Cyfarfod:

Pwyllgor Cynllunio a Mynediad

Dyddiad: Dydd Mercher 1 Gorffennaf 2020
Amser 10.00 y.b.

Anfonir cyfarwyddiadau ymuno at yr Aelodau ar wahân

Meeting:

Planning and Access Committee

Date: Wednesday 1 July 2020
Time: 10.00 a.m.

Joining instructions will be sent to Members separately

Aelodau wedi’u penodi gan Gyngor Gwynedd
Members appointed by Gwynedd Council
Y Cynghorydd / Councillor:
Freya Hannah Bentham, Elwyn Edwards, Alwyn Gruffydd,
Annwen Hughes, Judith Mary Humphreys, Edgar Wyn Owen,
Elfed Powell Roberts, John Pughe Roberts, Gethin Glyn Williams;

Aelodau wedi’u penodi gan Gyngor Bwrdeistref Sirol Conwy
Members appointed by Conwy County Borough Council
Y Cynghorydd / Councillor:
Philip Capper, Wyn Ellis-Jones, Ifor Glyn Lloyd;

Aelodau wedi’u penodi gan Llywodraeth Cymru
Members appointed by The Welsh Government
Mr. Brian Angell, Ms. Tracey Evans, Ms. Elinor Gwynn,
Mr. Tim Jones, Mr. Neil Martinson, Mr Owain Wyn.
1. **Apologies for absence and Chairman’s Announcements**
   To receive any apologies for absence and Chairman’s announcements.

2. **Declaration of Interest**
   To receive any declaration of interest by any members or officers in respect of any item of business.

3. **Minutes**
   The Chairman shall propose that the minutes of the meeting of this Committee held on 20\textsuperscript{th} May 2020 be signed as a true record (copy herewith) and to receive matters arising, for information.

4. **Report on Inspection Panels**
   To submit a report by the Director of Planning and Land Management (Copy herewith)

5. **Inspection Panel Report**
   To submit the report of the Northern Area Inspection Panel held on the 11\textsuperscript{th} March 2020, together with a report by the Director of Planning and Land Management on the application. (Copy herewith)

6. **Reports by the Director of Planning and Land Management**
   To submit the reports by the Director of Planning and Land Management on applications received. (Copies herewith)
SNOWDONIA NATIONAL PARK PLANNING AND ACCESS COMMITTEE
WEDNESDAY 20th MAY 2020

Councillor Elwyn Edwards (Gwynedd) (Chairman)

PRESENT:

Members appointed by Gwynedd Council
Councillors Freya Bentham, Alwyn Gruffydd, Annwen Hughes, Edgar Wyn Owen, Elfed Powell Roberts, John Pughe Roberts, Gethin Glyn Williams;

Members appointed by Conwy County Borough Council
Councillors Philip Capper, Wyn Ellis Jones, Ifor Glyn Lloyd;

Members appointed by the Welsh Government
Mr. Brian Angell, Ms. Tracey Evans, Ms. Elinor Gwynn, Mr. Tim Jones, Mr. Neil Martinson, Mr. Owain Wyn;

Officers
Mr. G. Iwan Jones, Mr. Jonathan Cawley, Mrs. Jane Jones, Mr. Aled Lloyd, Mr. Richard Thomas, Ms. Sara Thomas, Mr. Geraint Evans, Ms. Gwen Aeron, Mrs. Anwen Gaffey.

Apology
Councillor Judith Humphreys.

1. Chairman’s Announcements
   The Chairman welcomed the newly appointed Welsh Government Member, Mr. Tim Jones, to his first meeting of the Planning and Access Committee and confirmed that Mr. Jones had been provided with planning training.

2. Declaration of Interest
   No declarations of Personal Interests were made in respect of any item.

3. Minutes
   The minutes of the Planning and Access Committee meeting held on 4th March 2020 were accepted and the Chairman signed them as a true record.

4. Reports by the Director of Planning and Land Management
   Submitted – Reports by the Director of Planning and Land Management on current planning applications.

4.1 Options for the Planning and Access Committee to Delegate Authority to the Director of Planning and Land Management to determine the following planning applications:
   1) NP2/14/18D, Nant Cwmbran Isaf, Nasareth
   2) NP2/16/451A, Land adjacent to Pen-y-Bryn, Penmorfa
   3) NP5/72/128A, Bryn Ifan, Arenig
   4) NP5/62/407, Maes y Garnedd, Cwm Nantcol
   5) NP5/69/113H, Llanfendigaid Hall, Rhoslefain
Submitted – A report by the Director of Planning and Land Management with options for the Planning and Access Committee to decide whether to delegate authority to officers to determine the 5 applications referred to in the report. Members were reminded that access issues were also matters that could be determined by the Planning and Access Committee.

Reported – The Director of Planning and Land Management presented the report and advised that new Regulations, which came into effect at the end of April, allowed the Authority to hold ‘remote’ meetings. The timing of the Regulations meant that officers had been unable to resolve issues such as access for members of the public and public speaking etc., in time for today’s meeting. The 5 planning applications were being presented to the Planning and Access Committee with a brief summary, for Members to consider whether to delegate authority to officers to determine some, none, or all of the following:-

1) **NP2/14/18D, Nant Cwmbran Isaf, Nasareth** – Part retrospective application to retain two storey side extension and proposed demolition of rear one storey flat roof extension.
   **RESOLVED to refer the application to the Planning and Access Committee on 1st July 2020, for determination.**

2) **NP2/16/451A, Land adjacent to Pen-y-Bryn, Penmorfa** – Outline application for the erection of two storey dwelling for local affordable need.
   Arising thereon, Members asked the Case Officer to ascertain whether there was evidence of local affordable need in the area, prior to the next meeting of the Planning and Access Committee on the 1st of July.
   **RESOLVED to refer the application to the Planning and Access Committee on 1st July 2020, for determination.**

3) **NP5/72/128A, Bryn Ifan, Arenig** – Alterations to a detached single storey traditional building with stone walls and a slate roof with its rear elevation fronting the adjacent minor road. The alterations comprise re-roofing with sheeting, minor extensions and the insertion of new openings.
   **RESOLVED to delegate authority to the Director of Planning and Land Management to determine the application.**

4) **NP5/62/407, Maes y Garnedd, Cwm Nantcol** – Siting of 3 Shepherd’s Huts, associated access paths and installation of bio digester treatment plant.
   **RESOLVED to refer the application to the Planning and Access Committee on 1st July 2020, for determination.**

5) **NP5/69/113H, Llanfendigaid Hall, Rhoslefain** – Introduction of 3 alternative holiday accommodation units.
   Arising thereon, a Member requested further information on the ecological impact of the proposal and questioned the merits of replacing the existing caravan and motorhome facilities on the site with holiday units, as there has been an increase in the number of motorhomes visiting the National Park. Further, a member asked for evidence and information on how the Authority intends to develop a strategic overview to cater for the increasing number of motorhomes visiting the National Park.
   **RESOLVED to refer the application to the Planning and Access Committee on 1st July 2020, for determination.**
4.2 **Snowdonia Visual Impact Provision – Planning Application**

**Submitted** – A report by the Principal Planning Officer, Development Management, to update members on the current position with regard to the process of determining the planning application for the Snowdonia Visual Impact Provision (VIP) for tunnel head-houses, access roads and construction compounds and to seek approval for the method of determination.

**RESOLVED to revise the decision taken at the Planning & Access Committee on the 4th March 2020 in that the Snowdonia National Park Authority’s Planning and Access Committee will determine the section of the National Grid VIP application that lies within the National Park area, the remainder to be determined separately by Gwynedd Council.**

The meeting ended at 16.30
1. Background

2. Members will be aware that the Planning Committee may request for a planning application not to be determined until an Inspection Panel has visited the site to assess a particular issue. Applications are then determined at the subsequent committee, following feedback from the Inspection Panel (there is a northern and southern Panel, depending upon the location of the application).

3. Members will be aware that Inspection Panels should be the exception rather than the rule in reaching a decision. This is because it is expected that the information provided in a planning officer’s reports, along with accompanying power point presentation and photographs of the site provided on the day should normally be sufficient for Members to reach a conclusion. There have only been 2 Site Inspection Panels over the last year, which demonstrates a judicious use of this format by the Committee.

4. It is of course accepted that from time to time, a specific element of a planning application is hard to convey in a report or through photographs, and in a ‘finely balanced’ discussion an inspection panel may on occasion be required to reach a conclusion and determination.

5. Coronavirus and the Use of Inspection Panels

6. The Coronavirus pandemic creates a difficult context for dealing with Site Inspection Panels. This is because:
   - A panel of up to 9 Members (and officer(s)) visiting a site would potentially increase the risk of spreading the virus and send the wrong message to local communities at this current time;
   - There will be practical difficulties of presenting to such groups whilst adhering to social distancing guidelines (this may particularly be the case if having to point out details on plans or drawings);
7. In view of the above, I would advise Committee members to avoid requesting an Inspection Panel for the time being. To help this situation, I have asked officers to provide more information than usual in their presentations (particularly photographs and possibly videos of the site). I would also encourage Members to raise questions with officers prior to the committee.

8. Should the Committee still be of the opinion that they cannot reach a conclusion and decision on a particular application, I would advise that the decision be deferred and up to 3 individual Members (from either the Northern or Southern Site Inspection Panel, depending upon site location) to visit the site of their own accord prior to the subsequent Committee. The Committee should make it clear exactly which issues requires further scrutiny. Arrangements would have to be made with the landowner / applicant as to which Members would be visiting the site (including date and time). This would take place without a planning officer being present, although the case officer could then be on hand to answer any queries following the site visit. The 3 nominated Committee Members would then be expected to verbally report their findings on the specific issue at the subsequent committee.

9. I believe this arrangement would have to remain in place until rules on social distancing are relaxed.

10. Conclusion

11. Site Inspection Panels can be a useful tool for the Planning Committee to reach a conclusion on difficult planning applications that require careful scrutiny of particular issues that cannot be conveyed through the usual officer presentation. They are the exception rather than the rule, and this has been the case in Snowdonia with only 2 applications requiring a site visit over the last year.

12. The coronavirus pandemic has made the safe and practical use of Inspection Panels very difficult if not impossible (in addition to potential adverse publicity to the Authority from local communities or individuals).

13. It is therefore advised that the Committee avoid Inspection Panels for the foreseeable future (until social distancing rules are relaxed), and rely on the information provided by officers. Should further clarification still be required on a particular case, the Committee can request to defer a decision whilst up to 3 Members visit the site on an individual basis before they verbally report back at the subsequent committee.
14. Recommendation:

It is recommended that Members:

1) Note the content of the report and avoid Inspection Panels where possible;

2) In the event that the committee still requires clarification, as an alternative to an Inspection Panel, the Committee must:
   a. agree on the specific issue that requires further scrutiny; and
   b. defer the decision and nominate 3 Committee Members to visit the site as individuals and to report back on their findings on the specific issue requiring further scrutiny.
SNOWDONIA NATIONAL PARK AUTHORITY

NORTHERN AREA INSPECTION PANEL, 11 MARCH 2020

NP2/14/18D – PART RETROSPECTIVE APPLICATION TO RETAIN TWO STOREY SIDE EXTENSION AND PROPOSED DEMOLITION OF REAR ONE STOREY FLAT ROOF EXTENSION - NANT CWMBRAN ISAF, NASARETH.

PRESENT
Councillors Elwyn Edwards, Alwyn Gruffydd, Edgar Owen, Judith Mary Humphreys, Mr. Owain Wyn.

APOLOGIES
Councillors Wyn Elis-Jones, Phil Capper, Ifor Glyn Lloyd, Ms. Tracey Evans.

NOT IN ATTENDANCE
Mr. Neil Martinson.

OFFICERS PRESENT
Mr. Jonathan Cawley (Director of Planning and Land Management)
Mrs. Jane Jones (Planning Manager)
Mr. Geraint Evans (Acting Principal Planning Officer (Policy)).

REPORTED
Purpose of the Panel was to:
1. View the proposal to assess design and impact of the extension.
2. Assess the proposal against the relevant ELDP Policy.
3. Officers reported that Development Policy 15: Extensions, has three criteria’s that must be met.
4. The first criteria, that the footprint is smaller and the height is lower than the original dwelling, has not been met.
5. The second criteria, that it conforms to the Authority’s design guidance on extensions, has not been met.
6. In terms of the third criteria, Officers consider that the proposal detracts from the dwelling and the character of the surroundings in which it is located.
7. It was pointed out that the extension’s roof plane is higher than the original house on the front elevation and the extension is longer and wider than the original house.
8. The windows do not have a consistent and equal pattern, with different sizes and shapes. The pattern is inconsistent with the windows of the original house have a vertical emphasis.
9. The extension has not been design to be sympathetic to the original house and does not add to its character.
10. The extension now appears as the main element of the building, dominant the original house, which is the opposite of the aim of Policy 15.
11. The original house and the extension are not balanced due to its unusual form and substantial scale.
12. The design of the extension is out of character with the original house and does not retain its traditional features.
13. An application for Building Regulations had yet to be submitted.
14. The extension approved in 2012 has a footprint of 38m². The extension as built has a footprint of 87m².
15. No further correspondence or representations have been received since the Planning and Access Committee on 4 March 2020.

DISCUSSION
- Members viewed the extension from the site and from the road heading northwards towards Nebo. The case officer pointed out the key issues relevant to his report to Members – and Members noted these. It was also noted the extension is visible from the highways to the south and west, although it is not visible from the A487.

