



# GWYNEDD UNITARY DEVELOPMENT PLAN 2001-2016

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## 3.1 INTRODUCTION

### BACKGROUND

- 3.1.1** Wildlife, habitats, landscapes, historic buildings and archaeological remains are extremely varied in Gwynedd and are important for the prosperity, wellbeing and culture of the County. They must be treasured, managed and safeguarded. It is necessary to maintain and protect these valuable resources in order to improve the quality of life within existing communities and for future generations. The environment, particularly the coast, is one of the mainstays of the area's economy, and the quality of the environment is Gwynedd's main asset towards developing and strengthening the local economy.
- 3.1.2** Efforts will be made locally to contribute to the attempt to deal with global environmental threats, such as climate change and safeguarding human health from perils such as flooding, air pollution and toxic chemicals.
- 3.1.3** Land use planning should ensure that the environment is protected effectively by managing the type, design and location of development. Rather than preventing development, the aim is to ensure that the right type of development takes place in the most appropriate location without having a detrimental impact on the environmental quality of the area or creating unacceptable risk to the County's residents or its environment.
- 3.1.4** Sustainable communities are communities that protect the environment because this contributes to economic viability and the wellbeing and health of residents. The Unitary Development Plan's aim is to help communities to protect the area's heritage whilst facilitating development satisfying economic and social needs that is appropriate and of the right scale.
- 3.1.5** A brief introduction to land use matters associated with the aim of protecting the environment effectively is provided in the following paragraphs.

### HISTORIC RESOURCES

- 3.1.6** It is recognised that Gwynedd's built and historic heritage is very rich. The townscape and a variety of historic features contribute to the visual character of the area and serve to create a sense of place. It is important that the built heritage is appreciated and that every effort is made to conserve it, and wherever appropriate enhance its condition and its appearance.
- 3.1.7** Buildings, structures and archaeological remains that are protected, well maintained or carefully restored, where feasible, for a new use can enhance the quality of the area, help to prompt further investment in other buildings and reinforce economic regeneration. Combining the aims of protecting and enhancing the built and historic environment and sustainable economic growth will present the Council and its partners with a challenge as they aim to facilitate changes that are necessary in order to secure the County's future.

### PROTECTED COUNTRYSIDE AND OPEN SPACES

- 3.1.8** Gwynedd's natural environment is recognised as being of a very high quality. The national and international designations protecting the landscape and seascape emphasise this factor. Outside the formally designated landscapes the countryside and coastlines are valued locally and should also be maintained and enhanced. The LANDMAP assessment has indicated that Gwynedd's landscape is varied and of a very high standard. The designations and this assessment form the basis for this Plan's environmental policies.
- 3.1.9** The characteristic landscapes of Gwynedd are extremely important because of their character and quality, and they are also important factors that create a sense of place that in turn is an asset which helps to attract investment. However differing needs create conflicting pressures on the landscape, for example, the landscape is an important factor for leisure and tourist activities which in turn lead to the demand for further developments. Some changes are inevitable and necessary. The landscape is not static, rather it

changes gradually and constantly over time as a result of natural processes and human activity.

- 3.1.10** The town and country planning system has a vital role to play in maintaining and protecting the countryside and the landscape by ensuring that development is both appropriate and as sustainable as possible. It is important to ensure that development pays attention to the need to safeguard the landscape.

## BIODIVERSITY

- 3.1.11** Biodiversity means the ‘Richness of Life’ – the richness and diversity of plants, birds, animals and insects. Biodiversity is extremely important to the quality of life. Without it the health and wellbeing of human kind would be at risk. Therefore, it is important to protect as many species and habitats as possible, locally, nationally and internationally. The UK Biodiversity Action Plan (BAP) and Natur Gwynedd - the Gwynedd Local BAP as well as the local, national and international designations to protect habitats and species all serve to emphasise the wealth of biodiversity found here.
- 3.1.12** At the Earth Summit at Rio in 1992, world leaders pledged to maintain and protect the existing diversity of living things. The Government has committed the UK to sustaining and, where possible, enhancing biodiversity in the UK through the National Biodiversity Action Plan. Local councils, such as Gwynedd, have important roles to play in the work that needs to be done to achieve the Government’s aims. Implementing Natur Gwynedd - the Local Biodiversity Action Plan - is fundamental to achieving national aims and targets.
- 3.1.13** There is a clear link between the variety of species and habitats. Changes to habitats can affect the variety of species whilst changes in the number of types of species or the population of species can affect the character of a habitat. Although all the countryside is important, it is considered that some habitats are so important either locally, nationally or internationally that they merit special protection.

## IMPROVING THE QUALITY OF THE ENVIRONMENT IN GWYNEDD AND PROTECTING LOCAL DISTINCTIVENESS

- 3.1.14** In the past, achieving a high standard of design did not always merit sufficient attention. Emphasis will be placed on maintaining and enhancing local distinctiveness, and encouraging developers to create new development that is well designed, innovative, sustainable and consistent with modern day needs. The main consideration will be to ensure that the design will be appropriate for a particular site.
- 3.1.15** The Plan will also encourage the use of sustainable construction techniques and use of buildings. A higher standard of design can result in a more effective use of energy by the development. Using locally sourced materials, reusing and recycling materials and buildings can reduce the need for new materials and the use of energy. Incorporating sustainable design features, such as the position of the development on the site and including water conservation measures can take advantage of daylight and heat from the sun as well as reduce the loss of energy and contribute to the effective use of water.
- 3.1.16** High quality environments can help to create vibrant places that have a specific character. Buildings, streets and public spaces should be attractive, safe, accessible to all, pleasant to use and human in scale. High quality environments also serve to maintain and attract investment.
- 3.1.17** The Unitary Development Plan is seen as an important means of promoting the highest standard of design throughout the area. Gwynedd Design Guide 2002 and The Landscape working for Gwynedd; will form the basis for a series of Supplementary Planning Guidance that will reinforce the Plan’s policies by providing further guidance on the basic principles of good design.

## MANAGING DEVELOPMENTS ON SITES THAT ARE ‘AT RISK’ AND DEVELOPMENTS THAT CREATE RISK

- 3.1.18**

One of the objectives of the planning system is to decide whether a development is an acceptable use of land or buildings. Not every plot of land or building will be suitable for a specific development because of its location or condition, for example, or other incompatible land use. Without any control whatsoever, users of sites and buildings could be at risk or a development could cause substantial risk to users of adjacent land or buildings.

