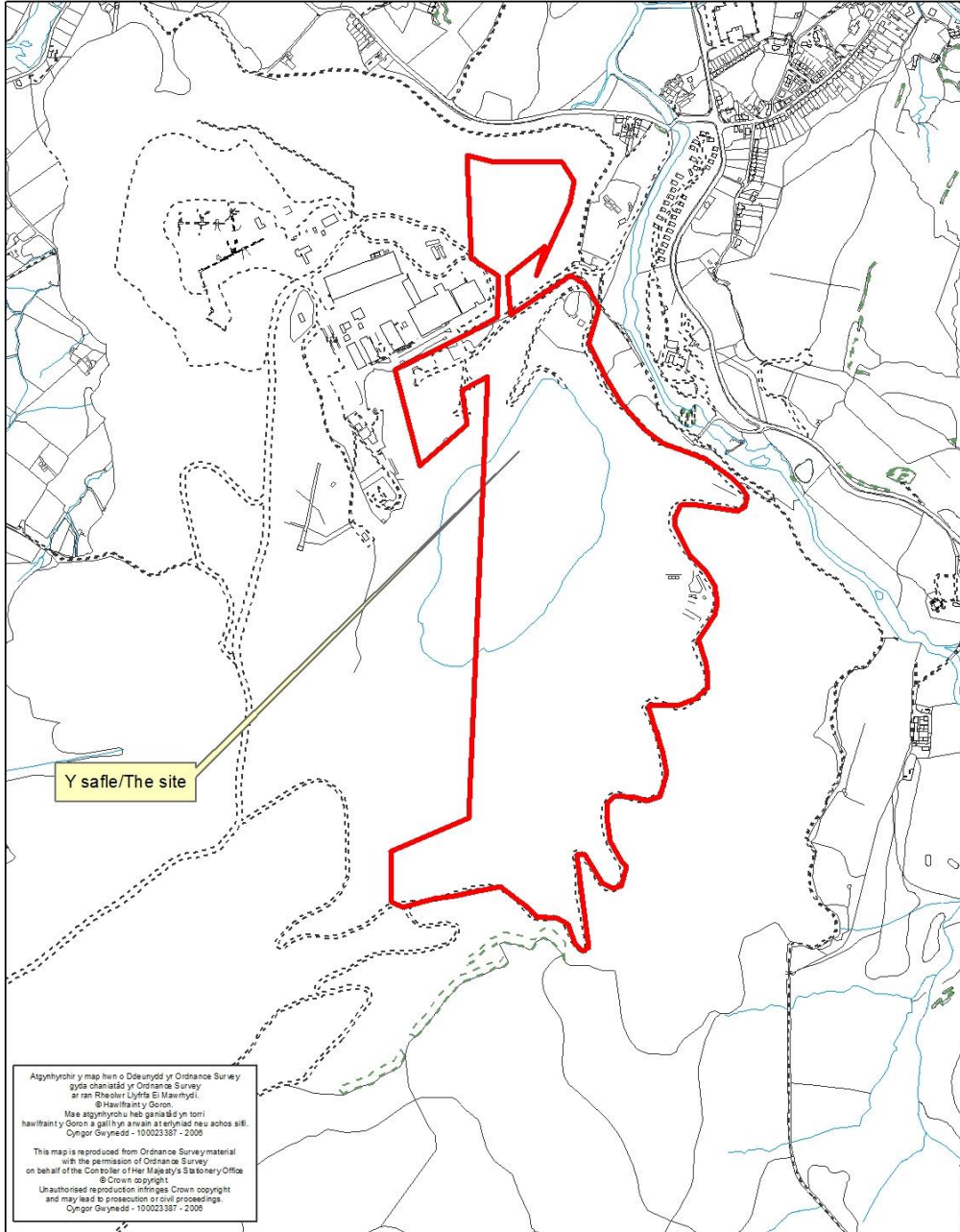


Number 5.4



Rhif y Cais / Application Number : C15/1199/16/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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Application Number: C15/1199/16/LL
Date Registered: 26/11/2015
Application Type: Full - Planning
Community: Llandygai
Ward: Tregarth and Mynydd Llandygai

