



**CYNGOR GWYNEDD COUNCIL**

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**ADRODDIAD EFFAITH LLEOL**

**LOCAL IMPACT REPORT**

Cynllun pwmpio a storio Glyn Rhonwy

Glyn Rhonwy pumped storage scheme

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Cyf. Arolygiaeth Gynllunio/PINS ref: EN010072

Cyf. Gwynedd ref: C15/1212/15/YM

Cyngor Gwynedd/Gwynedd Council, Adran Rheoleiddio/Regulatory Department,  
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**Chwefror/February 2016**

## **1. PURPOSE AND FORM OF A LOCAL IMPACT REPORT**

1.1 This report is required when a Nationally Significant Infrastructure Project (NSIP) is submitted and received for consideration by the Planning Inspectorate (the Examining Authority). Following the completion of the examination process, the Examining Authority will make a recommendation to the Secretary of State who will decide whether the project will be permitted by issuing a Development Consent Order (DCO). In this specific case, an application has been submitted which involves a project to use two dormant slate quarries to construct an electricity storage and pumping facility which would generate up to 99.9MW of electricity.

1.2 The process of determining this type of application is arranged within the Planning Act 2008 (as amended). In line with the regulations, Gwynedd Council (GC) as the relevant local authority, is invited to issue a Local Impact Report (LIR). Section 60(3) of the Act, specifically refers to requirements specifically involving LIR's and defines the document as "a written report including details on the likely impact of the proposed development on the authority's area (or any part of the area)". On publishing this document, the Authority must consider the content of the Planning Inspectorate's Advice Note 1: Local Impact Reports (version 2, April 2012).

1.3 Note 1 states that, "Local Authorities should cover any topics they consider relevant to the impact of the proposed development on their area...the LIR should be used by local authorities as the means by which their existing body of local knowledge and evidence on local issues can be fully and robustly reported to the Examining Authority...there is no need for the LIR to replicate the Environmental Impact Assessment". Also, it is not believed that the information submitted as part of the application should be replicated. The Note expands, "it should draw on existing local knowledge and experience. Examples might be local evidence of flooding, local social or economic issues or local knowledge of travel patterns to community facilities".

1.4 It is also noted that the report should "consist of a statement of positive, neutral and negative local impacts...The Examining Authority will carry out a balancing exercise of relevant impacts, and these will include those local impacts specifically reported in the LIR".

1.5 The report must assess the proposed development in relation to its compliance with local policies and guidelines, and must include the Authority's opinion on the DCO.

## **2. DESCRIPTION OF THE SITE AND THE LOCAL ENVIRONMENT**

2.1 The entire site of the proposed development measures approximately 91.24 hectares and is a broad and dispersed site. The site expands from lands abutting Llyn Padarn at the bottom of Dyffryn Peris up to the sides of the valley towards the location of Chwarel Fawr on the Cefn Du mountainous slopes, a difference of approximately 300m (roughly based on OS maps' datum). The site of the proposed development lies mainly within historical slate quarries and works which are now dormant, as well as former industrial sites, commercial woodlands and agricultural grazing land which are a mixture of private lands and the crown estate.

2.2 The location is approximately 1.5km to the north-west of the village of Llanberis, and approximately 11km to the south-east of the town of Caernarfon. The entire site lies within a Landscape Conservation Area and the Dinorwig Landscape Area of Outstanding Historical Interest. In addition, it is within varying distances to the following designations (the following are indicative figures from general standpoints):

- Snowdonia National Park Boundary - between 0.9km and 1km at its nearest points
- Afon Gwyrfai and Cwellyn Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) - 2.3km
- Cwm Dwythwch SSSI - 1.8km
- Llyn Padarn SSSI - the location of the extraction system directly lies within part of Llyn Padarn

2.3 An existing wide and standard junction leads into the Glyn Rhonwy site off the A4086 on the outskirts of the village of Llanberis, with standard roads leading through the site towards bespoke platforms which have already been created for industrial use. The road leading up to Chwarel Fawr, namely towards the highest part of the site, approaches from the direction of Waunfawr and is a narrow and mountainous road. A class 3 road known as Ffordd Clegir runs through part of the site.

2.4 Although this proposed development's location lies within a rural area, it can be seen that many buildings of various use are dispersed and relatively near to parts of the boundaries of the proposed development, including residential houses, the Siemens industrial site, a caravan park, hotels, bed and breakfast businesses and restaurants.

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2.5 The Glyn Rhonwy site is a site which has been formally designated a re-development site in the Gwynedd Unitary Development Plan.

2.6 Parts of the site were used as bomb/weapon storage during and after the second world war, the main storage area is located adjacent to a part of the boundary of this order, namely outside the defined development boundary.

### **3. DETAILS OF THE DEVELOPMENT**

3.1 The details of the application itself are described in detail within various documents submitted by the applicant including the Environmental Statement, however, an outline of the proposal is provided here.

3.2 This proposed development involves constructing, operating and maintaining a 600MWh hydro-electric pumped storage scheme with a power output of 99.9MW.

3.3 In simple terms, the plan involves developing the following elements:

- Creating an upper reservoir - Chwarel Fawr
- Creating a lower reservoir - Glyn Rhonwy
- Erecting a power station – to include the combined pump/turbine within the Glyn Rhonwy site
- A penstock – an underground pipe installed to connect the upper reservoir with the power station
- A tailrace – an underground pipe installed to connect the power station with the lower reservoir
- Spillway – a discharge point from the upper reservoir and a joint discharge/extraction point in or out of the lower reservoir
- Pump house – for extracting water from Llyn Padarn during the construction phase, on land near the lake.

3.4 For clarity (further details will be noted in more detail in this report), Gwynedd Council has already approved a planning application for a pumped storage scheme on this site under the requirements of the Town and Country Planning Act 1990 (TCPA). This proposal involved generating 49.9MW of electricity, namely a sum under the threshold which is not considered NSIP.