- 3.1.19** Flooding is a natural process and coastal floodplains, rivers and river banks fulfill an important role. Nowadays, global climate changes mean that coastal flood plains or river banks are under additional risk as a result of violent storms and/or unusually high tides. New developments can increase the risk of flooding or exacerbate problems associated with flooding, such as land erosion, contamination or substantial damage to property. Local Planning Authorities must adopt a responsible approach towards proposed development on land that is affected. The main consideration will be to avoid life-threatening situations in particular in respect of residential development or other development where individuals occupy buildings on a permanent basis, e.g. hospitals, nursing/ residential homes.
- 3.1.20** Some pollutants can emanate from sources that are well outside the boundaries of the Plan area. Although the Council cannot manage or prevent sources of pollution from outside the area it does not wish to see development taking place within the area that will further worsen the situation. The Council aims to contribute towards minimising global problems by reducing emissions to the air and soil on a local level. In doing so the Council will be assisting the government to reach national targets.
- 3.1.21** The Environment Agency and the Council's Development Directorate are the statutory agencies charged with managing the processes likely to create pollution, but the potential to create pollution that affects land use is a planning consideration. Storing or producing hazardous substances can increase the risk of explosion or pollution. It is necessary to consider the possibility of accidents and consequences to public health and safety and the environment in the locality. The Unitary Development Plan can reduce any conflict through its powers to determine the nature and location of development. This means preventing development or reducing the impact of development that degrades or pollutes the environment and managing developments that are harmful to public health or detrimental to the quality of life in the Plan area.

## OBJECTIVES

- 3.1.22** **BASED ON THE AIM OF EFFECTIVELY PROTECTING THE ENVIRONMENT THE UNITARY DEVELOPMENT PLAN'S OBJECTIVES WILL BE TO:**
- **maintain and enhance the special quality and distinctiveness of the built and historic environment of the Plan area;**
  - **maintain and enhance the quality and the distinctiveness of the landscape and coastal areas;**
  - **maintain and increase biodiversity in the Plan area;**
  - **facilitate development proposals that incorporate good design principles and contribute to local distinctiveness in terms of its historic, architectural, natural and social environment;**
  - **prevent development in places that are or are likely to be at unacceptable risk and development that will or is likely to create**
  - **unacceptable risk to the wellbeing of communities and the environment;**

## STRATEGIC POLICIES

- 3.1.23** The Strategic Policies set the framework that reflect the Council's pledge, through its land use planning powers, to ensure that the location and nature of developments protect the environment effectively, safeguards the valuable resources we have inherited and enhances them where appropriate.

### **THE NATURAL ENVIRONMENT - STRATEGIC POLICY 2**

*The area's natural environment and its landscape character, and views in and out of the Snowdonia National Park and the Llŷn and Anglesey Areas of Outstanding Natural Beauty, will be safeguarded, maintained or improved by refusing development proposals that will significantly harm them.*

### **BUILT AND HISTORIC ENVIRONMENT - STRATEGIC POLICY 3**

*The area's built and historic environment will be protected from development that would significantly harm it and new developments in historic areas will be expected to conform to particularly high design standards which will maintain or improve their special character.*

### **DESIGN STANDARDS – STRATEGIC POLICY 4**

*Development will be expected to be of a good design in order to ensure that it makes a positive contribution, wherever possible, to the landscape, built environment and sustainable development.*

### **DEVELOPMENT WHICH CREATES RISK - STRATEGIC POLICY 5**

*Developments that are inconsistent with the need to safeguard floodplains or minimise flood risk and developments that create a risk of unacceptable damage to health, property or the environment, will be refused.*

## HISTORIC RESOURCES

- 3.2.1 Policies B1 – B7 provide land use planning guidance in respect of development that affects statutorily protected and locally designated historic resources. Whilst policies in other sections of the Plan provide guidance regarding specific types of land uses, e.g. residential development, shops, workshops, etc. it should be emphasised that those policies should not be read in isolation. A prospective developer should read the Plan as a whole in order to gain a full understanding of matters linked to the proposed development. The policies included in this part of the Plan could be pertinent key policy considerations in relation to a number of types of development, and it will be necessary to thoroughly consider them in preparing and determining a planning application. The table below provides a list of cross-references to other policies that are closely linked to some of the policies listed in this section of the Plan (this list is not exhaustive and it will not include other more general policies and cross-references will not be included for every policy).

<b>Policy</b>	<b>Key policy considerations</b>
B1, B2, B4 & B5	B20 – Species and their habitats that are internationally, and nationally important
B2	C20 – Local building stone
B6	B4 – Developments in or affecting the setting of conservation areas; B7 – Sites of archaeological importance

## LISTED BUILDINGS

### **POLICY B1 - DEMOLITION OF LISTED BUILDINGS**

*Proposals for the total or significant demolition of Listed Buildings will be refused unless there are exceptional circumstances. Such proposals will be assessed against the following criteria:*

- 1. the condition of the building, repair and maintenance costs;*
- 2. that every effort has been made to retain the current use or seek a new viable use and that these efforts have failed;*
- 3. that either every effort has been made over a reasonable period to dispose of the property at a fair price and that this has been unsuccessful, or that such disposal would be inappropriate;*
- 4. that it is not possible or appropriate to retain the building under charitable or community ownership;*
- 5. that there is a detailed plan for redevelopment of the site and that redeveloping the site would offer significant benefits to the local community and override the need to retain the building.*

*In circumstances where consent is granted to demolish the building or structure, conditions will be attached to the consent prohibiting demolition work until the contract to redevelop the site has been let and to ensure that building materials from the original building are used in the Plan to redevelop the site or are available to reuse in another development scheme. The Royal Commission on the Ancient and Historical Monuments of Wales must be notified of all proposals for the total or significant demolition of Listed Buildings and is allowed access to buildings which it wishes to record before demolition takes place.*

**Explanation** - This Policy reflects the requirements of the 1990 Planning Act (Listed Buildings and Conservation Areas), which indicates there is a general presumption in favour of preserving Listed Buildings. In accordance with national regulations, consent to wholly or significantly demolish Listed Buildings would be given only when there is no other practical option available to preserve the building or structure and the site is to be redeveloped. 'Significant demolition' in the context of this policy constitutes alterations that entail the loss of significant evidence of the building's structural history or materially affect its special architectural or historic interest.