CONCLUSION
- Members noted the key issues relating to the officer’s report, particularly with regard to how it is contrary to Development Policy 15.
- The site is visible from the roads to the north and south, but not from the A487.
- Member of the Panel to discuss further at the next Planning Committee.
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<tr>
<th>Rhif Eitem / Item No.</th>
<th>Cyfeirnod / Reference No.</th>
<th>Disgrifiad / Description.</th>
<th>Swyddog Achos / Case Officer</th>
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<tbody>
<tr>
<td>1</td>
<td>NP2/14/18D</td>
<td>Cais rhannol ôl-weithredol i gadw estyniad dwy lawr i’r ochr a dymchwel yr estyniad unllawr yn y cefn, Nant Cwmbran Isaf, Nasareth / Part retrospective application to retain two storey side extension and proposed demolition of rear one storey flat roof extension, Nant Cwmbran Isaf, Nasareth.</td>
<td>Mr Geraint Evans</td>
</tr>
<tr>
<td>2</td>
<td>NP5/62/407</td>
<td>Gosod 3 Cwt Bugail, llwybrau cysylltiedig a gosod tanc trin carthion bio-dreiliwr, Maes y Garne’d, Cwm Nantcol, Llanbedr / Siting of 3 Shepherd’s Hut, associated access paths and installation of bio digester treatment plant, Maes y Garne’d, Cwm Nantcol, Llanbedr.</td>
<td>Mr Aled Lloyd</td>
</tr>
<tr>
<td>3</td>
<td>NP5/77/336B</td>
<td>Mae’r datblygiad canlynol wedi’i leoli o fewn ffiniau Awdurdod Cynllunio Lleol Parc Cenedlaethol Eryri: 1) Codi adeilad pen twnnel dwyreiniol (gan gynnwys y compownd adeiladu cysylltiedig), compownd selio pen a mynediad parhaol yn Cilfor, Llandecwyn 2) Compownd selio pen newydd ar ochr ddwyreiniol Aber Dwyryd i gysylltu’r ceblau tanddaearol a’r llinell uwchben Mae’r datblygiad canlynol wedi’i leoli o fewn ffiniau Awdurdod Cynllunio Lleol Cyngor Gwynedd: 1) Codi adeilad pen twnnel y Gorllewin (gan gynnwys y compownd adeiladu cysylltiedig) yn Garth, Minffordd yng hyd a thrac mynediad parhaol Nid oes angen caniatad cyyllunio ffurfio ar gyfer y datblygiad canlynol: Byddai’r cynigion hyn yn galluogi adeiladu twnnel tanddaearol i gynnwys ceblau trydan a chael gwared ar 10 peilon presennol a llinellau uwchben cysylltiedig ar draws Aber Dwyryd, Tir yn Cilfor, Llandecwyn / The following development is located within the boundaries of Snowdonia National Park Local Planning Authority 1) Construction of Eastern tunnel head house (including the associated construction compound), sealing end</td>
<td>Mr Aled Lloyd</td>
</tr>
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compound and permanent access at Cilfor
2) A new sealing end compound on the eastern side of the Dwyryd Estuary to connect the underground cables to the overhead line

The following development is located within the boundaries Gwynedd Council Local Planning Authority:
1) Construction of Western tunnel head house (including the associated construction compound) at Garth, Minffordd and the permanent access track

The following development does not require formal planning permission.
These proposals would allow for the construction of an underground tunnel housing electricity cables and the removal of 10 existing pylons and associated overhead lines from across the Dwyryd Estuary. Land at Cilfor, Llandecwyn.

<table>
<thead>
<tr>
<th>No.</th>
<th>Reference</th>
<th>Description</th>
<th>Applicant</th>
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<tr>
<td>4</td>
<td>NP5/69/113H</td>
<td>Gosod 1 pod gwersylla a 2 cwt bugail fel llety gwyliau (Ail-gyflwyniad), Llanfendigaid Hall, Rhoslefain / Siting of 1 pod and 2 shepherd’s huts for use as holiday accommodation (Re-submission), Llanfendigaid Hall, Rhoslefain.</td>
<td>Mrs Sara D. Thomas (on behalf of Mr. David Fitzsimon)</td>
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</table>
Summary of the Recommendation:

To REFUSE on the grounds of size and design of the extension.

Reason(s) Application Reported to Committee:

Scheme of Delegation

At the request of Member for the design to be assessed.

Environmental Impact Assessment (EIA):

The development has been subject to a screening opinion which concluded that the development is not EIA development.

Land Designations / Constraints:

Open Countryside

Site Description:

Nant Cwmbran Isaf is an unassuming farmhouse in the open countryside. Agricultural buildings are located behind the house. The house is located in a valley between Mynydd Graig Goch and the hill where the Nebo mast is located. A highway about 250m west of the house on a hillside looks down on the house. There is a highway 400-500m to the South East of the house from where the house can be seen. There are three other houses within 400m of it. The house is not visible from the A487.
Proposed Development:

Two storey extension to east gable end of the house. The rooftop is slightly smaller than the top of the original roof. The top of the extension is not parallel to the top of the original house, it is located approximately 1.5m to the front of the house. This leads to a gable wall to the extension which rises higher than the front of the original house, and the eaves are higher than the original house for about 3m from the house. It then falls as the extension protrudes from the front line of the original house by about 2m. The angle of the two roof planes of the extension are less steep than the roof of the original house.

The gable width of the original house is approximately 6.5m. The east gable of the extension is 9.8m. It has a stone finish to the ground floor and timber panels to the first floor. The eastern gable is mostly made of glass.

Relevant Planning Policies:

Eryri Local Development Plan 2016-2031

- PSA National Park Purposes and Sustainable Development
- DP1 General Development Principles
- DP15 Extensions

Supplementary Planning Guidance

- Authority design guidance on extensions

National Policy/Guidance

- Planning Policy Wales (PPW), Edition 10 December 2018

Consultations:

<table>
<thead>
<tr>
<th>Clynnog Community Council</th>
<th>No comments received</th>
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<tr>
<td>Dŵr Cymru / Welsh Water</td>
<td>Comments</td>
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</table>

Response to Publicity:

The application has been advertised by means of a site notice and notification letters to neighbours.

At the time of writing this report, 1 letter of support had been received; here is a summary of the comments:

- Energy efficient building
- Original house has no value, need to adapt for family needs.
Assessment:

1. **Background**

1.1 In February 2019 during a compliance visit it was noted that a side extension to the house was under construction, with the metal frame in place on top of a concrete slab. It was also noted that a single storey extension had been completed at the front of the house. It was confirmed that both required planning permission. The owner has been strongly advised, more than once, to suspend work until the planning situation is resolved and any further work is at their own risk. However, the advice was not adhered to and the work that has now been completed, continued. It was advised early on that Officers did not consider the extension to be in compliance with the policies of the Local Development Plan. This planning application was submitted in an attempt to regularise the matter.

1.2 The owner stated that the single storey front (Sun Room) extension had existed for over 4 years. An application has been received and a legal certificate issued (NP2 / 14 / LU18C). The front extension is therefore legal and immune from enforcement action because they have been completed for a period of over 4 years.

1.3 There is another extension, a flat roof porch at the rear of the property which has been present for many years. It has not shown on the plans; it is proposed to demolish this extension in order to reduce the total footprint.

1.4 In 2012 permission was granted (NP2 / 14 / 18A) for a two storey extension to the east gable end of the house, which is the location of this application's proposal. A previous application (NP2 / 14/18) was refused and the size of the extension was subsequently reduced to make them acceptable. The development had to start within 5 years, by October 2017. There is no evidence that this has happened so the permission appears to have lapsed and is no longer valid. The previous permission is not considered live, so it is not 'fallback'. If the development commenced within the 5 years, what has been built is significantly different to the approved plans and therefore does adhere to the original planning permission. Building an extension as approved in 2012 would require the submission of a new planning application.

2. **Principle of Development**

2.1 The principle of building a two storey side extension to a house is acceptable, provided it complies with the criteria of Development Policy 1 and 15.
3. **Planning Assessment**

3.1 Planning Policy Wales 10 (para 3.4), and Technical Note 12 (para 2.8) state that good design encompasses many elements, including access, inclusivity and environmental sustainability as well as the character of the site, namely the form, size and appearance of the proposed development in relation to its surroundings.

3.2 The main consideration is the policy on extensions, design and landscape impact.

3.3 Policy 1 states that the criteria below need to be met if approved:

i. The nature, siting and layout, height, form and scale of the development are compatible with the capacity and character of the site in which it is located.

ii. Development in the domestic curtilage of a dwelling must not detract from the character and form of the existing dwelling or its setting in the landscape.

Policy 15 states that an extension to a dwelling will be permitted provided the following criteria are met:

i. The footprint is smaller and the height is lower than original dwelling,

ii. It conforms with the Authority's design guidance on extensions; and,

iii. It does not detract from the dwelling or the character of the surroundings in which it is located.

3.4 The footprint of the original house is 62m². The proposed extension has a footprint of 87m². This is an increase of 140% of the footprint of the original house.

3.5 The extension granted permission in 2012 had a footprint of 34m², an increase of 54% of the footprint of the original house. It was secondary to the original house and complied with the policy.

3.6 The Sunroom's footprint measures 38m². The footprint of the flat roof extension on the rear elevation is approximately 16m². If the footprint of the original house and all extensions are taken into account, the total is 203m², an increase of 227% of the footprint of the original house. This is 3.3 times larger than the footprint of the original house.

3.7 If the flat roof porches are not considered (a planning condition may result in their demolition), the total footprint is 187m², an increase of 201% from the original house, which is three times larger.
3.8 Criterion (ii) of Policy 15 requires compliance with the Authority’s design guidance on extensions. The proposal is contrary to the guidance in its current form, therefore it does not comply with the following criterion:

- Window glazing should be avoided and extension windows should match existing ones: the gable end of the proposal is 57% glass and the windows do not match the windows of the original house.
- The length of an extension must be less than the length of the house: the length of the extension (10m) is greater than the length of the house (7.5m).
- Extension should not be wider than the width of the original house: the width of the extension (10m) is wider than the gable end of the house (6.5m).

3.9 Policy 1 and criterion (iii) of Policy 15 state that an extension should not be detrimental to the dwelling or the character of the surroundings in which it is located.

3.10 The roof top of the side extension is closer to the front than the top of the original roof by about 1.5m, meaning that the roof plain of the extension is higher than the front of the original house. This leads to a wall in the gable end of the extension above the original roof plain. This increases the dominance of the extension over the original house. The eaves closest to the house are about 1m higher than the eaves of the house; the eaves then drop to a lower level than in the house. This results in a disorganised and irregular line to the roof eaves on the front elevation.

3.11 The slates appear to be lighter than those of the original house thus increasing its prominence distinctiveness. Planning permission would include a condition to ensure that the slates are natural Welsh mineral slates or slates with similar colour, texture and weathering characteristics.

3.12 The property can be seen from the roads to the South of the house and to the North. Toward the East there is open access land leading up to Graig Goch mountain, which is popular among Nantlle Ridge walkers. From the South-east, and from the mountain, the extension obscures a substantial part of the original house. From the South West, the extension dominates the original house, with its larger length and a substantial roof front. It is not designed to be sympathetic to the original house and does not add to its character. Indeed, the extension now appears to be the main element of the building and completely dominates the original house. Along with the conservatory, a significant part of the original house is hidden from views from the south and east.
Widening the top of the extension to 10m results in a substantial mass and bulk compared to the original house. The 'L' shape of the extension means that they protrude from the front elevation of the original house. The original house and the extension are not balanced due to its unusual form and substantial scale.

3.13 The original house is typical of a small farmhouse. The extensions have led to the farmhouse becoming the subordinate element of the building as a whole. The scale of the extension is substantial and detracts from the original house. The design of the extension is out of character with the original house and does not retain its traditional features. The other houses in the area are typical of the traditional rural housing of Snowdonia. In this context the design of the extension does not reflect the housing characteristics of the area. It is not considered that the standard of design is innovative and does not justify contravening the policies of the ELDP.

3.14 Windows do not have a consistent and equal pattern, with many different sizes and shapes. The pattern is inconsistent with the simple symmetric form of the original house. The windows of the original house have a vertical emphasis and this is not reflected in the design of the extension. Most of the east gable is glass, with large glass windows at the east corner on the front and rear elevations.

3.15 The substantial use of glass on the front elevation is out of character with the original house. Views from the east are dominated by the wide gable end of the extension which is 75% glass, with a stone square in the middle. It also raises concerns regarding the impact of light pollution on the Dark Sky Reserve and increasing the visibility of the structure in the landscape at night.

3.16 The use of wood panels increases the prominence of the extension. It exacerbates that the extension is a new addition to the original house. As the extension is not secondary to the original house, this difference is not considered as an ideal feature.

3.17 The ground level around the extension falls away thus making it appear as if it is protruding into the valley, increasing its prominence. The applicant proposes to erect a stone wall to the front of the house and to plant trees on the land below. These mitigation measures are not considered to negate the visual impact of the extension.

3.18 Whilst the Sun room on the front elevation is legal and not the subject of this application, it is a substantial structure and spans the entire width of the front elevation and is wider than the width of the original house, contrary to the Authority's design guidance on extensions. The following detracts from the character of the original house with its glass gable end being a prominent feature in the landscape.
3.19 It is acknowledged as part of this assessment that the character of the house has already deteriorated due to the Sun Room. However, with the Sun Room it was still possible to interpret the traditional form of the original house. The further addition of the side extension is considered to be a significant change to the character and form of the traditional house beyond what is acceptable. The Sun Room and side extension as a whole is substantially larger than the original house and in conjunction it is very detrimental to the original house.

3.20 For the above reasons, the height, form and scale of the development is out of character with the volume / capacity and character of the site in which it is located, and its prominence in the landscape, and therefore contrary to Development Policy 1 and 15.

3.21 The applicant proposes that personal circumstances justify the extension. Usually personal circumstances is not given much weight, but court cases demonstrate that they can be taken into consideration where the issues are closely balanced.

3.22 It is stated that the applicant's mother has a health condition and has had a stroke. A letter from their GP states that the family believes that their mother needs 24 hour care and that an extension would enable her to move in with them and reduce the stress on the family. The applicant's mother currently lives approximately 1.5km away in a bungalow and receives daily care. It is proposed to dedicate the entire ground floor of the extension to care needs.

3.23 The Authority has no objection to the principle of providing an extension for care needs. However, this is not considered to justify an extension at the size and of the design of the proposal. The ground floor footprint is almost 90m², the footprint of an affordable three room bungalow. The smaller extension granted in 2012 provided accommodation for care needs, and the conservatory at the front of the house now provides extra living space for the family. It is believed that an extension of a suitable size and design could fulfill the need.

3.24 It is stated that the applicant has five children. The youngest two live at home, the oldest one at 23 moved out and the middle two (aged 17 and 18) split their time between their father and mother's home. It is stated that these two will move to Nant Cwmbran Isaf after the extension has been completed. The present house appears to have two or three bedrooms. The extension approved in 2012 would have provided 4 bedrooms on the first floor throughout the house. The current application also provides 4 bedrooms. It is not considered that the circumstances justify an extension which would be significantly larger than what was previously granted.
3.25 It is understandable that the extension would facilitate the family's situation, but the adverse effect of the extension is not outweighed by the circumstances. It is considered that design is the main issue to be considered, and that the needs of the family will be achievable with a well designed extension that complies with LDP policies.

