

**Planning Inspectorate ref:**  
EN010014

**Council ref:**  
ENQ/25324



**Planning Act 2008**

**North Wales Wind Farms Connection Project**

**Local Impact Report**

August 2015



## **1. Introduction**

- 1.1 SP Manweb (the Applicant) have applied for a Development Consent Order (DCO) for the installation of a 17km 132kV overground electricity line from a collector station at Clocaenog Forest to a terminal point south of Glascoed Road near St Asaph. The proposed route is partly within the County Borough of Conwy, and partly within the County of Denbighshire.
- 1.2 The application has been made to the Secretary of State via the Planning Inspectorate under the Planning Act 2008 (the Act). The two local authorities are both consultees in the consent process.
- 1.3 The Planning Inspectorate strongly encourages local authorities to produce and submit a Local Impact Report (LIR). The definition of an LIR is given in S60(3) of the Act as “a report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area)”. This LIR has been prepared by Conwy County Borough Council (the Council) in accordance with Advice Note 1: Local Impact Reports (Version 2), which was issued by the Planning Inspectorate in April 2012.
- 1.4 The Council’s Planning Committee endorsed the draft version of the LIR at their Committee meeting on 12<sup>th</sup> August 2015.
- 1.5 Advice Note 1 identifies the matters which an LIR may include. However, this list is neither exhaustive nor prescriptive. The purpose of the LIR is for the Council to advise the Planning Inspectorate on what impacts it considers the proposed development will have on the area by reference to specific issues. Details of how negative impacts can be overcome and mitigated for will be provided where relevant. The LIR will also appraise the proposed development’s compliance with local planning policies and guidance, and offer views on the draft DCO provisions, requirements and obligations.
- 1.6 At the Preliminary Meeting, the applicant indicated an intention to propose amendments to the application on 28<sup>th</sup> August 2015, which it intends to pursue as an alternative option (Option B) to the submitted scheme (Option A). At the time of writing the LIR, the Council has not had sight of Option B, and the LIR is therefore written on the basis of Option A.

## **2. Description of the Order Site**

- 2.1 The Order Site is described in the Non-Technical Summary of the Environmental Statement. The section of the Order Site that is predominantly within the County Borough of Conwy extends from the crossing over Afon Ystrad near Pandy (Grid ref: 30244, 36411) to the crossing over Afon Elwy near Bodysgaw Isa (Grid ref: 29979, 37201), although part of that section (south of Eriviat Bach) straddles the boundary with Denbighshire.

### **3. Relevant National and Local Planning Policies**

#### **3.1 UK Planning Policies**

3.1.1 A main material consideration in the determination of the DCO application will be the National Planning Statements (NPS), in particular EN-1: Overarching NPS for Energy and EN-5: NPS for Electricity Networks Infrastructure.

#### **3.2 Welsh Government Planning Policies**

3.2.1 The current Welsh Government policies comprise Planning Policy Wales (7<sup>th</sup> edition) and related Technical Advice Notes (TAN's). The following TAN's are particularly relevant:

TAN5:	Nature Conservation and Planning
TAN6:	Planning for Sustainable Rural Communities
TAN8:	Planning for Renewable Energy
TAN11:	Noise
TAN13:	Tourism
TAN15:	Development and Flood Risk
TAN18:	Transport

3.2.3 The following Welsh Office / Welsh Government circulars are also relevant:

60/96:	Planning and the Historic Environment: Archaeology
61/96:	Planning and the Historic Environment: Historic Buildings and Conservation Areas
11/99:	Environmental Impact Assessment
016/2014:	The Use of Conditions for Development Management

3.2.4 The Welsh Government's document 'Planning Implications of Renewable Energy and Low Carbon Energy Development' provides guidance on planning considerations for various renewable energy technologies.

3.2.5 Whilst not a policy document, the erstwhile Countryside Council for Wales (predecessor to Natural Resources Wales) has produced a LANDMAP landscape evaluation document, which provides evidence to support planning decisions.

#### **3.3 Local Planning Policies**

3.3.1 The Conwy Local Development Plan (LDP) was adopted in 2013, and comprises the statutory development plan for the whole of the County Borough (excluding the Snowdonia National Park). The LDP does not contain specific policies on electricity connections, but does include policies on other matters which are relevant to the DCO application. These include:

DP/1:	Sustainable Development Principles
DP/3:	Promoting Design Quality and Reducing Crime
DP/4:	Development Criteria
DP/6:	National Planning Policy and Guidance

NTE/1: The Natural Environment  
NTE/3: Biodiversity  
NTE/4: The Landscape and Protecting Special Landscape Area  
NTE/7: Onshore Wind Turbine Development  
CTH/1: Cultural Heritage  
CTH2: Developments Affecting Heritage Assets  
MWS3: Safeguarding Hard Rock and Sand and Gravel Resources

These policies are included in Appendix CCBC2.