3.5 There is no obvious physical change between what has already been approved by Gwynedd Council and what is now intended. The main difference is that two 24.95MW turbines were proposed, whereas now their size has increased to two 49.95MW turbines.

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The other change involves expanding the boundaries of the development site from what was previously permitted due to the need to ensure that adequate land is available as a precautionary measure during the construction phase and to facilitate suitable access to parts of the site.

3.6 Detailed plans were not submitted as part of the TCPA application in relation to the ancillary buildings such as the power station, but rather a condition was added requesting that the details of any building to be erected are submitted for the Local Authority's approval. The location of the power station would be on a bespoke plot or platform which has already been formed as part of the work of preparing the Glyn Rhonwy site for its re-development.

3.7 Several conditions have been imposed alongside the TCPA permission to agree on managing elements of the proposed development, such as the 'Construction Method Statement' as part of the "Construction Environmental Management Plan", the 'Transportation Management Plan', and the 'Extraordinary Traffic Agreement'. It is believed that it is possible to control the construction period to some extent by a similar arrangement, so that elements are developed in a 'phased' manner. According to information submitted by the developer, it is foreseen that the project's construction period would consist of 3/4 years.

3.8 A matter which has caused significant concern locally during the determination of the TCPA application is what kind of electricity connection will be between the site and the network. The developer is of the opinion that this connection should be created underground, but that this element will be the responsibility of the area network operator, namely SP Manweb.

3.9 Access to the main Glyn Rhonwy site will be gained through an existing standard junction off the A4086. A TCPA application transportation arrangement was agreed upon in terms of the access to the upper reservoir (Chwarel Fawr), namely that traffic comes from the Waunfawr direction along an existing unclassified road which is locally recognised as Ffordd Cefn Du.

## **4. RELEVANT PLANNING HISTORY**

4.1 Extensive planning history specifically relates to the Glyn Rhonwy part of the site including a relatively recent permission to provide infrastructure and to create platforms for industrial use. It is also noted that ambitious plans have been previously discussed to develop the site for leisure/tourism use such as a holiday village, an indoor skiing centre and a mountain biking centre.

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4.2 However, in this case the relevant application is the one that has been previously referred to in this report, namely an application submitted to Gwynedd Council under the Town and Country Planning Act 1990 in October 2012, ref. C12/1451/15/LL:

- Development of 49.9MW pumped storage facility to include an upper reservoir at Chwarel Fawr and associated dam, a lower reservoir at Glyn Rhonwy with associated dam, erection of powerhouse to include turbines, associated engineering works including the creation of new slate spoil heaps and diversion of highways.
- It is also confirmed here that following the release of the above approval, it became apparent that a small number of drawings were listed incorrectly under condition 2 on the decision notice. This matter was resolved by way of submitting a non-material amendment (NMA) application (ref. no. C15/0308/15/DA) in order to amend the approved list of drawings. This application was approved on May 6<sup>th</sup> 2015 and Condition 1 attached to the NMA approval, lists the approved drawings correctly.

4.3 Formal discussions were held prior to the submission of this application and in line with the Town and Country Planning (Environmental Impact Assessment) Regulations (England and Wales) 1999 a scoping opinion was formed as the Council was of the opinion that the proposal would be a development which would fall within a specific description and requirements, therefore eligible for an Environmental Impact Assessment.

4.4 A full application was submitted for consideration, including an Environmental Impact Assessment. A full consultation was held on the application, and a large number of observations were received including detailed assessments with statutory consultants including Natural Resources Wales, Welsh Water etc. Planning permission was granted on 19 October 2014 following Gwynedd Council's planning committee's approval of the plan.

4.5 A condition was imposed on the permission stating that the development had to commence within five years from the date of the permission, adding that a written notice of the date of commencement of works should be sent at least 14 days beforehand. Therefore, the development as permitted remains extant and can be implemented in line with the requirements at any time within five years of the date of the permission.

## **5. STATUTORY DEVELOPMENT PLAN / LOCAL POLICY DOCUMENTS**

5.1 The existing development plan for this area is the Gwynedd Unitary Development Plan (GUDP) which was adopted during July 2009.

5.2 At present, Gwynedd Council and Isle of Anglesey County Council are preparing a Joint Local Development Plan (JLDP). The Council has recently submitted the Joint Local Development Plan to the Welsh Government and the Planning Inspectorate in preparation for the Public Examination of the Plan. Planning Inspectors have been appointed but the

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exact date of the Examination has not yet been confirmed. Public consultation regarding the Focused Changes to the Plan (i.e. the changes that are proposed to the deposit plan in response to representations received during the public consultation period last year) are ongoing until 13 April, 2016. The Examination will remain open until the Inspector has submitted the Inspector's Report. The revised Delivery Agreement for the JLDP notes the anticipated adoption date of the Plan as being February 2017.

5.3 The GUDP is supported by several documents in the form of adopted Supplementary Planning Guidance (SPG). It is believed that the following are relevant in this case:

- Planning Obligations (November 2009)
- Landscape Character (November 2009)
- Planning and the Welsh Language (November 2009)
- Wildlife Sites (April 2010)
- Development Briefs: Caernarfon ADD (November 2009)

5.4 It is noted that the above SPG will be reviewed and updated as appropriate as part of the process of adopting the Joint Local Development Plan.

## **6. THE LOCAL AREA'S DESIGNATIONS AND CHARACTERISTICS**

### Designated Sites

6.1 Snowdonia National Park - the Park's boundary is approximately 0.9 to 1km from the nearest part of the boundary of the proposed development. Snowdonia National Park has been established since 1951 and is one of three National Parks in Wales and expands over 2,171km<sup>2</sup> in its entirety.

