

6.5 NATURAL AND BUILT ENVIRONMENT

CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT

6.5.1 Context

- A key role of the planning system is to ensure the natural environment is protected effectively by managing the type, design and location of development.
- The planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.
- It is important that biodiversity and landscape considerations are taken into account at an early stage in the development plan preparation and the development control process.
- The Natural Environment and Rural Communities Act 2006 places a duty on every public authority, in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.
- Both Councils have prepared Local Biodiversity Action Plans.
- Local authorities have a statutory duty to have regard to the Area of Outstanding Natural Beauty's (AONB) purposes, which is the conservation and enhancement of their natural beauty.
- The duty to have regard to National Park and AONB purposes applies to activities affecting these areas, whether those activities lie within or outside the designated areas.

Introduction

6.5.2 **Nature Conservation:** Habitats and species of principal importance for the purpose of conserving biodiversity are covered under Section 42 (Wales) of the NERC Act (2006). In the Plan area there are many important biodiversity and geodiversity assets. Numerous sites of international importance have been designated as Special Areas of Conservation and Special Protection Areas under the EC Habitats Directive and EC Birds Directive, as well as a number of Ramsar sites designated under the Ramsar Convention. There are also numerous Sites of Special Scientific Interest (SSSIs) and Regionally Important Geological and Geomorphologic Sites (RIGGs), which are areas of national importance for nature conservation and geology. A number of species within the Plan area are protected by law, which also includes provision for habitat enhancement. Some habitats and species have a local importance to the Plan area, which have been highlighted in the Local Biodiversity Action Plan. These are the sites which haven't been listed as statutory designation. However they do have a high ecological value. These are recognised as Local Wildlife Sites, which are non-statutory designations of high nature conservation value which are based on a sound formal scientific assessment.

6.5.3 There are valuable biodiversity assets to be found in both the rural and urban settings of the Plan area, which are outside the formally designated areas. Vacant brownfield land can provide an ideal habitat in which wildlife can thrive. Parks, green spaces, roadside verges and rivers are examples

that can cumulatively create a green/blue infrastructure network of biodiversity sites and 'corridors'/stepping stones in which wildlife can both reside and travel through. Therefore, there is a need to ensure that development within both rural and urban areas does not damage valuable habitats or encroach upon land forming part of the wider network of wildlife corridors. Trees, woodland, copse, hedgerows and traditional field boundaries such as cloddiau are important wildlife habitats as well as contributing to the character and beauty of the landscape.

- 6.5.4 **Landscape conservation:** Covering an area that incorporates the Anglesey Coast Area of Outstanding Natural Beauty and the Llyn Area of Outstanding Natural Beauty, to the boundaries of the Snowdonia National Park, the Plan area has a distinctive and diverse landscape. Additionally the whole of Anglesey has been designated by UNESCO as a Global Geopark (GeoMôn Global Geopark) as a recognition of the island's outstanding geology. As well as the nationally protected Areas of Outstanding Natural Beauty, the wider Plan area has tracts of unspoilt countryside that are locally distinctive and worthy of designation as Special Landscape Areas. The character and beauty of the landscape significantly improves the quality of life of residents, and has major social and health benefits. It is also a major attraction for those wishing to visit the area, thereby fulfilling an important role for the local economy.
- 6.5.5 The LANDMAP database which has been set up by Natural Resource Wales (formerly Countryside Council of Wales) is an important resource for making sustainable decisions in relation to the landscape. The LANDMAP methodology has been used to identify Landscape Character Areas (LCAs), which have then been recognised in the Gwynedd Landscape Strategy along with the Isle of Anglesey Landscape Strategy.
- 6.5.6 The former Countryside Council for Wales also commissioned a study that focussed on the visual or scenic aspect of the Welsh coastline, providing context with reference to the geological land use, historic and cultural aspects as well. This identified 50 regional seascape units covering the whole of Wales, 19 of which cover the coastline in Anglesey and Gwynedd. More recently the Isle of Anglesey County Council and Snowdonia National Park commissioned joint a study entitled the 'Seascape Character Areas of Snowdonia and Anglesey'. The study identifies 'Seascape Character Types', and includes a brief description and location maps for each of the 'Types' recognised. Profiles are also provided for each of the Seascape Character Area (SCAs) describing their location and context, summary description, constituent SCTs, key characteristics, cultural benefits and services, natural influences and sites, cultural influences and sites, perceptual qualities, forces for change and inherent sensitivity.

STRATEGIC POLICY PS 19: CONSERVING AND WHERE APPROPRIATE ENHANCING THE NATURAL ENVIRONMENT

The Councils will manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area. When determining planning application, consideration should be given to the following:-

1. Safeguard the Plan area's habitats and species, geology, history, the coastline and landscapes;
2. Protect or where appropriate enhance sites of international, national, regional and local importance and, where appropriate, their settings in line with National Policy;
3. Have appropriate regard to the relative significance of international, national or local designations in considering the weight to be attached to acknowledged interests, ensuring that any international or national responsibilities and obligations are fully met in accordance with National Policy;
4. Protect or enhance biodiversity within the Plan area and enhance and/or restore networks of natural habitats in accordance with the Local Biodiversity Action Plan and Policy AMG 5;
5. Protect or enhance biodiversity through networks of green/ blue infrastructure;
6. Safeguard internationally, nationally and locally protected species;
7. Protect, retain or enhance the local character and distinctiveness of the individual Landscape Character Areas (in line with Policy AMG 2) and Seascape Character Areas (in line with Policy AMG 4);
8. Protect , retain or enhance trees, hedgerows or woodland of visual, ecological, historic cultural or amenity value.

National Development Management Policies

- 6.5.7 Chapter 5 of Planning Policy Wales and TAN 5 set out clear national development management policies and guidance in respect of statutory designations, reflecting the greater environmental significance of international and national statutory designations, compared to statutory and non statutory local designations.
- 6.5.8 Table 23 lists all international and national statutory designations relevant to the Plan area, and defines the obligation of the designation. Although it is a non statutory designation, GeoMôn Global Geopark is also included in Table 23 due to its designation by UNESCO. When preparing and considering planning applications, Policy PS 16, PCYFF 1 as well as Planning Policy Wales and TAN5 should be considered. This approach subjects all planning applications to up-to-date national planning policy and guidance to avoid unnecessary repetition throughout the Plan.

Table 23: Schedule of nature conservation designations

		Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
Statutory Landscape Designations	Area of Outstanding Natural Beauty	National Parks and Access to the Countryside Act 1949 Countryside and Rights of Way Act 2000	Chapter 5 of PPW:- • Measures to conserve landscape and biodiversity • Development management and statutory designations Technical Advice Note 5, 'Nature Conservation and Planning'	<ul style="list-style-type: none"> • There are two AONBs within the Plan area, whose boundaries are shown on the Constraints Map • The primary objective for designating AONBs is to conserve and enhance the natural beauty of the landscape. It is crucial that any development schemes that affect the AONB or its setting favours the safeguarding of an area's natural beauty. • Proposals for major development would have to satisfy 3 tests, which are: <ul style="list-style-type: none"> - the need for the development, in terms of national considerations, and the impact of permitting it or refusing it upon the local economy; - the cost of and scope for providing the development outside the designated area or meeting the need for it in some other way; - any detrimental effect on the environment and the landscape, and the extent to which that could be moderated.
	National Parks	National Parks and Access to the Countryside Act, 1949 Environment Act 1995	Chapter 5 of PPW:- • Measures to conserve landscape and biodiversity • Development management and statutory designations	<ul style="list-style-type: none"> • The statutory purposes of National Parks are to conserve and enhance their natural beauty, wildlife and cultural heritage, and promote opportunities for the public to understand and enjoy their special features. • A vast part of the Gwynedd Local Planning Authority area abuts Snowdonia National Park. There are also views of the Park from parts of Anglesey and vice versa. It is Snowdonia National Park's responsibility to determine planning applications within the National Park; however development within the Gwynedd Local Planning Authority area or parts of Anglesey could have an impact on the setting of the National Park. Within these areas, Councils must give consideration

6.5 Managing Growth and Development Natural and Built Environment

		Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
			Technical Advice Note 5, 'Nature Conservation and Planning'	<p>to the National Park and the special natural characteristics that justify its status.</p> <ul style="list-style-type: none"> • Proposals for major development would have to satisfy 3 tests, which are: <ul style="list-style-type: none"> - the need for the development, in terms of national considerations, and the impact of permitting it or refusing it upon the local economy; - the cost of and scope for providing the development outside the designated area or meeting the need for it in some other way; - any detrimental effect on the environment and the landscape, and the extent to which that could be moderated.
Statutory Conservation Designations	European Designated Sites	<p>Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora 1992</p> <p>Council Directive on the Conservation of Wild Birds 1979</p> <p>Implementation in the Community of the Convention of International Trade in Endangered Species of wild Fauna and Flora (CITES)</p>	<p>Chapter 5 of PPW</p> <ul style="list-style-type: none"> • Measures to conserve landscape and biodiversity • Development management and statutory designations <p>Technical Advice Note 5, 'Nature Conservation and Planning'</p>	<p>Special Area of Conservation (SAC)</p> <ul style="list-style-type: none"> • An area which has been given special protection under the European Union's Habitats Directive. SACs provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity. • There are 19 SACs that lie partly or wholly within the Plan area, which are shown on the Constraints Map and listed in Appendix 7 of the Plan. <p>Special Protection Area (SPA)</p> <ul style="list-style-type: none"> • Area of land, water or sea which has been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within the European Union . • There are 9 SPAs that lie partly or wholly within the Plan area, which are shown on the Constraints Map and listed in Appendix 7 of the Plan