### **POLICY B2 - ALTERATIONS TO LISTED BUILDINGS OR BUILDINGS IN THEIR CURTILAGE**

*Proposals for external or internal alterations, additions, or change of use of Listed Buildings or curtilage buildings (which have formed part of the land since before 1 July 1948) will only be approved provided that the proposal will not cause significant harm to the special architectural or historical character of the Listed Building.*

- 3.2.3** **Explanation** -This policy reflects the requirements of the 1990 Planning Act (Listed Buildings and Conservation Areas), which identifies the need to ensure that the character of historic buildings is protected from conversions or extensions that would endanger the buildings' distinctive architectural or historical features.
- 3.2.4** Most buildings can probably accommodate some change as long as the change is very carefully planned and appropriate materials are used. Where appropriate, the use of local stone is encouraged. In order to assess the full impact of the proposed development on the character and fabric of the building, the developer will be required to present a detailed statement justifying the development, and full and detailed plans showing the proposed changes, including any features that will be lost or replaced.

### **POLICY B3 - DEVELOPMENT AFFECTING THE SETTING OF LISTED BUILDINGS**

*Proposals on sites affecting the setting of Listed Buildings will only be approved provided that all the following criteria can be met:*

- 1. that the design of the development enhances the special quality of the main building as well as the positive qualities of the local environment;*
- 2. that it does not lead to the loss of features such as walls, railings, ancillary buildings, landscaping, hedges, trees, associated objects, surfaces or archaeological remains that contribute to the special character of the Listed Building;*
- 3. that it does not cause significant harm to important views of and from the building.*

**3.2.5 Explanation** -Features around a Listed Building, either within its curtilage or beyond, very often form an integral part of its character. This is particularly true where the gardens or grounds form an integral part of the original layout/plan of the property. The Local Planning Authority will pay particular attention to the need to safeguard the setting of Listed Buildings. The addition of intrusive elements or the loss of important features would be unacceptable.

## **CONSERVATION AREAS**

**3.2.6** The Local Planning Authority has a duty to periodically review its conservation areas and determine whether any other areas in the County merit conservation area status. Conservation areas in Gwynedd are designated if they satisfy all the following criteria:

- the area has a special architectural or historical quality created by a number of elements such as the buildings, building materials, open spaces, vegetation and the inter-relationship between them;
- the area forms part of the character of the surrounding landscape or townscape;
- there is a cluster of buildings and open spaces which form an area with a distinct identity rather than a series of individual buildings or an individual building;
- the absence of multiple negative elements that cause significant harm to the special character of the area;
- unfettered change would threaten the special character of the area.

### **POLICY B4 - DEVELOPMENTS IN OR AFFECTING THE SETTING OF CONSERVATION AREAS**

*Proposals in or near conservation areas will be refused unless they preserve or enhance the character or appearance of the conservation area and its setting. All proposals should:*

- 1. retain the historic street pattern and the character of individual streets or public spaces;*
- 2. ensure that the scale, mass, form, use of materials and building techniques harmonise with the buildings and features that contribute positively to the character of the conservation area;*
- 3. ensure that important views across, into or out of the conservation area are retained.*

*Thorough consideration will be given to the information provided by any published Conservation Area Appraisals or Conservation Area Plans and Delivery Strategies.*

**3.2.7 Explanation** -Section 72 of the 1990 Planning Act (Listed Buildings and Conservation Areas) places a duty on local authorities to note in particular the desirability of preserving or improving the character or appearance of conservation areas. Existing conservation areas are shown on the relevant Proposals Maps and Inset Maps. This policy will also apply to conservation areas designated after the Plan's publication. The relationship between buildings and open spaces and the quality of those open spaces is equally important to the character and appearance of a conservation area as the buildings and structures within the area. This is not limited to an area within the conservation area. In determining an application for a development, which would affect a conservation area, the Local Planning Authority will consider the development's impact on views across, within and outside the conservation area as well as the effect that the development would have on natural features that play an important role in the setting of a conservation area. This policy is relevant to conservation areas shown on the Plan maps as well as an area designated once the Plan is adopted.

**3.2.8** In assessing applications thorough consideration will be given to Gwynedd Design Guide 2002, any published Conservation Area Appraisals, any published Conservation Area Plans and Delivery Strategies, and (in the case of the Caernarfon Conservation Area) to the Caernarfon Castles and Town Walls of King Edward in Gwynedd World Heritage Site Management Plan.

### ***POLICY B5 - DEMOLITION OF BUILDINGS IN CONSERVATION AREAS***

*Proposals to demolish buildings that make a positive contribution to the character and appearance of the conservation area will be refused unless there are exceptional reasons for granting permission. In such cases the following matters will be considered:*

- 1. the condition of the building and the possibility of renovation or alternative use;*
- 2. the contribution the building makes to the special architectural and historical quality of the conservation area;*
- 3. the effect of demolition on the surrounding area and on the character or appearance of the whole conservation area;*
- 4. the reasons for the demolition and whether those reasons override the importance of the building to the character and appearance of the conservation area;*
- 5. the existence of a detailed plan for redevelopment of the site, and that redevelopment of the site would offer significant benefits to the local community and override the need to retain the building.*

*When conservation area consent for demolition is granted, conditions will be attached prohibiting demolition work until the contract to redevelop the site has been let, and that either building materials from the original building are used in the scheme to redevelop the site or that they would be available for reuse in another development scheme.*

**3.2.9 Explanation** - Permission to demolish will only be given where it can be shown that the building is not an integral part of the character or appearance of an area or, under exceptional circumstances, where the reasons for demolition override the positive contribution of the building to the character or appearance of the area.

**3.2.10** When the demolition of any building within a conservation area is acceptable in principle, the developer will be expected to submit detailed plans for the redevelopment of the site so as to avoid empty and unsightly spaces within conservation areas. Permission to demolish is unlikely to be granted before a firm warranty is received that the new development will take place. This policy applies to conservation areas shown on maps included in the Plan as well as any area designated after the Plan is adopted.

## **POLICY B6 - CAERNARFON CASTLE AND TOWN WALLS WORLD HERITAGE SITE**

*Proposals that would cause significant harm to the monuments within the boundaries of the Caernarfon Castle and Town Walls World Heritage Site or within the identified buffer zones, or which would restrict existing or proposed safe public access to the Site will be refused. Planning applications will be assessed against the World Heritage Site Management Plan published by Cadw.*

**3.2.11 Explanation** - The Castles and Town Walls of King Edward in Gwynedd, which include Caernarfon Castle and Town Walls, were added to the list of World Heritage Sites (WHS) as a cultural site of outstanding universal value in 1987. This is a material consideration when determining planning applications and applications for Listed Building consent for development on sites:

- within the WHS;
- that form part of areas outside the inscribed boundary which form the essential setting of the WHS;
- that are part of the most important historic views into and out of each monument in the WHS, which generally extend beyond the areas of essential setting.

