

13.1

Materion Eraill

Other Matters

Rhif y Cais: **34C40Z/EIA/ECON** Application Number

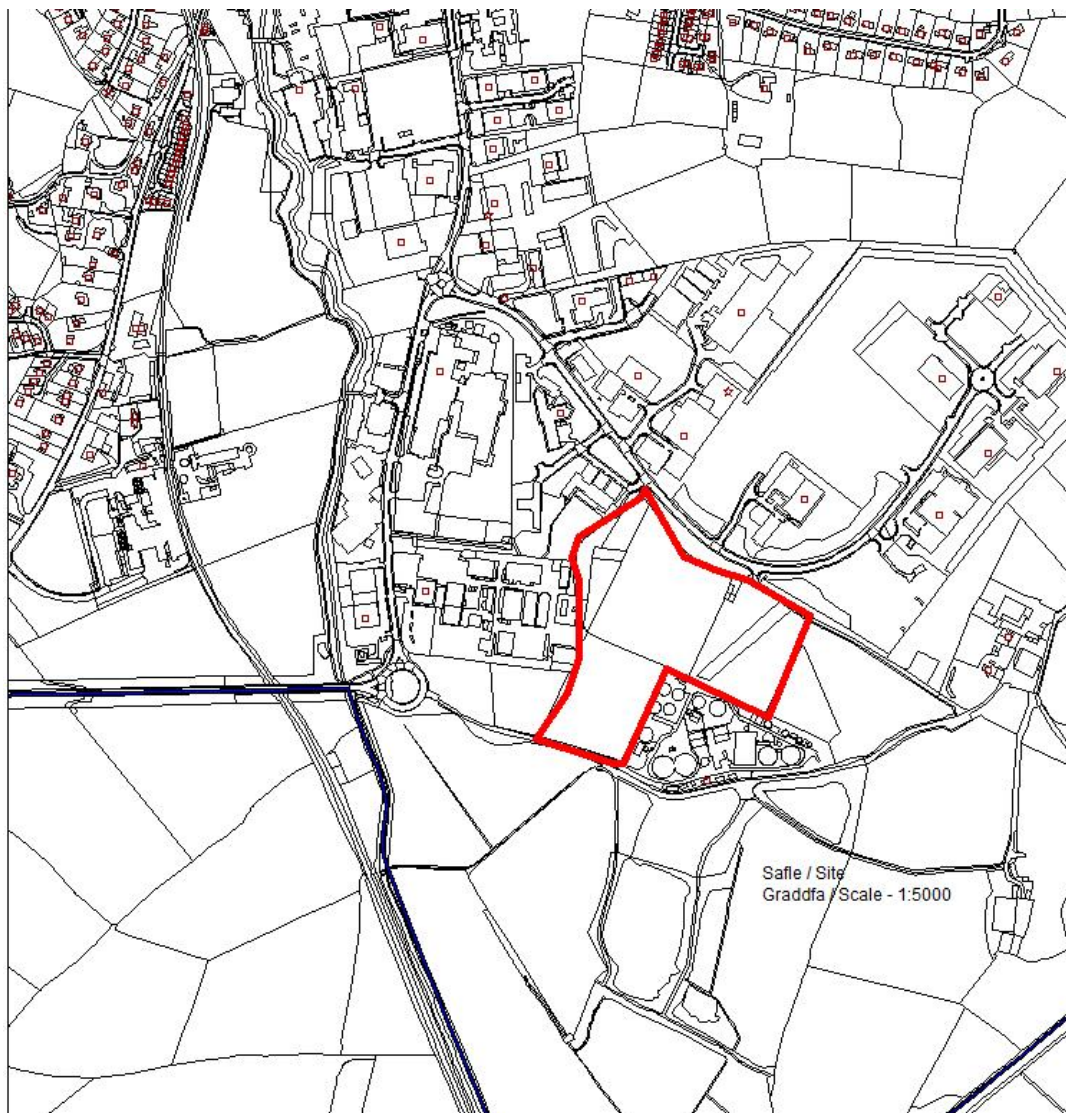
Ymgeisydd Applicant

**Mr. Paul Kellett
Ecopellets Ltd
Peboc
Llangefni Industrial Estate
Llangefni
Anglesey
LL77 7UX**

Codi Gwaith Ynni Biomas newydd yn cynnwys gwaith peledi pren, gwaith ynni biomas gwres cyfun, peiriannau tynnu rhisgl a naddu pren, iard storio coed ac adeiladu mynedfa newydd i gerbydau ar dir ger