6.5 Managing Growth and Development Natural and Built Environment

		Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
		<p>European Parliament and Council Directive on Environmental Liability with regard to the prevention and remedy of environmental damage 2004</p> <p>Convention on Biological Diversity 1992</p> <p>The Conservation of Habitats and Species Regulations 2010 (as amended 2011)</p>		<p>Ramsar Sites</p> <ul style="list-style-type: none"> Ramsar sites are wetlands of international importance, designated under the Ramsar Convention. There is 1 RAMSAR site that lies within the Plan area, which is shown on the Constraints Map and listed in Appendix 7 of the Plan <p>The above are known as Natura 2000 sites.</p> <p>The Habitats Directive requires that development proposals likely to have a significant effect on a European site are subject to an Appropriate Assessment.</p> <p>The Councils must ensure that international responsibilities and obligations for conservation are fully met, and that, consistent with the objectives of the designation, statutorily designated sites are protected from damage and deterioration, with their important features conserved by appropriate management.</p>
	UK Designated Sites	<p>Wildlife and Countryside Act 1981</p> <p>Protection of Badgers Act 1992</p> <p>Wild Mammals Protection Act 1996</p> <p>Deer Act 1991</p>	<p>Chapter 5 of PPW</p> <ul style="list-style-type: none"> Measures to conserve landscape and biodiversity Development 	<p>Sites of Special Scientific Interest (SSSI)</p> <ul style="list-style-type: none"> The purpose of SSSIs is to safeguard, for present and future generations, the quality, diversity and geographic range of habitats, species and geological features. There are 144 SSSI sites that lie partly or wholly within the Plan area, which are shown on the Constraints Map and listed in Appendix 7 of the Plan There is a presumption against development likely to damage a SSSI. Before

6.5 Managing Growth and Development Natural and Built Environment

		Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
		<p>Conservation of Seals Act 1970</p> <p>Natural Environment and Rural Communities Act 2006</p>	<p>management and statutory designations</p> <p>Technical Advice Note 5, 'Nature Conservation and Planning'</p>	<p>authorising operations likely to damage any of the notified features on a SSSI, local planning authorities must give notice of the proposed operations to Natural Resources Wales, and must take its advice into account in deciding whether to grant planning permission and in attaching planning conditions</p> <p>National Nature Reserve (NNR)</p> <ul style="list-style-type: none"> • NNRs were initially established to protect sensitive features and to provide 'outdoor laboratories' for research. Their purpose has widened since those early days. As well as managing some of our most pristine habitats, our rarest species and our most significant geology. • There are 8 NNR sites that lie partly or wholly within the Plan area, which are shown on the Constraints Proposals Map and listed in Appendix 7 of the Plan
	Global Geopark	Designated by UNESCO	None	<ul style="list-style-type: none"> • UNESCO Global Geopark" is not a legislative designation – though the defining geological heritage sites within a UNESCO Global Geopark must be protected under indigenous, local, regional or national legislation as appropriate. UNESCO Global Geopark status does not imply restrictions on any economic activity inside a UNESCO Global Geopark where that activity complies with indigenous, local, regional and/or national legislation.

POLICY AMG1: AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLANS

Proposals within or affecting the setting and/ or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the Area of Outstanding Natural Beauty Management Plan.

Explanation:

- 6.5.9 This policy aims to ensure that the aims and objectives of the AONB Management Plans are fully taken into account when considering development proposals. The Management Plan will provide a clear and agreed description of those features that constitute the special character, appearance and historic value that contribute to their natural beauty. The Plans will carry significant weight in determining planning applications.

POLISI AMG 2: SPECIAL LANDSCAPE AREAS

When considering proposals within Special Landscape Areas (SLA) as identified by the proposals map and listed below, there will be a need to appropriately consider the scale and nature of the development ensuring that there is no significant adverse detrimental impact on the landscape. The development should aim to maintain, enhance or restore the recognised character and qualities of the SLA.

Proposals should have regard to the relevant 'Statement of Value and Significance'.

Where appropriate, the Councils will require a Landscape and Visual Impact Assessment in order to consider the impact of the development on the designated area.

In exceptional circumstances, where development is necessary and could result in significant impact on the landscape, appropriate mitigation and compensation measures should be provided.

Explanation:

- 6.5.10 Protecting the natural landscape is extremely important; however there are some areas of Gwynedd and Anglesey with special features meaning that it is appropriate for them to be afforded additional protection. These areas have been identified as Special Landscape Areas (SLAs). SLA is a non-statutory designation based on LANDMAP. LANDMAP, developed by Natural Resources Wales (formerly the Countryside Council for Wales) is a landscape resource that is based on a Geographical Information System where the features and characteristics of the landscape and influences on the landscape are recorded and evaluated to form a data set that is consistent on a national level.
- 6.5.11 The aim of the SLA protection is to ensure that any development proposal gives consideration to maintaining, enhancing or restoring the recognised character and quality of the areas. There will be a need to demonstrate a good standard of design, location and landscaping. 16 SLAs have been identified for Gwynedd and Anglesey as follows:-

Table 24: Schedule of SLAs

Gwynedd	01: Western Llŷn
	02: Porthmadog & Tremadog Bay
	03: Glaslyn & Dwyryd Estuary Landscapes
	04: Penllyn
	05: Corris
	06: Barmouth Bay
	07: North-western Fringes of Snowdonia
	08: Foryd Bay
	09: Menai
	10: Bangor Mountain
Anglesey	11: Malltraeth Marsh and Surrounds
	12: Parciau Estatelands
	13: Parys Mountain and Slopes
	14: Mynydd Mechell and Surrounds
	15: Beaumaris Wooded Slopes and Llangoed Vale
	16: Southern Anglesey Estatelands

6.5.12 In order to define the new SLAs a review was undertaken of the previous SLAs with the aim of ensuring that there was justification for their special protection (i.e. the LUC report 'Review of Special Landscape Areas in Gwynedd and Anglesey'). A 'Statement of Value and Significance' has been prepared for each SLA as part of the LUC report. Each Statement provides a description of the SLA's landscape character, drawing attention to those qualities and features that are key to the designation. Development proposals will need to demonstrate that consideration has been given to the relevant 'Statement of Value and Significance'. Where applicable, this should form a key element of a planning application's supplementary information (e.g. Design and Access Statement or any other planning statement) and should demonstrate that the proposal has been designed to remove or reduce any unacceptable impacts on the qualities for which the SLA has been designated. The level of detail required should be commensurate with the scale of the proposal. A Landscape and Visual Impact Assessment may be required, for example, where the proposal is likely to impact on the integrity and sustainability of the SLA designation, or the public's appreciation/ perception of the uniqueness and sense of place in landscape terms. The Councils offer a pre-application advice service, which would provide guidance regarding whether or not a Landscape and Visual Impact Assessment would be required. It is possible to examine the LUC report 'Review of Special Landscape Areas in Gwynedd and Anglesey' on Anglesey County Council (www.anglesey.gov.uk) and Gwynedd Council (www.gwynedd.llyw.cym) websites.

POLICY AMG 3: PROTECTING AND ENHANCING FEATURES AND QUALITIES THAT ARE DISTINCTIVE TO THE LOCAL LANDSCAPE CHARACTER

Proposals that would have significant adverse impact upon landscape character as defined by the Landscape Character Areas included within the current Landscape Strategy for the relevant authority, must demonstrate through a landscape assessment how landscape character has influenced the design, scale, nature and site selection of the development.

A proposal will be granted provided that it doesn't have significant adverse impact upon features and qualities which are unique to the local landscape in terms of visual, historic, geological, ecological or cultural aspects. Measures should be taken to ensure that the development doesn't:-

1. Cause significant adverse impact to the character of the built or natural landscape;
2. Fail to harmonise with, or enhance the landform and landscape;
3. Lose or fails to incorporate traditional features, patterns, structures and layout of settlements and landscape of both the built and natural environment.

Particular emphasis will be given to the landscapes identified by the Landscape Character Areas as being of high and outstanding quality because of a certain landscape quality or a combination of qualities. Additional consideration will also be given to developments which directly affect the landscape character and setting of the AONBs or the National Park.

Explanation:

6.5.13 Protecting, conserving and enhancing the unique landscape features and character of the plan area are essential for maintaining the unique scenery and sense of place. Although protection is afforded to some of the features in question (e.g. trees and hedgerows, through Tree Preservation Orders and the Hedgerows Regulations), some of the other features that are not afforded protection have features that are unique to the local landscape. These contribute to local distinctiveness, and where appropriate should be protected.

