



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

# DNS Pre-application Advice

## 3148789 Treflesg STOR Facility

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### **Prepared by:**

Ifan Gwilym BSc MSc

Chris Sweet MPlan

**This advice should be read in conjunction with the Planning Inspectorate's procedural guidance on Developments of National Significance. Advice is provided on the basis of the information submitted to the Planning Inspectorate on 12 April 2016. The advice is not binding and does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to a development of this nature on this site.**

## 1. Planning Policy Framework

### *Current Development Plan*

- Anglesey Local Plan (1996)
- Gwynedd Structure Plan (1993)

### *Emerging Development Plan*

- Anglesey & Gwynedd Joint Local Development Plan (JLDP) (2011-2026)

**To note:** The emerging JLDP was submitted to the Welsh Government for examination in March 2016. The examination is being carried out by a Planning Inspector, who will determine whether the JLDP is sound. The examination lasts approximately one year. The Inspector's Report will identify any changes needed to make the plan sound before the plan can be adopted. Once adopted, the JLDP will replace the Anglesey Local Plan and Gwynedd Structure Plan, and will become the development plan for the area. The developer is advised to monitor the progress of the emerging JLDP through to adoption as this will affect which planning policy considerations the scheme will be subject to.

### *National planning policy and guidance*

- Planning Policy Wales (PPW) (Edition 8, January 2016)
- Technical Advice Notes (TANs)

## 2. Principle of Development

### *Development in the Countryside*

The proposal site lies in the open countryside, some 0.6km to the south west of the village of Caergeiliog. There is a strong presumption against development in the open countryside set out in PPW (4.7.8) and this is reflected in the adopted development plan. For an application to be successful on this site, any proposal would therefore have to provide strong justification for its countryside location. It will be for the applicant to consider whether an argument can be made to overcome this policy hurdle.

Although the source of energy for the proposed STOR facility is not yet finalised, and it may not be from a renewable source, Policy ADN2 of the emerging JLDP may be relevant. It states that renewable energy proposals located outside development boundaries are required to justify the need to be sited in such a location. It should be noted that ADN2 relates solely to renewable energy schemes and again, it would be for the applicant to make a case on that basis.

### *Agricultural Land*

National policy (PPW - 4.10, TAN6 – 6.2) gives considerable weight to protecting agricultural land at grades 1, 2 and 3a and requires that proposals to demonstrate an overriding need for the development and that previously developed land and land at lower agricultural grades is unavailable. This position is reflected in the policies of the adopted development plan.

Given that the proposal site is located on agricultural land, the applicant would need to establish the grade of the land on site via an appropriate survey and satisfy themselves that sufficient evidence could be produced to show that the proposed development would comply with national and local policy in this regard.

### *Energy Development*

Policy C8 of the 1993 Structure Plan states that an energy proposal should make a positive contribution to energy conservation by the nature of the development itself, its location and the design elements, and the choice of materials used. The applicant should give consideration to these factors and whether the proposal can demonstrate a positive contribution.

## **3. Topics**

### *Landscape and Visual Impact*

The site is approximately 190m northeast of Môn Area of Outstanding Natural Beauty at its nearest point.

Policy 30 of the 1996 Local Plan states that the Council will give priority to the protection and enhancement of the landscape when considering planning applications. As the site is not within the AONB, the development would not have a direct impact on the AONB landscape, but there may be an impact on the setting of the AONB. The Landscape and Visual Impact Assessment should consider the effect of the development on views from the AONB designation.

The emerging JLDP for Anglesey and Gwynedd states that proposals affecting the setting or significant views into and out of the AONB must have regard to the AONB Management Plan.

The site is also currently located within a Special Landscape Area as designated by Policy 31 of the 1996 Local Plan. Policy 31 of the 1996 Local Plan which designates the SLA states that "*proposals for development in the Special Landscape Area will be expected to have particular regard to the special character of their surroundings*".

The site is not in an area designated as a SLA in the emerging JLDP. As stated above, the developer should monitor the progress of the emerging JLDP.

In addition to landscape designations, consideration should also be given to visual impacts on local receptors. In particular, the Landscape and Visual Impact Assessment should consider the effect of the development on views from nearby residential properties, the settlement of Caergeiliog, and the Public Right of Way network (including the long distance Wales Coastal Path).

### *Ecology*

There are two Sites of Special Scientific Interest within 800m of the site: Beddmanarch – Cymyran SSSI (360m southwest), and Llynnau y Fali – Valley Lakes SSSI (700m east). In addition, Llynnau y Fali – Valley Lakes SSSI is also designated as a Special Area of Conservation: Llyn Dinam SAC (700m east).

Policy 33 of the 1996 Local Plan states that "*the Council will refuse to permit any development that will unacceptably affect either directly or indirectly, any notified or proposed Site of Special Scientific Interest (SSSI)*". Due to the distance between the development and the identified designations, there is little scope for direct effects on the designations. However, consideration will need to be given to the potential for the development to have indirect effects on the identified designations.

It is noted that the developer proposes to submit a Phase 1 ecological assessment. If the assessment identifies any species with statutory protection, then in accordance with Policy 35 of the 1996 Local Plan, the developer will need to illustrate that the development would not have an adverse impact on those species.

### *Transport*

It is unclear how much traffic will be generated during construction/operation of this development, but it is assumed that traffic will mostly be generated during the construction phase, with some traffic for maintenance and deliveries generated during operation. The pre-application statement for this development states that construction is anticipated to take approximately 4 months.