- 3.3.2 In addition to the above policies, the Council has adopted a non-statutory policy which is directly relevant to the DCO proposal. A full meeting of the Council on 23<sup>rd</sup> October 2014 resolved that:

*“Conwy County Borough Council, as a matter of policy, demands that ALL cabling through Conwy from the North Wales Wind Farms Connection be placed underground and NOT via overhead pylons.”*

- 3.4 However, the Council’s Planning Committee resolved at its meeting on the 12<sup>th</sup> August not to object to the proposal in its entirety, but that it does object to specific areas of the proposal for the reasons identified in its Written Representations.

#### **4. Relevant Planning History**

- 4.1 There are two windfarm proposals which are wholly or partly within the Council’s area and are particularly relevant to the DCO application:

**0/35170** – Erection of 11 turbines at Nant Bach (also known as Mwdwl Eithin), Llangwm – Planning permission granted in 2011. To be valid, the permission must be implemented before 3<sup>rd</sup> May 2016. However, the applicants have recently announced that they do not intend to pursue the development.

**Clocaenog Forest Windfarm** – Development Consent granted in 2014.

- 4.2 Both of the above proposals would be served by the proposed grid connection that forms the subject of the DCO application.
- 4.3 The Council is not aware of any proposed additional wind turbine developments within its area which might affect the DCO application.

## 5. Significant Constraints

### 5.1 Development Plan Constraints Within the Order Site

5.1.1 The only Development Plan constraints within the Order Site consist of the mineral resources. These consist of small localised areas which are safeguarded either on the basis of sand and gravel or hard rock resources. The Proposals Map identifies the former by horizontal hatching and the latter by diagonal hatching.<sup>1</sup> The methodology which the Council has adopted to identify these areas is identified in Background Paper 29: Safeguarding Aggregate Resources<sup>2</sup>.

5.1.2 The DCO proposal would affect small areas of safeguarded sand and gravel resources to the south of B5382 and in the vicinity of Berain, and a small area of safeguarded hard rock resource to the north of Berain.

### 5.2 Development Plan Constraints Affecting the Surrounding Area

5.2.1 The Development Plan identifies five areas within the Plan Area as Special Landscape Areas (SLA's). The methodology which the Council has adopted to identify these areas is identified in Background Paper 27: Special Landscape Areas<sup>3</sup>.

5.2.2 The DCO proposal would affect the setting of the Elwy and Aled Valleys SLA includes the range of hills to the east of Aled Valleys as far south of the settlement of Bylchau, and comes within 1.8km of the Order Site. This SLA forms a backdrop to a number of sections of the DCO proposal when viewed from the east.

5.2.3 The Rhyd-y-Foel to Abergele SLA comes within 2.2km of the Order Site. Figure 7.1 of the ES shows that a small area of the Zone of Theoretical Visibility would be within this SLA.

5.2.4 The Hiraethog SLA is situated approximately 4.7km to the south west of the Order Site. Figure 7.1 shows that none of the Zone of Theoretical Visibility would be within this SLA.

### 5.3 Other Significant Constraints

5.3.1 Other significant constraints include:

Listed buildings, including Grade 2\* listed buildings at Berain near Llanefydd;  
Ancient Semi Natural Woodland;  
Local Wildlife Sites.

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<sup>1</sup> [http://www.conwy.gov.uk/upload/public/attachments/589/Map\\_1\\_County.pdf](http://www.conwy.gov.uk/upload/public/attachments/589/Map_1_County.pdf)

<sup>2</sup> [http://www.conwy.gov.uk/upload/public/attachments/447/BP29\\_Safeguarding\\_Aggregate\\_Resources.pdf](http://www.conwy.gov.uk/upload/public/attachments/447/BP29_Safeguarding_Aggregate_Resources.pdf)

<sup>3</sup> [http://www.conwy.gov.uk/upload/public/attachments/518/BP27\\_Special\\_Landscape\\_Areas.pdf](http://www.conwy.gov.uk/upload/public/attachments/518/BP27_Special_Landscape_Areas.pdf)

## 6. Summary of Local Impacts

### 6.1 Background to Section 6

6.1.1 This section of the LIR addresses the local impacts which the Council is competent to evaluate, and is able to do so based on information contained in the Environmental Statement and other sources. The omission of subjects from this section should not be read as an indication that the Council considers that those matters are of lesser importance or that there would not be significant impacts on those matters.

### 6.2 Landscape and Visual

6.2.1 The erstwhile Countryside Council for Wales has carried out a LANDMAP evaluation of landscapes throughout Wales. The DCO proposal within Conwy would be within the following Visual and Sensory Aspect Areas (VSAA's):

- i) Afon Elwy Valley (East)<sup>4</sup> includes the northern part of the Order Site within Conwy, between Tyddyn Bartley (to the east of Llanefydd) and the county boundary on Afon Elwy. The overall evaluation is High on the basis of a highly attractive wooded traditionally farmed upland valley landscape with positive framed views of uplands. It is in generally good condition (with the exception of some hedges) and has strong coherence from the core elements of woodland, hedges and pasture. There is a distinct and strong pattern of tree cover on the valley floor and some steep slopes. This type of landscape is moderately rare within the County.
- ii) Llanefydd Lowlands<sup>5</sup> includes the most of the Order Site within Conwy. The VSAA extends from Tyddyn Bartley and the southern county boundary on Afon Ystrad. The overall evaluation is Moderate, and is described as being quietly pleasing generally with the pleasant views to the hills to the west and lower land to the east. This rural landscape is generally in good condition with few detractors. The area has a moderate sense of place as a quiet rural area with some parkland. The landscape type is fairly common in Conwy.