6.2 Afon Gwyrfai a Cwellyn (SSSI & SAC) – Afon Gwyrfai flows approximately 1.8km to the south-west of the nearest part of the boundary of the proposed development, with Llyn Cwellyn located further south. The area of the designation in its entirety measures 326.1ha and is a site of special scientific interest due to its geological and biological characteristics. The Nant y Betws tributary flows through part of the site of the proposed development near Chwarel Fawr and feeds into Afon Gwyrfai lower down the valley. Llyn Cwellyn's location and the source of Afon Gwyrfai at Llyn y Gadair are within the National Park's boundaries.

6.3 Cwm Dwythwch (SSSI) - this is a site which is located approximately 1.8km to the south-west of the nearest part of the boundary of the proposed development, and has a surface area of 385ha. This glen has been designated due to its special characteristics and geological value. The site lies within the boundaries of the National Park.

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6.4 Llyn Padarn (SSSI) - the location of the proposed development's water extraction/discharge element lies directly within Llyn Padarn. The site measures 116.7ha and is a lake of special significance due to its biological and geological characteristics which are of national importance. It is one of three sites only in Wales where the Char fish resides.

6.5 Dinorwig Landscape of Outstanding Historical Interest - Dyffryn Peris in its entirety is within this designation including Llyn Padarn and the slopes of Glyn Rhonwy up to Chwarel Fawr. It extends from Snowdon's north-western side towards Afon Menai in the north-western direction. It includes dispersed and various remains from the iron age period but mainly and most prominently, a vast amount of remains from the 19th and 20th centuries' slate industry can be seen.

6.6 Landscape Conservation Area - although this designation is not statutory, consideration is given to the impact of proposals within these areas due to specific policy which has been formed within the GUDP which safeguards and enriches these areas. Guidance on this matter is included in Planning Policy Wales (edition 8, 2016), specifically paragraph 5.3.11 which states "**Non-statutory designations**, such as *Special Landscape Areas or Sites of Interest for Nature Conservation*, should be soundly based on a formal scientific assessment of the nature conservation, landscape or geological value of the site. Local non-statutory sites can add value to the planning process particularly if such designations are informed by community participation and reflect community values..."

## **7. CONSIDERATION OF IMPACT AND ADEQUACY OF THE RESPONSE**

7.1 This chapter attempts to identify the relevant considerations to be included within the Local Impact Report. There are many considerations which relate to each other, not only within the nearby area but also further afield. This is certainly the case in terms of Gwynedd's boundaries and also in north Wales to an extent, namely:

- The principle of the development
- Visual effect/landscape
- The quality of air emissions, noise and vibration
- Ecology and Biodiversity
- Traffic and Transportation
- Socio-economic impact (including employment for the future within the local area and further afield)
- Land contamination
- Industrial and archaeological heritage

## **7.2 The principle of the development**

### Local Policy

7.2.1 It is believed that full consideration has been given to the requirements of and compliance with local adopted policy criteria in determining the previous planning application which was determined by Gwynedd Council through the TCPA (see the planning committee report: ( **APPENDIX 1** ).

7.2.2 However, it is acknowledged that it is necessary to refer to and consider local policies as part of the process of forming a Local Impact Report. Policy C6 states that 'proposals for the Glyn Rhonwy redevelopment site that create employment opportunities for the benefit of Gwynedd's communities will be permitted provided that the development conforms to a series of criteria..' which policy D5 states that 'in exceptional cases, proposals to locate an industrial or business development on sites that have not been designated...will be permitted provided the proposed development has genuine special location needs which cannot be met on an industrial site' (clearly relevant to areas of the proposed development which are not located within the Glyn Rhonwy re-development site). Policy 27: Renewable and sustainable energy schemes, refers to the Council's considerations relating to proposals for renewable energy and it is believed that the remaining policies considered part of the TCPA process ( **APPENDIX 1** ) form and confirm the framework which was relevant in considering and assessing not only the previous TCPA planning application, but all development proposals received by the Council.

7.2.3 Within the wider policy context, the Council acknowledges the importance of re-developing previously developed sites, and specifically, emphasis has been placed on the Glyn Rhonwy site in its role as a Strategic Development Site. To this end, the Council supports the proposed development subject to a thorough investigation of the impact of the development and its compliance with the requirements of other GUDP policies, especially in terms of its impact on the landscape and on the area's general amenities.

## **7.3 Visual effect/landscape**

### Local Policy

7.3.1 Policy B12: protecting historical landscapes, parks and gardens - safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

### Main local considerations: impact on the landscape

7.3.2 Gwynedd Council, jointly with Isle of Anglesey County Council and Snowdonia National Park, decided to commission Gillespies to draw-up a Landscape Sensitivity and Capacity Assessment. It was published in April 2014 in response to increasing pressure on the

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landscape, to safeguard the most notable and sensitive landscapes from unsuitable developments and to encourage a positive method of responding to development in an appropriate location and to an acceptable scale. Specifically, the assessments have been undertaken in relation to the following types of developments: wind energy, solar developments, overhead cables, mobile phone masts and static caravan parks.

