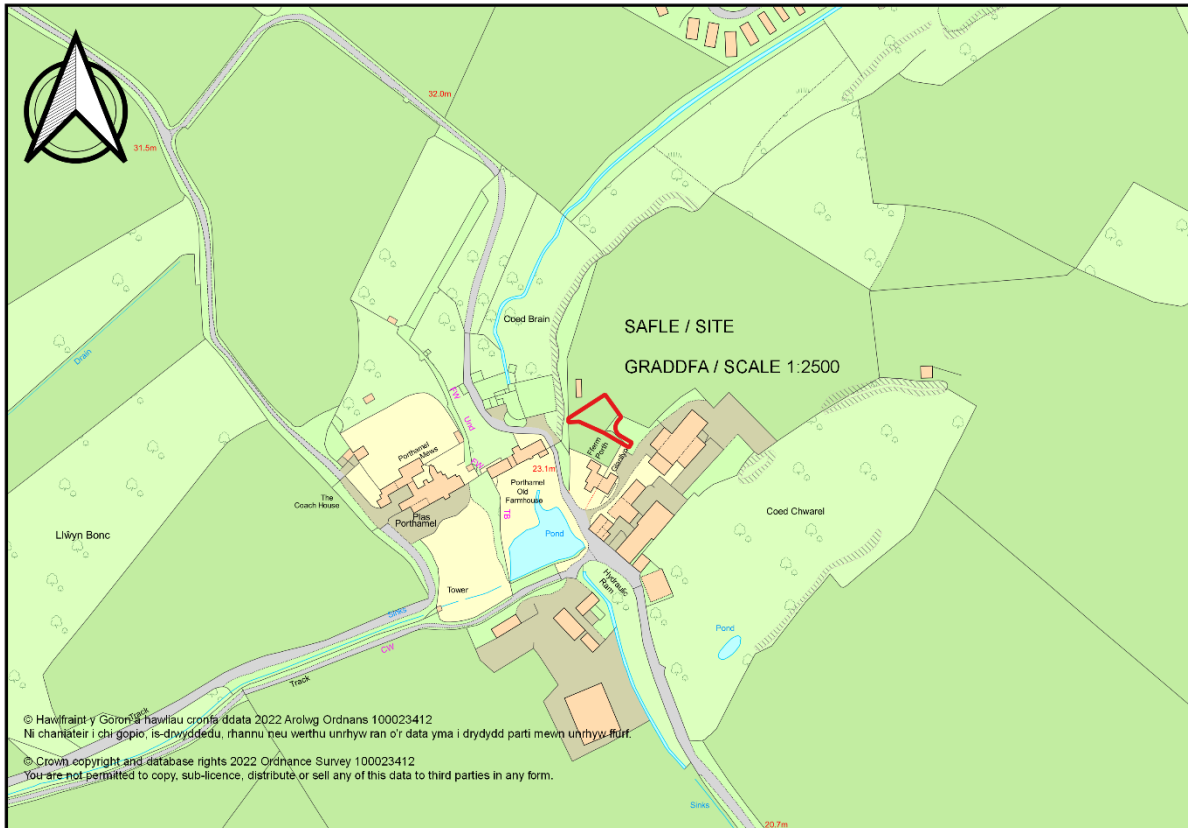
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2022/216

**Applicant:** Mr David Owen

**Description:** Full application for an extension to the curtilage at

**Site Address:** Glanllyn, Llanedwen, Llanfairpwll



## Report of Head of Regulation and Economic Development Service (Owain Rowlands)

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is presented to the Committee as the application is made on land which is owned by the County Council.

### Proposal and Site

The proposal involves the extension to the residential curtilage of the property.

The property is a semi-detached farmhouse, located in an open countryside location in Llanedwen.

## Key Issues

The key issues are whether the proposed scheme is acceptable, whether it complies with current policies, and whether the proposed development would impact any neighbouring properties or the surrounding area.

## Policies

### Joint Local Development Plan

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

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

Isle of Anglesey AONB Management Plan Review 2015-2020

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Alwen Pennant Watkin	No response at the time of writing the report.
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cyngor Cymuned Llanddaniel Fab Community Council	No response at the time of writing the report.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 08/09/2022. At the time of writing this report, no letters of representations had been received at the department.