Proposal: INSTALL NEW ZIP WIRES ADJACENT TO THE EXISTING ZIP WIRES, INSTALL ASSOCIATED EQUIPMENT PLATFORMS TO MATCH EXISTING, ERECTION OF A 4.5 METRE ACOUSTIC BUND, RE-LOCATE EXISTING PLATFORMS AND AN EXISTING SHELTER, ALTER LEVELS, RELOCATE EXISTING PATHS AND ERECTION OF A NEW SHELTER BUILDING.

Location: PENRHYN QUARRY, BETHESDA, BANGOR, GWYNEDD, LL574YG

Summary of the Recommendation:	TO DELEGATE POWERS TO APPROVE SUBJECT TO THE RECEIPT OF OBSERVATIONS FROM THE PUBLIC PROTECTION SERVICE.
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1. Description:

1.1 This is a full application to install new zip wires adjacent to the existing zip wires, install associated equipment platforms to match the existing, erection of a 4.5 - 5m metre high acoustic bund, re-locate existing platforms and an existing shelter, alter levels, relocate existing paths and construct a new shelter building.

1.2 The site is located within the boundary of Penrhyn Quarry on the outskirts of Bethesda, and uses the same entrance to the Quarry as is currently used. The Zip World business has already been established within the Quarry, and includes two zip wire courses, the associated permanent buildings, a food van, portacabin toilets and four additional temporary containers/portacabins, a viewing area and parking area. Planning permission also exists to construct a purpose built building for visitors on the site.

1.3 The following documents have been submitted as part of the application:

- Design and Access Statement
- Ecological Survey
- Noise assessment
- Community and Linguistic Statement.

1.4 A screening opinion has been completed for the development that confirms that no Environmental Impact Assessment is required for this latest proposal.

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

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2.2 Gwynedd Unitary Development Plan 2009:

POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

POLICY B14 – PROTECTING THE LANDSCAPE CHARACTER OF SNOWDONIA NATIONAL PARK

Protect the landscape character of Snowdonia National Park by refusing proposals that are visually obtrusive and/or are located insensitively and unsympathetically within the landscape.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT

Proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats will be refused unless they can conform to a series of criteria aimed at safeguarding the recognised features of the site.

POLICY B22 – BUILDING DESIGN

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

POLICY B23 - AMENITIES

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

POLICY B25 - BUILDING MATERIALS

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B33 – DEVELOPMENT THAT CREATES POLLUTION OR NUISANCE

Protect human amenities, the quality of public health and the natural or built environment from high levels of pollution.

POLICY CH33 – SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

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POLICY D8 – EXPANSION OF EXISTING ENTERPRISES

Proposals to extend/expand/intensify industrial enterprises and existing businesses or other enterprises will be approved if they conform with specific criteria regarding the appropriateness of the existing use in relation to the surrounding area and adjacent uses and how relevant it is to the existing work.

POLICY D13 – ATTRACTIONS AND FACILITIES

Proposals for the development of new attractions and facilities for visitors, or to improve the standard of existing facilities will be approved if they are located within a development boundary or on other specific sites if there are no suitable opportunities within a development boundary. It will be a requirement that each proposal conforms to the criteria regarding the development of ‘niche’ markets or to support the development of the recognised Gwynedd Tourism Strategy theme and also the design, appearance and setting of the proposed development.

2.3 National Policies:

Planning Policy Wales (Edition 8), 2016).

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

TAN 11: Noise (1997).

TAN 12: Design (2014).

TAN 13: Tourism (1997).

TAN 20: Planning and the Welsh Language (2013).

TAN 23: Economic Development (2014).