7.3.3 Although consideration was not given to this document as part of the process of determining the TCPA application and as it is not completely appropriate as consideration is given to different types of development, it is believed that reference can be made to its content in this case as the document lists the specific characteristics of areas. The assessment area includes the site of the proposed development in its entirety although it is noted here that the area of the assessment itself expands over a wider area:

- Highland landscape on a high/medium scale on the outskirts of Snowdonia
- Broad areas including the most prominent human influence in the area, namely slate works and dormant tips of industrial interest
- Dispersed dwelling pattern with areas of highlands consist of low population areas, it can especially be seen that quarry communities accumulated at the bottom of the valleys
- A feeling of remoteness and stillness varies across the area
- LANDMAP has awarded a 'HIGH - OUTSTANDING' assessment

7.3.4 The area of the proposed development is an extremely interesting mixture in terms of the landscape, as it has varying characteristic in terms of a natural highland landscape, an industrial landscape associated with the slate industry and dispersed habitats. Clearly, the landscape (in terms of the industrial element) has been dormant for decades although it can be seen that parts of the Glyn Rhonwy site itself have been developed more recently by installing formal infrastructure and creating formal plots for redevelopment together with the status of the site as a redevelopment area. Within the broad Glyn Rhonwy area, areas that are not included as part of the latest redevelopment plan can be viewed and therefore there is a gradual expansion of natural wildlife and vegetation which has occurred on varying scales within these areas, especially so within the significant holes that exist and are safeguarded by a series of fences to keep the public out. There are also the industrial developments of the Siemens site on the outskirts of the Glyn Rhonwy site together with a new touring caravan site. Although the access off the A4086 would be shared between all Glyn Rhonwy users, these sites would not significantly influence the pumped storage scheme in terms of comparing characteristics with existing and proposed structures.

7.3.5 The proposed development is located within a site with a significant difference in height when comparing Llyn Padarn up to Chwarel Fawr on Cefn Du. The post-industrial landscape means that it is not completely natural characteristics which are impacted, and the most prominent formal development including the proposed infrastructure, buildings, roads etc. would be located within the platforms already created for the proposed redevelopment of Glyn Rhonwy. The site would be most prominent from the direction of highlands to the north and the north-east across the valley from the villages of Dinorwig and Fachwen. It is acknowledged that the development would be prominent from this direction during the construction period and that it would likely (on completion) include new formal

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elements that cannot be seen at present. However, it is believed that the distance which exists between the site and existing dwellings, the location of the most formal elements such as the structures within the platforms which have already been provided as well as the site's historical use would mean that the development could assimilate and blend in its post-industrial location.

7.3.6 It is acknowledged that the development would be on a large scale, but it is not believed that it would have an excessive detrimental impact on the landscape and the historical landscape in general because of its form and scale. No objection has been received from the park authority in relation to its visual impact from the Snowdonia National Park, it is therefore not believed that there is a concern in terms of its impact on the amenities of these protected landscapes.

7.3.7 In terms of its impact on the visual amenities of nearby amenities, residential amenities are dispersed within the nearby Glyn Rhonwy area and some are relatively near to parts of the site's boundaries. However it is not believed that there would be an excessive impact on the visual amenities of these dwellings due to the nature and form of the site and the land surrounding it, and the locations which represent relatively hidden elements of the work such as works within the quarry pits. As noted in paragraph 7.3.5 above, the development would be most prominent across the valley, certainly during the construction period and likely after its completion to a lesser degree. But as noted, a post-industrial landscape is mostly prominent in this area and although there is obvious worth attached to this landscape from a historical/cultural point of view, it is considered that the likely features emanating from this development will be easier to merge into this landscape rather than a purely undeveloped green space. It is not believed that the development would be prominent from the villages of Llanberis and Waunfawr due to its location and the form of the landscape and therefore it is not believed that it would impact the amenities of residents of the villages nearest to the site to an unacceptable and long-term degree.

7.3.8 The site is surrounded by Snowdonia's largest mountains such as Elidir Fawr and Elidir Fach, Moel Eilio, Glyder Fawr and Glyder Fach, Snowdon, Foel Gron etc. The development would be visible from some of these mountains but given the distance between the site and the mountains, the form and size of the development and its layout within the existing historical post-industrial landscape, it is not believed that it would be prominently visible to an unacceptable degree from these locations. In the same manner, it is not believed that there would be an effect in terms of the visual impact from the direction of Castell Dolbadarn due to its location, form and setting, the distance between both sites and the existence of characteristics such as buildings and trees between both sites.

7.3.9 It is not believed that the DCO application would be significantly different to what was previously submitted, considered and approved through the TCPA application from the perspective of what is seen above ground and therefore what would be visible within the local historical landscape. What is proposed would not be considered as so significant that it would lead to changing the LANDMAP assessment of the local area in terms of land designations.

### Buildings

7.3.10 A condition was imposed on the planning permission which was approved under the Town and Country Planning Act in order to agree on the final details of all approved buildings. Although it is acknowledged that drawings have been submitted as part of the DCO plan, it is considered that in this instance the imposition of a requirement to agree on final details is necessary in order to ensure that final finishes are acceptable.

7.3.11 It is believed that locating the structures within the platform as previously intended would be acceptable and would be in-keeping with the proposed use of these industrial platforms. A standard condition is being implemented by the Council to ensure that roofs of new buildings are finished with Welsh natural slate or with slate of similar features and colours. It would be preferred if the site's buildings conveyed the features and character that is generally viewed in the nearby area. It is accepted that the proposed buildings must be practical in terms of their function and use, however, it is believed that it is possible to incorporate native features within the most prominent elevations of the buildings on the site. The Council wishes to ensure that developments would be of a high standard and design and general advice relating to design is provided in the Gwynedd Design Guidelines.

7.3.12 Although they are not 'buildings' in the true sense of the word, the proposed development's most prominent structures would be the reservoir walls and the slate waste tips deriving from the tunnelling work. It is likely that a natural finish would be beneficial to ensure that the reservoir walls merge into the landscape, either through soil and grass (as has already been successfully used on the Marchlyn reservoir which forms part of the nearby Dinorwig power scheme) or by using slates to create an appearance which would be similar to a slate tip as can generally be seen within the nearby area. It is not believed that these structures, on completion to an agreed standard, would impact the visual amenities of the local landscape to a long-term unacceptable degree.

### The impact and adequacy of the application/DCO

7.3.13 The nature and scale of the development is likely to vary to some degree from the details of certain elements of what is proposed, such as the design of buildings, their appearance and their layout within the site. There is a general agreement about what is considered to be acceptable for the development; subject to further agreement on this element, it is believed that the requirements which are relevant to design matters are acceptable and that they comply with the relevant requirements of the DCO in order to ensure that the design is of an acceptable standard for the proposed development which is located within this recognised historic landscape. It is likely that further agreement can be reached in relation to details of necessary infrastructure associated with the proposed development which may not have been finalised at this stage.