6.2.2 The DCO proposal would affect the setting of the following neighbouring VSAA's:

- iii) Central ridges and valleys<sup>6</sup> – This area includes the areas to the west of Llanefydd and Groes, (excluding the more elevated areas within the Elwy and Aled Valley Moorland Hills VSAA), which form part of the backdrop to the DCO proposal. The VSAA is assessed as being Moderate (but High in respect of Integrity) on the basis of forming a pleasing undulating landscape with changing views from enclosure in wooded valleys to more open hilltops. The

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<http://test.landmap.ccw.gov.uk/PrintExtendedResults.aspx?filter=VS|CNWVS069&MapCollectionName=LandMa p&Layer01=VS:CNWVS069>

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<http://test.landmap.ccw.gov.uk/PrintExtendedResults.aspx?filter=VS|CNWVS019&MapCollectionName=LandMa p&Layer01=VS:CNWVS019>

6

<http://test.landmap.ccw.gov.uk/PrintExtendedResults.aspx?filter=VS|CNWVS011&MapCollectionName=LandMa p&Layer01=VS:CNWVS011>

area is generally in good condition, unspoilt and of consistent character. The area has a pleasing rhythm of ridge and valley and is typical of much of the core of Conwy.

- iv) Elwy and Aled Valley Moorland Hills<sup>7</sup> – This area includes the more elevated areas west of Llanefydd and Groes, which (together with the Central Ridges and Valleys VSAA) form part of the backdrop to the DCO proposal. The VSAA is evaluated as High (but Moderate in respect of Integrity) on the basis of attractive and dramatic steep sloping hills with a rugged character with rock outcrops which provide a positive backcloth to the valleys and provide scenic views. The hills have a diverse but consistent, unified and unspoilt character. They form a backdrop to the adjacent valleys with a distinctive sense of place. These landforms are rare within the County and Region in terms of their consistency along the valleys sides.

6.2.3 The ES considers that there will be landscape and visual impacts as a result of tree felling and site clearance, the presence of the poles, cables and associated fencing and signage, new planting and the upgrading of access tracks.

6.2.4 The ES assesses the impact of the proposal on LANDMAP’s Visual and Sensory Aspect Areas (VSAA’s). Impacts on the VSAA’s within Conwy are summarised below:

<b>VSAA</b>	<b>Overall Significance of Landscape Effects</b>
Central Valleys and Ridges	Negligible
Llanefydd Lowlands	Moderate
Afon Elwy Valley (East)	Moderate

6.2.5 The ES considers that parts of the Llanefydd Lowlands and Afon Elwy Valley (East) would experience a Moderate (Significant) effect. Whilst hedgerow, hedgerow tree and some woodland edge planting is proposed in these areas, the ES considers that it is unlikely to substantially reduce the effects on landscape character. The Council agrees with the conclusion provided in the ES, but notes that the impact of the overhead connection would have a more significant impact on the local landscape character in the vicinity of the A543 (forming part of the Llanefydd Lowlands VSAA), due to the open character of the landscape in that location.

6.2.6 The ES considers that the proposal would have a negligible effect on the Snowdonia National Park and on the Clwydian Range and Dee Valley AONB. The Council agrees with that conclusion in respect of that part of the proposed overhead line within Conwy.

6.2.7 The ES also assesses visual impacts of the proposal from 10 viewpoints within, or on the boundary of, Conwy. These impacts are listed below:

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Location	Significance of Visual Effects
11- A543, East of Groes	Significant
12 - B5428, near Eriviat Bach-Isaf and Eriviat-Bach Uchaf	Significant
15 – B5382, near Hafod Farm and Pen Parc Llwyd, west of Henllan	Not significant
26 – Near Berain	Significant
27 – Croen Llwm Mawr, NW of Henllan	Significant
28 – Moel Fodiar	Not significant
29 – Mynydd y Gaer	Not significant
31 – Ysgol Llanefydd	Not significant
32 – SW approach to the Elwy Valley from Tal y Bryn to Plas Buckley	Significant
51 – B5428, edge of Groes	Not significant

6.2.8 Visual effects from five of the viewpoints are assessed as ‘Significant’ and five as ‘Not Significant’. The Council agrees with these conclusions and considers the impact from Viewpoint no. 11 would be particularly significant, as the A543 forms a regionally important tourist route into Conwy from the east. The DCO proposal would adversely affect views from this viewpoint to the range of hills to the west which are included within the Elwy and Aled Valleys Special Landscape Area.

### 6.3 Built Environment

6.3.1 The Council has consulted its Senior Conservation Officer in respect of impacts on historic buildings. The Council does not employ an in-house archaeologist, and relies upon advice on archaeological matters from Clwyd-Powys Archaeological Trust (CPAT). The Examining Authority is requested to have regard to any representations made to it by CPAT in respect of such matters.