6.5.14 The aim of this policy is to protect the range of various landscape features within the Plan area which have been recognised within the Landscape Character Areas. Further information regarding the Landscape Character Areas can be found within the relevant Landscape Strategy for each authority, and in the relevant LANDMAP data. Both sources of information should be taken into consideration when considering the impact of development upon landscape character. Where appropriate, consideration will also need to be given to the relevant AONB Management Plan.

6.5.15 Other relevant studies should also be taken into consideration as part of the evidence gathering process regarding landscape to ensure that the development proposals are informed by and reflect the distinctive character, qualities and sensitivity of the area. Other studies, include the Landscape Capacity and Sensitivity Study (2014).

POLICY AMG 4: COASTAL PROTECTION

In considering proposals on the coast, including the Heritage Coast, there will be a need to ensure that the proposal conforms to the following criteria:-

1. The development due to its nature must be located on the coast, or in open estuaries, or nearby, and that there is an overriding economic and social benefit from the development
2. They do not cause unacceptable harm to:
 - i. water quality
 - ii. public access considerations
 - iii. the built environment, or the landscape, or seascape character
 - iv. the area's biodiversity interests (including European Protected Areas such as marine Special Areas of Conservation and Special Protected Areas) due to their

location, scale, form, appearance, materials, noise, or emissions or due to an unacceptable increase in traffic.

3. Priority is given to locations with a close visual connection to current buildings or existing structures.
4. There are no suitable alternative locations on the coast that have been developed.
5. That the development is consistent with other policies within the Plan including Policy ARNA1.

Explanation:

- 6.5.16 The Plan area's coast is a unique and important resource environmentally, socially and economically. National planning policy encourages local planning authorities to maintain, enhance and protect the coast, especially the areas which have been designated as Heritage Coast. Managing development is important for the future as a means of supporting the Heritage Coast and its setting as well as generally maintaining views into and out of the coastline.
- 6.5.17 It is recognised that some activities must be located on or near the coast or estuaries, for example, suitable schemes for defending the coastline, fishing needs or developments related to leisure activities that do not affect the conservation value of the coast itself. The Local Planning Authority will assess proposals to locate development on the coast or estuaries in order to ensure that this is the only location suitable for them and that they will not harm the natural resources of the coast, or its qualities and visitor experience to it. It is expected that development proposals on or near the coast demonstrate how they have taken regard to the Landscape Character Assessment and the Seascape Assessment (local and regional). Biodiversity issues and the means of protecting sites and habitats are set out in General Policy and Policy AMG 5.
- 6.5.18 Within the coastal areas that are protected as a Heritage Coast an emphasis will be placed on protecting and promoting the natural beauty of the coast, facilitating access for the public and public appreciation, maintaining the environmental quality of the waterfronts and promoting sustainable types of social and economic development.
- 6.5.19 The whole of the Plan area's coastline has been assessed by the Shoreline Management Plan, which shows that physical circumstances can limit the scope of possible coastal development, for example, flooding, erosion and unstable land. National planning policy clearly states that the planning system should reduce the threats due to coastal change by avoiding inappropriate development in fragile areas or increase the effects of physical coastal changes. Therefore the Plan will control development in areas where these risks are identified in accordance with Policy ARNA 1.

POLICY AMG 5: LOCAL BIODIVERSITY CONSERVATION

Proposals must protect and, where appropriate, enhance biodiversity that has been identified as being important to the local area by:

- a. **Avoiding significant harmful impacts through the sensitive location of development.**

- b. **Considering opportunities to create, improve and manage wildlife habitats and natural landscape including wildlife corridors, stepping stones, trees, hedges, woodlands and watercourses.**

Proposals affecting sites of local biodiversity importance will be refused unless they can conform with all of the following criteria:-

- 1. That there are no other satisfactory alternative sites available for the development.**
- 2. The need for the development outweighs the importance of the site for local nature conservation;**
- 3. That appropriate mitigation or compensation measures are included as part of the proposal.**

Where necessary, an Ecological Assessment which highlights the relevant local biodiversity issues should be included with the planning application.

Explanation:

- 6.5.20 Section 6, Part 1 of the Environment (Wales) Act 2016 states that a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.
- 6.5.21 The aim of this policy is to ensure protection and improvements to local biodiversity. In particular, this policy will be a way of protecting those species and habitats that have been identified within the Gwynedd and Anglesey Local Biodiversity Action Plans. This policy will afford protection to those identified species and habitats, which are not located on either internationally or nationally designated sites (e.g. SSSI's, National Nature Reserves) or local designated sites (e.g. Local Nature Reserves, Wildlife Sites).
- 6.5.22 Any application that may have a detrimental impact on protected species must be supported by an Ecological Assessment undertaken by a qualified professional. It will be essential to ensure that any survey related to the Ecological Assessment is undertaken at appropriate times of the year. When determining the need to carry out an Ecological Assessment there will be a number of qualifying factors that will require consideration, including scale, type and location of the development. Further guidance relating to the requirement for an Ecological Assessment can be received by contacting the relevant Biodiversity Officer for the Authority. Supplementary Planning Guidance will be published to provide advice on the matter.
- 6.5.23 In considering applications that could have a detrimental effect on locally important species and habitats, consideration will be given to the potential impact of the development could have on the conservation status of the species and habitat. The Council can impose planning conditions as a way of overcoming and mitigating any possible negative effect that could arise from the development should permission be granted.
- 6.5.24 In some situations, mitigation measures for species and habitats of local interest can include appropriate measures to reduce the levels of disturbance, the creation of other appropriate habitats

to maintain and improve the population that is affected or to facilitate the survival of individual species.

POLICY AMG 6: PROTECTING SITES OF REGIONAL OR LOCAL SIGNIFICANCE

Proposals that are likely to cause direct or indirect significant harm to Local Nature Reserves (LNR), Wildlife Sites (WS)¹ or regionally important geological / geomorphologic sites (RIGS) will be refused, unless it can be proven that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid having a detrimental impact on sites of local nature conservation value or local geological importance.

When development is granted, assurance will be required that there are appropriate mitigation measures in place. It will be possible to use planning conditions and/or obligations in order to safeguard the site's biodiversity and geological importance.

Explanation:

- 6.5.25 Local Nature Reserves, Wildlife Sites and Regionally Important Geological/Geomorphologic Sites can contain a variety of nature conservation qualities and features of geological value, including a range of habitats that support a range of species. The location of these sites is shown on the Plan's Constraints Map.
- 6.5.26 Planning applications that affect sites listed under this policy are expected to include an Ecological Assessment of the site. It will be essential for the Assessment to be undertaken by a qualified professional, and to include an assessment of any possible mitigation measures. Supplementary Planning Guidance will be published to provide advice on the matter.
- 6.5.27 In the case of a development that would affect a RIGS site, if it is deemed that the development is more important than the significance of the site and that it is not practical to include measures to reduce the effect on the site, the developer must make suitable arrangements for the recording of the site by an individual who is experienced in the field before commencing the work and as the work progresses. It will be possible to include planning conditions or obligations to ensure this.
- 6.5.28 Where it can be proven that there is an overriding social/environmental and/or economic need for the development and where it can be proved that there is no other suitable site for the development, it must be ensured that there are appropriate mitigation measures are in place, for example, offsetting. These could include creating new habitats for species or improving/managing

¹ 'Wildlife Sites' is the term used by the Councils to cover those sites referred to in Planning Policy Wales as Sites of Interest for Nature Conservation (SINCs). The Plan's Constraints Maps include 'Wildlife Sites' and 'Candidate' wildlife sites. The latter refers to a site identified via an initial desk top survey of being potentially worthy of consideration, whilst a 'Wildlife Site' refers to those which have then been ratified following a detailed site survey and assessment against a set of criteria. The policy will be applicable to 'Wildlife Sites'. Since a full evaluation of the entire 'Candidate Wildlife Sites' has not been carried out to date, their biodiversity value will be evaluated on a site by site basis when development proposals come forward in these locations. Policy AMG 5 would not apply unless the detailed survey and assessment reveals that it meets the relevant designation criteria.

current habitats in order to ensure that there is no deterioration in the nature conservation value of the local area.

PRESERVING AND ENHANCING HERITAGE ASSETS

6.5.29 Context

- It is important that heritage assets - encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes are preserved.
- Local Planning Authorities (LPA's) have an important role in securing the preservation of the historic environment whilst ensuring that it accommodates and remains responsive to present day needs.

Introduction

6.5.30 The Councils have a duty in exercising their planning functions to preserve and enhance the significance, character and appearance of the Plan area's cultural and historic environment. It is recognised that the historic environment contributes to the enjoyment of life in the Plan area, provides a unique sense of identity and is a valuable economic asset. The term 'heritage assets' includes not only archaeological sites, historic buildings, settlements along with the wider historic landscape together with locally distinctive, valued and important buildings, areas and features.

6.5.31 The Councils will be collaborating with partners and stakeholders to preserve and enhance heritage assets through heritage and regeneration initiatives. This will include preserving and enhancing the visual character of the townscape along with the setting of the settlement.

POLICY PS 20: PRESERVING AND WHERE APPROPRIATE ENHANCING HERITAGE ASSETS

In seeking to support the wider economic and social needs of the Plan area, the Local Planning Authorities will preserve and where appropriate, enhance its unique heritage assets.

