

Rhif y Cais: **28LPA970A/CC/MIN** Application Number

Ymgeisydd Applicant

**Head of Service (Economic)**

**Man newidiadau i gynllun sydd wedi ei ganiatau yn flaenoral o dan ganiatad cynllunio 28LPA970/CC yn / Minor amendments to scheme previously approved under 28LPA970/CC at**

**Beach Road, Rhosneigr**



**Pwyllgor Cynllunio: 05/11/2014**

**Adroddiad gan Bennaeth y Gwasanaeth Cynllunio (AMG)**

Gwnaed y cais gan y Cyngor ar dir y mae'n berchen arno.

Roedd y cais gwreiddiol yn golygu gwneud gwelliannau yn y maes cyhoeddus ar y fynedfa i'r traeth sy'n cynnwys gwaith ailwynebu, adeiladu ramp mynediad a gosod dodrefn stryd a bolardiau. Mae'r newidiadau arfaethedig yn golygu newid y defnyddiau a ddefnyddir i ailwynebu'r ffordd arfaethedig i'r traeth a'r ramp mynediad ynghyd ag ail-leoli'r meinciau 'tooting'.

Oherwydd mai mân- waith yw'r newidiadau arfaethedig, nid ystyriwyd y byddai'r newidiadau a fwriedir yn cael effaith o bwys ar y cynllun a'r ardal. Nid ystyriwyd y byddai'r newidiadau arfaethedig yn altro'r cynllun a gymeradwywyd eisoes mewn modd sylweddol.

Ystyriwyd felly nad oedd y gwaith altro arfaethedig o bwys ac fe'i cymeradwywyd gan Adran 96A Deddf Cynllunio Gwlad a thref 1990.

Adroddir ar y mater felly er gwybodaeth yn unig.

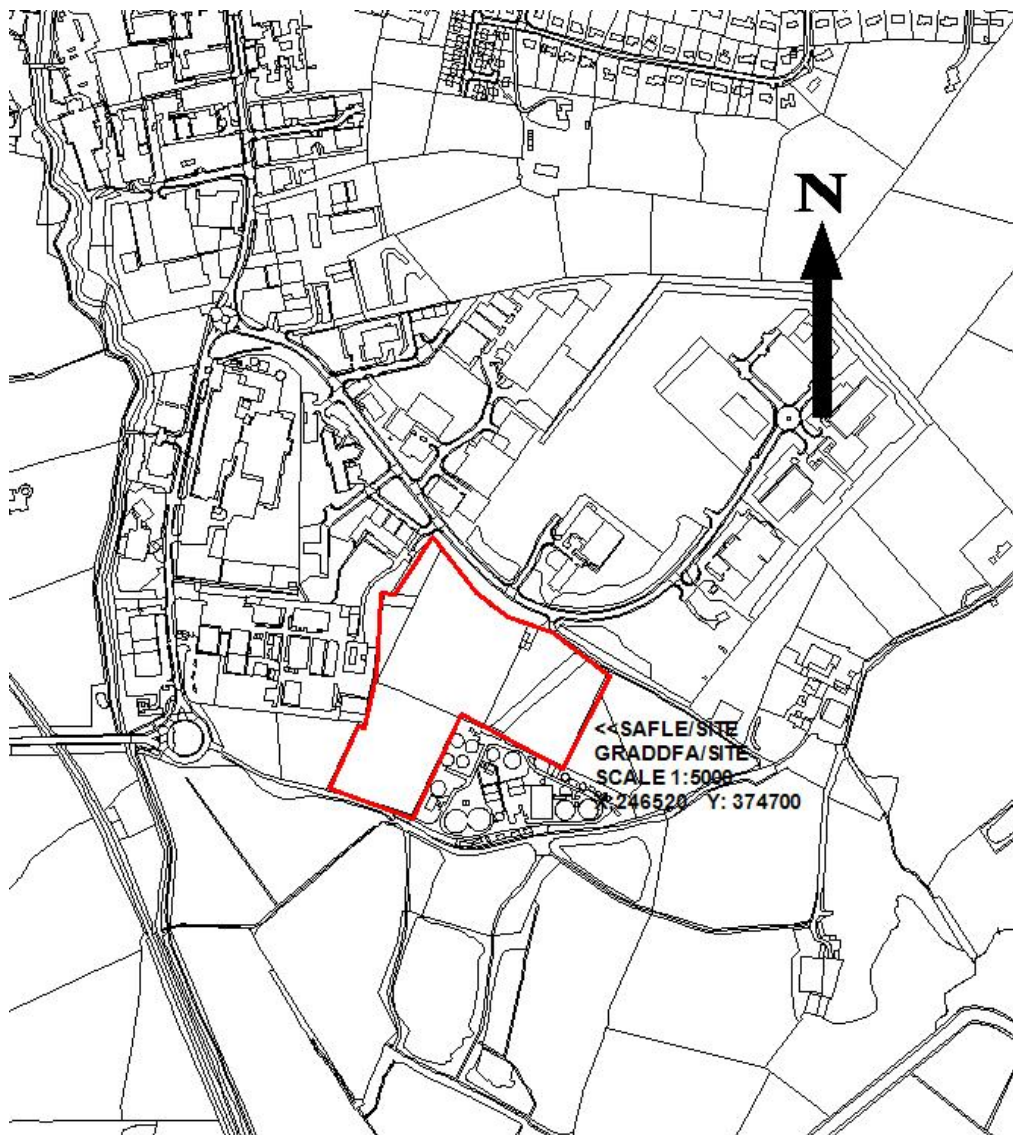
Rhif y Cais: **34C40Z/EIA/ECON** Application Number