6.3.2 Berain was a medieval gentry house at least as early as the C14, though its most significant phase was the Tudor period. Here c1535 Katherine of Berain was born, one of the most charismatic and colourful figures in Tudor Wales. The listing description is provided in Appendix CCBC3.

6.3.3 The Council considers that the DCO proposal is certain to have a Significant (Major) Impact on the group of Grade 2\* and Grade II listed buildings at Berain, for the reasons stated in its Written Representations.

6.3.4 The Council considers that the DCO proposal would have a lesser impact on other listed buildings (in particular, those at Llechryd and Tal y Bryn) but does not object on this basis. However, it considers that it imperative that the historic landscaping and field boundaries are retained/replanted as a part of the scheme.

6.3.5 The Council considers that the proposal would not have a materially adverse effect on the setting of any Conservation Areas or designated Historic Landscapes, Parks and Gardens in Conwy.

#### 6.4 Ecology and Biodiversity

- 6.4.1 Of the statutory designated sites identified in Section 6.5 of the ES, the following are wholly or partly within Conwy:

Coedwigoedd Dyffryn Elwy / Elwy Valley Woods (SAC / SSSI)  
Migneint-Arenig-Dduallt (SPA)  
Mynydd Hiraethog (SSSI)  
Coed y Gopa (SSSI)  
Traeth Pensarn (SSSI)  
Coedydd Derw Elwy (SSSI)  
Llanddulas Limestone and Gwrych Castle Woods (SSSI)  
Llyn Creiniog (SSSI).

- 6.5.2 Section 6.5 of the ES also identifies a total of 33 Local Wildlife Sites within 2km, seven of which are, at least in part, within the Order Limits. Of these seven, five are within Conwy:

Coed Mawr / Pandy  
Hafod Dingle  
Coed Bont Newydd  
Coed Nant-y-Graig  
Coed Wig.

- 6.5.3 The ES also addresses the potential for protected species within the area of the Order limits.
- 6.5.4 The Council does not dispute the methodology of the assessment and does not raise substantive concerns with regard to the impact of the proposal on Biodiversity and Ecology, subject to adequate mitigation measures. These are addressed in the Council's response to the Examining Authority's Written Questions and in Appendix CCBC1 below.

#### 6.5 Trees and Hedgerows

- 6.5.1 The applicant's Nature Conservation Plans Sheets identify three Ancient Semi-Natural Woodlands (ASNW) in Conwy that would be traversed by the overhead line. These are located close to Eriviat Bach Isaf, Hafod Dingle and at the crossing over Afon Elwy. A further three areas of ASNW either overlap with or immediately adjoin the Order Limits. These are located close to Eriviat Hall, Bod Ysgawen Isa and Plas Buckley.
- 6.5.2 None of these woodlands, or any other trees within the Order Limits in Conwy, are protected by a Tree Preservation Order or Conservation Area designation.
- 6.5.3 The Arboricultural Survey Report (ASR) lists each tree and tree group with a unique identification number. It should be noted that not all the tree locations are identified on the submitted plans (Pecology/NWales/Arb\_Survey, Fig.1 Arboricultural Survey) but are shown on the plans included in the ASR. A number of important trees have been noted by the surveyor and listed within the ASR but their number is not identified on any of the plans, and it is unclear whether these trees are to be removed.

6.5.4 The scope of the ASR does not appear to include identifying trees for removal due to “development”, and this does not appear either within Chapter 8 of the ES. With this in mind there is no clear indication, as far as the Council’s Tree Officer can see, as to the tree numbers, or their importance, proposed for removal.

6.5.5 In respect of hedgerows, Chapter 8 of the ES identifies a number of hedgerows which are deemed to be ‘important’ by virtue of their historic significance, but there does not appear to be any assessment of the importance of hedgerows by virtue of the wildlife or landscape features identified in Schedule 1 of the Hedgerow Regulations 1997.

6.5.5 Given these limitations on data, the Council is unable to fully assess the impact of the proposal on trees and hedgerows.

## 6.6 Public Rights of Way

6.6.1 The proposed development route will cross six public rights of way within the Conwy Borough. Of these, two have been identified as requiring temporary closures for small sections of both, the remaining four paths will remain open with access managed by construction staff where necessary.

6.6.2 The Definitive Map Officer considers that the impact upon the public rights of way network within the area is minimal and the provisions for the management of access on the rights of way identified are satisfactory. It is not envisaged that the proposed development would be to the detriment of the network as a whole or adversely affect any walkers or user groups.

## 6.7 Impacts on Communities

6.7.1 There are three settlements within Conwy that are within 2km of the Order limits – comprising Llanefydd, Cefn Berain and Groes. There are also individual dwellings in close proximity to the Order limits.

6.7.2 Chapter 13 of the ES identifies six dwellings where construction noise levels are expected to exceed 65dB(A). Two of these dwellings (Erivat Bach Isa and Llechryd Bach) are in Conwy. In both these cases, noise levels are not expected to exceed the 70dB(A) threshold where additional mitigation is proposed.