3.26 The applicant justifies the size and design of the extension through the use of renewable technology. It is stated that large windows will reduce the use of artificial light and that there will be use of a ground heating system and solar panels. Whilst it is acknowledged that such measures contribute to renewable development, they could be adopted with a smaller design which would be in keeping with the policies of the LDP. These do not justify the scale and design of the extension.

Revisions

3.27 Following the May Planning and Access Committee, revised plans were submitted. The Authority is re-consulting following the changes and officers will report any comments made to the Committee. The revisions include:

- Increased stone cladding on side extension and reduction in window size.
- In addition, similar changes are proposed to the Sun Room / conservatory at the front of the house.

3.28 As a result of the revisions the windows are smaller with a more consistent pattern to the front and rear elevations. Nevertheless, they do not reflect the windows of the original house, and the vertical emphasis, continues. The Authority did not request the revisions; these were offered voluntarily by the applicant.

3.29 On the gable end of the extension the reduction of glazed surface area is an improvement in design and the effect on the dark sky, although the first floor is still glass. The increase in the use of stone cladding is an improvement in design over the wooden panels.

3.30 Whilst the revisions are an improvement on the original application, they need to be weighed against Policy 15 criteria. The size and form of the extension remains unchanged and the footprint remains larger than the original house, and consequently it does not comply with the first criterion. In terms of the second criterion, following the revisions the proposal does not comply with the Authority's design guidance on extensions.
3.31 The third criterion states that extensions should not be detrimental to the dwelling or character of the environment in which it is situated. Following the revisions, there are continued concerns about the effect of the extension on the original house. The extension continues to appear to be the main element of the building and completely dominates the original house. The extension continues to be significantly larger in scale than the original house and is seriously detrimental to the original house.

4. Conclusion

4.1 It is acknowledged that the revisions do propose improvements to elements of the design of the extension. However, the proposal does not comply with Policies 1 and 15. The proposed development, due to its form and scale, is considered to be an over-development and an incongruous addition which dominates the original dwelling.

Background Papers in Document Bundle No. 1: Yes

RECOMMENDATION: REFUSE for the following reasons:

1. The proposed extension would be considered overdevelopment of the original dwelling and would be contrary to Criteria (i) of Development Policy 15 of the Eryri Local Development Plan 2016-2031 which states that an extension to a dwelling will only be permitted providing that the footprint is smaller than the original dwelling.

2. The proposed extension, by virtue of its scale, form and design, does not comply with the Authority’s Design Guide of Extensions and is contrary to criteria (ii) Development Policy 15 of the adopted Eryri Local Development Plan 2016-2031.

3. The proposed extension, by virtue of its scale, form and design would result in incongruous and overly dominant addition to the original dwelling. The result would detract from the character and appearance of the original dwelling and its surroundings, contrary to criteria’s (ii) of Development Policy 1 and (iii) Development Policy 15 of the adopted Eryri Local Development Plan 2016-2031.
Summary of the Recommendation:

To APPROVE subject to conditions.

Reason(s) Application Reported to Committee:
Scheme of Delegation

Members request that such proposals be considered by Committee.

Habitats Regulations Assessment (HRA):

The Authority has undertaken a Stage 1 HRA Screening for an Appropriate Assessment for both the Pen Llyn a’r Sarnau SAC and the Meirionnydd Oakwoods and Bat Sites SAC. The Stage 1 HRA Screening for both the aforementioned SAC's concludes that there are no likely significant effects from the proposed development either alone or in combination with any other plans and/or projects. The conclusion was reached in the absence of any consideration of mitigation measures or other measures designed to avoid or reduce any negative impact.

Environmental Impact Assessment (EIA):

The development has been subject to a screening opinion which concluded that the development is not EIA development.
Land Designations / Constraints:

Open Countryside
Public Footpaths Nearby
Dark Skies Core Zone
Section 7 Habitat
Cadw Historic Landscape
Adjacent to Area of Natural Beauty
Adjacent to Open Access Land
Within the Setting of a Listed Building

Site Description:

The site location lies approximately 5 miles to the east of the settlement of Llanbedr and comprises a traditional upland family farm that runs to 700 acres of rolling and rough grazing land and improved grassland. Field boundaries are dominated with traditional stone walls and some native hedging. The farmhouse itself has a Grade II Listed Building status.

The farm holding is situated at the furthest most point of Cwm Nantcol and is overlooked by the Rhiniogydd.

SPG 7, Landscapes and Seascapes of Eryri, states the Rhinog Mountains (the ‘Rhinogydd’ or ‘Rhinogau’) form a rugged mountain chain to the south of the Snowdon Massif, extending from the slopes above the estuaries of the Dwyryd and Glaslyn in the north to the Mawddach estuary in the south. The area takes its name from its most famous peaks, Rhinog Fawr and Rhinog Fach.

The application site is located on open hillside comprising a limited range of habitats including marshy grassland, improved grassland, scrub, trees and a small watercourse. It is located approximately 80 metres from the farmhouse and 30 metres from the metalled highway which serves the farm holding.

From the highway, the site slopes gradually upwards to where the 3 Shepherd huts will be sited. The huts will be comparatively close to one another and have been carefully positioned to take into account the immediate land form and surrounding habitat.

An area popular with walkers; being the starting point to the Rhiniogydd and ‘Bwlch Ardudwy’ trail, the family have provided an informal parking area at this location in excess of 60 years.

Proposed Development:

The application shows the siting of 3 self-contained Shepherd huts on rising ground.
The huts proposed measure 2.4m by 6m with an overall height of 3.5m. Although minor ground levelling will be required to accommodate the huts, there will be no requirement for any gravelled hardstanding area or concrete bases.

The huts have been sited to take advantage of the characteristics and topography of the land and to ensure they appear as inconspicuous as possible in the wider landscape.

The proposed plans show the development site extending to around 720m² and enclosed by an agricultural type post and wire fence. The site is relatively well screened by native trees, with ash being the dominant species, along with some rowan and holly. There is a traditional stone wall on the northern boundary.

The huts will incorporate a black corrugated roof and the outer walls will be of treated timber, which will naturally weather to a grey colour in time.

Parking for up to 4 cars will be accommodated on an existing hardstanding area situated in close proximity to the huts. Gravel footpaths will be formed to access the huts from the parking area. The paths will be no more than 1 metre in width and sympathetically located to avoid any disturbance to habitat and wetland areas.

The huts are shown to be connected to a proposed new bio digester treatment plant.

Relevant Planning Policies:

Eryri Local Development Plan 2016-2031

- SP A: National Park Purposes and Sustainable Development
- SP D: Natural Environment
- Strategic Policy Ff: Historic Environment
- SP H: A Sustainable Rural Economy
- SP I: Tourism
- DP 1: General Development Principles
- DP 2: Development and the Landscape
- DP 18 The Welsh Language and the Social and Cultural Fabric of Communities
- DP 20: Agricultural Diversification
- DP 29: Alternative Holiday Accommodation

Supplementary Planning Guidance

- SPG 7: Landscapes and Seascapes of Eryri
- SPG 13: Landscape Sensitivity and Capacity Assessment
- SPG 8: Visitor Accommodation
- SPG 14: Obtrusive Lighting (Lighting Pollution)
Consultations:

<table>
<thead>
<tr>
<th>Llanbedr Community Council</th>
<th>Support - It would ensure additional income on an upland farm. It is an appropriate diversification scheme and will fill a gap in the market in the area. The proposal will benefit the local economy. Extending to alternative holiday accommodation, is better than camping with the units being self-contained on a different level to holiday homes in the area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highways Authority</td>
<td>No objection</td>
</tr>
<tr>
<td>Natural Resources Wales</td>
<td>No objection, the scheme can be carefully integrated with the pattern of existing trees and landform. Recommend condition, that landscaping scheme be implemented.</td>
</tr>
<tr>
<td>Gwynedd Council - Environmental Health</td>
<td>No objection.</td>
</tr>
<tr>
<td>Gwynedd Council – Licensing</td>
<td>Site Licence will be required</td>
</tr>
<tr>
<td>SNPA ecology</td>
<td>Impose a condition on any consent issued in respect of this planning application to enable the measures detailed in Mitigation Measures of the Preliminary Ecological Assessment and Otter Survey (Version 2 - 1st June 2020) to be implemented in full.</td>
</tr>
<tr>
<td>SNPA Forestry</td>
<td>Advice on planting which has been incorporated into the plans</td>
</tr>
<tr>
<td>SNPA Dark Skies Activities Officer</td>
<td>Core Zone Area. External lighting should be avoided.</td>
</tr>
</tbody>
</table>

Response to Publicity:

The application has been publicised by way of a site notice.

No observations have been received.

1. Assessment:

Principle of Development

1.1 Development Policy 29 ‘Alternative Holiday Accommodation’ allows proposals for small scale alternative holiday accommodation provided all 5 of the policy’s criteria are met. This will be considered in further detail in the assessment below and will form the primary basis of this report.
1.2 Consideration will also be provided within this assessment to Ecology, the Dark Skies status and the effect of the proposal on the setting of a Listed Building.

Planning Assessment

1.3 All 5 criteria of Development Policy (DP) 29 must be complied with, and each is addressed in turn below.

DP29, Criteria i:

“The site is part of an agricultural diversification scheme or is ancillary to a new or existing tourist attraction and does not become the main attraction.”

1.4 As the proposal must form part of an agricultural diversification scheme, compliance with DP 20 ‘Agricultural Diversification’ is necessary. The 700 acre holding is quite obviously a registered and existing farm business, and I am satisfied that the proposal is “secondary to the use of the remaining land on the holding for livestock”.

1.5 A planning condition can ensure any approved proposal is tied in perpetuity to the agricultural holding. This will safeguard the ‘holiday’ part of the business to be sold off to a 3rd party, which would effectively undermine the objective of the policy.

1.6 There will be a clear economic benefit to this diversification scheme, in a time of potential significant change to upland farms.

1.7 Consequently I am satisfied that the first criterion of DP 29 has been met.

DP 29, criterion (ii):

The second criteria of DP29 states that “The proposed development does not cause significant harm to landscape character, fits unobtrusively within the landscape and is well screened by existing landscape features.”

1.8 This criterion needs to be afforded significant weight and needs to be considered in relation to DP 2 and advice contained within SPGs 7 and 13. Guidance contained in SPG 7 advises mountain and upland landscapes such as Y Rhinogau (Landscape Character Area 13) are highly distinctive and need to be protected from unsympathetic development.
1.9 Development Policy 2: Development and the Landscape states that the scale of new development, including its setting and landscaping should respect and conserve the character of the landscape. In particular the policy aims to protect landscape character areas based on LANDMAP. LANDMAP is an all Wales geographic information system based on landscape resource. It is comprised of five ‘Evaluated Aspects’ which are Geological Landscape, Landscape Habitats, Visual and Sensory, Historic Landscape and the Cultural Landscape.

1.10 This proposal is incorporated within a larger defined area for the requirements of the LANDMAP assessment. This area incorporates the Afon Cwmnantcol and the upland areas of the Rhinogs. In terms of the visual and sensory and the geological landscape aspects, the whole area is classed as having a high and an outstanding value. The recommendation for this area is that it should be conserved in its existing state.

1.11 As Cwm Nantcol is a very high quality and sensitive landscape, particular attention and consideration has been given to this element of the scheme; by the Authority and Natural Resources Wales (NRW), who are the statutory landscape advisors to National Parks. NRW’s Specialist Advisor on Landscape visited the site and the individual plots were pegged out. It was concluded that the scheme can be carefully integrated within the pattern of existing trees and landform at the proposed location. The area is suitably nestled into the hillside and unlikely to be visually apparent within wider public views, including those on distant higher ground. Inevitably the huts will be visible from immediate views such as the highway and nearby footpath but these views will be for a limited time and will not be prolonged.

1.12 Although the proposal will be nestled into the hillside, this gives the impression the site is completely isolated within the wider open countryside. This is not the case; the proposal maintains some connectivity with the farm holding and its variety of buildings.

1.13 Originally the submission proposed 4 Shepherd Huts and taking into consideration the immediate landscape effects from the nearby highway and footpaths, the most prominent hut has been omitted from the proposal.

1.14 Alternative sites for the proposal have been explored in case a better location existed. Several locations in close proximity to the farmhouse and attached agricultural buildings were considered.

1.15 In particular, two alternative sites were considered either side of the farm complex. To the east, there is an elevated plateau of land. This area is prominent in the landscape and within close proximity of sheep and cattle enclosures. It became clear access to the site would interfere with the everyday functioning and management of the farm.
1.16 The other site considered was on the opposite side, on improved agricultural land and in close proximity to a modern farm building. This site is within a C2 flood zone. It would not be practical in terms of the farm management and movement of stock and would not be acceptable due to its location on a flood plain.

1.17 It was concluded that the application site is the most appropriate location for siting the Shepherd Huts in terms of the characteristics of the site in that it is not obtrusive in the landscape and will be well screened within the existing landform. SPG 13: Landscape Sensitivity and Capacity Assessment highlights the area as having a sense of remoteness and tranquillity. Given this, a high level of scrutiny has been given to the landscape and visual element of the scheme – including a thorough onsite assessment of the site with NRW landscape advisor. Following careful consideration, it is considered that the development, will not harm the sensitivity or tranquillity of the area.

DP 29, criterion (iii)

Criterion 3 states “The proposal does not lead to the creation of a new access or parking areas that would adversely affect landscape character.”

1.18 No new vehicular access is being proposed and parking will be provided on an existing informal area, already regularly used by visitors to the area. It is expected that the pods will generate parking for between 3 and 6 cars. The intention is for users of the Shepherd huts to proceed from the parking area, on gravel paths to the huts. The gravel paths will be unlit.

1.19 The existing car parking capacity of the informal parking area is 25 cars, and it is only full during peak times (public holidays). The intention is to continue to provide informal parking in the same location for walkers. When full, the alternative parking area is 1.5 miles away. In the event this parking area reaches full capacity, then the users of the huts will be provided parking spaces by the farmhouse and existing buildings. To this effect, no traffic management problems are envisaged.