Ymgeisydd Applicant

**Mr. Paul Kellett**

**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**



**Pwyllgor Cynllunio: 05/11/2014**

**Adroddiad gan Bennaeth y Gwasanaeth (RWW)**

**Rheswm dros Adrodd i'r Pwyllgor:**

Fe'ch atgoffer o benderfyniad Pwyllgor Cynllunio Cyngor Sir Ynys Môn ar yr 2il o Fai 2012 i wrthod y cais cynllunio uchod ar sail y rhesymau canlynol:-

- Mynediad a phriffyrdd
- Ansawdd aer
- Sŵn
- Ecoleg
- Effaith ar y tirlun
- Effaith Economaidd a Chynaliadwyedd
- Egwyddor agosrwydd (Proximity Principle)

Yn dilyn y gwrthodiad fe apeliodd yr ymgeisydd benderfyniad y Cyngor. Yn unol â pharagraff 3.11.2 o Bolisi Cynllunio Cymru (diwygiad 6, Chwefror 2014) barnwyd fod benderfyniad yr apêl hon am fod o ddiddordeb Cenedlaethol felly bu Llywodraeth Cymru roi'r grym i benderfynu'r apêl yn nwylo'r Gweinidog Tai ac Adfywio - Mr Carl Seargent.

Bu'r apêl yn destun ymchwiliad cyhoeddus a barodd o'r 24 i'r 31 Ionawr, 2014 ac fe benderfynwyd amddiffyn benderfyniad y Cyngor ar y meysydd canlynol:-

- Byddai'r datblygiad yn cael effaith andwyol ar y tirlun a mwynderau gweledol yr ardal.
- Mae'r wybodaeth ychwanegol sydd wedi ei gyflwyno ar gyfer yr apêl yn annigonol i oresgyn effeithiau priffyrdd a sŵn.
- Byddai'r effeithiau cronus negyddol yn gysylltiedig â phriffyrdd, sŵn, ansawdd aer, effaith gweledol a thirlun a fyddai'n deillio o'r datblygiad; yn ogystal â phellter y datblygiad o unrhyw adnodd a marchnad yn gwneud y datblygiad yn anghydnaws ag egwyddorion agosrwydd a datblygiad cynaliadwy. Byddai'r effeithiau cronus negyddol hefyd yn cael effaith andwyol ar yr economi leol.

Ar Awst 15fed 2014 derbyniwyd llythyr gan Weinidog Tai ac adfywio yn gwrthod yr apêl gan nodi'r sylw canlynol:-

- Byddai unrhyw fydd i'r economi leol ar ffurf swyddi a buddsoddiad mawr yn cael ei erydu o ganlyniad i bresenoldeb datblygiad cymydog drwg (bad neighbour) y datblygiad hwn.
- Byddai'r datblygiad yn amharu'n sylweddol ar y tirlun ac ar fwynderau gweledol yn lleol oherwydd ei faint, graddfa a'i leoliad uchel ar gyrion Llangefni.
- Mae'n debygol iawn y byddai mwynderau lleol yn cael ei effeithio o ganlyniad i lefelau swm annerbyniol fyddai yn tarddu o'r datblygiad arfaethedig.
- Er y byddai'r datblygiad yn debygol o greu lefelau uwch o fater gronynnol yn yr aer ac yn cael ychydig o effaith ar risg i iechyd pobl, byddai'r lefelau yn parhau o fewn lefelau cenedlaethol.
- Byddai'r lefelau traffig ychwanegol fyddai yn cael eu creu o'r datblygiad yn medru cael ei gynnal gan y rhwydwaith ffyrdd lleol. Er hynny mae'r trefniadau a gyflwynwyd ar gyfer y mynedfeydd i'r safle yn parhau mewn sefyllfa anobeithiol.