3. Relevant Planning History:

C11/1113/16/LL A full application to create two zip-wire courses, car parking facilities and temporary administrative building - approved 16.04.12

C13/0727/16/LL A retrospective application to retain a one-storey permanent building (an amendment to a previous permission C11/1113/16/LL) - approved 19.09.13

C13/0755/16/LL Extension to an existing building to provide office space, staff facilities, storage area and catering facilities as well as the installation of a septic tank, retention of container and the creation of an external viewing area (part retrospective) - approved 21.11.13.

C14/0375/16/LL Application to amend conditions 5 and 6 of permission C13/0755/16/LL in order to retain a catering unit and container for an extended period, beyond the permission - approved 27.06.14

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C14/0420/16/LL Change of use of land to create an overflow car park and creation of an access road - approved 15.09.14.

C15/0276/16/LL - Full application for the erection of a new three-storey building to serve as the operations centre for zip world to include a reception area and associated facilities including a cafe and bar as well as the removal of existing temporary buildings, creation of a new zip wire course, car park, pedestrian boardwalk to connect with the existing visitors car park and installation of a new sewage treatment plant - approved 30.09.15.

C15/1208/16/LL - Application to amend condition 2 of permission C15/0276/16/LL to re-locate the building and the small zip's landing point and changes to parking arrangements - approved 13/01/16

4. Consultations:

Community/Town Council:	No objection
Transportation Unit:	No objection - it is assumed that the proposed development would not have a detrimental impact on any road or proposed road.
Natural Resources Wales:	No objection and standard advice
Welsh Water:	Not received
Mineral and Waste Officer:	No objection in principle, but observations relating to ensuring that this current application does not sterilise the reserve source of slate waste permitted under application no C04A/059/16MW; any permission relating to modifying the facilities and to install a bund with a height of 5m should include a condition relating to undertaking archaeological works; and the applicant should note on the plan from where exactly it is intended to source the slate waste in order to create the bund.
Public Protection: Service	No response has been received while preparing this report. It is noted that the Service has been in discussions with the applicant in relation to some elements of the proposal relating to noise, working hours and the construction of the bund.
Biodiversity:	<p>Habitats</p> <p>Satisfied with the habitats surveys and the recommendations included in the report</p> <p>I would like to include a condition that the measures detailed in part 2.3 are strictly adhered to - specifically:</p> <ol style="list-style-type: none"> 1. The working area of the Little Zipper to be marked,

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- and the soil collected, stored and reused after all the work on the site has been completed
2. To plant plugs such as heather around the starting area of the Big Zipper.
 3. A comprehensive programme of landscaping and planting when the work has ended - details to be sent to the authority for approval
 4. Any *Rhododendron Ponticum* in the areas of work to be cleared from the site and any regrowth in subsequent years also to be treated

Protected species

I agree with the authority's conclusion that there would be no negative impact on any protected species, including bats.

Invertebrates

I agree with the authority's conclusion that there would be no negative impact on the rare spiders on the site.

Reptiles

Agree with the report's conclusion and the recommended mitigation measures. I wish to include a condition in accordance with part 3.3 Reptiles, that the site where the soil is to be stored is scraped from one side to the other, under the supervision of qualified ecologists.

Birds

Agree with the report's conclusion that Choughs will not be affected - following advice received from Adrienne Stratford, an expert on Choughs. I wish to include a condition that any areas of growth that could potentially be bird nesting sites are cleared outside the nesting season (March to August).

Snowdonia National Park: No objection

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has already ended and correspondence was received objecting on the following grounds:

- Noise - a negative impact from the current zipwires and the sound of screaming. More zipwires would worsen the situation.
- Loss of privacy.
- Impact on visual amenities and the National Park
- Light pollution.
- Impact on wildlife.
- Welcome the acoustic bund but question the noise figures in the assessment, and whether or not the bund will be effective.