1.20 Given that the proposal is effectively relying on an existing parking area that is already used, there is no additional impact on landscape character from parking and the path to the units will be unobtrusive. It is therefore considered that the proposal satisfies criterion iii of the policy.

DP 29, criterion (iv)

Criterion iv states that “Any ancillary facilities should be located within an existing building or as an extension to existing facilities.”
1.21 The applicant has demonstrated there is no convenient building in close proximity to the proposal to provide shower/toilet facilities. Although the farm holding is situated in reasonable distance to the proposed site, the conversion of any existing building is not feasible as the buildings are all at full capacity.

1.22 If it was possible to locate any ancillary facilities within an existing building, then the requirement for external lighting from the huts to the farm holding would be much greater. Potentially this would cause an adverse impact on the Dark Skies designation.

1.23 Therefore, the huts are shown with shower/toilet facilities and the installation of a bio-digester treatment plant is proposed. Should the huts become redundant and fall out of use there will be a requirement for the Shepherd Huts and treatment plant to be removed and the land restored to its previous condition. This will be controlled through an appropriate condition.

**DP 29, criterion (v)**

Criterion v states that “*The site is for short-term holiday accommodation only.*”

1.24 This criterion will be satisfied by way of a condition.

**Biodiversity**

1.25 Strategic Policy D: Natural Environment seeks to protect natural resources, biodiversity, geodiversity and ‘Special Qualities’ of the Snowdonia National Park from inappropriate development.

1.26 Following pre-application advice, an Extended Phase 1 Habitat Survey was carried out in June 2019 which concluded that provided the recommended mitigation measures were adhered to, the only habitat that would be lost is small sections of improved grassland, rather than the more sensitive marshy grassland.

1.27 Concern was expressed by the Authority’s Ecologist on the grounds of the potential impact on lesser horseshoe bats as a feature of the Meirionnydd Oakwoods & Bat Sites Special Area of Conservation, (SAC), the potential impact on otters; as a feature of the Pen Llŷn a’r Sarnau SAC and the potential impact on nesting birds and habitats.

1.28 An otter survey was subsequently undertaken to enable an assessment of any potential impacts on otters and concluded there will be no negative impact on this species at any level.
1.29 Following re-consultation with the Authority’s Ecologist, it was confirmed that the ecological concerns on nocturnal wildlife have been addressed through the removal altogether of any lighting on the site in response to concerns over both nocturnal wildlife and the Authority’s Dark Skies Policy.

1.30 The amended assessment report also confirms that no Section 7 Welsh Priority Habitat will be lost or impacted by the proposed development as the siting of the 3 Shepherd Huts, and any associated infrastructure e.g. paths and bio-digester treatment plant will be located on areas supporting improved grassland rather than on the more sensitive marshy grassland.

1.31 The Preliminary Ecological Survey & Otter Survey, also recommended biodiversity enhancements in the form of new planting of benefit to wildlife. In consultation with the Authority’s Tree and Woodland Officer, the applicant has submitted a landscaping scheme to incorporate this enhancement which proposes the planting of 500 gorse plants in clumps of 50-100, with planting of blackthorn and whitethorn.

1.32 In view of the above, it is considered that the impacts on the biodiversity of the site are considered to be acceptable.

**Dark Skies Designation**

1.33 The site is located within a designated Dark Skies Core Zone 2. Development Policy 2 will resist unacceptable impacts on the landscape having regard to the protection of the Snowdonia Dark Skies Reserve, in particular core areas.

1.34 Originally an external lighting scheme had been submitted as part of this proposal. However, to protect the designation and to conform to the guidance contained in SPG 14: Obtrusive Lighting (Lighting Pollution), no external lighting is now being proposed.

1.35 The applicant recognises the importance of this status and will market the site as one with no external artificial lighting. The omission of external lighting will form part of the ‘experience’ of staying in the huts where a torch will be required. In addition this will also ensure there is minimal impact on the movement of nocturnal wildlife.

1.36 The proposed windows to the huts are relatively small, whereby the impact of any light pollution will be minimal.
Grade II Listed Building

1.37 The huts would be within a reasonable distance of the main farmhouse, which is a Grade II Listed Building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or interest which it possesses.

1.38 In this case, it is considered the scale and positioning of the shepherd huts would not harm the Listed Building or its setting. As such, the proposal accords with Strategic Policy Ff which provides protection to the historic landscape, heritage assets and cultural heritage of the National Park.

Economic and Social Benefit

1.39 As well as satisfying the policies cited above, this proposal is also supported by Strategic Policy H: A Sustainable Rural Economy where the National Park Authority will support the agricultural sector and opportunities for rural diversification, provided there is no adverse impact on the ‘Special Qualities’ of the National Park. This policy aims to ‘deliver a sustainable rural economy within the constraints of a designated landscape’ and encourage economic well-being to local communities.

1.40 This proposal intends to support the overall continued viability of an existing farm holding at Cwm Nantcol, which has been handed down through the family for many years. Although sparsely populated Cwm Nantcol is a close cultural community. The applicant and their young family wish to remain within this community and continue to support it. With this in mind, criterion (i) of Development Policy 18: The Welsh Language and the Social and Cultural Fabric of Communities, is relevant where it states the National Park will take into account the needs and interest of the Welsh Language by ‘supporting development which maintains or enhances the integrity of the Welsh Language.’

Conclusion

2.0 A thorough assessment on the application, including a review of alternative sites has been undertaken.

2.1 Overall having carefully considered the proposal, its location and the characteristics of the site it is considered that this scheme satisfies the requirements of Development Policies 2, 20 and 29. The additional planting of gorse will also make a positive contribution to biodiversity and therefore comply with Strategic Policy D.
2.2 No adverse observations have been received as a result of publicity and consultation.

2.3 If approved and as required by Paragraphs 6.51 of the Eryri Local Development Plan and Paragraph 17.13 of the SPG 8 Visitor Accommodation, the scheme will require conditions to be attached to the proposal which will state that should the use of the holiday accommodation units cease they will be removed.

Background Papers in Document Bundle No.1: Yes

RECOMMENDATION: To APPROVE subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of FIVE years from the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   - Location Plan - Drawing No. L1 01 received on the 11th June 2020
   - Site Layout Plan - Drawing No. SB1 01 03 received on the 11th June 2020 (N.B. For the avoidance of doubt this does not include the area outlined in red for fencing)
   - Proposed Sections Plan - Drawing No. TB1.01 received on the 11th June 2020
   - Proposed Hut Plan - Drawing No. TB2.01 received on the 2nd March 2020

3. The shepherd huts hereby permitted shall be for short term holiday use only and no person shall occupy any of the units for a continuous period of more than 28 days in any calendar year.

4. The self-catering holiday accommodation permitted shall be run and managed in association with Maes y Garnedd Farm - Agricultural Holding Number 53-205-0016 and shall not be operated and managed independently.

5. If the development hereby permitted is not occupied for the approved use for a period of 24 (twenty four) months the accommodation units and all associated paraphernalia including pedestrian access tracks must be removed and the land restored to its former condition within 3 months of the time period elapsing.

6. The indicative planting scheme set out in the site layout plan is to be implemented no later than within the first planting season after the first use of the development hereby permitted. Tree guards and timber stakes must be used to protect all tree/hedgerow species from being grazed and any trees or plants which within the period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Grazing should only be re-introduced once the tree/hedgerow species have established.
7. The applicant/developer shall ensure that the mitigation recommended in the Preliminary Ecological Assessment and Otter Survey report (Cambrian Ecology Ltd Version 3 - 1st June 2020) are followed and implemented in full.

8. The site infrastructure, including the bio-digester and gravel pathways shall only be located on areas supporting improved grassland.

9. Notwithstanding the details shown on drawing number SB1 01 03, no development shall commence until a scheme for the boundary treatment of the site has been submitted to and approved by means of a formal application to the local planning authority. Such details should include the position, height, design, materials and type of boundary treatment. The development shall take place in accordance with the approved details and maintained thereafter.

10. There shall be no external lighting erected on the site or installed on the Shepherd huts at any time.

11. There shall be no installation of any hardstanding or concrete base within the site.

Reason(s) for Condition(s):
1. To Comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. To define the permission and for the avoidance of doubt.

3. To prevent the creation of an unjustified dwelling in the open countryside in accordance with the Eryri Local Development Plan 2016-2031 and in particular Strategic Policies C and G.

4. In order to comply with the requirements of Development Policy 20 of the adopted Eryri Local Development Plan 2016-2031 which permits diversification proposals only as part of a rural enterprise/agricultural diversification scheme.

5. To ensure that the visual impact of the proposed development is minimised if the accommodation units become redundant.

6. To preserve and enhance the visual amenities of the area, in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular Policy 1.

7, 8, 9. To ensure a satisfactory standard of development and to minimise the risk of unacceptable harm or disturbance to protected species in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular Strategic Policy D.

10. To safeguard the Snowdonia Dark Skies Reserve from inappropriate external lighting, paying particular regard to the requirements of Development Policy 2 of the Eryri Local Development Plan 2016-2031.

11. To ensure a satisfactory standard of development and to minimise the risk of unacceptable harm or disturbance to protected species in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular Strategic Policy D.
Application Number: NP5/77/336B

Community: Talsarnau

Case Officer: Mr Aled Lloyd

Applicant:
Ms. Louise Lewin
National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Date Application Registered: 05/03/20

Grid Reference: 262437 337853

Location:
Land at Cilfor, Llandecwyn.

Description:
The following development is located within the boundaries of Snowdonia National Park Local Planning Authority:

1) Construction of Eastern tunnel head house (including the associated construction compound), sealing end compound and permanent access at Cilfor
3) A new sealing end compound on the eastern side of the Dwyryd Estuary to connect the underground cables to the overhead line

The following development is located within the boundaries Gwynedd Council Local Planning Authority:

1) Construction of Western tunnel head house (including the associated construction compound) at Garth, Minffordd and the permanent access track

The following development does not require formal planning permission

These proposals would allow for the construction of an underground tunnel housing electricity cables and the removal of 10 existing pylons and associated overhead lines from across the Dwyryd Estuary.
Summary of the Recommendation:

To **APPROVE** subject to conditions and the completion of a Legal Agreement to secure a contribution for Biodiversity Gain.

- Start work within 5 years.
- Accordance with approved plans
- Implement mitigation measures
- Submission of materials board
- Submission of Construction Environmental Management Plan (CEMP)
- Ecological Clerk of Works
- Submission, and adherence of Archaeological Specification for a Programme of Works and thereafter produce a detailed report
- In accordance with detailed landscaping scheme
- Approval of stonework
- Highway conditions and submission of a Construction Management Plan
- Lighting Scheme
- HGV operation
- Hours of construction working

**Reason(s) Application Reported to Committee:**

**Scheme of Delegation**

The Director of Planning and Land Management considers that the matter ought more properly to be referred to the Planning and Access Committee for a decision.

**Environmental Impact Assessment (EIA):**

The project as a whole has been formally screened in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 and Welsh Office Circular 11/99 Environmental Impact assessment (EIA) by the Authority under reference NP5/77/E336A and it was concluded that the project did not meet the formal requirements of Schedule 1 or Schedule 2, and it was concluded that the proposal was not an EIA development.

However, the applicant has submitted an Environmental Appraisal Report, and this includes the potential environmental impacts of the proposal including any mitigation measures. The content of the Environmental Appraisal Report is similar to a full Environmental Impact Assessment.

**Habitats Regulations Assessment (HRA):**

As the ‘Competent Authority’ for the purposes of the Conservation of Habitats and Species Regulations 2017 this Authority is required to undertake a Habitats Regulations Assessment.
The application includes detailed assessments and surveys that have concluded that there will be no likely significant effects on Habitats and Species, within the application site, and therefore there will be no requirement to undertake an Appropriate Assessment as required under the regulations.

For information, as there were likely significant effects at the Garth end of the site - these potential effects were associated with the Meirionydd Oakwood and Bat site Special Area of Conservation (SAC). This lies outside the National Park, and is not subject to this particular application. An ‘appropriate assessment’ was required by Gwynedd Council and this assessment concluded that the impacts were acceptable. Similarly, NRW were required to undertake an Appropriate Assessment of the impacts upon the Pen Llyn a’r Sarnau Special Area of Conservation (SAC) within the estuary, and again this concluded that the impacts were acceptable.

**Major Development (as defined by Strategic Policy B and separately under The Town and Country Planning (Development Management Procedure) (Wales) Order 2012):**

ELDP Strategic Policy B (Major Development), states that major development will not be permitted within the National Park other than in exceptional circumstances. The commentary to the policy B, paragraph 2.5 provides examples of major development, which are classed as major. These include large power generating schemes and high voltage electricity transmission. In assessing the proposal against this policy, officers must only consider the part of the development within the National Park boundary.

The total length of line to be undergrounded is 3.4km. 2 of the 10 pylons which are being removed are within the National Park. The removal and undergrounding (the tunnel) does not require planning permission (and is therefore not subject to this application). The section to which this planning application does relate is the eastern tunnel head house building which lies to the east of the A496. Whilst this is a large building (measuring 44m x 18m – and 12m at its highest elevation), when considered in isolation I would not consider this scale of development to be of UK significance.

Therefore having carefully assessed the implications of the policy, it is concluded that based on the nature of the scale of the development subject to this planning application, it is not a development of national significance (in a UK context) and therefore does not fall within the definition of Major Development of Strategic Policy B.

There is also a separate definition of Major Development, which has different significance under planning legislation. The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 considers an entirely separate type of ‘major development’ (which applies throughout Wales and not just within National Parks). Within that Order, and of relevance to this application, major development is defined as ‘development carried out on a site having an area of 1 hectare or more’, to which this proposal clearly falls into. Development falling within this category of major development is required to carry out pre application consultation (PAC).
The PAC was carried out through to January 2020 and in advance of the formal submission of the planning application and informed the eventual submission of this planning application.

**Land Designations / Constraints:**

Open countryside
Registered Historic Landscape – Ardudwy and Aberglaslyn
Public Footpaths nearby
Section 7 Habitat
Flood Zone C1
Undeveloped Coast

**Site Description:**

The application site lies off the A496 approximately 500m north east of the settlement of Cilfor

The site consist of peat and marshy grassland and can be clearly viewed from the A496, travelling north east in the direction of Maentwrog. Residential properties overlook the site and the nearest being Tan y Garth which is 130 metres to the east of the site.