Policy FF11 of the 1993 Structure Plan states that developments which give rise to a significant increase in traffic generation will be permitted only where existing highways are adequate to cater for increased use unless private developers are willing to pay for necessary road works.

Consideration will need to be given to whether the existing highway is adequate to cater for increased traffic generation during both construction and operation (e.g. for maintenance and deliveries). It is noted that the developer has not yet proposed to submit a transport statement/assessment, but the consideration could be included in the Design and Access Statement.

### *Historic Environment*

There are eight listed buildings and one scheduled ancient monument within an 800m radius of the application site. It appears, on the information provided and without the benefit of a site visit, that in nearly all cases the location and nature of the heritage asset is such that the proposed development, given its scale and location, is unlikely to affect either the asset or its setting.

Nonetheless, the Grade II listed Church of St Mary (listing no.5310) is located close to the site and the 18<sup>th</sup> Century house at Ty-Main, to the NW of the site is recorded as a known feature of archaeological interest by the Gwynedd Archaeological Trust.

Policy 39 of the 1996 Local Plan seeks to protect both scheduled and unscheduled archaeological remains and requires an appropriate archaeological response. Policy 41 states that buildings of special archaeological interest and their settings will be protected from unsympathetic development, alterations or demolition. These policies echo the requirements of Policies D15 and D22 of the 1993 Structure Plan.

Policy PS17 of the emerging JLDP states that proposals that preserve or enhance certain heritage assets, their settings and significant views into and out of the building/area will be granted. The policy applies to listed buildings and buildings of architectural/historic/cultural merit which are not designated (as defined in policy AT3) and so is relevant in this case; policies AT3 and AT4 set out the approach to dealing with development that may affect those assets.

Policy AT4 requires an archaeological assessment / field evaluation where a proposal is likely to affect a significant site or where the site's significance has not previously been ascertained.

Given the above, appropriate consideration should be given to the potential effects of the scheme on the historic environment as a whole, including heritage assets and their settings and the archaeological significance of the site. An overall assessment of the scheme's potential impacts on the historic environment should be undertaken and proportionate evidence submitted with the application.

### *Air Quality*

The submitted information does not provide specific detail in relation to the type and levels of emissions that could be expected to arise from operation of the proposed scheme or how they might be controlled. The site is not within an Air Quality Management Area and there do not appear to be any existing issues locally.

Policy D20 of the 1993 Structure Plan states that there will be a presumption against development which will increase levels of air pollution; the 1996 Local Plan does not have a specific policy on air quality.

Policy PCYFF1 of the emerging JLDP states that planning permission will be refused where there would be an unacceptable adverse impact arising from increased pollution and fumes, among other things.

Appropriate consideration should therefore be given to the potential effects of the proposal in terms of air quality. An overall assessment of the scheme's potential impacts in this respect should be produced and proportionate evidence submitted with the application.

### *Noise*

The submitted information does not provide specific detail in relation to the levels of noise expected to arise from the proposal or its proximity to sensitive receptors. However, the outline of the scheme includes the provision of acoustic fencing for noise attenuation; the generators would be in individual acoustic enclosures. At this stage there is nothing to suggest that noise levels could not be effectively managed, so that unacceptable harm would be avoided.

A higher level of noise is likely during the construction phase but that would be time limited and, again, there is nothing to suggest that unacceptable harm in that respect could not be avoided by the imposition of an appropriate condition.

Policy D20 of the 1993 Structure Plan sets out a presumption against development which would introduce major noise or vibration nuisance. The 1996 Local Plan does not have a specific policy on noise, but Policy 1 does state that pollution or nuisance problems will be a consideration in the determination of planning applications.

Policy PCYFF1 of the emerging JLDP states that planning permission will be refused where there would be an unacceptable adverse impact arising from increased vibration and noise, among other things.

Appropriate consideration should therefore be given to the potential effects of the proposal in terms of noise and vibration. An overall assessment of the scheme's potential impacts in this respect should be produced and proportionate evidence submitted with the application.

### *Surface Water Drainage*

The submitted information does not provide specific detail, but the outline of the scheme includes the provision of a scheme of surface water management and proposes the use of permeable surfaces where possible. At this stage there is nothing to suggest that surface water could not be effectively managed, so that unacceptable harm would be avoided.

Policy D20 of the 1993 Structure Plan states that there will be a presumption against development which will discharge effluent in a manner which is likely to impair the quality of coastal, river, inland or ground water or which would overload the sewerage network. The Ynys Mon Local Plan does not have a specific policy on surface water drainage, but Policy 1 does state that the need to protect the quality of surface, underground and coastal waters will be a consideration in the determination of planning applications.

Policy PCYFF1 of the emerging JLDP states that planning permission will be refused where there would be an unacceptable adverse impact arising from drainage or on the quality of ground or surface water, among other things.

Policy PCYFF2 states that a proposal will only be permitted where its drainage systems are designed to limit surface water run-off and flood risk and prevent pollution.

Policy PCYFF5 requires that proposals incorporate water conservation measures where possible, including sustainable urban drainage systems, and that all proposals should implement flood minimisation or mitigation measures where possible, to reduce surface water run-off and minimise its contribution to flood risk elsewhere.

Appropriate consideration should therefore be given to the potential effects of the proposal in terms of surface water run-off. An overall assessment of the scheme's potential impacts in this respect should be produced and proportionate evidence submitted with the application, including a scheme for the management of surface water, as set out in the pre-application statement. The proposed drainage management scheme would need to take account of the relevant policy requirements at the time of the application.