## **7.4 The quality of air emissions, noise and vibration**

### Local Policy

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7.4.1 Policy B33: developments that create pollution or nuisance – Protect human amenities, the quality of health and the natural or built environment from high levels of pollution.

### Main local considerations: Air

7.4.2 As confirmed by Gwynedd Council's Public Protection Unit with the previous planning application, the proposed development has the potential to have a significant impact on local businesses and dwellings in terms of several environmental factors.

7.4.3 Consequently, the service was of the opinion that a series of strict conditions should be imposed as part of the permission, which would ensure the management of this element (and other elements) as part of the proposed development. A series of conditions were imposed as part of the permission ( **APPENDIX 2** ), specifically in this case conditions number 24, 26, 27, 28, 29 and 30.

7.4.4 It is believed that it is possible to manage the development to an acceptable degree via a series of conditions such as above, and in doing so, alleviate the impact of the proposed development on the quality of air of the local area.

### Main local considerations: Noise and Vibration

7.4.5 In the same manner as the above observations, the proposed development has the potential to have a significant impact on local businesses and dwellings in terms of several environmental factors as confirmed by Gwynedd Council's Public Protection Unit.

7.4.6 The information submitted with the previous application together with the conditions added to the permission are considered acceptable and they comply with current standards. However, it is acknowledged that there will be periods of time where construction noise or background noise will be audible over existing background noise levels when measured from nearby buildings.

7.4.7 It is believed that the conditions imposed on the previous permission ( **APPENDIX 2** ) are an acceptable way of controlling this element, namely conditions number 24, 33, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46 and 47.

7.4.8 It is also believed that the management of construction hours as noted in condition 25 is relevant and is a suitable contribution to the acceptable management of a development like this ( it is hereby noted that the Authority must be satisfied with the need to vary working arrangements and that it is not assumed that approval will be given without doubt, it is likely that a variation would be submitted under the requirements of the Control of Pollution Act 1974 ) and that a similar arrangement would be acceptable through the DCO application should it be approved, namely:

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- All construction work and ancillary activities which are audible from the boundary of the site, or from any other location agreed by the Local Planning Authority are to be undertaken between the following hours only:

7:00 and 19:00, Monday to Friday

7:00 and 13:00, Saturday, and not at all on Sunday and Bank Holidays

Any transferral and movement of machinery, equipment and waste must be undertaken within the approved hours as noted above.

The condition is not relevant to the tunnelling work on the site.

A system for any specific mechanical actions which need to be undertaken as a matter of urgency outside the agreed hours will be established and will be subject to a written agreement with the Local Planning Authority at least 3 months prior to any work.

7.4.9 As well as the above possible regulations, it is believed that the observations of Natural Resources Wales (NRW) will be relevant as part of the DCO application and that licences would be required for elements of the proposed works from bodies such as NRW. It is believed managing via the imposition of conditions as has previously been done, would be appropriate as part of the DCO in order to ensure that there would be no unacceptable adverse impact as a result of the development. As a result, it is believed that the proposed development would satisfy the general requirements of policy B33.

### The application's impact and adequacy

7.4.9 The Council has already accepted that suitable regulations are possible for this proposed development on this site. The information submitted by the developer with the DCO application explains how suitable alleviation and management measures would be implemented during the period of the development.

7.4.10 This information has been provided within the Environmental Statement and could be implemented by formal agreements (to be agreed) such as the "Construction Management Plan", the "Dust Management Plan", and the "Code of Construction Practice".

7.4.11 It is acknowledged that control would be possible in relation to some aspects of the actions but that they would occasionally be likely to have an impact in terms of the work during the construction phase. Statutory legislation to manage nuisance are being implemented, it is believed that conditions and agreements such as what has been noted in paragraph 7.4.10 would ensure acceptable management in terms of these aspects and that the local authority's power to manage the situation is reiterated by statutory powers such as British Standards, Regulation in Work and the Environmental Protection Act 1990.

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7.4.12 It is necessary to ensure that the risk for the environment and local residents would be mitigated by consistent and effective monitoring and management, in doing so, it is believed that the proposed development could be acceptable and that it would not have a significant long-term unacceptable impact on the local area in terms of matters relating to air, noise and vibration.

### **7.5 Ecology and Biodiversity**

#### Local Policy

7.5.1 Policy B15 – Protection of International Conservation Sites - Proposals which are likely to cause direct or indirect significant harm to the integrity of nature conservation sites of International importance will be refused unless they comply with a series of criteria which aim to manage, enhance and safeguard the recognised features of such sites.

Policy B20 – Species and their habitats that are internationally and nationally important – Proposals which are likely to cause disturbance or unacceptable harm to protected species and their habitats will be refused unless they comply with a series of criteria which aim to safeguard the recognised features of the site.

#### Main local considerations: impact on ecology and biodiversity

7.5.2 It is possible that the proposed development could impact several protected sites (as noted in paragraph 2.2) during the development phase. Separate applications are submitted to bodies such as NRW regarding some elements of these matters, including a Protected Species Licence, a Badger Licence, Extraction Licence etc.

7.5.3 The concern varies regarding the impact of the development in terms of biodiversity matters within each area of the broad development site. It can be seen that the ‘platforms’ which have already been developed on the lowest part of the Glyn Rhonwy site have been completed relatively recently and that these ‘platforms’ can be described as brownfield, namely previously developed land.