The latter types of sites form the buffer zones identified in the World Heritage Site Management Plan.

**3.2.12** Inappropriate development will include:

- buildings and other structures that, because of their size, materials or design, detract from the visual attraction of a monument;
- buildings, other structures and advertisements that clutter views of a monument unnecessarily;
- any development that makes it more difficult for the public to appreciate the history of a monument.

In assessing proposals detailed consideration will be given to the World Heritage Site Management Plan, Gwynedd Design Guide 2002 and the Caernarfon Conservation Area Plan and Delivery Strategy.

## **ARCHAEOLOGICAL REMAINS**

**3.2.13** Scheduled Ancient Monuments included on the Register when the Plan is published are shown on the Proposals Map and the Inset Maps of the Plan. However, the first step in establishing whether a development site has any archaeological significance will be to refer to the Sites and Monuments Record (SMR), which is maintained and updated regularly by the Gwynedd Archaeological Trust.

**3.2.14** If 'treasure' / archaeological remains are discovered unexpectedly during building work, despite thorough investigative work in advance, then the discovery should be reported to Gwynedd Archaeological Trust and arrangements made for assessment/evaluation of the site.

## **POLICY B7 - SITES OF ARCHAEOLOGICAL IMPORTANCE**

*Proposals that will damage or destroy archaeological remains of national importance (whether scheduled or not) or their setting will be refused.*

*A development which affects other archaeological remains will be permitted only if the need for the development overrides the significance of the archaeological remains.*

*In areas where there are likely to be archaeological remains, the developer will be required to commission either an Archaeological Assessment and/or field evaluation in order to determine the archaeological impact of the proposed development before the Planning Authority determines the application. The assessment/evaluation results must be submitted with the planning application, in addition to a plan showing how the impact of the proposal on the archaeological remains will be mitigated.*

*If a proposed development would affect nationally important archaeological remains, then the developer should prepare sympathetic plans, which retain the remains in situ. Where preservation in situ is not feasible planning conditions or agreements will be used in appropriate cases to ensure that the work of excavating and recording the remains takes place prior to commencement of the development.*

*Schemes that will facilitate the appropriate management and interpretation of archaeological sites for educational or tourism purposes will be supported.*

- 3.2.15 Explanation** - Sites of archaeological importance include Scheduled Monuments and sites which are listed in the Sites and Monuments Record (SMR). Where it is known that a number of sites or monuments are to be found in close proximity to each other, e.g. Caernarfon town centre, Criccieth, Nefyn the entire area will be regarded as one of archaeological significance.
- 3.2.16** In accordance with Planning Policy Wales (2002) and Circular 60/96, when a proposed development affects archaeological remains of national importance, and their settings, whether or not they are scheduled, then there will be a presumption in favour of preserving them in situ.
- 3.2.17** When assessing a development proposal affecting archaeological remains, which are of less importance, or their setting, consideration will be given to the following factors:
- a. the significance of the remains
  - b. the reasons for locating the development in this location
  - c. the practicality of incorporating measures to minimise the development's impact and safeguard the site's archaeological value.
- 3.2.18** If important remains are thought to exist on a development site any planning application for development which may affect such remains should be accompanied by an Archaeological Assessment and/or field evaluation. A definition of Archaeological Assessment is included in Appendix 6. The assessment/evaluation should be conducted by an archaeological body or a professionally qualified archaeologist. The assessment/evaluation will be paid for by the prospective developer.

## PROTECTED COUNTRYSIDE AND OPEN SPACES

- 3.3.1** Policies B8 – B13 provide land use planning guidance in respect of development that affect statutorily protected and locally or nationally valued landscapes. Whilst policies in other sections of the Plan provide guidance regarding specific types of land uses, e.g. residential development, shops, workshops, etc. it should be emphasised that those policies should not be read in isolation. A prospective developer should read the Plan as a whole in order to gain comprehensive guidance on matters linked to the proposed development. The policies included in this part of the Plan could be pertinent key policy considerations in relation to a number of types of development, and it will be necessary to thoroughly consider them in preparing and determining a planning application. The table below provides a list of cross-references to other policies that are closely linked to some of the policies listed in this section of the Plan (this list is not exhaustive and it will not include other more general policies and cross-references will not be included for every policy).

<b>Policy</b>	<b>Key policy considerations</b>
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B8	A1 – Environmental or other impact assessments
B9	B8 – The Llŷn & Anglesey Areas of Outstanding Natural Beauty; B15 – Protection of international nature conservation sites
B10	B8 – The Llŷn & Anglesey Areas of Outstanding Natural Beauty
B11	CH42 – Safeguarding open spaces of recreational value
B13	B28 – Unstable land; B29 – Development on land at risk from flooding

## LANDSCAPES OF NATIONAL IMPORTANCE

### **POLICY B8 - THE LLŷN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB)**

*The aim will be to safeguard, maintain and enhance the character of Areas of Outstanding Natural Beauty. Development proposals that would cause significant harm to the area's landscape and coastline (including views into and out of the area), wildlife, historic remains and buildings, language and culture and its quiet, unpolluted nature will be refused, unless, in exceptional circumstances, all the following criteria will be met:*

- 1. that a significant national economic or social need has been established for the development and refusing permission would be extremely detrimental to the local economy;*
- 2. that consideration has been given to the cost and scope for providing the development outside the area or of meeting the need for it in some other way;*
- 3. that consideration has been given to limiting any detrimental effect on the area's character and measures to attain this have been included as part of the application.*

*It will be necessary to show that detailed consideration has been given to the character of the area in every development proposal and that a suitable design, site and materials are selected in order to minimise the impact of the development.*

*Detailed consideration will be given to information contained in the Llŷn Area of Outstanding Natural Beauty Management Plan.*