**Proposed Development:**

The following development is located within the boundaries of Snowdonia National Park Local Planning Authority:

1) Construction of Eastern tunnel head house (including the associated construction compound), sealing end compound and permanent access at Cilfor

2) A new sealing end compound on the eastern side of the Dwyryd Estuary to connect the underground cables to the overhead line

The following development is located within the boundaries of the Gwynedd Council Local Planning Authority:

1) Construction of Western tunnel head house (including the associated construction compound) at Garth and the permanent access track

The following development does not require formal planning permission:

The construction of an underground tunnel housing electricity cables and the removal of 10 existing pylons along a 3km stretch of overhead electricity line across the Dwyryd Estuary of which 2 pylons are located within the boundary of the National Park and 8 within Gwynedd Council boundary.
To avoid confusion, this report will primarily focus on the main impacts within the boundary of this planning application. However, it will also be necessary to consider some wider impacts (such as transportation) arising from the project as a whole.

This project is one of only four in England and Wales that will make use of a £500 million provision from Ofgem to reduce the visual impact of existing high-voltage electricity transmission lines in Areas of Outstanding Natural Beauty (AONB’s) and National Parks.

The intention is to construct the East tunnel end building (including the associated construction compound) adjacent to the new proposed Sealing End Compound (SEC) on the eastern side of the Dwyryd. A SEC is where a high-voltage underground cable joins an overhead line. The tunnel head house will provide access to the tunnel shaft and will contain mechanical and electrical equipment. A permanent access track will connect the SEC and tunnel head house compound to the A496.

This new tunnel end building and sealing compound is located on the same site near Cilfor. The footprint of the SEC would measure approximately 28m x 50m and the maximum equipment on this site would measure approximately 6-8m. The tunnel head building would measure approximately 44.8m at 18.5m and 12.7m in height.

This building would provide access to the tunnel, which will include the underground wiring, which replaces the overhead pylons, the electrical and mechanical equipment including necessary ventilation equipment, a control room and limited well-being facilities.

The roof of the building will incorporate weathered steel cladding.

External walls will incorporate weathered steel cladding and stacked slate ashlar walling. Additional perforated weathered steel ventilation louvres on east elevation.

It is intended to provide an associated compound that includes 6 parking areas and a vehicular access and a new track off the A496 highway which would have a length of approximately 290m North East and avoid an area of peat on the site. It is proposed to provide a 2.4m high metal fence (colour to be agreed) around the building, with an additional 1m electric fence and also provide an intrinsic landscaping and planting around the site for screening.

Land rising to the east of the construction compound is classified as a Section 3 Area of Natural Beauty.

**Relevant Planning Policies:**

Eryri Local Development Plan 2016-2031

- SP A: National Park Purposes and sustainable Development
- SP B: Major Development
- DP 1: General Development Principles
- SP D: Natural Environment
- DP 2: Development and the Landscape
- SP Dd: Climate Change
- SP Ff: Historic Environment
- DP 8: Protection of Non Designated Sites

Supplementary Planning Guidance

- SPG 2: General Development Considerations
- SPG 7: Landscapes and Seascapes of Eryri
- SPG 13: Landscape Sensitivity and Capacity Assessment

National Policy

Planning Policy Wales (Edition 10) 2018
Technical Advice Note 5: Planning and Nature Conservation
Technical Advice Note 11: Noise
Technical Advice Note 12: Design
Technical Advice Note 15: Development and Flood Risk
Technical Advice Note 18: Transport
Technical Advice Note 20: Planning and the Welsh Language
Technical Advice Note 24: The Historic Environment

Consultations:

<table>
<thead>
<tr>
<th>Talsarnau Community Council</th>
<th>Support – no planning reason given</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maentwrog Community Council</td>
<td>No response</td>
</tr>
<tr>
<td>Penrhyndeudraeth Town Council</td>
<td>No response</td>
</tr>
<tr>
<td>Natural Resources Wales</td>
<td>Recommend Conditions</td>
</tr>
<tr>
<td>Gwynedd Highways</td>
<td>No objection, subject to conditions</td>
</tr>
<tr>
<td>Welsh Government, Highways</td>
<td>Construction Management Traffic Plan (CMTP) be submitted and approved prior to the commencement of the development</td>
</tr>
<tr>
<td>Gwynedd Council Public Protection</td>
<td>No objection, subject to conditions. CEMP to incorporate the noise mitigation measures</td>
</tr>
<tr>
<td>Dŵr Cymru</td>
<td>10-inch raw water and 32mm distribution water mains cross the proposed development. If the Authority is minded to grant planning permission, conditions are imposed to protect Dŵr Cymru assets</td>
</tr>
</tbody>
</table>
Response to Publicity:

The application has been publicised by way of site notices, neighbour notification, and press notice.

At the time of writing this report, no letters of objection or support had been received.

Prior to the submission of the application National Grid in accordance with regulations carried out a Pre-Application Consultation with specialist consultees and local residents.

In addition, a programme of public consultation events at various locations has taken place over the past 5 years.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAB Gwynedd</td>
<td>Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. A sustainable drainage strategy and accompanying plan have been presented with the planning submission, however until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards.</td>
</tr>
<tr>
<td>Gwynedd Archaeological Planning Service</td>
<td>Overwhelmingly positive impact on the Registered Historic Landscapes of Aberglaslyn and Arudwy of removing the existing infrastructure offsets the likely limited adverse impacts on any buried or submerged remains. Should planning permission be granted, the implementation of suitable archaeological mitigation. Conditions recommended.</td>
</tr>
<tr>
<td>Network Rail</td>
<td>No response</td>
</tr>
<tr>
<td>Cadw</td>
<td>No objection concurs with the conclusions of the Archaeology and Cultural Heritage chapter of the Environmental Appraisal Report by benefits gained by the removal of the pylons.</td>
</tr>
<tr>
<td>National Trust</td>
<td>No response.</td>
</tr>
<tr>
<td>CPRW</td>
<td>No response.</td>
</tr>
<tr>
<td>Ministry of Defence</td>
<td>No response.</td>
</tr>
<tr>
<td>RSPB</td>
<td>No response.</td>
</tr>
<tr>
<td>SNPA Ecology</td>
<td>No objection, subject to conditions. Comments made.</td>
</tr>
<tr>
<td>SNPA Forestry</td>
<td>Comments made</td>
</tr>
<tr>
<td>SNPA Access</td>
<td>No response</td>
</tr>
</tbody>
</table>

Response to Publicity:
Assessment

1.0 Background and overview of the proposal in the Snowdonia National Park and Gwynedd Council administrative areas.

1.1 The planning application has been submitted by National Grid and relates to a project for the removal of 10 electricity pylons and cabling between Minffordd and Cilfor (over the River Dwyryd and the undergrounding by means of a tunnel of the electric cabling for a distance of 3.5km. (2.1 miles)

1.2 The project is part of a scheme to mitigate the visual impact of existing electricity infrastructure in national protected landscapes in Great Britain, and Ofgem has agreed a provision of £500 million for projects within the scheme for a period between 2013 and 2021.

1.3 The project called Visual Impact Provision in the Snowdonia National Park (VIP) aims to reduce the visual impact of the national Grid overhead line and pylons over the Dwyryd estuary.

1.4 The stakeholders have agreed that the best way to do this is to remove a stretch of the overhead line and bury the electric cables in a tunnel beneath the ground in situ. This is an opportunity to conserve and enhance the natural beauty, wildlife and environmental heritage of this part of the valuable landscape of Snowdonia.

1.5 The length of the overhead line runs from the Garth Peninsula (SEC) (at the east of Porthmadog), and crosses the Afon Dwyryd estuary in Penrhyndeudraeth, where it reaches the West end of the National Park. It then progresses eastwards just beyond the small settlement of Cilfor.

1.6 The external appearance of the eastern tunnel head house at Cilfor will be finished in weathered steel cladding with ventilation louvres spanning the length of the building. Stacked slate ashlar wall will surround the eastern tunnel head house and slate coloured doors will be installed (in accordance with National Grid’s security specification) to match the external finish of the tunnel head house. Reinforced glass will be installed, and stone edging will help merge the appearance of the tunnel head house within the surrounding landscape. The dimensions of the eastern tunnel head house are 44.8m x 18.5m x 12.7m high. The landscape proposals comprising native tree and shrub planting around the tunnel head houses have sought to integrate the infrastructure into the local landscape and filter views of the infrastructure as the planting matures. The design and landscaping will be assessed in more detail under the Landscape section below.

1.7 This section of the overhead line, erected in 1966, is part of a 400kV power line linking the 400kV Pentir sub-station near Bangor with the former Trawsfynydd nuclear power station, which is now a 400kV substation.
1.8 The Glaslyn estuary is already crossed by underground cables to the west of the length where the VIP project is intended. Should this scheme be developed, there would then be an almost continuous line underground across both the Glaslyn and Dwyryd estuaries.

1.9 The pylons currently carry one 400kV circuit on either side of the pylon and another 132kV on the other side that is part of the distribution network operator (DNO) system of Scottish Power Energy Networks (SPEN) in this area.

1.10 In an independent landscape study it was concluded that this stretch of the line had a major impact on the landscape particularly at the Ardudwy coast hinterland and on a small stretch of the Morfa Harlech landscape. This is a complex and dramatic landscape in the area between the coast of the National Park, which is popular with tourists, and the hills nearby.

1.11 The special features of the National Park are clearly seen in the landscape, which is very beautiful and valuable in terms of conservation and recreation.

1.12 It is considered that the existing overhead line is in conflict with the character of the landscape. It is very prominent and intrusive and has a wide influence on the landscape around it.

1.13 The removal of the line would enhance the special landscape features of the area, including the registered Ardudwy and Aberglaslyn historic landscape.

1.14 The project is therefore intended to improve the appearance of the area by removing the pylons, and the plan contains a number of different elements that are set out below.

1.15 Due to the nature of the VIP project it is unavoidable that the development area is very wide and in this case includes parts of Snowdonia National Park Authority and Gwynedd Council Local Planning Authority.

1.16 **Development which is the subject of a planning application within the Gwynedd Local Planning Authority area**

1.17 Within the boundaries of Gwynedd Council’s Local Planning Authority, the intention is to erect the West tunnel end building (including associated construction compound) near the existing National Grid site near Garth at Minffordd together with a permanent access track.

1.18 This building would measure approximately 15.2m at 12.7m and 5.9m in height to the roof comb. This building would provide access to the tunnel, which will include the underground wiring, which replaces the overhead pylons, electrical and mechanical equipment including small ventilation equipment, a control room and limited well-being facilities. The completion of the building is intended with a stone with grey slate finish and aluminium cladding in the form of louvres on iron-framed walls and zinc-on-roof panels.
1.19 It is intended to provide a connective compound that measure approximately 40m at 40m and includes 3 parking bays, a vehicular access, and a new track of the existing highway to the south of this site, and it is proposed to provide a culvert over the existing drain in the field. It is proposed to provide a 2.4m high metal fence (colour to be agreed) around the building, with an additional 1m electric fence, and also provide an intrinsic landscaping and planting around the site for screening.

1.20 This development will be determined separately by Gwynedd Council’s Planning Committee.

1.21 **Development falling under Permitted Development Rights**

1.22 The project also includes the provision of a tunnel and the undergrounding of electric wires from the Garth site to Cilfor under the Dwyryd together with the refurbishment of the existing head sealing site located at Garth. The tunnelling operation would involve the provision of a temporary compounds on both sides and the driving of a drill machine specifically designed for this scheme down the initial shaft of the tunnel on the west side and will be travelling along the route of the proposed tunnel to the end on the eastern side of Cilfor.

1.23 The refitting of the existing end-of-head sealing site at Garth, Minffordd involves removing the current 'gantry' and re-installing equipment that will not exceed 10m to height. Discussions are underway for dealing with waste arising and Natural Resources Wales would deal with any licence for disposal. The project as a whole would take place over a 5 year period between 2021 and 2026.

1.24 Following extensive pre-discussions with the national Grid both Authorities have agreed that these specific developments are permitted development under Schedule 2, part 17, Class G, of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and therefore do not require planning permission.

1.25 **Development already permitted under the Electricity Act 1947/57**

1.26 The project includes the removal of part of the overhead power line between Garth and Cilfor (consisting of 10 pylons located on the land and within the Dwyryd) this has already been allowed under existing permission to install, operate and remove the overhead line and pylons under the Electricity Act 1947/57.

1.27 **Development which is the subject of an application for a Marine licence**

1.28 An application for a marine licence has been submitted to NRW for the construction of a tunnel under the marine environment and the installation of the cable within the tunnel, and Gwynedd Council and the Snowdonia National Park Authority have received consultation for this application.
1.29 The National Grid intends to submit a further application for a marine licence for the removal of the foundations of the Pylons, which have already been demolished under emergency rights. These issues are not matters for the Authority to determine.

1.30 **Development subject to exemption under the Electricity Act 1989**

1.31 The proposal involves the provision of one pylon adjacent to the existing one at the site at Cilfor, which would measure 53.6m in height on a footprint of approximately 60m at 60m. The pylon here would take the place of the existing pylon to the rear of this site and this would facilitate the erection of the wires from the ground from the new sealing head compound to be created in Cilfor.

2.0 **Principle of Development**

2.1 The proposal involves the erection of an East Tunnel end building including Sealing End Compound (SEC) associated construction compound) together with a permanent access track.

2.2 The footprint of the SEC would measure approximately 28m at 50m. The tunnel head building would measure approximately 44.8m x 18.5m and 12.7m in height (at the highest elevation).

2.3 The SEC, tunnel end building and associated access track will be the only part of the development that will be permanent on site after the initial tunneling work and connecting of the wires cease. The site is located outside any development boundary but this location is essential for the development due to its proximity to the existing Cilfor end sealing site. The site has been the subject of considerable pre-application discussions with stakeholders, consultants and the public before deciding on the exact location.

2.4 The nature of this application is unusual, with only 4 schemes throughout the UK currently being considered for undergrounding (1 currently being developed, the others, including this one, at the planning stage). Unsurprisingly therefore, there are no LDP policies that specifically deal with this type of development. As the proposal’s main purpose is to enhance the landscape of designated landscapes, the National Park Authority support the proposal ‘in principle’. Nevertheless, such a large engineering project requires very careful scrutiny and this assessment will carefully assess it against Strategic Policies A, D, Dd, Ff and Development Policies 1, 2.