7.5.4 It is believed that the surveys and the information which have already been undertaken and submitted have identified the main species that which could be impacted by the proposed development. The Council’s Biodiversity Unit have worked closely with the developer during the period of the previous application and during initial discussions regarding the DCO application, and that information on what would be expected is to be included within the site’s management plan. Conditions were imposed on the previous application which would safeguard these elements, namely:

- A Method Statement must be provided as part of the Construction Environmental Management Plan which will clearly detail all the work which is restricted during birds’ breeding period in order to avoid an impact on birds listed in schedule 1. The

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statement must be submitted in written form for the Local Planning Authority to agree upon with Natural Resources Wales before the development permitted through this commences.

- A Method Statement must be provided as part of the Construction Environmental Management Plan which will clearly detail all measures taken (including those described in part 8 and 9 of the Mollusc Survey Report - Cambrian Ecological Partnership 07.02.12) in order to avoid a harmful impact on the favourable conservation status of mollusc species. The statement must be submitted in written form for the Local Planning Authority to agree upon with Natural Resources Wales before the development permitted through this commences.

7.5.5 The sensitivity of the protected sites is clearly a matter which needs to be upheld as a concern has been highlighted about the impact of the development on Llyn Padarn (SSSI) which includes the rare Arctic Char fish. The information submitted within the Environmental Statement confirms that there will be no significant impact on these sites or on many other noted sites with protected species including bats. In addition, there is a potential pathway of possible effects from the development to Afon Gwyrfai which is a European Site (Afon Gwyrfai Llyn Cwellyn Special Area of Conservation) which has the potential to affect salmon which are one of its features. As a result of the Habitat Regulation Assessment, it was shown that there would be no effect subject to appropriate mitigation measures being put in place.

7.5.6 The Council's Biodiversity Unit has already accepted and considered the likely impact of this development on ecological and biodiversity matters. In the same manner, Natural Resources Wales has also considered the impact on these matters. It is not believed that the DCO application is significantly different to what has previously considered in relation to what has previously been considered. The information submitted, the need for further licences and general management which will be required through mitigation measures and formal agreements will continue to safeguard the protected species and habitats.

7.5.7 Management similar to what was agreed upon with the previous application, if it is considered acceptable, would be relevant in this case and by ensuring a series of mitigation measures and consistent monitoring, it will be possible to ensure this element.

### The application's impact and adequacy/DCO

7.5.8 The impact of the proposed development determined under the TCPA has been assessed fully by the Council's Biodiversity Unit and Natural Resources Wales. It is not believed that what is intended under the DCO application raises any completely new and significant concerns in comparison to what was previously considered. Conditions and mitigation measures were imposed with the previous application in order to manage this element to an acceptable degree.

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7.5.9 It is seen that the information submitted as part of the Environmental Statement notes that the development will be acceptable following the agreed mitigation measures. It is not believed that the evidence, information and recommendations as submitted is inadequate and therefore relevant safeguarding measures can be imposed to protect local ecology and bio-diversity affected by the proposed development and the possible risk that will derive as a result of activities associated with the development.

### **7.6 Traffic and Transportation**

#### Local Policy

7.6.1 Policy CH33 - Safety on roads and streets – Development proposals will be approved provided that specific criteria can be complied with which relate to the vehicular access, Standard of the existing roads network and traffic calming measures.

Policy CH22 – Cycling, footpaths and rights of way network – All parts of the cycling, footpaths and rights of way network will be protected by encouraging proposals to incorporate them satisfactorily within the development and by refusing plans that will prohibit any extensions to the cycling, footpaths or rights of way network. If this will not be possible, appropriate provision must be made to divert the path or provide a new satisfactory footpath.

#### Main local considerations: impact on traffic and transportation

7.6.2 The site is vast and to all intents and purposes is split into two parts in terms of the main elements of the proposed work. The lowest part of the site (namely an area the developer refers to as areas Q7, Q6, Q5, Q4 etc.) can be accessed from the A4086 highway. A wide junction already exists off the highway with a shared standard internal road which leads to the separate Siemens site and the new touring caravan site with a separate connecting road diverting towards where the hydro scheme would be located.

7.6.3 Access to areas Q1 and Q2 is much more complex to achieve due to the form and nature of the existing road and its proximity to residential houses on this road. The starting point of the approach towards this work area would initially be off the A4085 highway on the outskirts of the village of Waunfawr and then along the existing class 3 road towards the Groeslon Waunfawr area. Then, it will be necessary to cross another class 3 road and merge a narrow unclassified road (Cefn Du Road) which leads to the Cefn Du mountain and eventually to the work site of this part of the proposed development.

7.6.4 It can be seen that this mountain road is narrow in parts with the gable ends of residential houses directly abutting parts of the road. It would be necessary to undertake preparation work on this road prior to the commencement of the proposed development to

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widen it in narrow areas and to include dispersed bespoke passing areas along it from Groeslon Waunfawr towards Cefn Du.

7.6.5 In terms of the access off the A4086, it is not believed that there would be an ongoing excessive harmful impact as a result of associated movements along this route. It is acknowledged that existing houses and businesses are scattered along the road, and occasionally during the construction period it is likely that there would be an impact should large deliveries have to be made to the site. However, due to the location of the junction in relation to the site on the outskirts of the village of Llanberis and therefore away from the most prominent residential concentration in the village, the impact would not be excessive. It should also be borne in mind that the site has been designated within the Supplementary Planning Guidance: Development Briefs as an industrial redevelopment site.

7.6.6 Access to any other part of the site would not be as easy to gain without impacting local residents due to the form and nature of developments on and off the narrow road towards the mountain. In order to facilitate movements it will be necessary to undertake a series of improvements including widening the road and including passing spaces. The breadth of this work is currently being discussed between the developer and Gwynedd Council's Transportation Unit and will be delivered through a 278 agreement under the Highways Act 1980 with the Transportation Unit (it was noted as part of the decision of the previous application approved under the TCPA that such an agreement would be required).