Proposals that will preserve and where appropriate enhance the following heritage assets, their setting and significant views into and out of the building/area will be granted:

1. **Scheduled Ancient Monuments and other areas of archaeological importance (in line with Policy AT 4).**
2. **Listed Buildings and their curtilages.**
3. **Conservation Areas (in line with Policy AT 1).**
4. **Beaumaris Castle and Caernarfon Castle and Town Walls World Heritage Sites (in line with Policy AT 1).**
5. **Candidate World Heritage Sites.**
6. **Registered Historic Landscapes, Parks and Gardens (in line with Policy AT 1).**
7. **Buildings of architectural/ historic/ cultural merit which are not designated or protected (in line with Policy AT 3).**

National Development Management Policies

- 6.5.32 The Historic Environment (Wales) Act 2016 and Chapter 6 of Planning Policy Wales set out clear national development management policies and guidance in respect of statutory designations, reflecting the greater historical significance of international, national and local statutory designations, compared to local designations. Table 25 lists relevant international, national and local statutory designations relevant to the Plan area, and defines the obligation of the designation.

Table 25 : Schedule of historic assets

	Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
Scheduled Ancient Monuments	<p>'Planning and the Historic Environment: Archaeology' Ancient Monuments and Archaeological Areas Act 1979</p> <p>Ancient Monuments (Class Consents) Order 1994 (SI 1994/1381)</p> <p>Welsh Office Circular 60/96, 'Planning and the Historic Environment: Archaeology'</p>	<p>Chapter 6 of PPW:</p> <ul style="list-style-type: none"> • Financing archaeological works • Ancient monuments and archaeological remains • Archaeological investigation before development commences 	<ul style="list-style-type: none"> • Any proposal to carry out works at a scheduled ancient monument which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding, or covering up a monument must be the subject of an application for scheduled monument consent. • An application for scheduled monument consent also has to be made for works which may be beneficial to the monument, such as consolidating masonry, or for conducting a research excavation. • It is an offence to carry out such works at the site of a scheduled ancient monument without first obtaining scheduled monument consent. <p>Scheduled Ancient Monuments are shown on the Constraints Map</p>
Listed Buildings & Conservation Areas	<p>Planning (Listed Buildings and Conservation Areas) Act 1990</p> <p>Welsh Office Circular 61/96, 'Planning and the Historic Environment: Historic Buildings and Conservation Areas</p> <p>1/98: Planning and the Historic Environment: Directions by the</p>	<p>Chapter 6 of PPW:</p> <ul style="list-style-type: none"> • Preservation of listed buildings and optimum viable use • Proposals affecting a listed building or its setting • Consent to demolish a listed building/use of conditions • Conservation Areas and assessments • Conservation Area consent: 	<p>Listed Buildings:</p> <ul style="list-style-type: none"> • Listing means that when a building is included on a Listed building Register; it is necessary to obtain for 'Listed Building consent' from the LPA before carrying out works which would affect the building's character as a building of special architectural or historic interest • Under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is a criminal offence to demolish a listed building, or alter or extend such a building in a way which would affect its character, without consent, and the penalties for this can be heavy. • Listed building Consent is required for:

Table 25 : Schedule of historic assets

	Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
	<p>Secretary of State for Wales</p> <p>Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012</p>	<p>need to preserve or enhance character</p> <ul style="list-style-type: none"> • Conservation Area consent considerations • Advertisements in Conservation Areas • 'Conservation Principles for the Sustainable Management of the Historic Environment in Wales' published by CADW 	<ul style="list-style-type: none"> • demolition or any work which is the opinion of the Authority, affects the character of a listed building. • works of maintenance or repair do not usually need consent provided that the materials, detailing, and finished effect match the original work exactly. <p>Conservation Areas:</p> <ul style="list-style-type: none"> • There is a duty on LPA's in exercising its planning functions to 'pay special attention to the desirability of preserving or enhancing the character or appearance of the area' (Section 72 of the 1990 Act). • Conservation area consent is required for the demolition of unlisted buildings in the area (Section 74 of the 1990 Act). • Anyone wishing to carry out works to a tree, will require consent if there is a tree preservation order in place, and must give six weeks' notice of their intention to do so to the local authority. <p>There is no statutory requirement to have regard to the provisions of the development plan when considering applications for listed building or conservation area consent.*</p> <p>In terms of associated planning applications for changes of use of a listed building or development that affects the setting of a listed building the Council will expect applicants to demonstrate how their proposals have been arrived at in the context of PPW and the aim of identifying the optimum viable use that is compatible with the character and setting of the listed building, or takes full account of the setting of any listed building in the vicinity and that developers demonstrate that the setting</p>

Table 25 : Schedule of historic assets

	Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
			<p>will not be harmed.</p> <p>Conservation Areas are shown on the Constraints Map and listed in Appendix 7 of the Plan</p> <p>*The Courts have accepted that Section 54A of the 1990 TCPA Act (Section 38(6) of the 2004 Act does not apply to applications for Listed Building (LB) or Conservation Area (CA) consent but that development plans should contain policies relevant to development control decisions which should be taken into account when determining applications for LBCA consent</p>
World Heritage Sites	Welsh Office Circular 61/96 , 'Planning and the Historic Environment: Historic Buildings and Conservation Areas'.	Chapter 6 PPW	<p>World Heritage Sites have been designated by UNESCO because of their Outstanding Universal Value. The impact of proposed developments on a World Heritage Site and its setting and, where it exists, the World Heritage Site buffer zone, is a material consideration in the determination of any planning application.</p> <p>World Heritage Sites are shown on the Constraints Map and listed in Appendix 7 of the Plan.</p>

Table 25 : Schedule of historic assets

	Legislation, Circulars, Regulations & Directions	National development management policy	Obligations
Registered Historic Landscapes, Parks and Gardens		<ul style="list-style-type: none"> • Chapter 6 PPW • Register of Landscape Parks and Gardens of Special Historic Interest in Wales • Guide to Good Practice on using the Register of Landscapes of Historic Interest in Wales published by CADW 	<p>The landscapes, parks and gardens on the Register have no statutory protection, but they must be taken into account when developments proposals are made that either affect them directly or that affect their setting.</p> <p>Historic Landscapes, Parks and Gardens are shown on the Constraints Map and listed in Appendix 7 of the Plan</p>

- 6.5.33 It is recommended that developers take the above into account when formulating development proposals.
- 6.5.34 Strategic Policy PS 17 builds on national planning policy and guidance and reflects the importance that is attached within the Plan towards preserving or enhancing the heritage integrity of the Plan area. In certain instances the need for preservation will outweigh the benefit of development. More often, a heritage asset will be an opportunity for retaining local identity through the repair and reuse of heritage assets and strengthening this through respect for local characteristics of design, for the interpretation of hidden heritage assets, or for the enhancement of the characteristic natural environment. All new developments within historic areas should be designed in such a way as to preserve and enhance their special character.
- 6.5.35 Strategic Policy PS 17 also recognises the importance, where appropriate, of protecting the setting of a heritage asset. Considerable damage can be done to the architectural or historic interest of an asset if the development is insensitive in design, scale or positioning. The setting of an asset is often an essential feature of its character. The setting may be limited to the immediate surroundings, but it can extend for a considerable distance. Strategic Policy PS17 requires that development proposals take full account of the setting of any heritage asset and that developers demonstrate that the setting will not be harmed.
- 6.5.36 Strategic Policy PS 17 also affords protection to ‘Candidate World Heritage Sites’. Presently there is only one ‘Candidate’ site namely the ‘Candidate North Wales Slate Industry World Heritage Site’. To ensure suitable recognition for the slate industry’s significance to the development of mankind, its enduring cultural, environmental and technological legacy, and with a view to maximising the current and future contribution of the industry to the Gwynedd economy, in June 2010, on behalf of a range of stakeholders, GC successfully presented an application to the DCMS for the industry to be included on the UK’s list of tentative World Heritage Sites to be submitted to UNESCO. The UK’s tentative list was formally presented to UNESCO in January 2012. Gwynedd Council and its partners are currently preparing the required documentation to support a nomination for the ‘Slate Industry World Heritage Site’, aiming to further to clarify the potential scale and scope of the Slate Industry World Heritage Site. Any development which impairs on the integrity or authenticity of a site as a ‘Candidate’ World Heritage Site’ of ‘Outstanding Universal Value’ will not be approved.

POLICY AT 1: CONSERVATION AREAS, WORLD HERITAGE SITES AND REGISTERED HISTORIC LANDSCAPES, PARKS AND GARDENS

Proposals within or affecting the setting and/ or significant views into and out of Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens shown on the Constraints Map must, where appropriate, have regard to:

- 1. Adopted Conservation Area Character Appraisals, Conservation Area Plans and Delivery Strategies.**
- 2. World Heritage Site Management Plans.**
- 3. The Register of Landscape, Parks and Gardens of Special Historic Interest in Wales.**

Development proposals should be supported by a Heritage Impact Assessment, where appropriate.