### Relevant Planning History

21LPA632/CC - Alterations and extensions to Glanllyn, Porthamel, Llanedwen. Approved 29/09/1992.

### Main Planning Considerations

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

### Proposal and Site

The site is a semi-detached farmhouse, located in an open countryside location in Llanedwen. The proposal involves the extension to the residential curtilage of the property.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties

## **i. Siting and Design**

The farm has two semi-detached residential properties, Glanllyn and Porth Amel. As existing, Glanllyn has a rear garden measuring approximately 79m<sup>2</sup>, whereas the rear garden of neighbouring Porth Amel is much larger, measuring approximately 530m<sup>2</sup>. The proposal involves extending the residential curtilage of Glanllyn into the agricultural land to the north west, and behind the rear garden of Porth Amel.

The extended part of the curtilage will measure approximately 451m<sup>2</sup>, bringing the residential curtilage of Glanllyn to a total of 530m<sup>2</sup>. This will match the curtilage of neighbouring Porth Amel, which is considered justified, and will provide additional amenity space for the occupiers without being dominant and having a negative impact on the surrounding landscape.

The extended curtilage will be set further to the west than the rear garden of Glanllyn, as the land directly to the north of their existing garden has vast amounts of rock on the surface, which would require considerable excavating to eradicate. Their chosen location in the agricultural field directly adjacent is considered the most suitable for an extension to curtilage.

Policy PCYFF 4 states that all proposals should integrate into their surroundings. All trees and hedges surrounding the agricultural land will remain as existing, with the new curtilage being established by stock proof fencing, ensuring integration with the neighbouring garden, and into the surrounding landscape.

The proposal site falls within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB). It is considered that the small scale nature of the proposal will integrate well into its surrounding landscape. It is therefore considered that it will have no greater visual impact and that the special qualities and features of the AONB will not be affected.

## **ii. Adjacent Residential Properties**

Given the rural location of the site, neighbouring properties are sparsely located in the surrounding landscape. Existing topographical levels mean that Glanllyn is in an elevated position compared to the properties to the west, with dense vegetation on that western boundary ensuring that the proposed extension to curtilage would have no greater impact upon their privacy and amenities.

To ensure that no further developments are carried out on the site without consideration of the impacts on the neighbouring properties and the surrounding area, a condition will be imposed on the permission removing permitted development rights in regards to any building or enclosure (Class E of Part 1 of Schedule 2) of the Town and Country Planning (General Permitted Development) Order 2013.

## **Conclusion**

The proposal will provide additional amenity space for the occupiers of Glanllyn, and is considered to have little or no greater impact upon the privacy and amenities of neighbouring properties, or on the surrounding locality.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

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

accompanying such application unless included within any provision of the conditions of this planning permission:

- **OBS-2022-061 GA001 Rev C - Location plan, existing & proposed site plan, site photographs**

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

**(03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Class E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of residential and visual amenity.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: AMG 1, PCYFF 2, PCYFF 3