- 3.3.2 Explanation** - An AONB is designated under the National Parks and Access to the Countryside Act 1949. Its main aim is to conserve and enhance the area's natural beauty. It is also stated that consideration should be given to the area's economic and social well-being. Following the Countryside and Rights of Way Act 2000 additional responsibilities have been bestowed on Local Planning Authorities in terms of conserving and enhancing AONBs. They are also required to prepare a Management Plan for the Areas.
- 3.3.3** This policy gives priority to conserving, maintaining and enhancing the area's wildlife, historic buildings and remains, language and culture and its quiet, unpolluted nature. These characteristics have been identified as being Llŷn's special features and contribute to the area's character. Development that would significantly harm the area's special characteristics will only be permitted provided that a rigorous examination has shown conclusively that there are exceptional circumstances to warrant giving the permission.
- 3.3.4** Development on land near to the Llŷn or Anglesey AONB that would be visually prominent or would have a detrimental effect on views into or out of the area will not be approved unless there are special grounds to justify it. In this context, areas along the banks of the Menai Straits are central to the setting of parts of the Anglesey AONB. The Planning Authority will consult with Anglesey Council before a decision is made on a planning application for developments which could have an impact on views in or out of the southern section of the Anglesey AONB.
- 3.3.5**

The LANDMAP assessment has shown that some areas adjacent to the existing Llŷn AONB are of an outstanding quality and that they are comparable to the landscape within the AONB. The Local Planning Authority will encourage the Countryside Council for Wales to consider the possibility of extending the AONB in order to include these areas. In the meantime, these areas and other areas adjacent to the AONB make a positive contribution to the character and setting of the area. Views into the AONB as well as views of the area (particularly from roads, rights of way or other public areas) are extremely important.

- 3.3.6** Small scale development that conforms to the requirements of other policies in the Plan can be suitable in the AONB, e.g. development that assists the local economy, affordable housing, etc. In appropriate circumstances the Planning Authority will require an Environmental Statement from the developer. In all cases, whether it be a new building, a proposal to adapt a building or a development that affects walls, 'cloddiau', hedges (or other field boundaries) hard surfaces, coppices, water courses, etc the Planning Authority will aim to ensure that development complements the area's character and has the least possible impact. The information included in the Llŷn AONB Settlement Character and Conservation Area Appraisal Study (2003), the LANDMAP assessment, and the principles highlighted in the Gwynedd Design Guide and The Landscape working for Gwynedd 2001 will all be considered when assessing every development.

### ***POLICY B9 - HERITAGE COAST***

*Within the Heritage Coast, proposals for any building or structure will be refused unless they comply with all the following criteria:*

- 1. a coastal location is necessary*
- 2. there will be no adverse impact on:*
  - a. the built environment or the landscape*
  - b. the importance of the coastline in scientific, historical or biodiversity terms*
  - c. natural or physical coastal processes*
- 3. priority will be given to locations that are visually well related to existing buildings or structures*
- 4. there are no suitable locations outside the Heritage Coast*

- 3.3.7** **Explanation** – Heritage Coasts are defined by local authorities in consultation with the Countryside Council for Wales in order to conserve and enhance the coastline's natural beauty, facilitate the public's enjoyment and appreciation, maintain the environmental quality of the water along its shorelines and facilitate sustainable forms of social and economic development.

- 3.3.8** The Local Planning Authority has a duty to pay particular attention to the possible impact of a development on the features that form the basis for the designation of the Heritage Coast. There are important sea bird communities on the rocky headlands along the Heritage Coast, which is famous for its cliff top coastal moorland. It is also important to remember that the Heritage Coast forms part of the Llŷn Area of Outstanding Natural Beauty and that a part of it is within the Pen Llŷn and Sarnau Special Area of Conservation.

## **THE LOCAL LANDSCAPE**

### ***POLICY B10 - PROTECTING AND ENHANCING LANDSCAPE CONSERVATION AREAS***

*Proposals for development in Landscape Conservation Areas will be assessed against the following criteria:*

- 1. the impact of the proposed development on the positive features in the landscape and those elements of it that contribute to the distinctive character of the local landscape;*

2. *the proposed location, design and materials of the proposed development and its ability to integrate with the landscape;*
3. *the economic and social benefits of the proposed development in relation to criterion 1 and 2 above.*

*All developments will have to be designed and landscaped to a good standard, ensuring that appropriate landscape elements that function as either mitigation measures or are important to ensure integration are included. Consideration will be given to the information provided by the LANDMAP information system about the character and quality of the landscape in each area.*

**3.3.9** Explanation - The methodology of the LANDMAP information system has shown that the quality of the landscape in parts of the Plan area render them worthy of being designated Landscape Conservation Areas. The areas are as follows:

1. Western Area of Llŷn (outside the AONB)
2. Porthmadog and surrounds
3. Porthmadog – Penrhyndeudraeth
4. Rhosgadfan - Llanberis – Mynydd Llandygai
5. Bethesda – Rachub
6. Cwm Bowydd, Blaenau Ffestiniog
7. Cwmorthin
8. Cwm Teigl
9. Penrhyn Estate
10. Vaynol Estate and surrounds
11. Country Park to the west of Groeslon

**3.3.10** The aim of this policy is to ensure that any development, whether it be a new building, a proposal to adapt a building or a development proposal that affects walls, 'cloddiau', hedges (or other field boundaries) hard surfaces, coppices, water courses etc., which has to be located within the identified Landscape Conservation Areas maintains, enhances or restores the acknowledged character and quality of the areas. A good standard of design will be required, together with appropriate siting and landscaping. Materials appropriate to the local area will be expected. The economic and social benefits of any development will be taken into account in the consideration of planning applications. Any harm to the landscape that would arise from the development will only be justified where the economic and/or social benefits are overriding. In cases where these factors outweigh the potential adverse effects, the Local Planning Authority will seek to minimise those effects and will, where possible, seek to enhance features of importance. The results of the LANDMAP assessment of the landscape, and the principles identified in the Gwynedd Design Guide and The Landscape working for Gwynedd 2001 will all be considered in assessing the suitability of all developments.

**3.3.11** All of the Landscape Conservation Areas, apart from the Pwllheli - Criccieth – Porthmadog, Penrhyn Estate, Vaynol Estate, and the Country Park to the west of Groeslon area, border either the AONB or Snowdonia National Park. The recognised strategic importance of the AONB and the National Park means that it is essential that development on land visible from the AONB or the National Park, or development that would affect the views into the AONB or National Park is carefully managed. This factor will be considered in assessing planning applications for development within the relevant Landscape Conservation Areas.