Erection of a new Biomass Energy Plant comprising of a wood pellet plant, a biomass combined heat power plant, debarking and chipping plant, wood storage yard and construction of a new vehicle access on land adjacent to

Peboc, Industrial Estate, Llangefni



Planning Committee: 06/11/2013

Report of Head of Planning Service (RWW)

Reason for Reporting to Committee:

Planning application 34C40Z/EIA/ECON was refused by the Planning and Orders Committee on the 2nd May 2012. An appeal was submitted to the Planning Inspectorate during September 2012. The Inspectorate initially considered that the appeal due to the lack of information presented within the Environmental Statement was invalid and allowed the appellant time for the relevant information to be submitted. Following the submission of further information by the appellant the appeal was validated on the 10th July, 2013.

Although the proposed development has been refused planning permission, the proposal has since received an Environmental Permit by the then Environment Agency. Therefore it is the decision of Anglesey Council not to contest reason 3 (Air Quality) and reason 5 (Ecology) as part of the appeal. The planning appeal will be contested on refusal reasons 1,2 (Highways), 4 (Noise), 6 (Visual and landscape impact), 7 (Cumulative impact and effect upon the local economy and that the proposal does not satisfy the criteria of sustainable development), 8 (Sustainability and the Proximity Principle).

Please find attached as Appendix 1 the statement of case for Anglesey County Council

Appendix 1

TOWN & COUNTRY PLANNING ACT 1990

PLANNING INSPECTORATE REFERENCE: APP/L6805/A/12/2183072 LOCAL

PLANNING AUTHORITY REFERENCE: 34C40Z/EIA/ECON

APPEAL BY: MR PAUL KELLETT (ECOPELLETS)

LOCATION: FORMER PEBOC LAND, PARC BRYN CEFNI, LLANGEFNI, YNYS MÔN

PROPOSAL: THE ERECTION OF A BIOMASS ENERGY PLANT COMPRISING OF A WOOD PELLET PLANT, A BIOMASS COMBINED HEAT AND POWER PLANT, DEBARKING AND CHIPPING PLANT, WOOD STORAGE YARD AND THE CONSTRUCTION OF A NEW VEHICLE ACCESS

STATEMENT BY: CYNGOR SIR YNYS MÔN ISLE OF ANGLESEY COUNTY COUNCIL

1.0 The Site

- 1.1 The site is a green field site measuring approximately 16 acres, located at the far southern boundary of the Bryn Cefni Park Industrial Estate. The greenfield site constitutes lands of the former Eastman Peboc Chemical factory and lies between the water works to the east, Peboc to the west and the Industrial Estate road to the North. The site is located approximately 1.5km distance from junction 6 of the A55 and located approximately 800 metres from Llangefni Town Centre.
- 1.2 The site is currently accessed via an agricultural gated entrance directly off the main roundabout at the Bryn Cefni Industrial Estate.

2.0 The Proposal

- 2.1 The appeal scheme is for the construction of a Biomass Energy Development Plant that comprises the following:
- A 100,000 tonne per annum wood pellet plant for the manufacture from forest timber of wood pellets for use in power stations and other industrial, commercial and domestic combustion systems.
 - A solid biomass CHP (Combined Heat and Power) plant to provide process heat for the wood pellet plant and to generate 17MWe of renewable electricity, of which 14.3MWe will be available for export to the grid.
 - A liquid biomass CHP plant to provide process heat for the wood pellet plant and to generate 14MWe of renewable electricity, of which 13.6MWe will be available for export to the grid.
 - Associated works:-
 - wood storage yard with a debarking and chipping plant
 - A new electrical sub-station.
 - New vehicular access and concrete apron.

3.1 Relevant Planning History

- 3.2 34C40D – The alterations and extensions to existing buildings, erection of a new welfare and production building, formation of car park and landscaping of the site.