Explanation:

- 6.5.37 This policy aims to ensure that the findings of detailed assessment documents are fully taken into account when considering development proposals. Each detailed assessment document, e.g. Conservation Area Character Appraisals, World Heritage Sites Management Plans will provide a clear and agreed definition of those features that constitute the special character, appearance and historic value of an area. These detailed assessment documents and supplementary planning guidance relating to these designations will assist in contributing to the positive management of change and will carry significant weight in determining planning applications.
- 6.5.38 A Heritage Impact Assessment should provide the Local Planning Authority with enough information to adequately understand the impact of the proposals on the significance of any heritage assets affected.
- 6.5.39 A Heritage Impact Assessment will always be required for the following designated heritage assets:
- i. Listed buildings and curtilages.
 - ii. Planning permission applications for sites within the setting of a listed building.
 - iii. Planning permission applications for sites/buildings in or within the setting of conservation areas.
 - iv. Planning permission applications for sites within the setting of a scheduled ancient monument.
 - v. Planning permission applications for sites in or within the setting of registered parks and gardens.
 - vi. Conservation area consent applications.
- 6.5.40 The Heritage Impact Assessment may form part of the Design and Access Statement but the 'Statement' is not a substitute for an 'Assessment'. The level of information provided should be appropriate and proportionate to the significance of the heritage asset, and the potential impact of the proposals upon that significance. Carrying out a pre-application meeting with relevant officers in the Council will ensure that heritage assets are identified at the earliest stage. Supplementary Planning Guidance will be published to provide advice on the matter.

POLICY AT 2: ENABLING DEVELOPMENT

Enabling development which aims to secure the preservation and/or alternative use of a listed building or a building which makes a significant positive contribution to the character of a conservation area or a Registered Historic Landscape, Park and Garden will only be granted provided all the following criteria can be met:

- 1. It will not materially harm the heritage values of the heritage asset or its setting**
- 2. It avoids detrimental fragmentation of management of the historic asset.**
- 3. It will secure the long-term future of the heritage asset and, where applicable, its continued use for a sympathetic purpose.**
- 4. It is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid.**
- 5. Sufficient subsidy is not available from any other source.**

6. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset, and that its form minimizes harm to other public interests.
7. The public benefit of securing the future of the heritage asset through such enabling development decisively outweighs the disbenefits of breaching other public policies.

Proposals will be subject to an agreed programme of works. The condition or state of restoration of the building or feature must be in accordance with the programme of works prior to the enabling developments occupation.

Explanation:

- 6.5.41 Enabling development is that which may not otherwise be permitted, but which is used to fund works to secure the future of a vulnerable historic buildings or features of national or local importance. Such buildings or features may also include important buildings etc. within Conservation Areas and/or a Registered Historic Landscape, Park and Garden.
- 6.5.42 Enabling development is an exception to normal policies and should only be used as a last resort in genuinely exceptional circumstances ensure that a listed building to preserve historic buildings or features from dilapidation and/or disuse.
- 6.5.43 Development proposals should be considered and formulated with an understanding of the design and significance of buildings and their settings, parks and gardens and their relationship with the historic buildings that are located within and adjacent to them. For example preserving key views and vistas to the building, and views from the building to its surroundings will be important determining considerations. Development proposals will also have to demonstrate how they have considered the guidance contained in 'Conservation Principles for the Sustainable Management of the Historic Environment in Wales' published by CADW.

POLICY AT 3: LOCALLY OR REGIONALLY SIGNIFICANT NON-DESIGNATED HERITAGE ASSETS

Proposals will be required to conserve and seek opportunities to enhance buildings, structures and areas of locally or regionally significant non-designated heritage assets, which create a sense of local character, identity and variation across the Plan area, by:

1. The sympathetic re-use of redundant and under-used historic buildings and areas which are consistent with their conservation;
2. Ensuring that all development within the Plan area's historic public realm, including transport and infrastructure work, is sympathetic to the historic environment;
3. Appropriate siting, massing, form, height, scale, detail and use of local materials.

Explanation:

- 6.5.44 There are a significant number of historic assets whilst not meeting the very special criteria to merit inclusion on a statutory list are, nevertheless, of value to the identity of the Plan area due to their contribution to local built character and/ or social or economic associations. For example, these include*:

- i. the individual and distinctive character and appearance of the Plan area's historic market towns and villages
- ii. historic buildings and structures related to the quarrying industries
- iii. historic rural structures
- iv. ecclesiastical sites including churches, chapels and monuments
- v. the transport network heritage

*(this list is not exhaustive)

6.5.45 Whilst it would be inappropriate to afford these 'assets' the same level of protection as those that have been formally designated, they are still worthy of retention for their contribution to local character and identity. Consequently Policy AT3 will ensure that full consideration is given to the conservation and continued use of such buildings as part of the protection and enhancement of the special identity of the Plan area. This approach will ensure that their potential to contribute towards wider social, cultural, economic and environmental benefits will be optimised.

POLICY AT 4: PROTECTION OF NON-DESIGNATED ARCHAEOLOGICAL SITES AND THEIR SETTING

Proposals which may have a significant adverse impact on sites that are of potential national archaeological importance and their setting or are of acknowledged local heritage importance, including sites of industrial archaeology that are not scheduled and their settings will:

- 1. Be assessed in terms of the intrinsic importance of the 'site' and the potential extent of harm.**
- 2. Require, where appropriate, either an archaeological assessments and/ or field evaluation by an archaeological body or a professionally qualified archaeologist in order to determine the archaeological impact of the proposed development before the Planning Authority determines the application.**

A proposal which affects locally important archaeological remains will only be granted if the need for the development overrides the significance of the archaeological remains.

Where proposals are acceptable, a site a condition will be attached to the permission stating that no development should take place until an agreed programme of archaeological work has taken place.

Explanation:

6.5.46 Scheduled Ancient Monuments only form a small proportion of the total number of archaeological and historic sites. A large proportion of historic and archaeological sites, including industrial archaeological sites are not afforded statutory protection. To ensure that archaeological sites of potential national importance are not destroyed the Local Planning Authority will adopt a precautionary approach towards their protection. Consequently, where a proposed development is likely to affect a significant site on the Regional Historic Environment Record (maintained by Gwynedd Archaeological Trust), or where a site's significance has not previously been ascertained, the developer will be required to commission either an Archaeological Assessment and or an Archaeological Field Evaluation. The assessment/evaluation results must be submitted with the

planning application, in addition to a plan showing how the impact of the proposal on the archaeological remains will be mitigated. The assessment/evaluation will be paid for by the prospective developer. The assessment/evaluation should be conducted by an archaeological body or a professionally qualified archaeologist. Sites which are found to be of 'national importance' will need to be assessed in accordance with Welsh Office Circular 60/96, 'Planning and the Historic Environment: Archaeology' and the relevant guidance in Planning Policy Wales.

- 6.5.47 When assessing a development proposal affecting archaeological remains, which are of local importance, or their setting, consideration will be given to the following factors:
- i. significance of the remains;
 - ii. reasons for locating the development in this location;
 - iii. practicality of incorporating mitigation measures to minimise the development's impact; and safeguard the site's archaeological value.
- 6.5.48 Where the remains are not considered to be of national importance and their protection ('preservation in situ') is not considered appropriate (by the LPA and their archaeological advisors) then alternative mitigation ('preservation by record') will be the appropriate course of action in accordance with Circular 60/96. Further guidance will be provided in the SPG on Heritage Assets.

WASTE MANAGEMENT

6.5.49 Context

- The National Waste Strategy Towards Zero Waste – One Wales: One Planet 2009 provides an overarching framework for the management of all types of waste, with the overall aim of reducing residual waste to zero by 2050. It is supported by a series of sector plans which details how the outcomes, targets and Policies in Towards Zero Waste are to be implemented.
- In order to enable the North Wales authorities to achieve the targets contained within the Municipal Sector Plan and Collections Infrastructure and Market Sector Plan (CIMSP) a number of projects have been established across North Wales, including the North Wales Residual Waste Treatment Partnership Project, which seeks to divert residual waste from landfill. Also, a partnership between North Wales Local Authorities and the private sector has secured the construction of anaerobic digestion plants in Gwynedd and Denbighshire to process food waste collected from households and businesses, generating renewable energy for the grid and the production of biofertiliser for use on local farmland. These projects will influence the spatial need for certain types of waste facility
- Waste is a cross cutting issue because it is produced by all types of land use, during construction, operation and demolition. The need to change the way in which waste is dealt with is recognised in policy at all levels.
- Anglesey and Gwynedd are rural authorities with a rich and varied landscape which includes the Llyn/Môn Areas of Outstanding Natural Beauty. Further, the Gwynedd Local Planning Authority Area abuts the Snowdonia National Park Authority. Both authorities have limited road infrastructure serving a network of small communities and scattered settlements. Measures should be taken to encourage the sustainable transfer of waste by ensuring that there is adequate waste management provision across the authority areas. The Councils aim to reduce the amount of waste disposed of through landfill sites. Due to

the nature of waste management facilities it may be appropriate to locate the provision on a suitable employment site.

- It is necessary to ensure that any proposed policies comply with the principles of Planning Policy Wales (PPW, Edition 9, 2016). The relevant Technical Advice Note that relates to waste is TAN 21 Waste (2014).