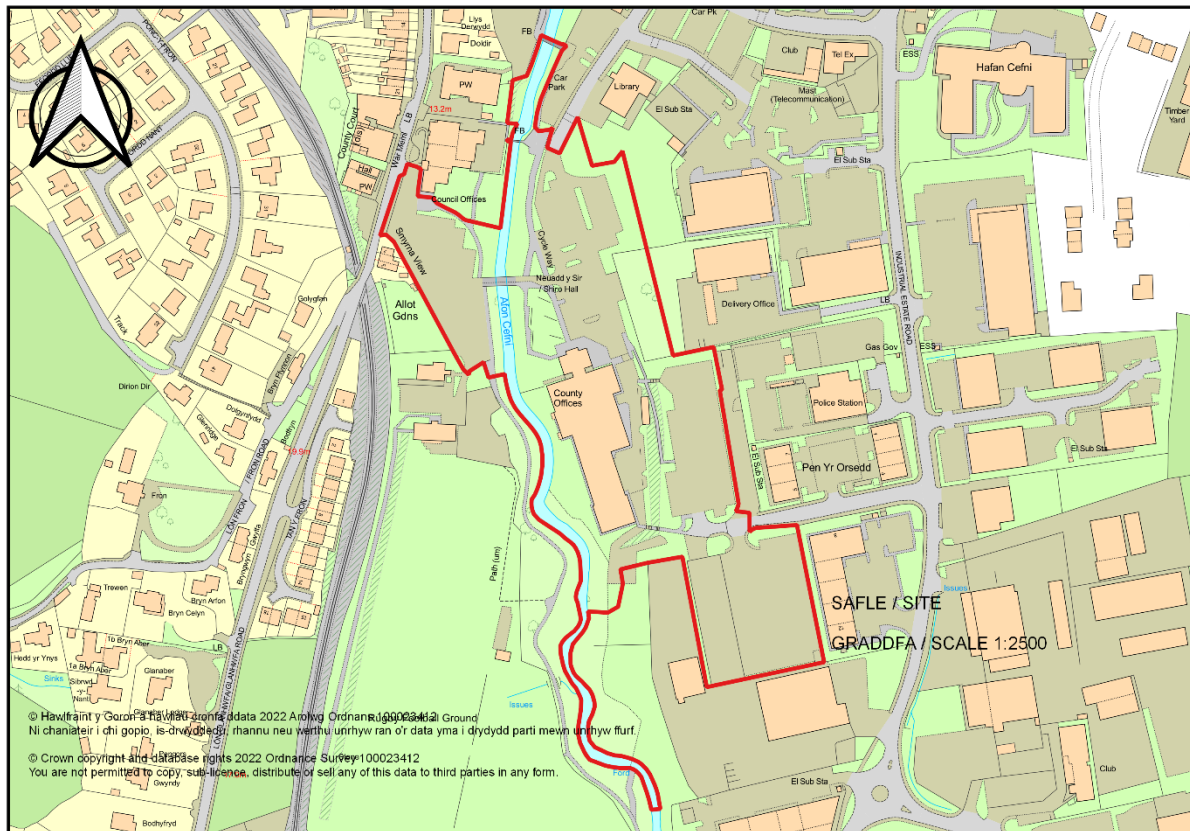
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2022/198

**Applicant:** Mr. Richard Hall

**Description:** Full application for the installation of 2no 470kW Air Source Heat Pumps and a plant room house housing 2 no Water Source Heat Pumps together with associated development at

**Site Address:** Isle of Anglesey County Council Llangefni



**Report of Head of Regulation and Economic Development Service (Joanne Roberts)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application site is Council owned land.

**Proposal and Site**

The application is made for the installation of 2no 470kW Air Source Heat Pumps and a plant room house housing 2 no Water Source Heat Pumps together with associated development on land located to the rear of Isle of Anglesey County Council offices, Llangefni.

## Key Issues

The key issues are whether the proposal complies with relevant local and national planning policies.

## Policies

### Joint Local Development Plan

Policy PCYFF 4: Design and Landscaping  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Strategic Policy PS 7: Renewable Energy Technology  
Policy PCYFF 5: Carbon Management  
Policy ADN 3: Other Renewable Energy and Low Carbon Technologies  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy PCYFF 2: Development Criteria  
Strategic Policy PS 5: Sustainable Development  
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 15: Development and Flood Risk (2004)

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

Technical Advice Note 8: Renewable Energy (2005)

## Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments/advice in relation to Ecological considerations.
Iechyd yr Amgylchedd / Environmental Health	Comments/advice in relation to environmental considerations.
Ymgynghorydd Tirwedd / Landscape Advisor	No response at the time of writing report.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Cynghorydd Geraint ap Ifan Bebb	No response at the time of writing the report.
Cyngor Tref Llangefni Town Council	Approve.
Cynghorydd Nicola Roberts	No response at the time of writing the report.

The proposal has been advertised through the posting of site notices near the site. The latest date for the receipt of any representation was the 24/08/2022. At the time of writing this report, no letter of representation had been received at the department.