- Byddai egwyddorion cynaliadwyedd y datblygiad yn cael ei danseilio gyda'r angen i gludo deunydd, gwastraff a pheledi pren dros bellteroedd maith ar y rhwydwaith ffordd. Byddai'r datblygiad hefyd yn groes i'r hierarchiaeth gwastraff ac yr egwyddor agosrwydd (proximity principle) sydd yn rhan annatod o reoli gwastraff yn gynaliadwy. O ganlyniad i hyn dech y Gweinidog i'r casgliad syml - fod y datblygiad wedi ei leoli yn y lleoliad anghywir.
- Wedi pwysu a mesur y datblygiad, dyfarnir bod y datblygiad arfaethedig yn groes i bolisïau Cenedlaethol a'r Cynllun Datblygu, yn arbennig felly polisïau sydd wedi eu hanelu i ddiogelu cymeriad ac ymddangosiad yr ardal a'i mwynderau.

Atodaf lythyr y gweinidog ar gyfer sylw'r Pwyllgor.

Carl Sargeant AC /AM  
Y Gweinidog Tai ac Adfywio  
Minister for Housing and Regeneration



Llywodraeth Cymru Welsh  
Government

Paul Kellet Ecopellets  
Ltd Peboc  
Llangefni Industrial Estate Llangefni  
Anglesey LL77  
7UX

Ein Cyf / Our ref: qA1157559 Dyddiad /

Date: 31 July 2014

Dear Mr Kellet

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) - SECTION 78  
APPEAL BY ECOPELLETS LTD  
BIOMASS ENERGY DEVELOPMENT CONSISTING OF A WOOD PELLET PLANT, SOLID  
AND LIQUID BIOMASS COMBINED HEAT AND POWER PLANTS, A WOOD STORAGE  
YARD AND A DEBARKING AND CHIPPING PLANT AT PEBOC, LLANGEFNI INDUSTRIAL  
ESTATE, LLANGEFNI, ISLE OF ANGLESEY, LL77 7UX

1. Consideration has been given to the report of the Inspector, Mr Clive Nield BSc (Hon) CEng MICE MCIWEM C.WEM, who conducted a public inquiry into the above appeal by your client. The appeal is against the refusal of the Isle of Anglesey County Council, on 16 May 2012, to grant planning permission for a biomass energy development and associated infrastructure consisting of a wood pellet plant, solid and liquid biomass combined heat and power plants, a wood storage yard, and a debarking and chipping plant at Peboc, Bryn Cefni Industrial Park, Llangefni.
2. On 30 July 2013 I, as Minister for Housing and Regeneration, one of the Welsh Ministers, directed that the appeal should be determined by the Welsh Ministers rather than by a Planning Inspector. The reason for this direction was because the proposal is for a major development which could have wide effects beyond the immediate locality, which falls within the recovery of appeals criteria listed in paragraph 3.11.2 of Planning Policy Wales (PPW) (Edition 5, November 2012) [now carried forward in Edition 6, February 2014].

3. Under the provisions of the Government of Wales Act 2006 the power to determine appeals made under section 78 of the Town and Country Planning Act 1990 ("the 1990 Act") has been transferred to the Welsh Ministers and, in this case, this power is being exercised by me, the Minister for Housing and Regeneration.
4. The appeal was dealt with via a public inquiry held on 21-24 January and 28-31 January 2014 and a site visit was carried out on 30 January 2014. The Inspector's conclusions are set out in paragraphs 190-229 of his report, a copy of which is enclosed.
5. In the Inspector's view, although a number of matters are raised with regard to the proposed development, the main considerations in this appeal are:
  - the need for the development of a biomass renewable energy plant;
  - the economic benefits that would emanate from the development;
  - the sustainability of material supplies;
  - the landscape and visual impact of the proposed plant;
  - the effects on local air quality, and any associated effects on the health of local people;
  - the effects on the local noise environment and the amenity of nearby residents and neighbouring premises;
  - the adequacy of the proposed means of access to the site;
  - the effects of traffic on the local road network; and
  - whether or not the benefits of the proposed development would outweigh any detrimental impacts associated with the matters above.

I agree with the Inspector that these are the relevant issues.

6. The Inspector recommended that the appeal be dismissed and planning permission refused.

### **Inspector's Overall Conclusions**

7. The Inspector, at paragraphs 223 to 228 of his Report, drew the following overall conclusions:

"In reaching my conclusions I have had regard to the Environmental Statement, the supplementary information submitted in respect of that Statement, and to all other environmental information submitted in connection with the appeal and the public inquiry.