6.7.3 The ES anticipates that the construction works would not have a significant impact on air quality, and that any vibration impacts on neighbours due to sheet piling would be mitigated by distance.

6.7.4 The Council does not consider that the proposal would have an unacceptable adverse impact on communities, subject to the amendments requested to Requirements 10 and 13 in Appendix CCBC2.

## 6.8 Highways and Traffic

- 6.8.1 The proposed Contractor's Compound is located outside of Conwy, and the Council anticipates that most deliveries between suppliers and the compound will not involve the County road network in Conwy. As such, the Council anticipates that the only roads within Conwy that would be affected by the proposal would be the B5428 (Groes to Henllan), the B5382 (Llansannan to Denbigh) and minor roads in the Cefn Berain area.
- 6.8.2 The Council does not raise substantial concerns in respect of the highway and traffic implications, but does identify the need for a dilapidation survey prior to construction works. The Council also requests that the traffic management plan pursuant to Requirement 13 should provide for adequate parking to avoid the need for parking along highway verges etc.

## Appendix CCBC 1 – Conwy County Borough Council’s Comments on the DCO Requirements

### 7. Comments on Requirements

7.1 The Council makes the following comments on the requirements:

Requirement	Council’s comments
1 – Interpretation	No objection.
2 – Time limits	No objection.
3 – Detailed design	<p>The Council does not object to this requirement except with regard those sections of the overhead line to which it has raised an Objection in its Written Representations.</p> <p>The Council requests the modification of Works Plan Sheet 6 to exclude the provision of an overhead line between grid refs.301530 364900 to 301750 365000 (approx).</p> <p>The Council requests the modification of Works Sheet 10 to exclude the provision of an overhead line between grid refs. 305350 368850 to 305650 to 370100 (approx).</p> <p>The Council accepts that the actual siting of the terminal poles will be subject to technical constraints and that the above grid references should therefore be treated as a general indication of their position.</p>
4 – Stages of authorised development	No objection.
5 – Landscaping	The requirement to provide details of the maintenance regime in respect of replacement planting (Requirement 7) should apply equally to the new planting proposed in Requirement 5.
6 – Implementation and maintenance of landscaping	No objection.
7 – Replacement planting	<p>2(c) Whilst a 5-year maintenance regime is generally adequate, there may be specific cases where a longer period is required. It is therefore suggested that the reference to “5 years” be omitted.</p> <p>(3) This provision should be amended to require maintenance as well as planning in accordance with the approved planting scheme”.</p>
8 – Felling	No objection.
9 – Highway works	No objection.
10 – Construction hours	(1) Construction works (including tree felling and site clearance works) involving plant or machinery should be limited to: 0800 – 1800 Monday to Friday; 0800 – 1300 Saturday, and not on Sundays or public holidays. The phrase “unless otherwise approved by the local planning

	<p>authority” is contrary to paragraph 3.37 of Welsh Government circular 16/2014.</p> <p>3(c) The reference to “start up and close down activities” must be clarified – Does this mean any activities not involving plant or machinery?</p>
11 – Contaminated land and groundwater	No objection.
12 – Archaeology	No objection.
13 – Construction Environmental Management Plan	<p>(1) Include new paragraph to require the local authority approval of noise mitigation measures (including reversing alarm systems). The Traffic Management Plan shall provide for adequate parking for all vehicles connected with the scheme to ensure that they do not park on verges etc.</p> <p>(2) The phrase “unless otherwise approved by the local planning authority” is contrary to paragraph 3.37 of Welsh Government circular 16/2014.</p>
14 – Piling	No objection.
15 – Restoration of land used for temporary construction	No objection, subject to the inclusion of the additional text “... and the relevant planning authority shall be notified in writing upon reinstatement”.
16 – Amendments to approved details	No objection.
17 – Requirement for written approval	No objection.
18 – New Requirement	<p>The Council proposed the following additional requirement:</p> <p>18. – (1) This development consent shall expire upon 30 years from the date of this Order.</p> <p>(2) Prior to the date referred to in (1) above, the operator shall submit a Decommissioning Management Plan for the approval of the relevant planning authority. The scheme shall make provision for:</p> <ul style="list-style-type: none"> <li>i) the complete dismantling and removal from the land of all above ground structures;</li> <li>ii) the reinstatement of the land to its pre-development use and condition;</li> <li>iii) The ecological management of sensitive habitats during decommissioning works;</li> <li>iv) The management of traffic and construction impacts during decommissioning works.</li> </ul> <p>The decommissioning works shall be completed as approved by the 1<sup>st</sup> March during the first calendar year following the expiry of the development consent.</p>