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5. Assessment of the relevant planning considerations:

The Principle of the Development

- 5.1 The Zip World business has already been established at the Quarry, and includes two zip wire courses, the associated permanent buildings, a food van, portacabin toilets and four additional temporary containers/portacabin, a viewing area and parking area. The proposal for the construction of a new three-storey building to serve as the operations centre for Zip World was approved by the Planning Committee under application numbers C15/0276/16/LL and C15/1208/16/LL. Therefore, it must be assessed whether the impact of locating the additional zip wires is acceptable.
- 5.2 Policy D8 of the Gwynedd Unitary Development Plan (UDP) relates to the expansion of existing enterprises; and it permits proposals to extend/expand/intensify industrial enterprises and existing businesses or other enterprises if they conform to the policy's criteria. The proposal involves installing two additional zip wires near the large zip and two additional zip wires near the small zip. The proposal is therefore adjacent to the current development and is ancillary to the current use of the site, and therefore it conforms with the requirements of Policy D8. The policy also requires assurance that the scale of the existing development along with the proposal will not cause significant damage to the amenities, the visual amenities, environment and the local roads network, but these matters are discussed later in the report.
- 5.3 Policy D13 of the Unitary Development Plan involves visitor attractions and facilities, permitting them on the grounds of specific criteria. The policy deals with new developments and also with the improvement of existing facilities as is proposed in this application. In assessing the proposal in the context of this policy it is considered that the proposal complies with all the requirements and that the principle of the development is acceptable.
- 5.4 Therefore, it is considered that the proposal complies with the requirements of Policies D8 and D13 of the UDP.

Visual Amenities.

- 5.5 Policies B14, B22, B25, D8 and D13 of the UDP relate to promoting building design, safeguarding the amenities of the locality, the setting of the National Park and safeguarding the visual character by ensuring that building materials must be of a high standard that complement the character and appearance of the local area.
- 5.6 The proposal involves installing four additional zip wires, the associated facilities (frames etc.) and platforms to match the existing installation. In order to construct the 4.5m acoustic bund, the proposal involves relocating the landing platform of the large zip slightly to the west, along with the existing shelter for visitors. It must be acknowledged that the wires are visible from a distance, especially towards Braichmelyn, but it is not considered that the

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visual impact of the proposal would be substantially more than the current development, nor would it have a significant visual impact due to the thickness of the wires. Although it is acknowledged that four people, rather than two people, will travel down the large zip at the same time, it is not considered that this in itself will be detrimental to visual amenities or to the setting of the National Park. The acoustic bund will lessen the existing visual impact of the zip's landing platform from the Braichmelyn direction, and the additional equipment for the new zip wires. The bund will be built from slate waste from the existing site and it is considered that the use of slate is suitable and is in keeping with the industrial character of the site.

- 5.7 It is considered that the location of the new shelter building near the starting point of the large zip is acceptable, and that it is in keeping with its surroundings in terms of its size, design and scale. It is intended to finish the building with timber cladding and stone, and it is considered that these materials are appropriate and are in keeping with its background. It is considered that the work to relocate paths within the site is acceptable, and that there will be no detrimental impact on the wider landscape.
- 5.8 It not considered that the proposal as a whole would be detrimental to the visual amenities and it is therefore considered that the proposal complies with the requirements of policies B14, B22, B25, D8 and D13 of the UDP.

General and Residential Amenities.

- 5.9 Policy B23 stresses the requirement to assess the impact of the proposal on the amenities of nearby residents. The policy states that proposals which would cause significant harm to the amenities of the local neighbourhood should be refused. Similarly, Policy B33 states that proposals will be refused if they 'cause significant harm to the quality of health, safety or human amenities...due to higher levels of pollution...noise...if they cannot be controlled sufficiently through planning conditions.'
- 5.10 Objections were received to the proposal on the grounds of a loss of privacy. Although the zip wires are visible from residential houses, the site is located over 200m from the nearest residential property (Ogwen Bank Caravan Park on the bank of the River Ogwen which is well surrounded by trees) and there are other houses further away from the site. Due to its distance from the houses, it is not considered that the development will result in unreasonable overlooking or loss of privacy. Nevertheless, the acoustic bund will effectively screen the landing site of the large zip and will reduce any existing impact or perception of overlooking from this location.
- 5.11 A noise assessment has been received from an expert advisor as part of the application, and the proposal also involves the construction of an acoustic bund in order to reduce the visual impact and the impact of noise near the large zip. A number of objections to the proposal were received on the grounds of the impact of noise deriving from the existing development and the fact that this will increase under the new proposals. However, in response to this concern the applicant has agreed to restrict the daily opening hours of the