The need for the expansion of renewable energy capacity to reduce carbon emissions and develop long-term sustainable energy supplies is strongly supported by national and development plan policy and carries considerable weight. These benefits are also supported by benefits to the local economy resulting from the introduction of new jobs and substantial capital investment, though these would be largely offset by the deterrent effect on other business potential resulting from the presence of the very large biomass plant which would be seen as a "bad neighbour". The inherent sustainability benefits of the plant would also be eroded by the need to transport the source materials and the manufactured wood pellets over long distances by road, a situation that leads to the simplistic conclusion that the plant would be in the wrong place.

The sourcing of such large quantities of materials in this region would also place great

stress on the markets, displacing existing customers and conflicting with the proximity principle and the waste hierarchy, which are important principles underlying sustainable waste management.

The plant would be significantly harmful to the local landscape and to visual amenity in the area due to its very substantial size and scale and its elevated location on the edge of the settlement, where it would harden that edge rather than allow the settlement to merge more gently into the surrounding countryside. It is also likely that unacceptable harm to amenity would be caused due to noise and disturbance emanating from the plant. Whilst it is possible these concerns may be overcome by substantial detailed design measures (and the EA/NRW has issued the environmental permit on this basis), the Appellant has failed to demonstrate appreciation of the tonal nature of noise generated from some of the plant and the harm to amenity associated with that in this location where background noise levels would be expected to be relatively low. The plant would also give rise to increased levels of fine particulate matter in the air, which would have a slight effect on risks to human health. However, as air quality levels would still be within the relevant national standards, I give this quite limited weight.

I have concluded above that the additional traffic could be accommodated by the local road network without unacceptable detriment to the safe and free flow of traffic. However, the arrangements for access to the site itself remain hopelessly unresolved. The latest proposals for the southern access (to be used by the main HGV traffic) are impractical and uncertain, and I consider them unlikely to be feasible. It would be possible to rely solely on the northern access but the practical and safety implications of this have not been properly explored. The matter might be resolved by use of a suitable planning condition and would not warrant refusal on its own account. However, the uncertainties involved serve to reinforce objections on other matters.

It is acknowledged that the renewable energy benefits carry considerable weight. However, I conclude that those and any other benefits would be substantially outweighed by the harmful effects of the development. The harm to the landscape and to visual amenity would be significant, and I consider this to be the critical factor in the assessment. The very substantial size and bulk of the plant could not be disguised by any mitigation measures and would be completely out of place in this location. The risks of harm to amenity due to noise and to health due to air pollution and the uncertainties concerning access to the site further reinforce this main factor. On balance, I conclude that the proposed development would conflict with development plan and national policies, particularly policies aimed at safeguarding the character and appearance of the area and amenity. Consequently, I conclude that the appeal should be dismissed."

The Inspector recommended that the appeal be dismissed and planning permission refused.

## **Conclusion**

8. I offer no comment as to whether the biomass plant should be considered as a 'bad neighbour' development and, while it has been argued during this appeal that that is the case, I do not consider it to be a determinative issue in the consideration of the appeal.
9. I have noted the Inspector's comment that while the details of the northern access are unresolved, he considers that the suitability of the northern access might be resolved by the use of a suitable planning condition. While that may be the case, the issue of access to the site is fundamental to the proposed development and, in my view, one that should be resolved before planning permission is granted and not after.



10. The Inspector has concluded that the harm to the landscape and to visual amenity would be significant and that it is the critical factor in the assessment of the appeal. I accept that the effect of the proposed development on the landscape and visual amenity are significant material considerations in the assessment of this appeal but, in light of the range of issues arising from this proposed development, I do not consider that effect to be critical.
11. Subject to the above comments I agree with the Inspector's conclusions and accept his recommendation that the appeal be dismissed and outline planning permission refused.
- 12.1 have taken into account the environmental information as defined by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) in reaching my decision on this appeal.
- 13.1 have received no representations relating to the planning merits of the appeal since the inquiry closed.

### **FORMAL DECISION**

14. For the reasons given above, and in exercise of the power referred to in paragraph 2 of this decision letter, I dismiss your client's appeal (APP/L6805/A/12/2183072) and hereby refuse planning permission for a biomass energy development and associated infrastructure consisting of a wood pellet plant, solid and liquid biomass combined heat and power plants, a wood storage yard and a debarking and chipping plant at Peboc, Llangefni Industrial Estate, Llangefni, Isle of Anglesey, LL777UX.
15. A copy of this letter has been sent to the Isle of Anglesey County Council and those who were entitled to appear at the public inquiry and did so.

Yours sincerely

A handwritten signature in black ink, reading "Carl Sargeant". The signature is written in a cursive, flowing style.

### **CARL SARGEANT AM**

Minister for Housing and Regeneration, one of the Welsh Ministers. Enc:  
Leaflets H and HC