Introduction

6.5.50 The Plan has regard to, and is compatible with, the content of the Collections Infrastructure and Markets Sector Plan (CIMSP). One of the requirements of the Plan is to identify the types of location where waste management uses are likely to be acceptable.

STRATEGIC POLICY PS 21: WASTE MANAGEMENT

The Councils will seek to ensure an adequate availability of land in appropriate locations for an integrated network of waste facilities to meet regional and local obligations in accordance with the requirements of the current relevant national/regional policy/guidance. The sites and types of facilities chosen will promote a sustainable approach to waste management based on the waste hierarchy of prevention and reuse, preparation for reuse, recycling, other recovery and then disposal whilst taking into consideration the unique character of the area including the transport links and rural nature.

POLICY GWA 1: PROVISION OF WASTE MANAGEMENT AND RECYCLING INFRASTRUCTURE

Land and property listed below and shown on the Proposals Maps, is allocated for the provision of infrastructure that could sustain or add to the range of suitable waste management facilities.

	Site name	Location
Gwynedd	Land at Cibyn Industrial Estate*	Caernarfon
	Llwyn Isaf Site	Clynnog Fawr
	Coed Bolynd Mawr*	Near Bethel
	Penygroes Industrial Estate*	Penygroes
	Williams & Williams	Pencaenewydd
	H Parry Composting*	Chwilog
	Cookes	Penrhyndeudraeth
	Cefn Graianog*	Llanllyfni
	Bryncir Quarry*	Bryncir
	Nanhoron Granite Quarry*	Nanhoron, Pwllheli
	Part of Peblig	Caernarfon
	Penrhyn Quarry*	Bethesda

	Griffiths Crossing	Caernarfon
	Cefn Bychan	Blaenau Ffestiniog
	Manod Quarry*	Blaenau Ffestiniog
Anglesey	Penhesgyn	Penmynydd
	Recycling Centre	Gwalchmai
	Mona Industrial Estate	Mona
	Former Anglesey Aluminium Site*	Holyhead
	Rhuddlan Bach Quarry*	Brynteg
	Cae'r Glaw Quarry*	Gwalchmai
	Nant Newydd Quarry*	Brynteg
	Bwlch Gwyn Quarry*	Pentre Berw

***Sites suitable for urban quarries as defined by TAN21: Waste**

In addition to the above allocated sites, waste management and recycling infrastructure, excluding landfill and open windrow composting, may be acceptable on existing industrial estates, quarries and brownfield sites. Proposals for waste management and recycling infrastructure (which are not proposed on the above allocated sites) will be assessed on their own merit provided that there is a justifiable need for the development. The justifiable need should refer to the local need as specified within the Municipal Sector Plan and Collections Infrastructure and Markets Sector Plan (CIMSP).

Any new development must be suitable in terms of size and scale and must not have an adverse impact upon the landscape, the natural environment or the amenity and health of the local population. All new proposals for Waste Management facilities should be accompanied by a Waste Planning Assessment (as defined by Annex B of TAN21, Waste).

Explanation:

- 6.5.51 Some of the denoted sites as listed within the policy may be appropriate for urban quarries or recycling repository for the purpose of storing construction and demolition waste as a means of avoiding unnecessary landfilling of inert waste in accordance with TAN21: Waste.
- 6.5.52 In order to deal with waste sustainably, it is essential that the Plan area has an adequate integrated network of waste facilities. TAN 21 aims to ensure that the right facilities are located in the right location and at the right time to meet environmental, economic and social needs.
- 6.5.53 The sites have been allocated to direct developers to locations that are considered suitable for waste management and recycling facilities. The policy acknowledges that there may be other suitable sites on existing industrial estates, quarries and sites allocated for employment uses where B2 & B8 uses are acceptable in principle. The suitability of a site will depend on a variety of different factors, including the nature and scale of the waste facility and any site constraints such as flood risk, sensitive landscape and ecological sensitivity. Annex C of TAN 21 sets out the detailed planning issues which are necessary for applicants and planning authorities to have regard to whilst preparing

and determining applications for waste management proposals. Any proposal that will need planning permission will be required to comply with all the other relevant policies in the Plan.

- 6.5.54 In accordance with the waste hierarchy set out in TAN 21, a sustainable approach to waste management will require greater emphasis on reduction, re-use and recovery and less reliance on disposal without recovery. Waste management includes for example, keeping, storing, handling and the disposal of waste.
- 6.5.55 TAN 21 states that the resultant materials from the demolition of buildings may be recycled on site using temporary plant and machinery where it would be appropriate and would not cause a detrimental impact on neighbours in terms of noise and dust. The guidance explains that where there are longer term prospects for a sufficient and economic supply of demolition and construction waste within an appropriate catchment area, it may be appropriate to identify a permanent repository or urban quarry for this purpose. It is considered that the criteria referred to in the above policy should be used to guide the determination of planning applications for storage repositories of construction and demolition waste to avoid unnecessary landfilling of inert waste.

POLICY GWA 2: WASTE MANAGEMENT AND ALLOCATED SITES

Proposals for the management of waste on appropriate sites and allocated sites (in accordance with Policy GWA1) (including, for example, biodegradable municipal waste by means of composting, including anaerobic digestion and in vessel composting and specialist waste facilities (e.g. low level radioactive waste, clinical waste and hazardous waste)) will be granted in accordance with the waste hierarchy provided there is a demonstrable need for the development, that the development is supported by a Waste Planning Assessment (as defined by TAN21: Waste) and that all the following criteria can be met:-

- 1. Allocated sites are either unavailable or unsuitable for the proposed activity;**
- 2. There are no suitable sites within the development boundary;**
- 3. The proposal will have incorporated measures to mitigate impact upon the environment and the health and amenity of the local population;**
- 4. The proposal is of an appropriate scale and nature in terms of the site and its surroundings;**
- 5. The proposal wouldn't have an adverse impact upon the natural environment and heritage value of the area;**
- 6. The development and any associated traffic do not result in unacceptable disturbance to local communities, through noise, smell, vibration, smoke or air pollution.**

Each proposal will be considered on a case by case basis, taking account of factors including the nature, type, size, need and location of the development.

Explanation:

- 6.5.56 The Councils consider that in some instances, some waste management facilities may be acceptable on agricultural land as part of farm diversification, particularly where it can be demonstrated that the waste is generated locally and the output is applied locally. The rural nature of the Plan area

may also necessitate small scale facilities being located outside development boundaries to reflect existing transport infrastructure.

- 6.5.57 Proposals will have to show that appropriate consideration has been given to sites of international, national, regional and local biodiversity or landscape value in accordance with national planning policy guidance as well as the relevant policies within the Plan.
- 6.5.58 Currently there is no required need for landfill provision within the Plan area. As part of the process of monitoring the Plan, measures will be taken to review the future landfill requirement. Any proposed landfill which has proven a demonstrable need would have to conform to Policy GWA 2.
- 6.5.59 Collaboration between planning authorities is extremely important to monitor progress towards establishing an integrated and adequate network of waste disposal. Monitoring is a means of ensuring that there is sufficient capacity within the local region to treat waste as well as assessing if the current provision is appropriate.

POLICY GWA 3: RADIOACTIVE WASTE MANAGEMENT

Facilities for the storage and/or management of radioactive waste generated within the nuclear licensed area at Wylfa/Wylfa Newydd will be granted, provided that all the following criteria can be met:

- 1. It is consistent with the national strategies and policies for managing radioactive waste and discharges;**
- 2. The outcome of social economic and environmental health assessments justify it being dealt with-at the proposed location;**
- 3. Facilities are sited and designed in order to minimise adverse impacts on the environment and appropriate environmental restoration measures are available.**

Explanation:

- 6.5.60 The Wylfa Nuclear Power Station is currently being decommissioned. The decommissioning process is likely to give rise to a large quantity of Intermediate² Low³ and Very Low Level⁴ radioactive waste.

² Intermediate Level Waste is more radioactive than low-level radioactive waste (see below), but does not generate enough heat to require this to be taken into account of in storage or disposal facilities. However, like other radioactive waste it still needs to be contained to protect people and the environment. ILW arises mainly from the reprocessing of spent fuel and from general operations and maintenance at nuclear sites, and can include metal items such as fuel cladding and reactor components, graphite from reactor cores, and sludge from the treatment of radioactive liquid effluents.

³ Low level waste (LLW) is radioactive waste having a radioactive content not exceeding 4 GBq/te (gigabecquerels per tonne) of alpha or 12 GBq/te of beta/gamma activity. LLW makes up more than 90% of the UK's radioactive waste legacy by volume but contains less than 0.1% of the total radioactivity.

⁴ Very low level waste (VLLW) is a sub-category of LLW and is defined as either low volume VLLW or high volume VLLW. The principal difference between the two definitions is the need for controls on the total volumes of high volume VLLW being deposited at any one particular landfill or other waste facilities.

- 6.5.61 The national policy for handling such waste is to deal with them as far up the waste hierarchy as possible. However it is likely that some of this waste will need to be disposed of either on or adjacent to licensed nuclear sites or to landfill sites elsewhere.
- 6.5.62 Current NRW guidance is that some Low and Very Low Level radioactive wastes may be suitable for disposal at existing non-hazardous landfill sites. Planning permission may be required for such disposal depending on the conditions attached to any existing planning permission. An appropriate consent /permit from the NRW would also be required.
- 6.5.63 This Policy provides for the implementation of such facilities within the confines of the Nuclear Licensed Site.