## Appendix CCBC2 – Relevant Policies in the Conwy Local Development Plan

### STRATEGIC POLICY DP/1 – SUSTAINABLE DEVELOPMENT PRINCIPLES

1. Development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development. All developments are required to:
  - a. Accord with national guidance in line with [Policy DP/6 – ‘National Guidance’](#);
  - b. Be consistent with the sequential approach to development as set out in [Spatial Policy DP/2 – ‘Overarching Strategic Approach’](#);
  - c. Make efficient and effective use of land, buildings and infrastructure by giving priority to the use of previously developed land in accessible locations, achieve compact forms of development through the use of higher densities and be capable of future adaptation in line with Policy DP/2 and other related policies within the Plan;
  - d. Conserve or enhance the quality of buildings, sites and places of historic, archaeological or architectural importance in line with [Strategic Policy CTH/1 – ‘Cultural Heritage’](#);
  - e. Conserve or enhance the quality of biodiversity and wildlife habitats, and safeguard protected species in line with [Strategic Policy NTE/1 – ‘The Natural Environment’](#);
  - f. Take account of and address the risk of flooding and pollution in the form of noise, lighting, vibration, odour, emissions or dust in line with Policies DP/2 and [DP/3 – ‘Promoting Design Quality and Reducing Crime’](#);
  - g. Make efficient and effective use of resources by employing sustainable building techniques, incorporating energy and water conservation measures and, wherever possible, the use of renewable energy, in line with Policy DP/3 and Strategic Policy NTE/1;
2. Development proposals should also where appropriate:
  - a. Provide safe and convenient access by public transport, bicycle and on foot minimising the need to travel by car in line with Policy DP/2 and [Strategic Policy STR/1 – ‘Sustainable Transport, Development and Accessibility’](#);
  - b. Include measures to manage traffic and minimise congestion arising in line with Strategic Policy STR/1;
  - c. Make provision for infrastructure and other public services made necessary by the development, in line with Policies [DP/4 – ‘Development Criteria’](#), [DP/5 – ‘Infrastructure and New Developments’](#) and the Monitoring and Implementation Plan;
  - d. Be designed to a high standard, being attractive, adaptable, accessible, safe and secure as set out in Policy DP/3;
  - e. Promote sustainable economic development in line with [Strategic Policy EMP/1 – ‘Meeting the Employment Need’](#);
  - f. Conserve or enhance the quality of valued open spaces, the character and quality of local landscapes and the wider countryside in line with Strategic Policies NTE/1 and [CFS/1 – ‘Community Facilities and Services’](#);
  - g. Take account and address the potential impact of climate change in line with Strategic Policy NTE/1;
  - h. Protect the quality of natural resources including water, air and soil in line with Strategic Policy NTE1;
  - i. Reduce waste production and manage waste re-cycling in line with [Strategic Policy MWS/1 – ‘Minerals and Waste’](#).

### **Policy DP/3 – PROMOTING DESIGN QUALITY AND REDUCING CRIME**

All new development will be of high quality, sustainable design which provides usable, safe, durable and adaptable places, and protects local character and distinctiveness of the Plan Area's built historic and natural environment. The Council will require development to:

- a. Be appropriate to, and enhance, its locality in terms of form, scale, massing, elevation detail and use of materials;
  - b. Meet the Council's approved standards of open space provision and parking;
  - c. Meet required standards of accessibility, having suitable regard to the needs of people of different ages and abilities in the design of the proposal;
  - d. Have regard to the impact on adjacent properties and areas and habitats supporting protected species;
  - e. Have regard to appropriate orientation, energy efficiency and the use of renewable energy in design, layout, materials and technology in accordance with [NTE/6 – 'Energy Efficiency and Renewable Technologies in New Development'](#);
  - f. Provide sustainable urban drainage systems to limit waste water and water pollution and reduce flood risk in line with national guidance and [Policy NTE/8 – 'Sustainable Drainage Systems'](#).
2. The Council will also seek, where appropriate, to:
- a. Enhance the local character of buildings, heritage and open spaces;
  - b. Provide for a compatible mix of uses, particularly in town and village centres;
  - c. Incorporate landscaping within and around the development appropriate to the scale and impact of the development;
  - d. Integrate with existing routes to provide linked up places connecting with the wider area, in particular public facilities and green transport routes;
  - e. Provide developments that offer transport alternatives and promote walking, cycling and use of public transport;
  - f. Create safe places through the adoption of 'designing-out-crime' principles to provide natural surveillance, visibility, and well lit environments and areas of public movement;
  - g. Secure the retention and enhancement of features of biodiversity;
  - h. Incorporate areas and facilities for waste management, rainwater harvesting/storage, grey water reuse and recycling;
  - i. Have regard to the Authority's Road Adoption Guidelines in road design.
3. The Council will seek the contribution of an agreed percentage of the total development costs for the provision or commissioning of publicly accessible art or design improvement works in accordance with [DP/5 – 'Infrastructure and New Developments'](#) where appropriate to its location and viability.