3.0 **Planning Assessment**

Issues to consider:
- Landscape impact – landscape character and visual amenities
- Ecology
- Biodiversity Gain
- Flooding
3.1 The documents submitted as part of the application include the following:

- Design and Access Statement
- Welsh Language Statement
- Environmental Appraisal Report
- Outline Waste Management Plan
- Outline Construction Traffic Management Plan
- Biosecurity Risk Assessment
- Outline Peat Management Plan
- Dust Risk Assessment
- Reptile Method Statement
- Outline Habitat Management Plan
- Pre-application Consultation Report
- SUDS Information
- Flood Consequences Assessment
- Photographic Montage
- Tree Report
- Landscape Visual impact assessment
- Construction Environmental Management Plan

3.2 Landscape and Design issues

3.3 By way of assessing the landscape and visual impact of the proposal a Landscape and Visual Impact Assessment (LVIA) was undertaken.

3.4 The site is located just outside the settlement of Cilfor, it is located in open countryside.

3.5 The most likely landscape effects will be associated with the construction works, which would have a direct impact on a discrete part of the Park.

3.6 The susceptibility of the Park to the Proposed Project is considered high overall. However, susceptibility is locally reduced due to the influence of the existing 400 kV and 132 kV OHLs and to a lesser extent the existing Cilfor water treatment works, which locally reduce tranquillity. Taking the above into account with its high value, overall sensitivity of the National Park is considered high, but locally reduced in the area of the Proposed Project.
3.7 The perception of the construction compound and working areas would be contained within a low lying part of the landscape. Construction areas and activities would be surrounded on all sides by sharply rising landform; with the exception of a small area to the south west which is bounded by the A496 and Cilfor water treatment works and where the landform is also low lying. Vegetation and landform associated with the road and Cilfor water treatment works would however limit the perception of construction works beyond the immediate area. The geographical extent of the influence of the construction would therefore be limited.

3.8 During construction there is likely to be a reduction in sense of tranquillity in the local area due to a substantial construction compound and working areas that would comprise associated earthworks, plant, storage of equipment, site offices and parking. Vegetation removal would be required to facilitate construction; however, tree and scrub loss would be kept to a minimum, with any losses being replaced by new planting and compensated for by the proposed mitigation planting. The effect of construction on character is considered localised, medium term (6 years) and reversible, with effects contained to a limited geographical area.

3.9 Construction activities associated with the Proposed Project would have some short-term negative effects on the character of the landscape and visual amenity at a very localised level. However, replacement and additional native tree and scrub planting would enhance and complement the landscape to ensure that construction effects would be mitigated as far as practicably possible in the medium to long term as planting matures.

3.10 The relatively well contained topography of the landscape to the north of Cilfor would limit the extent of the operational landscape and visual effects of the proposed eastern tunnel head house, SEC and access road and the new replacement/terminal pylon would be viewed as a replacement of an existing pylon.

3.11 Natural Resources Wales have been involved with the project since pre-application consultation meetings. This has allowed the scope of the LVIA and viewpoints to be agreed. During the consultation meetings the design element of the scheme which effects the character and visual amenity have been discussed and have evolved – most notably the appearance of the tunnel building.

3.12 The developer has designed the tunnel house to a high-quality architectural design and sculptural form which attempts to integrate it into the landscape. I believe the cladding would weather over time, and overall I believe the design to be effective. NRW consider the design and landscape integration approach taken to the new tunnel head building at Cilfor demonstrates good practice and supports TAN12 design and that the scheme as a whole supports the objectives of PPW10 policy for conserving and enhancing the natural beauty of designated landscapes.
3.13 Within close views of the tunnel buildings, two different effects occur - the removal of existing pylons would bring some visual benefits; while the addition of the tunnel end building would introduce a new building form. We agree with the Assessment that a modest change would occur. This would reduce to low volume change as the planting becomes established, materials adapt to the weather conditions and the building increasingly becomes part of the landscape.

3.14 In order for the plan to achieve its primary objective (which is to provide visual benefits to Snowdonia National Park and local communities) there is recognition that the removal of large electricity infrastructure from the Dwyryd estuary would have a temporary impact. This would result in disturbance of new development and construction within a study area that has a high sensitivity to its landscape character, visual amenity, habitats and heritage.

3.15 In policy context Strategic Policy A seeks to ensure that new development promotes the principles of sustainable development in ways which further National Park purposes and duty while conserving and enhancing the National Park’s ‘Special Qualities’

3.16 Pre-application consultation and stakeholder input has been integral to the design of the project and the overall benefits of the project will enhance the ‘Special Qualities’ of the National Park.

3.17 Development Policy 2 states that the scale and design of new development including its setting in the landscape should respect and conserve the character of the landscape. I consider that this is achieved.

3.18 The existing infrastructure has previously been identified as having a high level of adverse landscape and visual effects. The permanent removal of approximately 3.5km of 400kV overhead line (VIP Subsection) including 10 pylons and subsequent restoration of the landscape will contribute towards beneficial landscape and visual effects.

3.19 Construction activities associated with the project would have some short term negative effects on the character of the landscape and visual amenity at a very localised level. However, replacement and additional native tree and scrub planting would enhance and complement the landscape to ensure that construction effects would be mitigated as far as practicably possible in the medium to long term as planting matures.

3.20 The relatively well contained topography of the landscape to the north of Cilfor would limit the extent of the operational landscape and visual effects of the proposed eastern tunnel head house, SEC and access road and the new replacement/terminal pylon would be viewed as a replacement of an existing pylon.

3.21 The proposed infrastructure would be viewed as smaller, isolated features in the landscape than the VIP Subsection, which they would replace.
3.22 The tunnel head houses and SEC have been designed to respond to the sense of place of the local landscape whilst taking into account a number of technical and environmental constraints. The layout of the eastern head house and SEC has reflected the need to minimise impacts on the landscape, hence the co-location of equipment within the same compound. The tunnel head houses have been architecturally designed to take account of the surrounding distinctive landform and land cover.

3.23 Over time the replacement and addition of native trees and shrubs around the proposed infrastructure would help assimilate the buildings and associated compounds and access tracks into the landscape frame and filter views of them. Furthermore, the adverse effects would be balanced against the beneficial effects of removing the pylons.

3.24 The Proposed Project would result in substantial improvement to landscape character and visual amenity of the western edge of Snowdonia National Park and its highly valued coastal fringe setting characterised by the Glaslyn and Dwyryd Estuaries and the distinctive Minfordd Peninsula, which separates them.

3.25 Development policy 6 aims to promote sustainable development within the National Park all forms of new built development will attain at least the national sustainable building requirements. The overall scope of the VIP Project is to mitigate the visual impact of existing electrical infrastructure in nationally protected landscapes, therefore the design of the tunnel head house and other related above ground structures have been designed to minimise their visual impact. The tunnel head houses have been sized to accommodate only the required equipment for the operation of the tunnel. Each has been designed in a way to fit in with the environment and surroundings.

3.26 Based on the information and plans submitted as part of the application, it is considered that the long-term effects of the proposal are acceptable in terms of design, scale, materials, landscaping and landscape impact and conform to the requirements of policies 2 and 6 of the ELDP and TAN 12: Design. Clearly, beyond the boundary of the planning application, there will be significant landscape and visual benefits to the National Park.

3.27 Ecology

3.28 Chapter 7 of the Environmental Appraisal Report explains how ecological impacts will be avoided through careful design including but not limited to:

- Re-aligning to avoid direct and indirect impacts on locally designated sites;
- Sensitive micro-siting of the SECs, tunnel head houses, pylons and underground cables;
- Sensitive timing to avoid impacts on important groups such as wintering birds; and
- Incorporating appropriate mitigation measures into the design and construction programme to avoid impacts on legally protected species.

Where avoidance of impacts is not possible, suitable mitigation will be implemented.

3.29 Extensive information has been submitted as part of the application relating to Biodiversity issues, and this information is the result of extensive prior discussions between the Authority’s Ecologist and the National Grid.

3.30 Mitigation measures have been proposed to reduce the impact of the development on bats and their populations including reducing the use of artificial light, avoiding light in sensitive areas during the construction process, and the use of hoods to avoid light on sensitive areas.

3.31 A Preliminary Ecological Appraisal Survey was undertaken following the extended Phase 1 Habitat survey. Assessments were carried out to assess the effects on ecological receptors from noise, accidental pollution, lighting and dust and hence has considered interactions between these factors and the ecological receptors.

3.32 The Authority’s Ecologist has no objection to the proposal provided conditions are imposed including that recommendations in the submitted documentation are implemented in full, details of lighting scheme to be submitted and approved. In addition there will be a need to submit a detailed Construction Environmental Management Plan (CEMP), including or supported by a Site Waste Management Plan, Materials Management Plan, Biodiversity Risk Assessment, Dust Risk Assessment, Peat Management Plan, Pollution Incident Control Plan and relevant Method Statements (e.g. Amphibians and Reptiles) to be submitted to, and agreed in writing by the LPA, before work commences.

3.33 The infrastructure associated with much of the eastern end of the development is proposed within an area of valley mire peatland (a priority habitat). In terms of conserving and enhancing peatland areas, the Outline CEMP contains an Outline Peat Management Plan. This provides guidance on how any peat removed during the construction phase could be relocated in order to help preserve the overall moisture content of the peat deposits (for example, by relocating peat into local drainage ditches within the peat layers in order to help retain water). In addition, the SuDS Strategy (Appendix 9B) also contains measures that will help to retain the water content of the existing peat deposits. These combined measures will help to ensure that the peat deposits are able to quickly recover from temporary impacts of near-surface ground water pumping.

3.34 The ecologist also considers that the CEMP to include details of habitat monitoring post-construction to monitor habitat recovery over 10 years in the areas of temporary loss, and habitat development in areas of new habitat creation. Species monitoring requirements may need to be identified where appropriate.
3.35 On the advice of the ecologist, a condition that a suitably qualified and experienced independent Ecological Clerk of Works (ECoW), agreed by the LPA, is on site supervising all activities for the duration of the construction works.

3.36 Concerns have been expressed by the ecologist that the proposed site is within an area of valley mire peatland (a priority habitat). The applicant has tried to site the building within areas of lower ecological value dominated by scrub and bracken within this valley mire habitat, although it was impossible to avoid the mire peatland.

3.37 Measures to mitigate the permanent and temporary loss of valley mire habitat are provided in a Peat Management Plan (which will be subject to a condition). In summary, additional mitigation measures for the restoration and revegetation of mire and peat will include:

- Areas of peat within the footprint of the Proposed Project will have the surface horizon (acrotelm) with vegetation stripped off as turves.
- Peat restoration will be undertaken in a number of areas including: on the excavated slopes around the compound; along the access road; and in areas identified for peat restoration (which may include ditches within the site or remote locations).
- Peat reinstatement will be undertaken to recreate the in situ peat stratigraphy.
- Peat will be restored to form a surface that interacts with the groundwater in a similar way to adjacent in situ peat (i.e. will not be significantly raised above adjacent surfaces).
- In locations identified for restoration peat will be built up in the correct sequence to reform the land surface. Recreated slopes will be 1:3 or less.
- Reinstatement of vegetation will be focused on natural regeneration utilising vegetated turves and the existing seed bank. In the event that the quantity of excavated vegetated acrotelm turves is not sufficient, a local provenance seed mix will be used.
- The requirement for additional compensation for the loss of valley mire habitat will be agreed with the consultees during the consultation process (see following section).

3.38 Given that one of the main objectives of this project is effectively to reduce visual impact within a National Park, I can understand the logic of keeping the development to the east of the A496. This keeps any infrastructure and other visual clutter on one side of the road (and avoids any power lines over the road). However, as noted by the ecologist, avoiding the visual impact does lead to a direct impact upon a priority habitat which is of ‘County’ importance. The developer has assessed a range of measures which reduce these impacts.

3.39 The Authority’s Trees and Woodland Officer did not raise any objection but has requested further details in terms of phasing of tree removal of trees and re-planting. These issues can be controlled through the landscaping plan, which can be controlled through a condition.
3.40 **Biodiversity Gain**

3.41 Planning Policy Wales (PPW) 10 sets out that, “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (para 6.4.5 refers).

3.42 In a letter to all local planning authorities by the Welsh Government Chief Planner in October 2019 it states, “Securing a net benefit for biodiversity within the context of PPW requires a pragmatic response to the specific circumstances of the site. Working through the step wise approach (PPW para 6.4.21 refers), if biodiversity loss cannot be completely avoided (i.e. maintained), and has been minimised, it is useful to think of net benefit as a concept to both compensate for loss and look for and secure enhancement opportunities. A net benefit for biodiversity can be secured through habitat creation and/or long term management arrangements to enhance existing habitats, to improve biodiversity and the resilience of ecosystems. Securing a net benefit for biodiversity is not necessarily onerous; through understanding local context, it is possible to identify new opportunities to enhance biodiversity.”

3.43 Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before.

3.44 Unfortunately at the moment there is no specific methodology within Wales on measuring biodiversity net gain. In view of the absence of such guidance, National Grid have utilised a methodology established by the Department of Environment, Food and Rural Affairs (DEFRA) – called the Biodiversity Metric 2.0. I consider the use of this methodology to be sensible given the absence of any other guidance. Applying this methodology shows that upon completion of the development there will be a 0.44% net biodiversity gain (which includes the onsite mitigation proposals).

3.45 The DEFRA guidance states that “10% gain in biodiversity units would be a suitable level of net gain to require in order to provide a high degree of certainty that overall gains will be achieved.” National Grid have started applying this 10% gain in other projects. I therefore consider this is a reasonable target for this particular project.

3.46 To move from a position of having a marginal net biodiversity gain (0.44%) to having 10% biodiversity net gain, was explored as part of the application process. Further opportunities were explored to deliver additional biodiversity enhancements within the project footprint and in local offsite locations. However, these opportunities have been found to be very limited. Therefore, to ensure that wider environment benefits from the project are delivered in a way consistent with net environmental gain commitments a financial contribution is being offered that will support appropriate and related ecological enhancements within the National Park.
3.47 Using the DEFRA methodology the National Grid have made a commitment to pay the Authority a sum of money for “Peatland restoration and biodiversity enhancements schemes”. This will be achieved through a legal agreement. This Agreement is a contract agreement in which a commitment to pay after the occurrence of a specified act. This payment effectively takes the biodiversity gain to one of 10%.