4.0 Chronology of Events

7 June 2011- Application validated by Isle of Anglesey County Council

30 August 2011 - Following the response received during the first round of consultation Isle of Anglesey County Council suggest that the application is withdrawn or that amended information be submitted.

14 October 2011 – Further information submitted by applicant in response to first round of consultation responses.

4 November 2011 – Notwithstanding the information submitted by the applicant, due to the further comments received from statutory consultees and Isle of Anglesey County Council departments it was suggested that the application be withdrawn.

7 November 2011 – Applicant states that application will not be withdrawn as they are of the opinion that the application is comprehensive, robust and fit for an approval recommendation.

18 November 2011 – Further information submitted by applicant.

22 December 2011 – Following the responses received during the second round of consultation Isle of Anglesey County Council suggests that the application is withdrawn.

2 May 2012 – Planning & Orders Committee - Refused 16 May 2012 – Refusal notice issued.

September 2012 – Appeal lodged

5 December 2012 – Request by the Planning Inspectorate for the appellant to provide further information in relation to the ES and appeal validation.

10 July 2013 – Appeal Start Date

5.1 Planning Policy

5.2 Stopped Ynys Môn Unitary Development Plan - Work began on the preparation of the Ynys Môn Unitary Development Plan, a local public inquiry was held and the Inspectors Report relating to the inquiry was received. However, at a meeting held on the 1st December 2005, the county council resolved to stop work on the Ynys Môn Unitary Development Plan (UDP) and start work on the Local Development Plan.

The Welsh Government was informed of the decision, and a request was made to authorise the transfer to the preparation of the Local Development Plan (LDP), as introduced by the Planning and Compulsory Purchase Act 2004.

It is possible to use the Stopped Unitary Development Plan (2005) as material planning consideration (which includes the inspector's recommendations) due to the advanced stage reached in the preparation of preparing the Plan.

5.3 Ynys Môn Local Plan The Ynys Môn local Plan interprets policies in the Gwynedd Structure Plan (1993) in more detail with a series of Proposals Map.

5.4 Gwynedd Structure Plan - The Gwynedd Structure Plan provides the strategic guidance for development on Ynys Môn for the period 1991 to 2006.

5.5 Planning Policy Wales

5.6 Wise About Waste- The National Waste Strategy

5.7 North Wales Regional Waste Plan and since application's been decided has been superseded by the Collections, Infrastructure and Market Sector Plan.

5.8 Planning Policy Wales Technical Advice Note (Wales) 8: Planning for Renewable Energy

5.9 Planning Policy Wales Technical Advice Note (Wales) 11: Noise

5.10 Planning Policy Wales Technical Advice Note (Wales) 12: Design

5.11 Planning Policy Wales Technical Advice Note (Wales) 18: Transport

5.12 Planning Policy Wales Technical Advice Note (Wales) 21: Waste

6.0 The Case for the LPA

- 6.1 The Council will demonstrate that insufficient information has been provided by the appellants to overcome refusal reason 1 contained within the decision notice.

Reason 1

“No details have been submitted regarding the proposed accesses to and from site and therefore the development proposed would be unsatisfactory having regard to the current sub-standard means of access. The proposal is therefore considered to be contrary to policy 1 of the Ynys Môn Local Plan; policies GP1, GP2, TR1, TR2, TR3 of the Stopped Ynys Môn Unitary Development Plan.”

- 6.2 The Council will demonstrate that insufficient information has been provided by the appellants to overcome refusal reason 2 contained within the decision notice.

Reason 2

“There remains conflicting details and insufficient information with regard to data supplied by the applicant to satisfy the Local Planning Authority that there would be no adverse impacts to the local road network and to the prejudice of safety and the free flow of traffic. The proposal is therefore considered to be contrary to policy 1 of the Ynys Môn Local Plan and policies GP1, GP2, TR1, TR2, TR3 of the Stopped Ynys Môn Unitary Development Plan.”

- 6.3 Following the granting of an Environmental Permit by Natural Resource Wales (Formally Environment Agency Wales) for the proposal the Council will not be pursuing refusal reason 3 – Air Quality in isolation.