### **Policy DP/4 – DEVELOPMENT CRITERIA**

1. Development proposals, where appropriate and in accordance with the policies of the Plan and the Council's Standards, should provide the following:
  - a. Affordable Housing for Local Need;
  - b. Safe access from the highway network and enhancement of public transport, cycling and pedestrian infrastructure;
  - c. Car parking;

- d. Safe and secure cycle parking;
  - e. Open Space;
  - f. Safe and convenient access for all to public buildings and spaces, including those with limited mobility or those with other impairments such as of sight or hearing;
  - g. Screened storage of refuse, including recyclable materials;
  - h. A design and layout that minimises opportunities for crime;
  - i. Financial contributions towards the provision and maintenance of infrastructure, services and facilities required by the development.
2. Planning permission will not be granted where the proposed development would have an unacceptable adverse impact:
- a. On residential amenity;
  - b. From traffic generated;
  - c. On archaeological interests and the built form;
  - d. On the Welsh language;
  - e. On environmental conditions arising from noise, lighting, vibration, odour, noxious emissions or dust;
  - f. On ecological and wildlife interests and landscape character;
  - g. On flooding and flood risk;
  - h. On the best and most versatile agricultural land;
  - i. On quality of ground or surface water;
  - j. On essential community facilities.

#### **Policy DP/6 – NATIONAL PLANNING POLICY AND GUIDANCE**

Development proposals must comply with national planning policy and guidance.

#### **STRATEGIC POLICY NTE/1 – THE NATURAL ENVIRONMENT**

In seeking to support the wider economic and social needs of the Plan Area, the Council will seek to regulate development so as to conserve and, where possible, enhance the Plan Area's natural environment, countryside and coastline. This will be achieved by:

- a. Safeguarding the Plan Area's biodiversity, geology, habitats, history and landscapes through the protection and enhancement of sites of international, national, regional and local importance, in line with [Policy DP/6 – National Planning Policy and Guidance](#);
- b. Using Green Wedges and settlement boundaries to control the identity of individual settlements, to prevent coalescence and to protect the immediate landscape surrounding urban areas in line with [Policy NTE/2 – 'Green Wedges and Meeting the Development Needs of the Community'](#);
- c. Where appropriate and necessary, improving the quality of statutory and non-statutory landscapes and areas of biodiversity value affected by development, through management agreements, habitat connectivity, improved planting, landscape and maintenance specifications, in line with the Development Principle Policies and [Policy NTE/3 – 'Biodiversity'](#);
- d. Working with developers to safeguard protected species and enhance their habitats in line with Policies DP/6 and NTE/3;
- e. Seeking to minimise the loss of Grade 2 and 3a agricultural land to new development, in particular, in the east of the Urban Development Strategy Area, in line with Policy DP/6;

- f. Respecting, retaining or enhancing the local character and distinctiveness of the individual Special Landscape Areas in line with [Policy NTE/4 – ‘The Landscape and Protecting Special Landscape Areas’](#) and as shown on the Proposals Map;
  - g. Protecting the Coastal Zone in line with [Policy NTE/5 – ‘The Coastal Zone’](#);
  - h. Promoting energy efficiency and renewable technologies in development in line with [Policy NTE/6 – ‘Energy Efficiency and Renewable Technologies in New Development’](#);
  - i. Preventing, reducing or remedying all forms of pollution including air, light, noise, soil and water, in line with Policy DP/6.
1. New development should aim to conserve and, where possible, enhance biodiversity through:
    - a. Sensitive siting; avoiding European protected sites or those of national or local importance;
    - b. Sensitive layout and design which avoids impacts or mitigates through an agreed programme for any identified adverse impact on biodiversity;
    - c. Creating, enhancing and managing wildlife habitats and natural landscapes including connectivity;
    - d. Integrating biodiversity measures into the built environment;
    - e. Contributing to achieving targets in the Conwy Local Biodiversity Action Plan (LBAP);
  2. Providing for a management agreement with the Local Planning Authority to secure the retention and long term future of biodiversity interests where applicable. All proposals should include a Biodiversity Statement detailing the extent of impact on biodiversity.
  3. The Council will refuse proposals which would have a negative impact on a European Site, protected or priority species or habitat unless the impact is adequately mitigated and appropriate remediation and enhancement measures are proposed and secured by planning conditions or obligations.

#### **Policy NTE/4 – THE LANDSCAPE AND PROTECTING SPECIAL LANDSCAPE AREAS**

1. Special Landscape Areas are shown on the proposal map and designated in the following locations:
  - a. Great Orme and Creuddyn Peninsula
  - b. Conwy Valley
  - c. Abergele hinterland
  - d. Elwy and Aled Valleys
  - e. Hiraethog
  - f. Cerrigydrudion and the A5 corridor
2. In order to conserve the attributes of the Special Landscape Areas development proposals will have to show particular regard to the character of each locality in order to minimise their impact. Development will only be permitted if it is shown to be capable of being satisfactorily integrated into the landscape. In appropriate cases planning applications should be accompanied by a Landscape and Visual Impact Assessment to assess the visual and landscape impacts of the development.
3. All proposals, both within and outside SLAs, will be considered against the Development Principles and other policies in the Plan designed to protect the environment and landscape character.
- 4.