### ***POLICY B11 - OPEN SPACES BETWEEN OR IN VILLAGES OR TOWNS***

*Proposals that would cause significant harm to the role or importance of open land between or within towns/villages or on land important to the rural/urban character of the area, town or village will be refused.*

**3.3.12 Explanation** - The areas of open land shown on the Inset Maps were selected because they conform to one or more of these criteria:

- a. they make a positive contribution to the quality and physical character of towns, villages, rural villages or the rural landscape
- b. provide a clear gap between villages and towns thus reinforcing community identity
- c. are important to the community - providing greenery on their doorstep, provide visual variety
  - ch. provide an important link between a town or village and the wider countryside beyond its boundaries
- d. they are of local ecological, geological or archaeological value

**3.3.13** In order to assess the impact of a proposed development on the role or importance of a designated open space, or any other place which becomes evident during the Plan's lifetime which meets one or more of the above criteria, the Local Planning Authority will consider the following factors:

- a. the effect of the development on the character of the built environment
- b. the effect of the development on the local landscape
- c. the need for the development to be located there
  - ch. the impact of the development on the ecological, geological or archaeological value of the site
- d. the impact of the development on the amenities of local residents

### ***POLICY B12 - PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS***

*Proposals that are within or on sites visible from a park and garden identified and described in Part 1 of the Register of Historic Landscapes, Parks and Gardens of Special Interest in Wales will be refused if they cause significant harm to their character, appearance or setting.*

*Consideration will be given to the information about the historic landscapes identified in Part 2 of the same Register when assessing the impact of proposals that are of such a scale and magnitude as to have more than a local impact.*

**3.3.14 Explanation** - Research work undertaken jointly with the Countryside Council for Wales, Cadw, Welsh Historic Monuments and the International Council on Monuments and Sites (ICOMOS) has produced a series of joint publications referred to as the 'Register of Historic Landscapes Parks, and Gardens of Special Interest in Wales'. A complete list of the sites included on the Register is included in Appendix 1. The Local Planning Authority will seek to ensure that registered historic landscapes, parks and gardens are protected and enhanced.

**3.3.15** When assessing the suitability of proposals within or in close proximity to registered Historic Parks and Gardens, consideration will be given to the impact of the development on the features that make the area important, as identified in the relevant part of the Register. The ASIDOHL process (Assessment of direct and indirect physical effects on an area's historical features) will be used in order to assess the impact on areas included in the Register. Where appropriate, a development that enhances an area by maintaining or restoring traditional features will be approved.

### ***POLICY B13 - PROTECTING THE OPEN COASTLINE***

*Outside the Heritage Coast, proposals on open coastal areas included in the Plan area will only be approved if they comply with all the following criteria:*

- 1. they require a location on or in close proximity to the coast or open estuaries;*

2. *there will be no adverse impact on:*
  - a. *water quality*
  - b. *public access considerations*
  - c. *the built environment or the landscape*
  - ch. *nature conservation interest of the area due to their location, noise, scale, form, appearance, materials, noise or emissions or due to an unacceptable increase in traffic;*
3. *priority will be given to locations that are visually well related to existing buildings or structures;*
4. *there are no suitable locations within developed areas of coastline*

**3.3.16 Explanation** - It is accepted that some activities have to be located on or near the coast or estuaries, for example, appropriate coastal protection schemes, fishing ventures or informal recreational development that do not affect the nature conservation value of the coast. The Local Planning Authority will assess proposals to locate development on the coast or estuaries to ensure that no other suitable locations are available and that they will not harm the coast's natural features. The Environment Agency and the Countryside Council for Wales will be consulted.

**3.3.17** Physical conditions can also limit development opportunities on the coast, for example, floods, erosion and unstable land and the Plan will seek to restrict development in those areas where these dangerous conditions are apparent.

### ***POLICY B14 – PROTECTING THE LANDSCAPE CHARACTER OF SNOWDONIA NATIONAL PARK***

*Development and land use changes will not be permitted where these would adversely affect the qualities and special character of the Snowdonia National Park by:*

1. *causing significant visual intrusion, and/or*
2. *being insensitively and unsympathetically sited within the landscape*

**3.3.18 Explanation** –The Council recognises the need to protect the Park's landscape and ecological value. This means managing development on land within the Plan area, which is beyond the Park's boundary but within its vicinity. The aim of the above policy is to ensure that the land around the Park is safeguarded from unsuitable or unsightly developments. It is crucial to ensure that no new developments damage the National Park's visual amenities or landscape. Any development permitted near the Park's boundary or on sites that are visible from public vantage points within it will be required to complement the landscape and must be designed and located so as to be beneficial to the area's appearance.

## **BIODIVERSITY AND GEODIVERSITY**

### **Introduction**

**3.4.1** Policies B15 – B21 provide land use planning guidance in respect of development that affects statutorily protected and locally or nationally valued habitats and species. Whilst policies in other sections of the Plan provide guidance regarding specific types of land uses, e.g. residential development, shops, workshops, etc. it should be emphasised that those policies should not be read in isolation. A prospective developer should read the Plan as a whole in order to gain a full understanding of matters linked to the proposed development. The policies included in this part of the Plan could be pertinent key policy considerations in relation to a number of types of development, and it will be necessary to thoroughly consider them in preparing and determining a planning application. The table below provides a list of cross-references to other policies that are closely linked to some of

the policies listed in this section of the Plan (this list is not exhaustive and it will not include other more general policies and cross-references will not be included for every policy).

<b>Policy</b>	<b>Key policy considerations</b>
B15 - B18 & B21	A1 – Environmental or other impact assessments
B17	B27 – Landscaping schemes

## SITES OF INTERNATIONAL, NATIONAL, REGIONAL OR LOCAL IMPORTANCE

### **POLICY B15 - PROTECTION OF INTERNATIONAL NATURE CONSERVATION SITES**

*Proposals not directly linked with or necessary in order to manage a site, and which are likely to cause direct or indirect significant harm (either individually or in combination with other plans or projects) to the integrity of Special Protection Areas (potential or classified), Special Areas of Conservation (candidate or designated), RAMSAR sites (proposed or listed) will be refused unless all the following criteria can be met:*

- 1. there is no alternative solution;*
- 2. there are imperative reasons of over-riding public interest for the development or land use change which override the ecological importance of the site;*
- 3. in the case of sites where priority habitats or species are affected, the only considerations which could justify granting planning permission are those associated with public health, public safety or those that bring benefits of primary importance for the environment and that proposals meet all the following requirements:*
  - a. the location, design and construction of the development is such that damage to nature conservation features are minimised, and opportunities for nature conservation gain are taken;*
  - b. compensating and equivalent nature conservation features are provided;*
  - c. the remaining nature conservation features are protected and enhanced and provision is made for their management;*
  - ch. opportunities are provided for the public to enjoy and interpret the site.*

**3.4.2 Explanation** - The Local Planning Authority will seek to exert strict control over these sites in order to complement and enhance the ecological integrity of the Natura 2000 network. The Planning Authority must undertake an Appropriate Assessment in accordance with recognised methodologies before the Planning Authority decides on the application. The Planning Authority is required to consult with the Countryside Council for Wales in order to understand the conservation objectives of the site before asking the applicant to provide relevant information for the assessment. The Planning Authority will need to identify the effects of the proposal on habitats and species of international importance at the site, and if possible conditions should be stipulated in order to avoid these effects. Finally, the Planning Authority should record the results of the Assessment.