7.6.7 In addition, the need for an Extraordinary Traffic Agreement was previously identified as being necessary through a formal condition on the TCPA application, specifically to safeguard the local roads network during the construction period. It is acknowledged that some impact will occur during the construction period and that a strict transportation management system would be required during this period to safeguard the benefits of local residents, especially the residents of Groeslon Waunfawr and Cefn Du Road.

7.6.8 It is acknowledged that existing rights of way will be affected as a result of the proposed development; some on a temporary basis and others on a permanent basis. The routes affected in the Chwarel Fawr/Cefn Du area have been noted and an agreement is in place with Gwynedd Council's Rights of Way Unit to provide suitable routes to alleviate the loss of existing routes.

7.6.9 A concern has been highlighted by members of the public regarding the impact the development would have on their right to continue to use the facilities and areas used for leisure purposes at present, specifically the Glyn area near Llyn Padarn. As has already been noted, efforts are being made to allow access where it is safe to do so. It is not believed that there would be a harmful long-term impact (if at all) on movements in or out of the Glyn area as the breadth of the proposed work as indicated is not significant and is not in areas which would prevent access on a long-term basis.

The application's impact and adequacy/DCO

7.6.10 The impact of the proposed development is being fully assessed by the developer within chapter 12: Traffic and Transportation in the Environmental Statement. It can be seen that the assessment has been split into specific sub-headings, such as:

- Details of the assessment
- Policy framework and legislation
- Consultation
- Methodology
- Baseline information
- Traffic Data
- Possible impacts
- Mitigation, compensation and improvement measures
- Residual impacts
- Evaluation of significance
- Summary and findings

7.6.11 These assessments consider the impact during the construction period and after its completion. It is believed that the information submitted is thorough and clear and that it is possible to manage it in line with the need for further agreements through highway legislation. Therefore, it is believed that it is possible to ensure that arrangements, responsibility and actions are implemented to safeguard the benefits of the roads network and local residents.

## **7.7 Socio-Economic Impact**

### Local Policy

7.7.1 Policy C6 – GLYN RHONWY RE-DEVELOPMENT SITE – Proposals that create opportunities for quality employment or leisure opportunities for the benefit of Gwynedd's communities on the Glyn Rhonwy re-development site will be approved provided that it can be ensured that the development is in line with a series of criteria relating to cultural, linguistic, amenity, Environmental, visual and highways matters. Also note that the site should be developed in an integrated way.

Main local considerations: socio-economic impact

7.7.2 The Council acknowledges the need to deal with developments within this area with a precautionary approach due to the sensitivity of the area in terms of its landscape, ecological matters and the impact on the amenities of local residents. It must also be acknowledged that the fact that the Council has a duty to ensure that developments which would bring economic benefit to the local area are also a material consideration.

7.7.3 The Council has already acknowledged the importance of the site for Gwynedd's communities in terms of redeveloping and the economy by designating it as a Strategic Development Site. This benefit is obvious due to the employment opportunities which will derive from it, however, benefit is also acknowledged as the aforementioned employment opportunities would ensure employment for the local population which would strengthen the Welsh language by providing employment opportunities for the local area's native population and the rest of Gwynedd. According to the information submitted, it is foreseen that the development would offer employment opportunities for approximately 250 people when the development would be at its crux and then approximately 20-35 during the site's generating period, namely 125 years.

7.7.4 According to the information submitted under chapter 15 in the Environmental Statement: Socio-Economic Impact Assessment, the cost of the development is likely to be approximately £160 million and is likely to take 3-4 years to be completed. Although it is acknowledged that this investment will not completely be for the local area (construction and specialist generating equipment such as the turbines for example), there are opportunities to invest locally by using services and of course, employment. Inevitably, some employees will come from outside the area but this is also an opportunity for the local economy to benefit by providing accommodation, restaurants, shops, garages etc.

7.7.5 The Council acknowledges that there will be some disturbance during the construction period, not only for local residents but also to some extent for element involving the local tourism industry, including outdoor activities. Specifically, it is believed that the occasions where large deliveries would be made to the site could affect traffic flow around the Llanberis area, which would consist of day visitors, caravans, buses etc. Also, it can be seen that an element of the proposal impacts existing public footpaths and therefore diverting these footpaths could impact some users. However, although existing footpaths are to be diverted, access along vast parts of Cefn Du is maintained by providing new footpaths and therefore it is not believed that there would be an actual impact as access to amended footpaths remains maintained. In the same manner, established leisure activities such as the Snowdonia Marathon use parts of the existing footpaths over Cefn Du as part of the race

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route. Despite the fact that diverting will occur, access is maintained rather than prevented and it is not believed that there will be a long-term harmful impact as a result of doing this.

7.7.6 One of the area's main attractions is the natural landscape and of course the Council acknowledges this and maintains and safeguards this element. It is not believed that this proposed development would impact the local landscape to a long-term and unacceptable degree due to its location within the Glyn Rhonwy site and the scale of what is proposed. The use of vacant quarry pits, locating turbines low in the ground and tunnelling between both reservoirs means that the majority of the development is being undertaken in areas which will not be prominent to many visitors who visit the area and the local residents. From nearby mountains (namely land which is higher than the entire site), the proposed development is likely to be partly visible and could impact the landscape's open views to some extent, but yet again, it is not believed that the impact would be long-term and it is possible to ensure that the final finishes are in-keeping with their location.

### The application's impact and adequacy/DCO

7.7.7 It is believed that it is necessary to carefully weigh up the economic benefit that will derive from a significant investment into Gwynedd and specifically the local area such as this one, as well as the impact it will have in the short-term and the long-term on the tourism industry, outdoor activities and established leisure activities.

7.7.8 Several proposals have been discussed in relation to various developments on the broad Glyn Rhonwy site but none have yet been realised. This is a proposed development which at least appears to have the financial support to realise it which would in turn bring economic benefit by way of employment opportunities to the local area and beyond. As the policy makes reference to, most of the site has been designated for developments which would create employment opportunities, and therefore by adopting this policy the Council has already established that suitable redevelopment opportunities would be appropriate in principle for the site after full consideration of all relevant matters.