## **Policy NTE/7 – ONSHORE WIND TURBINE DEVELOPMENT**

1. The development of large or very large-scale (over 25MW) wind farms will be concentrated within the Clocaenog SSA in accordance with [Policy DP/6](#) and be subject to a satisfactory Environmental Impact Assessment. Proposals will be expected to:
  - a. Demonstrate measures for the safeguarding, remediation and enhancement of habitat and species and conform to the principles contained in the Clocaenog Statement of Environmental Master Planning Principles (SEMP);
  - b. Ensure all details of associated ancillary development are submitted with the planning application as an integral part of the scheme;
  - c. Ensure that the potential cumulative impacts on surrounding communities, landscape and environment are considered acceptable. Where the development of a wind farm is considered to have an unacceptable cumulative impact it will be refused;
  - d. Demonstrate that the development will not lead to noise levels or shadow flicker that would be detrimental to the residential amenity of the surrounding area.
2. Outside the Clocaenog SSA the development of medium-scale wind farms over 5MW and below 25MW will only be approved in exceptional circumstances in the context of the following:
  - a. Acceptability in terms of other Local Development Plan policies;
  - b. The potential cumulative impacts on surrounding communities, landscape and environment are considered acceptable. Where the development of a wind farm is considered to have an unacceptable cumulative impact it will be refused;
  - c. The development will not generate noise levels or shadow flicker that would be unacceptably detrimental to the amenity enjoyed by nearby residents or by users of public rights of way or other recreational facilities or areas;
  - d. A satisfactory Environmental Impact Assessment should propose measures for the safeguarding, remediation and enhancement of habitat and biodiversity;
  - e. Where possible, turbines are located no less than 500 metres from an occupied dwelling or other noise-sensitive building;
  - f. Within SLAs wind turbine schemes medium-scale or larger will be resisted;
  - g. Exceptional circumstances are considered to be where there is an overriding need or capacity issue which cannot be met within the SSA.
3. Micro and small scale wind turbine development (5MW and less) will only be supported where:
  - a. It is of a proportionate scale in terms of predominant energy production to supply the building(s) which it directly serves;
  - b. It does not compromise the ability of the SSA to achieve its anticipated target of energy production;
  - c. Criteria 2 a) – f) above are met and where appropriate a satisfactory EIA has been submitted;
  - d. Within SLAs wind turbines will not be permitted unless serving a dwelling or cluster of dwellings at micro scale.

## **STRATEGIC POLICY CTH/1 – CULTURAL HERITAGE**

The council is committed to protecting and, where appropriate, enhancing its cultural and heritage assets. This will be achieved by:

- a. Ensuring that the location of new development on both allocated and windfall sites within the Plan Area will not have a significant adverse impact upon heritage assets in line with Policies [CTH/2 – ‘Development Affecting Heritage Assets’](#), [DP/3 – ‘Promoting Design Quality and Reducing Crime’](#) and [DP/6 – ‘National Planning Policy and Guidance’](#);
- b. Recognising and respecting the value and character of heritage assets in the Plan Area and publishing Supplementary Planning Guidance to guide development proposals;
- c. Seeking to preserve and, where appropriate, enhance conservation areas, Conwy World Heritage Site, historic landscapes, parks and gardens, listed buildings, scheduled ancient monuments and other areas of archaeological importance in line with Policy DP/6;
- d. Protecting buildings and structures of local importance in line with [Policy CTH/3 – ‘Buildings and Structures of Local Importance’](#);
- e. Enhancing heritage assets through heritage and regeneration initiatives;
- f. Preserving and securing the future of heritage assets by only permitting appropriate enabling development in line with [Policy CTH/4 – ‘Enabling Development’](#);
- g. Ensuring that development is compatible with the long-term viability of the Welsh Language in line with [Policy CTH/5 – ‘The Welsh Language’](#).

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### **Policy MWS/3 – SAFEGUARDING HARD ROCK AND SAND AND GRAVEL RESOURCES**

1. The following resources and related facilities are included within the Safeguarded Hard Rock or Sand and Gravel designation:

- a. The permitted reserves at Penmaenmawr Quarry, including processing areas, railhead and conveyor link;
  - b. The permitted reserves at Raynes Quarry, including processing areas and the areas occupied by the jetty and conveyor link;
  - c. The permitted reserves at Llanddulas Quarry (outside the area of the landfill site), including the areas occupied by the former jetty and former conveyor link;
  - d. The permitted reserves at St George Quarry, including processing areas;
  - e. Additional hard rock as identified on the Proposals Map;
  - f. Sand and Gravel resources as identified on the Proposals Map.
2. Planning permission will not be granted for any development within the Safeguarded Hard Rock or Sand and Gravel designation which could directly or indirectly harm the long-term viability of working those resources unless:
- a. It can be demonstrated that the need for development outweighs the need to protect the mineral resource or;
  - b. Where such development would not have a significant impact on the viability of the mineral being worked or;
  - c. Where the mineral is extracted prior to the development.
3. In cases where the quality and depth of safeguarded hard rock or sand and gravel resources has not been proven, other forms of development may be consistent with the safeguarding approach provided that the applicant submits evidence, such as borehole samples, demonstrating that no commercially viable hard rock or sand and gravel resources would be affected.