**3.4.3** By undertaking an Appropriate Assessment the Local Planning Authority will rigorously examine applications for development likely to cause direct or indirect significant harm to sites (either on their own or combined with other plans). In accordance with the Conservation (Natural Habitats, & c.) Regulations 1994, before making a decision on an application the Local Planning Authority must:

- consult with the Countryside Council for Wales and give appropriate weight to its comments;

- consider the information provided about the basis for the site's designation;
- consider the information provided by the Appropriate Assessment;
- examine the information gathered as part of an Environmental Impact Assessment (for projects where an Environmental Impact Assessment is required).

### **POLICY B16 - PROTECTING NATIONALLY IMPORTANT CONSERVATION SITES**

*Proposals likely to cause direct or indirect significant harm to a Site of Special Scientific Interest (SSSI) or National Nature Reserve (NNR) (either individually or in combination with other plans or projects) will be refused unless, either*

- 1. damage to nature conservation features can be avoided and the developer takes steps to protect, enhance and manage nature conservation features, or*
- 2. the reasons for the proposals clearly outweigh the particular nature conservation importance of the site and the national policy of protecting such sites.*

*and all the following criteria can be met :*

- a. the location, design and construction of the development is such that damage to nature conservation features are minimised, and opportunities for nature conservation gain are taken;*
- b. compensating and equivalent nature conservation features are provided;*
- c. the remaining nature conservation features are protected and enhanced and provision is made for their management;*
- ch. opportunities are provided for the public to enjoy and interpret the site.*

*When a development is approved planning conditions or agreements will be used in order to conserve and enhance the biodiversity value of any affected site, or any new site that is created, and to put in place appropriate compensatory and management measures.*

**3.4.4 Explanation** - When assessing development proposals within SSSIs or developments likely to affect SSSIs, priority will be given to nature conservation. If the site is also a National Nature Reserve or a SSSI that has been identified following a Nature Conservation Review or Geological Conservation Review, particular attention must be paid to the national importance of the individual site. This policy will also be applicable to any sites designated during the Plan period under other national legislation, e.g. Marine Nature Reserve.

**3.4.5** Before making a decision on a planning application the local Planning Authority will:

- consult with the Countryside Council for Wales, and give consideration to its comments;
- assess the information gathered as part of an Environmental Impact Assessment (if relevant), or
- (in cases where the development will not be the subject of an Environmental Impact Assessment), assess the information compiled for an Environmental Assessment or Ecological Assessment by an expert on behalf of the developer.

**3.4.6** If a development is approved, any damage to the biodiversity value of the site must be avoided or, at the very least, minimised. In addition, the Local Planning Authority will ensure that developers create other biodiversity sites locally to replace those lost. Any new sites created must include habitats and species that are suitable to the site's conditions, are suitable to the locality, and are sustainable in the long term. The aim will be to move towards biodiversity gain rather than loss.

## **POLICY B17 - PROTECTING SITES OF REGIONAL OR LOCAL SIGNIFICANCE**

*Proposals likely to cause direct or indirect significant harm to a Local Nature Reserve (LNR), or Non-statutory Nature Reserve (NsNR) or Wildlife Site (WS) will be refused unless:*

- 1. the damage to nature conservation features can be prevented and the developer takes steps to protect, enhance and manage the nature conservation features, or*
- 2. the proposal is required in order to fulfil social, environmental and/or economic needs that override the site's regional or local importance*

*and all the following criteria can be met:*

- a. the location, design and construction of the development is such that damage to nature conservation features are minimised, and opportunities for nature conservation gain are taken;*
- b. compensating and equivalent nature conservation features are provided;*
- c. the remaining nature conservation features are protected and enhanced and provision is made for their management;*
- ch. where appropriate opportunities are provided for the public to enjoy and interpret the site.*

*When a development is approved planning conditions or agreements will be used in order to conserve and enhance the biodiversity value of any affected site, or any new site that is created, and to put in place appropriate compensatory and management measures.*

**3.4.7 Explanation** -The Proposals Map and the relevant Inset Maps show those LNRs in existence when the Plan was published. Candidate WS have been identified. These sites will be assessed through a selective process which uses a series of specific criteria which will be prepared jointly by Gwynedd Council, the Countryside Council for Wales and the Wildlife Trust. This policy will be relevant to any site that is designated because it complies with these criteria. The integration of locally designated sites with statutory sites can help to contribute to biodiversity objectives by acting as wildlife corridors or stepping stones and by providing links for the genetic exchange of species.

**3.4.8** In order to facilitate informed decision making regarding a planning application every planning application for a development on a site or part of a site that is of local or regional nature conservation importance is expected to include an Ecological Assessment of the site. The assessment shall be undertaken by a suitable qualified person and shall include an ecological survey and an assessment of any mitigation and/or compensatory measures. The Planning Authority will take into account the following factors:

- the information that is received as a result of the ecological survey;
- the relevant parts of Gwynedd Local Biodiversity Action Plan (Natur Gwynedd);
- whether the development scheme protects those features that are significant to the nature conservation value of the site and incorporates features of nature conservation interest;
- whether there are any mitigating measures that can be taken, using planning conditions or planning obligations, to protect and enhance important features or lessen the impact of the development during building work, and to secure a long term management and maintenance regime following the completion of the development;
- whether the proposed development meets a specific need in the local community;
- the availability of an alternative site.

## **POLICY B18 - PROTECTING REGIONALLY IMPORTANT GEOLOGICAL/ GEOMORPHOLOGICAL SITES (RIGS)**

*Proposals that are likely to cause significant harm to a Regionally Important Geological/Geomorphological Site (RIGS) will be refused unless the need for the development is more important than the site's value to earth science or the landscape.*

**3.4.9 Explanation** - In cases where a development proposal affects a RIGS, preference will be given to conserving the site in its present condition. Assessment of a proposal will involve consideration of the following factors:

- the comments received from the Countryside Council for Wales
- the site's significance
- specific reasons for locating the proposed development in that particular location
- the feasibility of incorporating measures to lessen the impact of the development and protect the site's value to earth science and the landscape

**3.4.10** If it is proven that the need for the development overrides the site's significance and that it is not possible to incorporate measures to lessen the impact on the site, then the developer will be required to make arrangements for experienced individuals to record the site before commencement and during the work. Planning obligations or planning conditions will be used to achieve this.