Reason 3

“Based upon current information, there remain insufficient and conflicting details with regard to data supplied by the applicant to satisfy the Local Planning Authority that there would be no adverse impacts to local air quality. The proposal is therefore considered to be contrary to policies 1, 6, 43, 45 of the Ynys Môn Local Plan and policies PO8b, GP1, GP2, EP18 of the Stopped Ynys Môn Unitary Development Plan.”

- 6.4 The Council will demonstrate that insufficient information has been provided by the appellants to overcome refusal reason 4 contained within the decision notice.

Reason 4

“Based upon current information, there remains insufficient information with regard to data supplied by the applicant to satisfy the Local Planning Authority that there would be no adverse impacts relating to noise pollution emanating from the development and its possible effects on human health. The proposal is therefore considered to be contrary to policies 1, 6, 43, 45 of the Ynys Môn Local Plan and policies PO8b, GP1, GP2, EP18 of the Stopped Ynys Môn Unitary Development Plan.”

- 6.5 Following the granting of an Environmental Permit by Natural Resource Wales (Formally Environment Agency Wales) and that an Appropriate Assessment was undertaken by the EA as the Competent Authority in which they determined that there would be no likely significant effects upon Corsydd Môn Area of Conservation (SAC) the Council will not be pursuing refusal reason 5 – Ecology.

Reason 5

“Based upon current information, there remains insufficient information with regard to the data supplied by the applicant to satisfy the Local Planning Authority that there would be no likely significant effects upon the Corsydd Môn SAC. The proposal is therefore considered to be contrary to policies 1, 33, 45 of the Ynys Môn Local Plan and policies PO8, GP2, EN4, EN5, EN6 of the Stopped Ynys Môn Unitary Development Plan.”

- 6.6 The Council will demonstrate that the development will have an adverse impact upon the landscape and visual amenity of the area and the appellants cannot overcome refusal reason 6 contained within the decision notice.

Reason 6

“In the opinion of the Local Planning Authority, the level of visual impact as a result of the development would likely to be a dominant feature in the skyline. The height, mass

and scale of the proposal would be difficult to satisfactorily mitigate in this particular location in terms of a landscaping scheme and would fail to provide improvements to the wider landscape. The proposal is therefore considered to be contrary to policies 5, 31, 40, 41, 42 of the Ynys Môn Local Plan and policies GP2, EP18, EN1, EN13, and EN15, EP8 of the Stopped Ynys Môn Unitary Development Plan.”

- 6.7** The Council will demonstrate that the development will have an adverse impact upon the local economy and does not satisfy the criteria of sustainable development. Therefore the appellant cannot overcome refusal reason 7 contained within the decision notice.

Reason 7

In the opinion of the Local Planning Authority the effects of air quality, noise, effects on ecology and the impact upon the road network have not been adequately addressed within the Environmental Statement. Coupled with the negative public opinion surrounding the development it is considered that the development will adversely impact upon the local economy and does not satisfy the criteria of sustainable development. The proposal is therefore considered to be contrary to policies 1, 2, 33, 45 of the Ynys Môn Local Plan and policies GP1, GP2, EP7, EP8, EP18, EN5, EN6, WP1a, WP3, WP4 of the Stopped Ynys Môn Unitary Development Plan.

- 6.8** The Council will demonstrate that insufficient information has been provided by the appellant to overcome refusal reason 7 contained within the decision notice.

Reason 8

“Based upon current information, the applicant has failed to confirm that the waste tallow and composted wood used to fuel the liquid and solid CHP plants can be sourced from within Anglesey or even North Wales. Its sourcing would therefore generate significant road miles and consequent CO2 emissions. Therefore it is the opinion of the Local Planning Authority that the proposal is not in accordance with policy 29 of the Ynys Môn Local Plan or in the ethos of dealing with waste as close to the source as is possible as promoted through the proximity principle noted within TAN21- Waste and Planning Policy Wales.”

7.0 Conclusion

The Council will demonstrate that the proposal does not accord with local and national planning policy as:-

There is insufficient and conflicting information provided as part of the appeal documentation submitted by the appellant to overcome highway and noise issues.

The Authority is of the opinion that the development will have an adverse impact upon the landscape and visual amenity of the area.