MINERALS

6.5.64 Context

- The overarching objective in planning for minerals is to ensure supply is managed in a sustainable way so that the best balance between environmental, economic and social considerations is struck, while making sure that the environmental and amenity impacts of any extraction are kept to a level that avoids causing demonstrable harm to environmental and amenity interests.
- The Regional Technical Statement sets out how aggregates demand will be met in the region for a 25 year period ending in 2036 and provides a strategic basis for local development plans in the region.

Introduction

- 6.5.65 The Plan area can claim major deposits of almost all main rock types including slate, limestone, coal, various igneous rocks, and sandstone including sand and gravel deposits. The Regional Technical Statement recommends that the Plan should make allocations for land based sand and gravel resources, but in accordance with Paragraph 14.2.1 of PPW (Edition 9, 2016) other mineral resources are to be safeguarded including high PSV Dolerite, Igneous rock, Limestone and Coal.
- 6.5.66 The Plan should ensure that an adequate and sustainable supply of mineral resources can be produced to meet the area's needs without compromising the environment, amenity, geodiversity, or future resource needs. In practice, ensuring an adequate and sustainable supply of aggregates will mean enabling the apportionment set out the RTS First Review to be met. National guidance requires maintaining a 7 year land bank of Sand and Gravel and 10 year land bank of crushed rock aggregate reserves for the duration of the Plan. Where it is not possible to maintain the land bank permitted reserves, the preferred areas of search identified in the plan will serve to maintain the provision of mineral reserves.

STRATEGIC POLICY PS 22: MINERALS

The Councils will contribute to regional and local demand for a continuous supply of minerals in accordance with the key objectives and principles of sustainable development by:

- 1 Safeguarding known / potential mineral resources from permanent development that would sterilize them or hinder extraction in accordance with MWYN 1.
- 2 Maintaining a minimum 7 year land bank of Sand and Gravel and 10 year land bank of crushed rock aggregate reserves in line with national guidance.
- 3 Maximise the use of secondary and recycled materials and mineral wastes.
- 4 Providing for the maintenance of the aggregate landbank including adequate provision and productive capacity for higher quality aggregates.
- 5 Acknowledge that where the principles of sustainable development can be achieved, the extension of existing quarries and/or new quarries is likely to be appropriate.
- 6 Where there is a need for new capacity of minerals, these should come from locations of low environmental constraint and take into account transport implications.
- 7 Protect maritime wharf and railhead facilities as a means of encouraging sustainable transport of aggregates.
- 8 Ensuring good restoration and aftercare.
- 9 Minimising potential conflict between mineral and non-mineral land uses.
10. All dormant and long-inactive minerals sites identified on the proposals map will be reviewed to assess their potential to contribute to the land bank and the likelihood of their re-opening. Where appropriate, Prohibition Orders will be served.

POLICY MWYN 1: SAFEGUARDING MINERAL RESOURCES

Mineral Safeguarding Areas have been identified and are shown on the Proposals Map to ensure that known mineral resources are safeguarded for the future. Mineral resources will be safeguarded from non-mineral development which would sterilise or hinder their extraction. Proposals for non-mineral development will only be granted within Mineral Safeguarding Areas where:-

1. The developer can demonstrate that working the resource is economically or physically impractical or would be environmentally unacceptable; or
2. The mineral resource will be extracted satisfactorily before the development is undertaken; or
3. The development is of a temporary nature and can be completed and the site returned to a state that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
4. There is an overriding need for the proposed development; or
5. The development constitutes householder development or would constitute limited infilling within an existing built up area.

Explanation:

- 6.5.67 The mineral safeguarding area designation is an indication of potential mineral resource only. Further work is required to assess whether the area is suitable for mineral workings to be undertaken. As Mineral resources are limited to a specific location and are not evenly distributed, knowledge about their whereabouts is essential for making effective and sustainable planning decisions and to consider the needs of future generations. Access to mineral resources can be prevented or restricted (sterilised) by non-mineral development and the process of mineral safeguarding ensures that this does not occur unnecessarily when planning applications are

determined. An effective safeguarding system requires the adoption of 'mineral safeguarding areas and the adoption of suitable policies.

- 6.5.68 Development proposals affecting a mineral resource will be required to demonstrate, through appropriate investigation, that the resource will not be sterilised or demonstrate that the future extraction is not hindered by the proposed development. Where there is an overriding need for a development, that would otherwise sterilise resource, a condition will be attached to the planning permission requiring the extraction of that resource prior to the commencement of the development unless the developer satisfactorily demonstrates that it is impracticable or environmentally unacceptable.
- 6.5.69 Anglesey and Gwynedd have metalliferous and industrial minerals such as copper, zinc, manganese, gold and silver. Significant proven deposits of copper and zinc are located in Anglesey around Parys Mountain which should be afforded particular protection from other development and to acknowledge the potential for future exploitation, the Parys Mountain Metalliferous Safeguarding Area is shown on the Proposal Map. Although prices have fluctuated in recent years, the global demand for these minerals has increased.
- 6.5.70 The identified mineral resource areas as shown on the Proposal Maps are subdivided into three groups:-
- hardrock
 - limestone
 - sand and gravel
- 6.5.71 The mineral resource areas are based on the British Geological Survey Aggregates Safeguarding Map for Wales (2012) and 'The Sand and Gravel Resources of North Wales (2003) study by Liverpool University.
- 6.5.72 A decision to safeguard a particular mineral resource does not imply that planning permission will be granted for its working. In instances where need for the development outweighs the need to protect the mineral resource the developer will be encouraged to secure the prior removal of the mineral, wherever appropriate in terms of economic feasibility and environmental and other planning considerations, prior to the commencement of the development.

POLICY MWYN 2: PREFERRED AREAS

To maintain future provision to meet the demonstrated need of the industry concerned, 'Preferred Areas' for future supplies of sand and gravel have been identified on the Proposals Map in the following areas:-

Cae Efa Lwyd, Penygroes

Tan y Bryn, Penygroes

Bodychain, Llanllyfni

Derwyn Fawr, Bryncir

Llecheiddior Uchaf, Bryncir

To maintain future provision to meet the demonstrated need of the industry concerned, 'Preferred Areas' for future supplies of crushed rock have been identified on the Proposals Maps in the following areas:-

Rhuddlan Bach

Cae'r Glaw

Gwynndy

Bwlch Gwyn

Hengae

Nant Newydd

Explanation:

- 6.5.73 The above policy aims to facilitate the additional provision of sand and gravel, and crushed rock reserves to meet the identified shortfalls highlighted by the First Review of the North Wales Regional Technical Statement. By comparing existing land banks (December 2010) and the apportionment for sand and gravel and crushed rock Tables 5. 2 and 5.3 of the First Review of the North Wales Regional Technical Statement highlights a 3.7 million tonne shortfall for sand and gravel in Gwynedd and a 131 shortfall of crushed rock in Anglesey.
- 6.5.74 However, the Councils do not have sufficient information to allocate specific sites for sand and gravel but considers that Preferred Areas for sand and gravel and crushed rock can be identified on information derived from BGS published data and the National Assembly for Wales commissioned report The Sand and Gravel Resources of North Wales, produced by the University of Liverpool and Enviro (2003) together with the previous study, 'Assessment of Sand and Gravel Resources in the Eastern Llŷn Peninsula', undertaken by Liverpool University in 1988.
- 6.5.75 The preferred areas identified above provide the potential for the release of new reserves which are far greater than the minimum allocation of 3 million tonnes recommended by the RTS in order to allow for the uncertainties involved, to provide choice to the Minerals Industry and to encourage local supply to minimise transport distances.

POLICY MWYN 3: MINERAL DEVELOPMENTS

Mineral exploration, new working or extensions to existing operations will be granted to maintain the Plan area's landbank of aggregates, or to meet a demonstrated need for other minerals provided the following criteria are met:

- 1. There is no unacceptable harm to the amenity or health of local residents in terms of visual impact, levels of dust, noise, vibration, and light as a result of the operation itself or the resulting traffic movements;**
- 2. There is a suitable buffer between mineral development and sensitive development;**
- 3. There is no unacceptable harm to the stability and support of adjacent land;**
- 4. The development is sensitively screened and landscaped;**

5. The development will not have a significant adverse impact on sites of international, national, regional or local environmental, nature conservation, landscape and /or heritage importance;
6. The proposal does not sterilize or otherwise prevent the working of other significant mineral deposits;
7. There is no unacceptable harm to land drainage groundwater and water resources;
8. The proposal ensures that the potential use of the resource is maximised and there is satisfactory disposal of any waste arising from the mineral operation;
9. Where blasting is proposed, the proposal includes a scheme of blasting to demonstrate that it can be controlled to meet the conditions detailed in Mineral Technical Advice Note MTAN (Wales) 1: Aggregates, or any amendments;
10. The proposal includes a scheme for the after use of the site and details of the restoration and aftercare required to achieve it in accordance with Policy MWYN 9;
11. Wherever economically feasible, mineral waste or products should be transported by rail or water
This policy is applicable to mineral exploration operations that fall outside the scope of Part 22 of the Town and Country Planning (General Permitted Development) Order 1995.