3.48 Welsh office circular 13/97 “Planning Obligations” provide advice on the proper use of Planning Obligations. The agreement to secure Net biodiversity gain meets the requirements and advice in the Circular.

3.49 It is concluded that the Biodiversity Gain proposal to be secured through a legal agreement is appropriate and reasonable. It will move this project from having a theoretical net gain of +0.44% to one of +10%. At the time of writing this report, the legal agreement is still being prepared – and officers can further advise Members on this issue at the committee.

3.50 In concluding this section of ecology, having carefully considered the proposal, it is considered that the ecological impacts are acceptable when considered alongside the mitigation and compensatory measures proposed.

3.51 Flooding and Sustainable Drainage Systems (SuDS)

3.52 The application site is largely located within Tan 15 Flood Zone C1, which is a defended floodplain – and utilities infrastructure is appropriate in such locations.

3.53 The site is located on land that is expected to be significantly above the ‘Fluvial Undefended’ flood level for the Dwyryd estuary and will not result in any floodplain impacts as a result.

3.54 I am satisfied that the development of these compounds would not, therefore, lead to an increase in fluvial or surface water flood risk to third party land or property. Temporary and permanent watercourse crossings would be designed to avoid increasing local flood risk.

3.55 An application for Sustainable Drainage Systems (SuDS) has been submitted to the Gwynedd Council in their role as the SuDS Approval Body (SAB) that demonstrates how the Proposed Project will avoid causing an increase in surface water flood risk elsewhere with SuDS.

3.56 It is concluded, that there would be no flooding issues associated with the development.

3.57 Historic Environment

3.58 The site that is the subject of the application is located within the Ardudwy Registered Historic Landscape, and the information submitted as part of the application is contained within Chapter 8 of the Environmental Appraisal
Report (Archaeological Assessment and Cultural Heritage) This suggests that any direct adverse impact would be minimal, at most, and would be outweighed by the enhancement of those historic landscapes by the removal of existing pylons in the area. CADW have confirmed that they agree with this assessment and therefore do not object to the proposal and acknowledge the overall visual benefit of the scheme as a whole.

3.59 Chapter 8 of the Environmental Appraisal Report also states that all work outside the footprint of existing development has the potential to encounter unknown archeology at this time. A specific potential for palaeo-environmental remains, which can inform on past human activity at a landscape scale, has been identified in the presence of peat and former estuarine deposits at the proposed Cilfor Sealing End Compound and tunnel head house. The peat probing survey and geotechnical investigations indicate that these deposits would be impacted upon by the development, potentially resulting in the loss of archaeological evidence. Proposed rafting techniques for the access track and compound areas will minimise impact upon these sensitive deposits. A general potential for low intensity activity associated with the estuary, which may date from any period, has also been noted. Such remains are unlikely to be identified through field evaluation and will most likely only come to light through large scale excavation or during construction works.

3.60 On this basis, the Gwynedd Archaeological Planning Service recommends that, should planning permission be granted, the local planning authority should insist that appropriate archaeological mitigation is implemented. This will be implemented through appropriate conditions. On this basis, Gwynedd Archaeological Planning Service has confirmed that there is no objection to the proposal.

3.61 National Grid have stated in the submission that where archaeological remains are identified the creation of a permanent record, including public dissemination of the results prior to their removal, would offset the development impact and result in no residual effect.

3.62 Strategic Policy Ff aims to conserve and enhance historic landscape, heritage assets and cultural heritage of the Park. The overall scope of the VIP Project is to mitigate the visual impact of existing electrical infrastructure in nationally protected landscapes, therefore the design of the tunnel head house and other related above ground structures have been designed to minimise their visual impact. The tunnel head houses have been sized to accommodate only the required equipment for the operation of the tunnel. Each has been designed in a way to fit in with the environment and surroundings. Measures to safeguard historic assets during construction will be implemented as part of the general measure in the CEMP, to include avoidance of structures and the use of considerate construction practices.

3.63 Therefore, based on the above, it is concluded that the proposal submitted is acceptable and complies with the requirements of Strategic Policy Ff of the ELDP together with TAN: 24 Historic Environment.
3.64 **Economy and Tourism**

3.65 Chapter 13 of the Environmental Appraisal report covers the Socio-economic and tourism impact of the Project.

3.66 Construction of the Proposed Project has the potential to generate direct and indirect positive effects through the creation of new jobs. The majority of the construction work would require the appointment of approved contractors and sub-contractors. These highly-trained specialists are likely to be located through the UK with experience of moving from site to site as new projects are developed. Therefore, the positive employment and induced spending effects from these workers would be realised at a regional and national level rather than at a local level.

3.67 During construction, it is anticipated that a labour peak of up to 100 on-site personnel would occur during the busiest period, including all contractors and sub-contractors. Local employment opportunities would be expected in certain sectors, including site security, construction labourers, plant hire, haulage, landscaping, fencing and drainage.

3.68 In addition to the direct local employment opportunities generated by the Proposed Project, additional jobs could be generated or supported as a result of increased supply chain activity and local spending. This would include people staying in local accommodation. This is expected to generate some short-term benefit to the local economy during the construction phase of the Proposed Project.

3.69 There would also be further indirect economic benefits arising from expenditure by the workforce on subsistence and consumables in the local area – therefore I would anticipate an increased spend in the local shops, cafes and restaurants in the locality. There would also be the potential for a temporary beneficial impact on local suppliers of items such as construction plant, fencing, re-instatement materials, fuel, consumables, aggregates, seed mixes, timber, portaloos, skip hire and office equipment.

3.70 In terms of negative impacts on the tourism sector, the assessment concluded that the proposed project would have no significant effect local or regional effects on the tourism sector. It is recognised that there will be some temporary effects during construction from noise, traffic and visual. There are expected to be some landscape and visual effects for tourists travelling on the Ffestiniog Railway, the Welsh Highland Railway and the Welsh Highland Heritage Railway during construction; however, these would be largely be short term, temporary and reversible.

3.71 In consideration of the above, it is considered that the construction phase will provide employment opportunities, and the landscape benefits may bring permanent benefits to nearby tourist attractions.
3.72 General and residential amenities

3.73 There is a recognition that during the temporary tunneling and construction of the tunnel end building, the scheme as a whole would cause a certain amount of inconvenience, noise and traffic.

3.74 The tunnel boring machine will be received into the eastern shaft and limited activity will take place at Cilfor site during tunnel construction. The majority of the plant and equipment associated with the tunnel construction will be located at the Garth tunnel head compound.

3.75 The Gwynedd Councils Public Protection Unit, which deals with general nuisance, have been in detailed discussions with the applicant to ensure that any effect on residential amenities are kept to a minimum. Conditions will be imposed on working hours and HGV operation. Natural Resources Wales deal with licensing the waste disposal.

3.76 On completion of the excavation and construction work, any staff presence would be occasional and there would be no daily traffic to and from the building / site. The Public Protection Unit has confirmed that there are acceptable working hours for the proposal to construct a tunnel building, which is the subject of the application Monday to Friday 08:00-18:00 and 08:00-13:00 on Saturdays and not on Sundays. HGV movements also fall within these hours. It is noted that hours of work for what falls outside the planning application will be discussed and agreed separately with the Public Protection Unit. Noise, dust, traffic and working hours, nuisance etc. issues arising directly from the development that is the subject of this application and requiring planning permission can be qualified and the applicant can update the situation by submitting an update to the Built Environment Management Plan which will be subject to a planning condition.

3.77 In the long term, it is not considered that the proposal that is the subject of this application is likely to have a detrimental effect on the amenities or privacy of nearby residential properties, and therefore it is considered that the proposal would comply with the requirements of Development Policy 1.

3.78 Traffic and Transport

3.79 The proposal will have specific transportation issues relating to the application area, as well as wider transportation impacts on the surrounding road network.

3.80 Within the application area, the proposal comprises a new access and track off the A496 which runs past the site, along with onsite parking provision for 6 vehicles. Gwynedd Highways has confirmed that the proposed parking provision and access are acceptable and there is no objection to the proposal subject to conditions and notes relating to the provision of a satisfactory access and road works. I consider the impacts of this to be acceptable.
3.81 The wider traffic and transport effects of the overall project will relate to an increase in traffic flows from construction vehicles on the surrounding traffic and transport network which would occur over a period of around five years between 2021 and 2026. The peak construction activity in terms of traffic generation is expected to relate to the excavation of rock and soil during tunnelling. Forecasts indicate that tunnelling will generate in the order of 30 loads per day, (60 two-way HGV movements). During this period, worst-case forecasts indicate that tunnelling activities could generate 160 two-way Light Goods Vehicles (LGV) movements spread across three shifts. Tunnelling works are expected to take place for approximately 17 months.

3.82 Heavy Goods Vehicle (HGV) traffic will be required to enter the road network from the A487 either from the east (via the Porthmadog Bypas) or from the west. HGVs will then be required to follow prescribed routes. No use of the A487 through Porthmadog will be permitted by HGVs. The southern section of the A496 would only be used by HGVs as a contingency should one of the preferred construction traffic routes became unavailable (e.g. due to closure by the highway authority or the police). The location of access points, and the routes used by construction traffic have been selected to minimise any potential negative effects on local communities and other road users. These measures form part of the embedded mitigation incorporated into the design of the Proposed Project to minimise potential environmental effects.

3.83 An Outline Construction Traffic Management Plan has been prepared which sets out measures which have been included within the design of the Proposed Project and would be implemented, where required, to reduce effects of traffic during the construction phase of the Proposed Project. The final plan will be developed by the appointed contractor.

3.84 Taking these measures into account, the assessment concludes that all roads were assessed as having no unacceptable effects. The Highways Authority are satisfied with the proposal subject to appropriate conditions. The Trunk Road Unit has also confirmed that they have no objection to the proposal subject to a condition to submit and agree a Construction Traffic Management Plan in advance.

3.85 Minerals

3.86 The North Wales Minerals and Waste Service has been in discussions with National Grid specifically to deal with the waste arising from the tunneling works. The majority of the arisings will pass through the western infrastructure construction area as this is the location of the start of tunnelling. The western end of the site will be determined by Gwynedd Council.
3.87  The Minerals and Waste Service, together with Natural Resources Wales who will be responsible for any permits will handle suitable locations for the waste derivation. Further discussions on this issue would result from a further assessment of the situation and would be the subject of a Building Environment Management Plan.

3.88  Welsh Language

3.89  A Welsh Language statement has been submitted as part of the application. It is clear that National Grid has considered the importance of the Welsh language in the area and is well aware of the need to communicate bilingually. The Grid also notes that they will use local workers wherever possible.

3.90  The Welsh Language Statement has considered the potential impact of the Proposed Project on the use of the Welsh language within the local community. In their assessment, the Key Considerations scored either as Positive or Neutral and no adverse impacts are anticipated. The positive impacts relate to factors such as increased use of local shops, services and accommodation by construction workers from outside the area. There will also a demand for local labour e.g. fencing, site security, ground works.

3.91  Measures will be in place to ensure workers fully understand the importance the Welsh language plays in the local community. Toolbox talks will be given on the importance of the Welsh language and a phrase guide is being considered. Although no adverse impact is anticipated, measures are in place to ensure that the use of the Welsh language is preserved such as bi-lingual signage (for both road users and Public Rights of Way). A planning condition could be put in place to secure these issues.

3.92  It is considered that the Welsh Language Statement meets the requirements of DP 18 of the ELDP.

4.0  Conclusion

4.1  National Grid’s Visual Impact Provision (VIP) project makes use of part of a £500 million provision by Ofgem to mitigate the visual impact of existing electricity transmission infrastructure in Areas of Outstanding Natural Beauty (AONBs) and National Parks in England and Wales.

4.2  The provision was made available following ‘willingness to pay’ research by National Grid, conducted on behalf of the energy regulator, Ofgem. This revealed that electricity consumers would be prepared to fund work to conserve and enhance the natural beauty, wildlife and environmental heritage within our most protected landscapes. The Guiding Principles of the VIP project state:
• result in greatest landscape enhancement benefits
• result in greatest opportunities to conserve and enhance natural beauty, wildlife and cultural heritage whilst avoiding unacceptable environmental impacts
• result in greatest opportunities to **encourage public understanding and enjoyment of the protected landscapes, including positive socio-economic impacts**
• are technically feasible in context of the wider transmission system
• are economical and efficient"

4.3 The project has been subject to extensive consultation and engagement with stakeholders with a number of public consultation events.

4.4 Consultation with key stakeholders has involved discussion on site options, design and materials of the tunnel head house and sealing end compounds to ensure that the design and use of materials are appropriate and have the least possible impact on the landscape and species and habitats.

4.5 This proposed development will result in an overall substantial positive impact on the landscape character and visual amenities of the Snowdonia National Park. In particular, the Dwyryd estuary will be much improved with the removal of the over head lines and associated pylons. This is clearly something which the National Park Authority supports, and it is considered there will be substantial landscape and visual benefits in the Dwyryd Estuary and the wider National Park landscape and setting.

4.6 Construction work will be carefully controlled through conditions to ensure that any disturbance is kept to the minimum.

4.7 The Environmental Appraisal Report has been carefully assessed by consultees and the Local Planning Authority. Whilst there will be some temporary effects on the environment during the construction phase, a range of mitigation measures will be put in place to reduce this significance and during the operation stage of the Project, there will be an overwhelming long term benefit to the visual amenities of the Snowdonia National Park.

4.8 Mitigation measures' will be implemented to avoid, reduce and, if possible, offset any adverse effects. These mitigation measures such as landscape and protection of species and habitats. These in addition to the submission of the Construction and Environmental Plan (CEMP), will ensure that impacts are minimised to an acceptable level.

**RECOMMENDATION:** To **GRANT** planning permission, subject to appropriate planning conditions and the completion of a legal agreement to secure biodiversity gain.

A summary of the suggested proposed conditions is set out below:

1. The commencement of work within 5 years.
2. In accordance with the following plans:
   Location Plan
   Location Plan East (Cilfor)
   PDD-33494-ARC-106 Proposed Site Plan Cilfor
   PDD-33494-ARC-121 Proposed North and South Elevations Cilfor
   PDD-33494-ARC-120 Proposed East and West Elevations Cilfor
   PDD-33494-ARC-112 Proposed Roof Plan Cilfor
   PDD-33494-TUN-004F – Eastern shaft Site – Construction and Permanent Access Track

3. The submission of a plan outlining timescales and phasing of the development.

4. The submission of an updated Construction and Environmental Management Plan (CEMP), including details on noise and post monitoring details.