The cumulative negative effect associated with highway, noise, air quality and landscape impact that would arise from such a development coupled with the development not being located close to required feedstocks or market destinations does not accord with the criteria of sustainable development, the proximity principle and it is considered that the development will also adversely impact upon the local economy.

Further to the reasons outlined above, Anglesey County Council respectfully invites the Inspector to recommend that the appeal be dismissed.

- 8.0** List of documents, maps and plans the Council intends to rely upon or put in evidence at the inquiry:-
- 8.1** Stopped Ynys Môn Unitary Development Plan
 - 8.2** Ynys Môn Local Plan
 - 8.3** Gwynedd Structure Plan
 - 8.4** Collections, Infrastructure and Market Sector Plan (July 2012)
 - 8.5** Planning Policy Wales Edition 5 and any subsequent revisions

- 8.6** Wise About Waste – The National Waste Strategy
- 8.7** Technical Advice Note 8 – Planning for Renewable Energy
- 8.8** Technical Advice Note 11 – Noise
- 8.9** Technical Advice Note 12 – Design
- 8.10** Technical Advice Note 18 – Transport
- 8.11** Technical Advice Note 21 – Waste
- 8.12** All other Welsh Government Sector Plans, Technical Advice Notes, including any draft documents and appendices which may be of relevance
- 8.13** Natural Resource Wales data, documentations and reports
- 8.14** The Planning Application
- 8.15** The Environmental Statement
- 8.16** Relevant case law and appeal decisions
- 8.17** Planning permissions and application documents within influencing distance of the application site
- 8.18** All reference documents, reports and assessment techniques capable of being used in the review or challenge of any of the items above.
- 8.19** The Council reserves the right to make reference to any other material information relevant to the appeal.

The Council shall, following a request by any person to inspect and take copies of any of the following material:

- a) this statement
- b) the documents referred to in this statement
- c) the questionnaire which has been completed by the Council for this appeal and copies of the documents which were sent to the Planning Inspectorate with it
- d) any statement of case or comments and accompanying information concerning this appeal which it might duly receive from any other party

provide that person with a reasonable opportunity to do so on a normal weekday during office hours between 9 am and 5pm by prior appointment, citing the reference numbers at the head of this statement at the Planning Reception at the Rover Building, Llangefni, Ynys Môn, LL77 7TW.