## Relevant Planning History

34LPA700/CC- Dymchwel y swyddfeudd presennol ynghyd a codi swyddfeudd newydd gyda maes parcio cysylltiedig / Demolition of the existing offices and erection of new offices and associated car parking - Dim Gwrthwynebiad/No objection 10.12.97

34LPA700A/CC - Gosod ffenstri newydd yn y tô / Installation of roof windows - Caniatau/Granted 17.10.00

34LPA700B/CC - Darparu 4 ffenestr 'velux' / Provision of 4 velux windows - Caniatau/Granted 6.12.02

34LPA700C/CC - Estyniad i'r maes parcio / Extension to car park - Caniatau/Granted 7.3.03

34LPA700D/CC - Codi prif fynedfa newydd / Erection of a new main entrance - Caniatau/Granted 10.1.07

34LPA700E/CC - Creu mynedfa newydd i compownd y Cyngor a cau y fynedfa presennol, gosod tanciau/gorsaf llenwi nwy a creu 6 lle parcio newydd yn / Construction of a new vehicular access to the Council's compound and close existing access, installation of gas storage tank/filling station and construction of 6 additional parking spaces - Caniatau/Granted 2.10.08

### **Main Planning Considerations**

Policy PCYFF1 of the JLDP states that proposals within Development Boundaries will be approved in accordance with the other policies and proposals of this Plan, national planning policies and other material planning considerations.

The application site is located within the development boundary of the Urban Service Centre of Llangefni on a safeguarded employment site and therefore accords with policy PCYFF 1.

Policy PCYFF2 relates to development criteria and requires that proposals should demonstrate its compliance with relevant plan policies and national planning policy and guidance.

Policy PCYFF 3 relates to design and place shaping and requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform, where relevant to the policy criteria.

Criterion 1 requires that it complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

Criterion 2 requires that it respects the context of the site and its place within the local landscape, including its impact on important principle gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes into account of the site topography and prominent skylines or ridges.

Criterion 3 requires that it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate, in line with policy PCYFF 4.

Policy PCYFF 4 of the JLDP relates to Design and Landscaping and states that all proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused.

Policy AMG 5 of the JLDP relates to Local Biodiversity Conservation and states that proposals must protect and, where appropriate, enhance biodiversity that has been identified as being important to the local area by:

- a. avoiding harmful impacts through the sensitive location of development;
- b. considering opportunities to create, improve and manage wildlife habitats and natural landscape including wildlife corridors, stepping stones, trees, hedges, woodlands and watercourses.

A proposal affecting sites of local biodiversity importance will be refused unless they can conform with all the following criteria:

1. that there are no other satisfactory alternative sites available for the development
2. the need for the development outweighs the importance of the site for local nature conservation
3. that appropriate mitigation or compensation measures are included as part of the proposal.

The proposal involves the provision of a GRP enclosure measuring 8.3m x 5.3m x 3m for the housing of 2 water source heat pumps together with the provision of 2 air source heat pumps mounted on a modular steel frame some 0.7m above the ground level.

The enclosures have been designed to the minimum standards whilst also ensuring sufficient and minimal access around the air source heat pump and plant room is maintained and allows for suitable workspace and access around the units.

The proposed units are positioned to the rear of the existing Council building and are well screened by existing topography and vegetation. In terms of their design and appearance it is considered that the proposal accords with policy PCYFF 3.

The application is also accompanied by a Biodiversity Enhancement Plan which proposes the provision of 2 bat boxes, 2 bird boxes and the expansion of the wildflower meadow to compensate for the loss of habitat features that will result from the development. The Ecological Adviser has been consulted on the proposals and is satisfied that the biodiversity enhancements proposed are appropriate and meet the requirements of policy AMG5 and the Section 6 Duty of the Environment Wales Act 2016.