5. Implementation of all relevant ecological avoidance mitigation measures.

6. Appointment of a qualified Ecological Clerk of Works and the relevant works/supervision to be undertaken.

7. Landscaping conditions, including details on restoration, monitoring, timetables, details relating to boundary treatment including colour and details of works on retained trees along with a standard condition relating to replacement of plants/trees which are damaged, destroyed, die.

8. Details relating to the approval of a materials board (including stonework) and to include colour.

9. Details on an external lighting scheme.

10. Hours relating to HGV movements.

11. Hours of working.

12. Submission of a Construction Traffic Management Plan (CTMP) and all relevant information relating to it.

13. Vehicular accesses and visibility splays in accordance with relevant submitted details and highway standards.

14. Details on a foul drainage scheme.

15. Archaeological work conditions including the submission of all relevant specifications/programmes/reports.

17. All relevant conditions relating to the Welsh Language including the use of Bilingual signage.

Advisory Notes to include waste management, highway consents and agreements, protection of a water main and SUDS.
SECTION A - A
400kV CIRCUIT

SECTION B - B
132kV CIRCUIT

NOTES:
1. ALL DIMENSIONS ARE IN MILLIMETERS.

LEGEND:
P1 = POST INSULATOR
CSWI = CARRYING SWITCH
SA = SURGE ARRESTER
CSE = CABLE SEALING END

ASSOCIATED DRAWINGS:
P3D-33494-LAY-021 - PROPOSED CUNOR SEALING END COMPOUND LAYOUT

PROPOSED CUNOR SEALING END COMPOUND ELEVATION

[Diagram showing electrical clearances and dimensions]
VIEWPOINT N: VIEW FROM THE A496
LOOKING NORTH EAST

Grid Reference: SH 62220 37701
Approx Elevation: 4.4m AOD
General Direction of View: NE, 48°
Time / Date: 13:36, March 27 2019
Weather / Visibility: Light Cloud / Good
Camera: Canon EOS 6D, Canon EF 50mm f/1.8 fixed focal lens

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Approx Elevation: 4.4m AOD
General Direction of View: NE, 48°
Time / Date: 13:36, March 27 2019
Weather / Visibility: Light Cloud / Good
Camera: Canon EOS 6D, Canon EF 50mm f/1.8 fixed focal lens

© Crown copyright and database rights [2014] Ordnance Survey 0100031673
Summary of the Recommendation:

Approve subject to the conditions outlined within this Report.

Reason Application Reported to Committee:
Delegated Scheme

Members request that proposals for alternative holiday accommodation be determined by the Authority’s Planning and Access Committee.

Environmental Impact Assessment (EIA):

The application has been the subject of a Screening Opinion which concluded that the proposal is not EIA development.

Land Designations/Constraints:

Open Countryside

Site Description:

Llanfendigaid is an existing self-catering holiday complex and venue for small events such as weddings, team building and other management courses. The main house (Grade II* Listed) sleeps up to 17 people in 9 bedrooms. There are also 3 converted outbuildings which are used as self-catering accommodation, sleeping between 4-6 people in each.
The site also operates as a Caravan and Motorhome Club Certified Location, which is located within the walled garden, for up to 5 touring caravans (all year round), with on-site toilet and shower facilities.

The house is surrounded by wooded gardens to the north-east. To the south-west is a large walled garden which is separated from the house by a minor road.

**Proposed Development:**

The proposal involves the introduction of 3 alternative holiday accommodation units.

The single pod would be located within the walled garden, set against an existing stone wall and outbuilding. Access to this unit would be via an existing track which currently serves the caravan site. The proposed plans show bathroom facilities to be included within the unit. All services (electricity, water and sewerage) are already in place and therefore no additional services are proposed.

The two shepherd huts would be located within the woodland to the rear of the main house and set against a stone boundary wall. Access to the huts would be via an existing track. The plans show bathroom and modest kitchen facilities to be incorporated within the units but no details with respect to connection to services.

**Relevant Planning Policies:**

 Planning Policy Wales (PPW)

Eryri Local Development Plan 2016-2031

- SPA: National Park Purposes and Sustainable Development
- SP1: Tourism
- DP1: General Development Principles
- Strategic Policy D: Natural Environment
- DP29: Alternative Holiday Accommodation

Supplementary Planning Guidance: SPG8 – Visitor Accommodation

**Consultee Responses:**

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Llangelynin Community Council</td>
<td>No response to date</td>
</tr>
<tr>
<td>Gwynedd Traffic and Projects Service</td>
<td>No objection</td>
</tr>
<tr>
<td>Built Environment</td>
<td>No response to date</td>
</tr>
<tr>
<td>Forestry</td>
<td>Advises that the proposal would have no adverse impact on existing trees but recommends additional landscaping.</td>
</tr>
</tbody>
</table>
Ecology

No objection to the siting of the pod. Recommends that parking and access details should not have a negative impact on the surrounding woodland environment and would not wish to see the existing path upgraded. Recommends biodiversity enhancement as part of the scheme in the form of fixing of several bat/bird boxes to trees within the immediate vicinity.

Responses to Publicity:

The application has been publicised by way of a Site Notice. No representations have been received to date.

Relevant Planning History:

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Details</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>NP5/69/113G</td>
<td>Siting of 4 pods for use as holiday accommodation</td>
<td>Refused 16-Oct-2019</td>
</tr>
</tbody>
</table>

1. Assessment:

1.1 Development Policy 29 of the adopted Eryri Local Development Plan 2016-2031 (LDP) relates to alternative holiday accommodation. It advises that small scale developments for alternative holiday accommodation will be permitted provide all of the following criteria are met:

i. The site is part of an agricultural diversification scheme or is ancillary to a new or existing tourist attraction and does not become the main attraction.

ii. The proposed development does not cause significant harm to landscape character, fits unobtrusively within the landscape and is well screened by existing landscape features.

iii. The proposal does not lead to the creation of a new vehicular access or parking areas that would adversely affect landscape character.

iv. Any ancillary facilities should be located within an existing building or as an extension to existing facilities.

v. The site is for short-term holiday accommodation only.
1.2 The applicant advances that the alternative accommodation units would be ancillary to the existing tourist attraction of the Llanfendigaid Estate, which is a place of cultural significance and historic interest. The site offers holiday accommodation in the main house and converted outbuildings along with leisure facilities for guests in the form of a heated indoor swimming pool and walks in the grounds. It is also a venue for small events.

1.3 The application is supported by a Planning Statement which expands on the current use of the site, the proposal and its relationship with the existing business. Members can find this additional information within the document bundle.

1.4 This matter was considered in detail when determining an earlier application for alternative holiday accommodation at the site in 2019 (Ref. NP5/69/113G), which sought planning permission for a greater number of units. Officers remain of the view that this site is not a tourist attraction. A ‘tourist attraction’ is defined as a place that offers leisure, adventure, culture or amusement, drawing people to and experience the particular offering. In this instance, the leisure facilities offered on site are only available to those who book accommodation and would not be available to other members of the public.

1.5 Similarly, the Grade II* Listed Building is not open to members of the public, other than those who book to stay at the property. On this basis, it is considered that the Llanfendigaid Estate is more accurately defined as tourist accommodation rather than a tourist attraction. In light of this, the proposal fails the first criterion of Development Policy 29, which is that ‘the site is part of an agricultural diversification scheme or is ancillary to a new or existing tourist attraction and does not become the main attraction’.

1.6 Notwithstanding the above, the application proposes that the two shepherd huts and pod would replace the existing Caravan and Motorhome facility which currently operates at the site. This existing facility benefits from a Certified Location Certificate from an Exempted Organisation (The Caravan and Motorhome Club) and does not require planning permission.

1.7 Although the touring caravan site is a materially different form of development than the proposal before Members, it is located in a prominent position and it has a substantial visual impact upon the rural character of the surrounding landscape when occupied. This is a material consideration to be weighed in the planning balance.

1.8 The two shepherd huts would be positioned adjacent to an existing boundary wall. Whilst they would be somewhat isolated from the main buildings and would enjoy an elevated position, they would be small scale, finished in timber under iron roofs and they would be partially screened from public vantage points by existing landscape features. The Authority’s Tree and Woodland Officer is satisfied that the proposal would not threaten the longevity of any existing trees, whilst additional planting could be secured by a suitably worded planning condition to ensure the huts sat unobtrusively within the landscape.
1.9 The proposal indicates that the shepherd huts would be served by an existing track, with parking provided at the top of the track, near to the huts themselves. However, this track is informal and grassed over. As recommended by the Authority’s Ecologist, it is considered that alternative parking provision should be provided within the existing complex to ensure that it does not adversely affect landscape character or ecological and biodiversity interests, as required by policy DP29. This could be secured by a suitably worded planning condition.

1.10 The single pod would be located on the opposite side of the highway and within the walled garden, set against an existing stone wall and outbuilding. Access to this unit would be via an existing track which currently serves the caravan site. Against this setting, the visual impact of this element of the proposal would be negligible.

1.11 The units would be within reasonable proximity of the main house, which as explained, is a Grade II* Listed Building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the determining Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or interest which it possesses. In this case, it is considered that the scale and positioning of the shepherd huts and pods would not harm the Listed Building or its setting.

1.12 The Authority’s adopted Supplementary Planning Guidance 8 titled ‘Visitor Accommodation’ (SPG) explains that the emphasis of proposals for alternative holiday accommodation should be very much on small scale and ‘back to nature’ where environmental and visual impacts are kept to an absolute minimum. The SPG goes on to say that individual accommodation units should be of a modest size and they should provide only the most basic of facilities. It adds that self-contained units with toilets and showers will not generally be supported in order to keep the units as small as possible and to minimise their impact upon the landscape, unless a compelling justification can be advanced.

1.13 Criterion (iv) of Development Policy 29 is consistent with the SPG and directs that ancillary facilities, including toilets and showers, should be located within an existing building or as an extension to existing facilities. The commentary to this policy explains that if no suitable buildings are available, the need for additional temporary and low impact facilities should be clearly demonstrated and should be commensurate with the scale of the development.

1.14 In this case, the proposed shepherd huts and the pod include toilet and showering facilities. However, they are modest structures and the shepherd huts themselves would be located a significant distance from the facilities which serve the existing touring caravan site. Whilst the pod would be closer to the existing facilities, this unit would not be significantly smaller and would not have a noticeably lesser visual impact if the toilet and shower facility were to be removed.
1.15 Accordingly, it is considered that in this particular case, the inclusion of toilet and showering facilities would be commensurate with the scale and nature of the development, the character of the site and the existing tourist facility within which they would be located. Notwithstanding this, if Members were inclined to take a contrary view, the toilet and shower facilities could be removed from the units by the imposition of a suitably worded planning condition.

2. **Summary**

2.1 In summary, as the proposed development would not form part of an agricultural diversification scheme or would not be ancillary to a new or existing tourist attraction, it does not comply with criterion (i) of policy DP29 of the LDP.

2.2 However, Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

> ‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.’

2.3 In this particular case, weighing heavily in favour of the proposal is the fact that the visual impact of the proposed shepherd huts and single pod would be limited and importantly, this impact would be materially less harmful than that caused by the existing touring caravan site, which would cease to operate if planning permission was granted.

2.4 On balance, Officers are of the view that this is a material consideration which should be afforded very substantial weight in the overall balance. To this end, it is considered that this factor outweighs the identified policy conflict and justifies the grant of planning permission. Officers are satisfied that the particular circumstances of this case are such that the grant of planning permission would not undermine the sound policy principles of policy DP29 or set an undesirable precedent.

3. **Conclusion**

3.1 The proposal would fail to satisfy Criterion (i) of Development Policy 29 because it would not form part of an agricultural diversification scheme or would not be ancillary to a new or existing tourist attraction. However, the proposed shepherd huts and pod would have a materially less harmful visual impact on the rural character of the surrounding landscape than the existing touring caravan site, which would cease to operate if planning permission was granted. The removal of the current touring caravan site, along with the removal of permitted development rights to prevent any future caravan sites from being developed at Llanfendigaid Hall, could be secured by planning conditions and a suitably worded Planning Obligation.
3.2 On this basis, it is recommended that the application be approved subject to the conditions below and the prior completion of a Planning Obligation.

**Background Papers in Document Bundle No.1:** Yes

**RECOMMENDATION:** To APPROVE subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of FIVE years from the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the details and specifications shown on drawing numbers S01B, PL01B and PL02A.

3. The shepherd huts and pod hereby permitted shall not be erected on the site until the touring caravan site identified on drawing number S01B has ceased to be operational.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending or re-enacting that Order with or without modification) no development referred to within Part 5 of Schedule 2 of that Order shall take place within the application site as identified in red on drawing number S01B without planning permission first being granted by the Local Planning Authority.

5. Notwithstanding the details shown on drawing number PL01B, no development shall commence until a scheme for the parking of vehicles associated with the two shepherd huts has been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

6. The development hereby permitted shall not take place until details of the method for providing a water supply, power and drainage to the shepherd huts (including method of construction) have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

7. The development hereby permitted shall not take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority.

8. The landscaping shall take place in accordance with the approved scheme within the first planting season following the completion of the development or in accordance with the agreed implementation programme. The landscaping shall then be managed and maintained in accordance with the agreed scheme of management and maintenance.

9. The development hereby permitted shall not take place until a scheme of biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the accommodation is first occupied and shall be retained thereafter.
10. The shepherd huts and pod hereby permitted shall be for short term holiday use only and no person shall occupy any of the units for a continuous period of more than 28 days in any calendar year.

Reason(s) for Condition(s):
1. To Comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. To define the permission and for the avoidance of doubt.
3, 4. In the interests of visual amenity and because the grant of planning is justified on this basis.
5, 6, 7, 8. In the interests of visual amenity and to ensure compliance with Development Policy 1 of the adopted Eryri Local Development Plan 2016-2031.
9. In order to secure biodiversity enhancement in accordance with Strategic Policy D of the adopted Eryri Local Development Plan 2016-2031.
10. To avoid the creation of any unjustified dwellings within the open countryside which would conflict with Strategic Policy A of the adopted Eryri Local Development Plan 2016-2031.