Rhif y Cais: **38C267B** Application Number

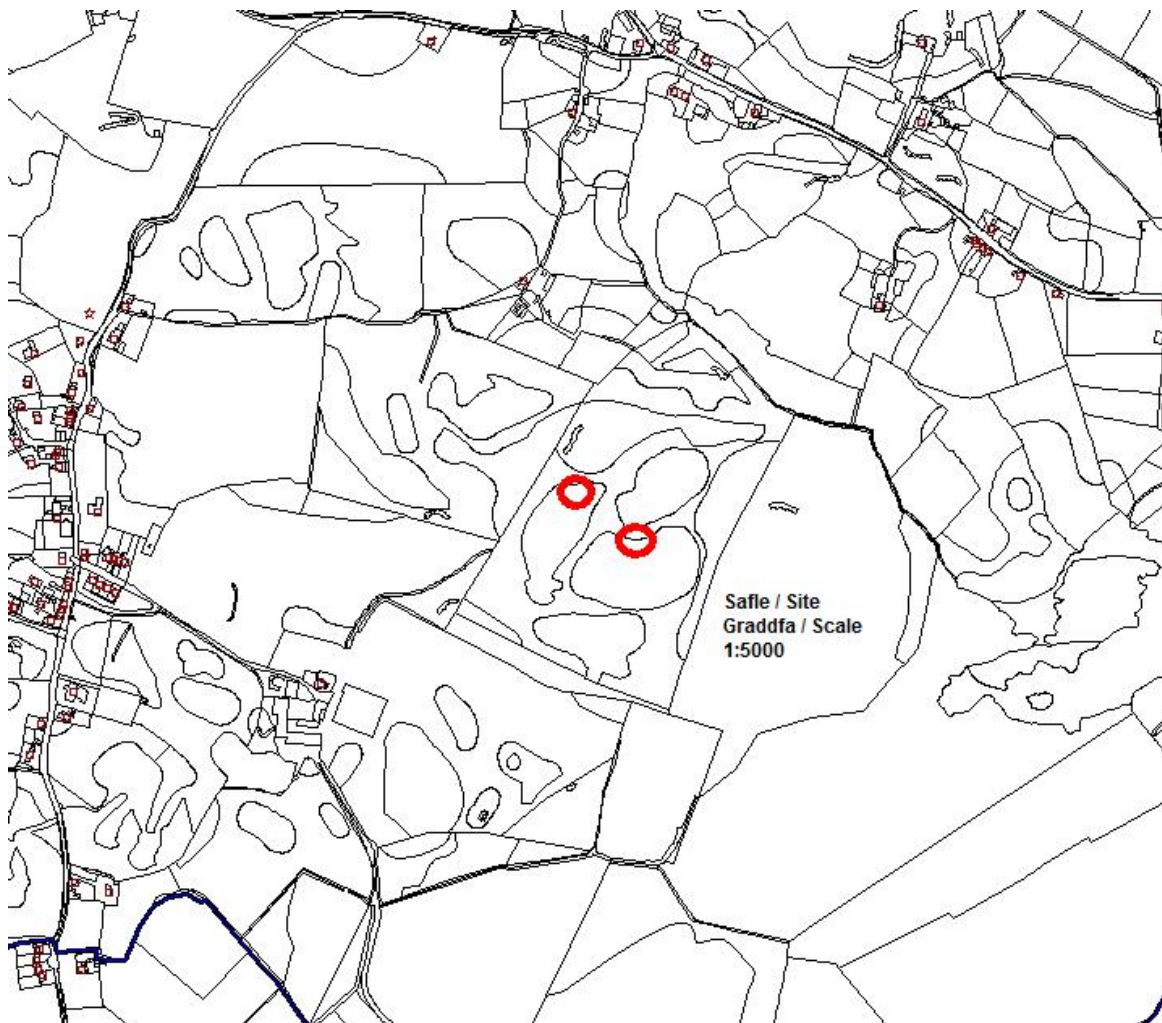
Ymgeisydd Applicant

**Mr Dei Owen
c/o Mr John McGarry
Entrust
Daresbury Innovation Centre
Keckwick Lane
Daresbury
Cheshire West and Chester
WA4 4FS**

Cais llawn ar gyfer codi dau twrbin wynt 20kW gyda uchder hwb hyd at uchafswm o 20.5m, diametr rotor hyd at uchafswm o 13.1m a uchder blaen unionsyth vertigol hyd at uchafswm o 27.1m ynghyd a gwaith cysylltiedig ar dir yn

Full application for the erection of two 20kW wind turbines with a maximum hub height of up to 20.5m, rotor diameter of up to 13.1m and a maximum upright vertical tip height of up to 27.1m and associated works on land at

Clegyrog Uchaf, Carreglefn



Planning Committee: 06/11/2013

Report of Head of Planning Service (MTD)

Reason for Reporting to Committee:

Members' attention is drawn to an appeal against the non-determination of this application.

Had such an appeal not been lodged then the likely recommendation would have been refusal on the grounds of harm to the landscape and impact on residential amenity.