Policy PS 7 relates to Renewable Energy Technology and states that the Council's will seek to ensure that the Plan area wherever feasible and viable realises its potential as a leading area for initiatives based on renewable or low carbon energy technologies by promoting:

1. Renewable energy technologies within development proposals which support energy generation from a variety of sources which include biomass, marine, waste, water, ground, solar, wind, including micro generation;
2. Free-standing renewable energy technology development

This will be achieved by:

3. Ensuring that installations in areas covered by international or national designations and visible beyond their boundaries, or areas of local landscape value, in accordance with Strategic Policy PS 19 do not individually or cumulatively compromise the objectives of the designations especially with regard to landscape character and visual impact;
4. Ensuring that installations in accordance with PS 19 do not individually or cumulatively compromise the objectives of international, national and local nature conservation designations;
5. Supporting installations outside designated areas provided that the installation would not cause significant demonstrable harm to landscape character, biodiversity, or amenity of residential or holiday accommodation, either individually or cumulatively.

Policy ADN 3 relates to Other Renewable Energy and Low Carbon Technologies and states that proposals for renewable and low carbon energy technologies, other than wind or solar, which contributes a low carbon future will be permitted, provided that the proposal conforms to the following criteria:

1. All impacts on landscape character, heritage assets and natural resources have been adequately mitigated, ensuring that the special qualities of all locally, nationally and internationally important landscape, biodiversity and heritage designations, including, where appropriate, their setting are conserved or enhanced.
2. That the proposal does not have a significant unacceptable effect on visual amenities;
3. That the proposal is mitigated to ensure that there aren't any significant unacceptable effects on sensitive uses located nearby;
4. Where appropriate, that the proposal does not have a significant unacceptable effect on the quality and supply of water;

5. Where appropriate, existing buildings or previously developed land is used;
6. That the development does not have cumulative unacceptable effect with any prominent features in the landscape and townscape;
7. Where required, the equipment and associated infrastructure are removed from the site in accordance with a restoration and aftercare scheme submitted to an agreed by the Local Planning Authority

The application is also accompanied by a Noise Impact Assessment. The assessment has considered the potential for noise impacts from the installation of the new water and air source heat pumps. BS 4142 day and night-time rating levels were found to be more than 10dB over representative background noise levels, with the potential for significant adverse noise impacts at the nearest residential NSR.

The assessment has shown that mitigation is required to meet the local authority EH criteria and acoustic enclosures for the air source units, with minimum sound reduction value of 22dB have been recommended. This would bring the noise levels down to outperform the EH criteria with no noise impact expected at the nearest residential NSR.

The Environmental Health Department have been consulted on the proposals and are satisfied that subject to the implementation of the recommendations contained within the Noise Impact Assessment, that the noise impacts can be satisfactorily mitigated.

It is not therefore considered that the proposal would cause significant demonstrable harm to landscape character, heritage assets, natural resources, the quality and supply of water, biodiversity or residential/visual amenity and that the proposal otherwise is in accordance with policies PS 7 and ADN 3 of the JLDP.

## **Conclusion**

The proposed development is therefore considered to be acceptable and conforms with the above mentioned policies and it is not considered that the development will give rise to an unacceptable impacts upon the character, appearance or amenities of the area subject to conditions.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

**(02) The development hereby approved shall be carried out in accordance with the Biodiversity Enhancement Plan by TEP dated June 2022.**

Reason: To safeguard any protected species which may be present.

**(03) The development hereby approved shall be carried out in accordance with mitigation measures detailed in section 7 of the Noise Impact Assessment by Walnut Acoustics dated 18<sup>th</sup> July 2022**

Reason: To protect the amenities of nearby residential occupiers.

**(04) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission:**

- **Proposed Site Plan: A1362-100 P1**
- **Proposed Plan: A1362-102 P2**
- **Proposed Sections: A1362-003 P1**
- **Air Source Heat Pump and Frame**
- **Flood Consequences Assessment, GeoSmart Information Ltd, 24.06.2022**
- **Noise Impact Assessment, Walnut Acoustics, 18.07.2022**
- **Bat Surveys, TEP, June 2022**
- **Design and Access Statement Issue V2, AHP Architects & Surveyors Ltd, July 2022**
- **Biodiversity Enhancement Plan, TEP, June 2022**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS5, PS6, PS7, PS19, PCYFF1, PCYFF2, PCYFF2, PCYFF3, PCYFF4, PCYFF5, ADN3, AMG5.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.