Explanation:

- 6.5.76 Even though mineral working is a temporary use of land it can have considerable impact on the local amenity and on the environment. Some impacts could render the development unacceptable. This policy seeks to identify those aspects of mineral development that require control in the interest of the local amenity and the environment. Development plans are required to set out the criteria that will be applied to mineral proposals and lists the issues to be addressed. Many of these issues are addressed by policies elsewhere within the Plan and National Planning Policy. As with many other types of development, mineral operations can have a cumulative adverse impact on the environment and/or local amenity. Due consideration should also be given to the economic and environmental benefit which may possibly arise from mineral working.
- 6.5.77 Both Councils are aware of the responsibility to protect the Areas of Outstanding Natural Beauty. Chapter 14 of Planning Policy Wales supported by Minerals Technical Advice Note (Wales) 1 Aggregates 2004 make it clear that mineral development should only be allowed in Areas of Outstanding Natural Beauty in exceptional circumstances. Section 14.3 of Planning Policy Wales sets out matters that should be taken into account when considering proposed mineral extraction in or close to Areas of Outstanding Natural Beauty as well as proposals which could impact upon the setting of the National Park Authority.
- 6.5.78 The reference to environmental capacity of mineral workings on a locality should be assessed on a case by case basis, subject to the assessment of all environmental and amenity criteria, typically transportation, economic, cultural, environmental and social impacts.
- 6.5.79 Where reference is made to 'Suitable buffer', this relates to MTAN 1 and MTAN 2 recommended distances. These don't necessarily apply to prior extraction or exploratory, both of which would need to be considered on a case by case basis.

POLICY MWYN 4: LOCAL BUILDING STONE

The temporary working or reopening of small-scale mineral operations to provide traditional building materials for the repair and/or alteration of buildings or walls of architectural or historic importance or the construction of new buildings, walls or other structures on sensitive sites will be granted provided that:

1. It is compatible with other Plan policies and that it is in the interests of building conservation, the local landscape and sustainability.
2. Where it can be demonstrated that the need cannot be met from existing reserves/sources.

The duration should be considered on a case by case basis, taking into account the need for the mineral type concerned. The Council will attach a condition specifying end use to which the stone is to be put.

Explanation:

- 6.5.80 The impact of the County's built environment on the character of the area is recognised. In many parts of the area, the character of building materials plays an important part in local heritage. The Councils recognises the importance of allowing for the use of local building stone where it can be demonstrated that there is a genuine specific need that cannot be met from existing reserves/quarries.

POLICY MWYN 5: BUFFER ZONES AROUND MINERAL SITES

Planning applications for mineral extraction within the buffer zones identified on the Proposals Map will not normally be permitted unless a new buffer zone can be provided to reflect the minimum distances referred to in MTAN 1: Aggregates, unless there are clear and justifiable reasons for reducing the distance, i.e. where there is limited impact from the mineral extraction site

Proposals for sensitive developments (in particular housing, hospitals and schools) as defined by MTAN 1 : Aggregates, within the buffer zones identified on the Proposals Map will be refused, unless clear and justifiable reason are provided, and it can be demonstrated that there will be no adverse impacts or conflicts with the mineral operation.

Within the Referral Areas for Coal (Development High Risk Areas) identified on the Constraints Map, development shall only be granted within settlement boundaries where it can be demonstrated that the potential for subsidence has been the subject of geotechnical investigation and that appropriate measures to minimise the impact of subsidence by ensuring best practice to design and control of development may be applied including mitigation in the form of remediation and prior extraction where appropriate.

Explanation:

- 6.5.81 Mineral Buffer zones are shown on the Proposals Map around all quarries and mineral operations, including dormant sites. The purpose of buffer zones is to protect both mineral reserves (resources

with planning permission) and mineral resources from development that may sterilise them, but also to ensure the environmental effects of quarrying do not adversely affect sensitive development.

- 6.5.82 The Councils recognise the benefits of establishing such zones in protecting local amenity and sensitive areas whilst maintaining the viability of approved mineral working. The buffer zones identified in the Proposals Maps have been specified in accordance with the criteria set out in MTAN 1: Aggregates. The minimum distances required are 100 metres for sand and gravel and 200 metres for hard rock quarries. For the purposes of clarity, hard rock quarries include extraction from hard rock mineral working deposits. The buffer zones identified in the Proposals Maps as well as any notional buffer zones are defined from the outer edge of the area where extraction and processing operations can take place including site haul roads.
- 6.5.83 In accordance with MTAN 2, the Plan designates 'Development High Risk Areas for Coal. These are based on the Coal Authority's risk map for Anglesey which indicates the presence of 'Mine Entries with Potential Zone of Influence', south east of Llangefni in and around Pentre Berw and east of Malltraeth, where evidence of coal mining features suggest that the area has the potential for instability. It is material to consider whether a development will be affected by subsidence and to consider the acceptability of proposed mitigation measures.

POLICY MWYN 6: RAILHEAD AND WHARF FACILITIES

Existing and potential railhead and wharf facilities identified on the Proposals Maps will be safeguarded. Proposals that adversely affect the future availability of these facilities, or facilities for bulk mineral transportation will be refused.

Explanation:

- 6.5.84 Construction aggregates are a relatively low value product with a high transport cost. Transportation in bulk to distant markets is essential to maintain low unit cost competitiveness with primary aggregates from locations nearer to the market. The Plan area has the highest level of slate waste resources in the UK, and has a leading role to play in the supply of slate waste as a secondary aggregate. Furthermore, whilst the Councils have no direct control over their development, marine aggregates are recognised as a valuable resource and provide an alternative to land-won aggregates.
- 6.5.85 Bulk transportation may be achieved by rail and/or by sea. Where access to a strategic rail network is available it is important that potential bulk transport outlets for secondary aggregates be safeguarded. This can contribute to a more sustainable system of transporting minerals and reduce pressure on the existing road network.

POLICY MWYN 7: EXPLORATION WORKS

Proposals for exploration works will be granted for a temporary period provided satisfactory environmental safeguards are in place and full reinstatement provisions are undertaken upon completion.

Explanation:

- 6.5.86 Some mineral exploration works are permitted development under the Town and Country Planning (General Permitted Development) Order 1995 if certain conditions are complied with. In order to ensure that any proposal is viable detailed feasibility studies must first be undertaken. Such studies include exploratory works including drilling boreholes, seismic surveys and carrying out trial excavations. These operations may potentially cause pollution to the water environment, necessitating the need for full consultation with the Natural Resource Wales on any such proposals. Any subsequent mineral applications will be assessed on their own merits without prejudice to whether permission has been granted for exploratory works.

POLICY MWYN 8: BORROW PITS

Proposals for the development of borrow pits will be granted provided that:

- 1. There are demonstrable environmental benefits to be gained**
- 2. They can be developed in accordance with other relevant policies of the plan and in particular other mineral policies.**
- 3. They are a temporary use of land linked to the timescale of the development proposed**

Explanation:

- 6.5.87 Borrow pits are temporary mineral workings developed to supply a particular construction project. Borrow pits can offer significant environmental benefits over mineral supply from existing reserves by reducing transport distances. Major contracts may require the supply of large quantities of minerals over a short timescale which may cause significant environmental impact and disturbance to local communities. Borrow pits should be located within or near to the project and preferably supply material direct without the use of public roads. There needs to be clear environmental benefits for the use of a borrow pit as opposed to supply from secondary or recycled aggregates, or from established mineral working sites identified in the development plan. Restoration and aftercare works should be to the high standards expected on mineral sites in accordance with Policy MWYN 9.

POLICY MWYN 9 RESTORATION AND AFTER CARE

Applications for mineral working will be refused unless a comprehensive scheme for restoration, aftercare and after use, including details of proposed funding where necessary is included. Schemes must show progressive working and restoration unless it can be demonstrated that this is not practical without sterilising permitted reserves. The scheme should address the following matters:

- 1. The existing use of the site**
- 2. Adjoining land uses**
- 3. The proposed after-use of the site**
- 4. The surrounding landscape character**
- 5. The proposed final landform**

6. The in-situ soil resource, its conservation during site working, and its use in the progressive restoration and afteruse
7. Timetable detailing the progressive restoration of the site to a high standard
8. The potential for natural recolonisation or for enhancing or providing wildlife habitats, agriculture, forestry, geoconservation and amenity use
9. The potential for community economic and recreational benefit
10. Other policies of the Plan

Explanation:

6.5.88 Mineral sites are normally restored within the land use categories listed above. Nearly all other after-uses will require a separate planning permission including proposals for recreation, industrial and housing. The Council must be satisfied before an application is determined that no matter how long the development, the site can be properly restored and brought back into beneficial after use within a recognisable timescale. The MTAN sets out comprehensive guidelines on how a high standard of restoration and aftercare should be achieved and how beneficial after use should be provided. The Council will not permit new mineral development without a comprehensive detailed scheme of restoration and aftercare being agreed.