7.7.9 Research findings including the findings of the local formal consultation have been included in the information submitted by the developer. This information is considered relevant and acceptable in line with the relevant requirements of providing this type of information as part of this application.

## **7.8 Contaminated land**

### Local Policy

7.8.1 Policy B30 - Contaminated land or buildings – Ensure that proposals to develop contaminated land or buildings are refused unless they comply with a series of criteria that aim to manage or confine the contamination.

Main local considerations: contaminated land

7.8.2 The fact that parts of the site could be polluted/contaminated due to the historical use of the site as a slate quarry cannot be disregarded. It is also relevant to note that there is historical use within parts of the site as a bomb and weapon storage by the Ministry of Defence during and after the Second World War. The site was being used to destroy these materials for a period of time. In addition, there is a record noting that German poisonous gas named 'Tabun' was stored for a period of time at the end of the war before it was removed and disposed of in the ocean during the 1950s. There are also records referring to the use of parts of the Glyn Rhonwy site as landfill sites, but there is no detailed record of the exact locations, it appears that they are outside the boundaries of this existing application.

7.8.3 The safe development of this site is essential given the historical industrial use and the following use by the Ministry of Defence. Although there is low potential that there will be significant remains of contamination on the site (given the evidence including inspections undertaken by the Council), a precautionary approach must be taken when dealing with the element. Obviously this will be undertaken as part of on-site Health and Safety arrangements, but also it must be ensured that there will be no harmful impacts on the area's ecology, the amenities of local residents and the possibility that pollution could spread from the site into the local water table.

7.8.4 The studies already undertaken as well as the proposed strategies as noted within chapter 8 of the Environmental Statement (volume 2) are thorough and indicate that this element can be managed. This was previously undertaken by including relevant conditions with the application that was determined through the TCPA and it is believed that it would be possible to ensure that this is repeated and reinforced through the arrangement of the DCO application.

The application's impact and adequacy/DCO

7.8.5 Section 19 of guideline 15 "Drafting Development Consent Orders" states that it will be necessary to 'carefully consider which elements of the proposed development will be possible to be left for approval later on by the Local Planning Authority and which elements should be agreed via the DCO'.

7.8.6 The applicant acknowledges that some areas of the site have experienced contamination in the past. Evidence indicates that the areas used for storing and disposing of explosive materials have been restored, but there is still a risk that remains exist. Because of this, there is a proposal to provide a specific strategy to manage this element should remains be found in parts of the site during the construction period. The potential that remains of contamination including explosive materials could be found on the site during the development period cannot be disregarded due to the industrial history and the use of

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the site by the Ministry of Defence. Therefore, it is necessary to ensure that if remains are found, the arrangements are adequate to manage cases and that a series of mitigation measures are agreed upon for such a situation.

### **7.9 Archaeological and Industrial Heritage**

#### Local Policy

7.9.1 - Policy B7 – sites of archaeological importance – Proposals that will damage or ruin archaeological remains of national importance (registered and non-registered) or their settings will be refused. Any development that will affect other archaeological remains will be refused unless the need for the development outweighs the significance of the archaeological remains.

#### Main local considerations: archaeology

7.9.2 Elements of the development are likely to have a direct impact on mainly archaeological remains, and remains from the slate industry. Previous assessments were undertaken by the Gwynedd Archaeological Planning Service (GAPS). GAPS advise Local Planning Authorities in north-west Wales on archaeological matters.

7.9.3 A series of surveys in relation to the previous TCPA planning application were undertaken including an Assessment of Significance of Impact of Development on Historic Landscapes (ASIDOHL) and this was reinforced by including a series of conditions on the permission to ensure that an appropriate work programme is in place to record remains affected by the development. The impact assessment has been updated for this current application to reflect the additional land included as a development area.

7.9.4 GAPS have conducted inspections of the site and have reviewed the relevant information which forms part of this application. From the information submitted, it is clear that appropriate research on this element was undertaken and that a consistent consultation had been held during the TCPA process with GAPS which are the local archaeological experts and consultants.

7.9.5 It is believed that there will be an impact on some existing archaeological remains as well as remains which have not yet been recorded but could become known during the development period. It is possible to ensure that these impacts are mitigated by conducting further surveys and detailed recording.

#### The application's impact and adequacy/DCO

7.9.6 It is considered that the information submitted acknowledges that there will be an impact on local archaeological remains and that appropriate measures will be agreed upon in close collaboration with TCPA officers. It is believed that the information submitted as

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part of the application in relation to this element is acceptable subject to a series of further agreements in order to ensure appropriate conservation of the local archaeological and industrial heritage.

### **8. DEVELOPMENT CONSENT ORDER**

8.1 This report has been drawn-up by referring to the relevant details. The information submitted as part of the application is substantial and it is believed that only a short summary of the information submitted has been included in this report. Therefore, the Council reserves the right to add or suggest amendments to the information submitted as a result of further investigation to this information and any following or associated information and documents.

### **9. CONCLUSIONS**

9.1 Gwynedd Council as the local authority requests the inspecting body in this case to fully consider the observations submitted in the Local Impact Report as well as other submissions made by other statutory bodies as well as members of the public. Also, it is requested that the inspection process ensures that the impact related to the proposed development is fully identified and if the DCO is granted, that robust and comprehensive requirements are imposed to ensure that the impact of any development is monitored and that mitigation measures are in place for the impact.

9.2 As has already been referred to in paragraph 3.7 of this report, a series of strict conditions have been added to TCPA planning permission, it is believed that this ensures appropriate management of the development. In the same manner, it is believed that a series of conditions or similar requirements through the DCO arrangement (if approved) would ensure relevant management over elements of the development as required.