Rhif y Cais: **38C292C** Application Number

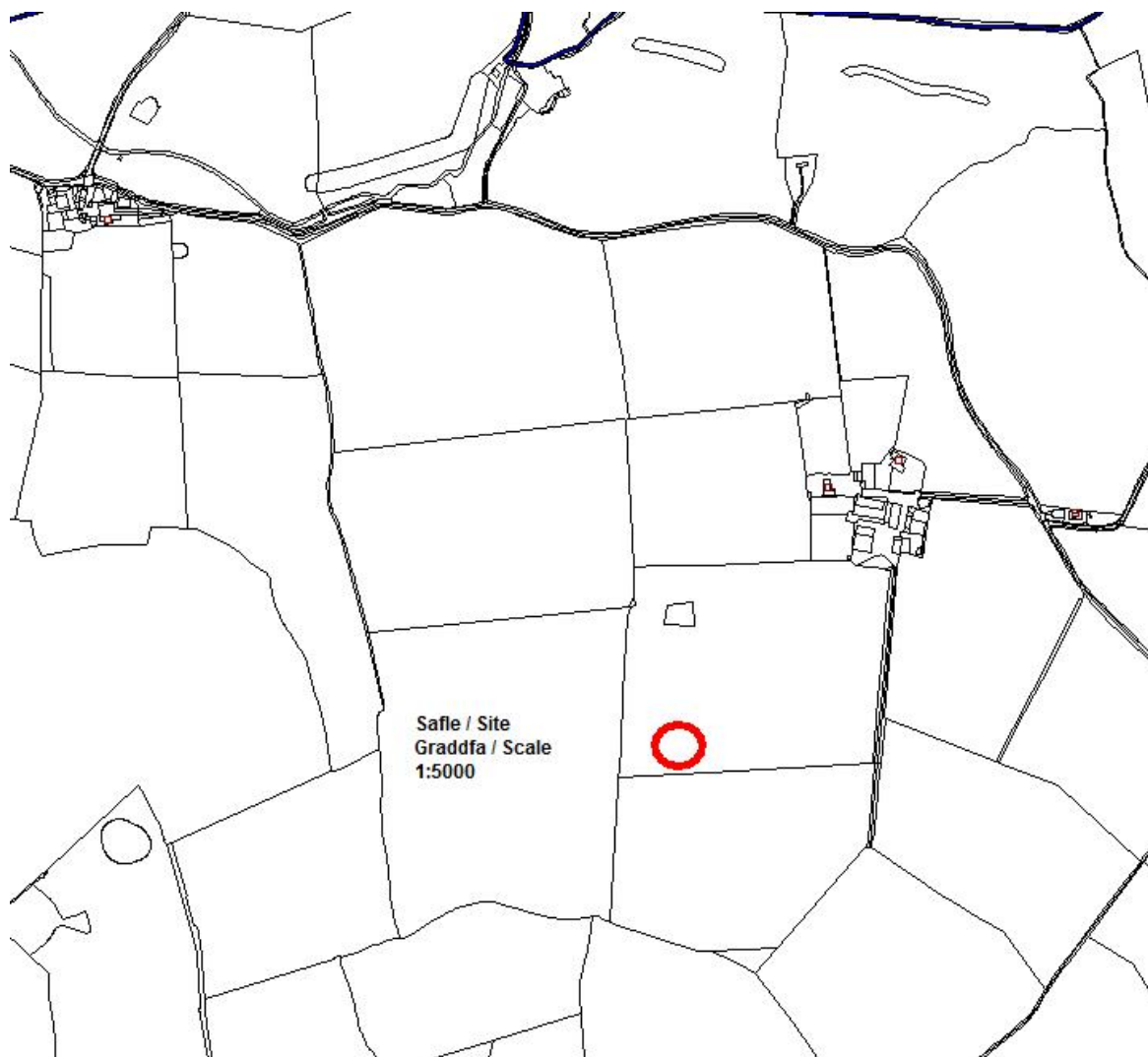
Ymgeisydd Applicant

**John Peters Farm Ltd
c/o Stephenson Halliday Ltd
Mr. Nick Edwards
32 Lowther Street
Kendal
LA9 4DH**

Cais llawn ar gyfer codi un twrbîn gwynt 500kW gyda uchder hwb hyd at cyfanswm o 50m, diamedr rotor hyd at 58m, a uchder blaen unionsyth hyd at uchafswm o 79m ynghyd â'r isadeiledd trydanol cysylltiedig, cysylltiad grid a gwelliannau i'r fynedfa i gerbydau a'r traciau mynediad newydd ar dir yn

Full application for the erection of one 500kW wind turbine with a maximum hub height of up to 50 meters, rotor diameter of up to 58 meters and a maximum upright vertical tip height of up to 79 meters, together with associated electrical infrastructure, grid connection and improvements to the existing vehicular access and new access tracks on land

Rhosbeirio Farm, Rhosgoch



Planning Committee: 06/11/2013

Report of Head of Planning Service (MTD)

Reason for Reporting to Committee:

Members' attention is drawn to an appeal against the non-determination of this application.

Had such an appeal not been lodged then the likely recommendation would have been refusal on the grounds of harm to the landscape and impact on residential amenity.