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facility to between 08:00 and 20:00 which can be secured by imposing an appropriate planning condition should the application be approved. This would then ensure a reduction in the public opening hours during the summer - the facility is currently open until 21:00 in the evening (although there are currently no restrictions on the facility's opening hours). The applicant does not implement these hours during the majority of the year, especially during the winter season. The applicant states that by increasing the number of wires on the site, the demand on the facility will be met during the day, which will reduce the pressure to the use of the facility at times of the day where there is increased sensitivity to noise, namely in the morning and late afternoon. It should be emphasised that approving this application will enable the Local Planning Authority to regulate the facility's operating times. It is therefore considered that restricting the opening hours of the facility to between 08:00 and 20:00 is acceptable and reasonable, considering the proposal's location and the noise mitigation measures which are an integral part of this current application.

- 5.12 It is therefore considered that the proposal complies with the requirements of policies B23, B33, D8 and D13 of the UDP.

Transport and Access Matters

- 5.13 The proposal would mean that double the number of people can go on the zip wire at the same time, and as a result, the use of the site will intensify. Nevertheless, the parking provision within the site is adequate and the plan to construct a new building which has already been approved also provides a new car park which includes parking and turning spaces for coaches and accessible parking spaces. The proposal is located within the quarry site, and this business uses the same entrance as the quarry traffic, before the traffic is signposted to separate roads to the quarry / Zip World. It is not considered that the proposal would cause an unacceptable increase in the number of vehicles travelling to the site, and the Transportation Unit has confirmed that it has no objection to the development. Therefore, it is considered that the proposal complies with the requirements of policies CH33 and CH36 above.

Biodiversity Matters

- 5.14 Policy B20 of the UDP safeguards species and their habitats that are internationally and nationally important and refuses proposals which are likely to cause unacceptable disturbance or harm to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of such sites. An ecological report was received for the proposal. Natural Resources Wales and the Council's Biodiversity Unit have no objections to the application subject to conditions. Although it is acknowledged that there are objections to the application, it is considered that the proposal, with conditions, is in accordance with Policy B20 of the UDP.

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Linguistic and Community Matters

5.15 Policy A2 of the UDP relates to protecting the social, linguistic and cultural fabric of communities against significant harm due to the size, scale or location of proposals. As the proposal involves extending the existing enterprise considerably, a Linguistic and Community Statement was submitted. The proposal means that the site will continue to be a tourist attraction which supplements the local economy, provides a link to the area's economic heritage and offers local employment. The Joint Planning Policy Unit has no objection to the proposal. It is considered that the proposal complies with the requirements of Policy A2 above.

6. Conclusions:

6.1 Having considered the observations received, all the policies and relevant planning matters it is not believed that the development will have a significant negative effect on the area's visual and residential amenities, road safety, biodiversity or the setting of the National Park, and in the context of national policies it is not believed that the proposal is contrary to these relevant policies.

7. Recommendation:

7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the receipt of favourable observations from the Public Protection Unit and relevant conditions in relation to:

1. Time
2. In accordance with the plans
3. Materials
4. Biodiversity conditions
5. Condition to restrict the opening hours to 08:00 - 20:00.
6. Submission of a plan showing the intended location of the source of slate waste for the creation of the bund to be agreed by the Local Planning Authority prior to commencing any work on the development.

Notes: Matters relating to archaeology and minerals