### ***POLICY B19 - PROTECTED TREES, WOODLANDS AND HEDGEROWS***

*Proposals that lead to the loss or damage to a tree, woodland or hedgerow that is protected or lies within a designated ancient and semi-natural woodland will be permitted only where any harm is clearly outweighed by the economic and/or social benefits of the development. Proposals will be assessed against the following criteria:*

*In the case of protected trees and woodlands:*

- 1. whether the social and economic benefits of the development outweighs:
 
  - a. the archaeological, historical and landscape value of the protected tree/woodland;*
  - b. the contribution of each tree/woodland to public amenity;*
  - c. the recreational value of the protected tree/woodland, or;*
  - ch. the ecological, biodiversity and wildlife value of the protected tree/woodland;**

- 2. whether other trees will be planted instead of those lost to development;*

*In the case of hedgerows:*

- 3. whether the social and economical benefits of the development outweigh the archaeological, landscape, ecological, biodiversity and wildlife value of the hedgerow;*
- 4. whether new hedgerows can be planted instead of those lost to development.*

**3.4.11 Explanation** - This policy refers to trees that are subject to Tree Preservation Orders (TPO), trees that are within conservation areas, or ancient and semi-natural woodlands (shown on Proposals Maps or Inset Maps). Where development affects sites included on the Inventory of Ancient and Semi-natural Woodlands the Local Planning Authority will consult with the Countryside Council for Wales.

**3.4.12** The aim will be to move towards nature conservation gain rather than loss. Hedgerows that meet specific criteria are classified as 'important' as defined by the Hedgerows Regulations 1997. Development that involves the removal of 'important' hedgerows will normally be resisted

## PROTECTED SPECIES AND SPECIES THAT ARE LOCALLY DISTINCTIVE

**3.4.13** Protected species and their habitats are not only found on designated sites; for example, bats can roost in buildings. The existence of a protected species is a planning consideration when assessing development proposals that, if accepted, would probably disturb or adversely affect the species or its habitat. To ensure that the decision on the planning application is based on the most comprehensive information possible, the Local Planning Authority will:

1. consult with statutory agency or conservation organisation in order to obtain appropriate expert advice;
2. ask the developer to submit an ecological survey prepared by experts in order to obtain an assessment regarding the current or past presence of a species protected by legislation and to receive clear information about the ecological impact of the proposed development on the protected species, and details of the action that can be taken to ensure its protection.

### ***POLICY B20 - SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT***

*Proposals likely to result in direct or indirect unacceptable disturbance or harm to protected species and their habitats will be refused unless:*

*In the case of protected trees and woodlands:*

- 1. In the case of a species protected under European legislation:*

- a. there is no other satisfactory alternative, and*
- b. the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range and ,*
- c. the development will preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.*

- 2. In the case of a species protected under national legislation:*

- a. the effects will be minimised or mitigated through careful design, work arrangements or other actions or, when this is not practical and the following is likely to prove effective;\_*
- b. the developer will take careful and effective steps to relocate the species or habitat.*

*When a development is approved, planning conditions and/or agreements will be used in order to protect and sustain the species' vitality.*

**3.4.14 Explanation** - The aim of this policy is to prevent development that has a detrimental impact on species and their habitats that are protected under a range of international and national legislation (including the Wildlife and Countryside Act 1981 (and revisions), Habitats Regulations (Natural Habitats &c) 1994, Protection of Badgers Act 1992)

**3.4.15** Under the provisions of the Habitat Regulations (1994) a licence is required from the Welsh Assembly Government for development that would affect species protected under European legislation as well as planning permission. In order to obtain a licence the development will have to comply with the three tests specified in the policy.

**3.4.16** Where a development could disturb the habitat of a protected species or the species itself, or harm them, the Local Planning Authority will refuse such a proposal or will protect the

species/habitat by amending the proposal and attaching suitable planning conditions to planning consent. If other relevant considerations outweigh the detrimental effects, then the Local Planning Authority will aim to ensure that other appropriate habitats are provided in the locality so that, at the very least, the current population levels affected by the development will be maintained. The new habitats will have to be in keeping with the site's conditions, the local area and demonstrate long-term sustainability. The aim will be to ensure biodiversity gain rather than loss.

### **POLICY B21 – WILDLIFE CORRIDORS, HABITAT LINKAGES AND STEPPING STONES**

*Development which may adversely affect the integrity or continuity of the landscape features which are of major importance for wild flora and fauna will only be permitted if it can be shown that the reasons for the development clearly outweigh the need to retain the features and that mitigating measures can be provided, which are within the control of the developer, which would reinstate the integrity or continuity of the features. Appropriate management of these features will be encouraged generally and particularly by the imposition of conditions on planning permissions, by the use of planning agreements and by entering into management agreements with landowners and developers where appropriate.*

- 3.4.17 Explanation** – In the landscape, habitats have become fragmented and isolated, in both rural and urban situations. Wildlife corridors and stepping stones are important for the movement of species, ensuring that populations are not isolated, facilitating genetic exchange. Wildlife corridors are often linear habitats such as hedgerows and rivers. Stepping stones are clusters of habitat patches such as ponds or woodlands near enough for species to move easily between them. Wildlife corridors help to strengthen existing habitats in the landscape by linking them together.
- 3.4.18** When determining a planning application, the Local Planning Authority will consider the following:
- a. the site's significance in terms of the UK Biodiversity Action Plan (UKBAP), identifies habitats and species under threat in the UK requiring action to secure their survival as part of the County's duty as a signatory of the Biodiversity Convention;
  - b. the site's significance in terms of the list of species and habitats in Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006;
  - c. the site's significance in terms of Natur Gwynedd i.e. the Local Biodiversity Action Plan which is a plan that identifies species and habitats that are important and distinctive to the Plan area. It also indicates the measures and finance required to protect those species and habitats.

## **IMPROVING THE QUALITY OF THE ENVIRONMENT IN GWYNEDD AND PROTECTING LOCAL DISTINCTIVENESS**

### **Introduction**

- 3.5.1** Policies B22 – B27 encourage developers to use a good design standard (including all building works, landscaping, road and other engineering work) in order to ensure that all developments make a positive contribution to the landscape and the built environment and an important contribution to sustainable development and the efficient use of land, resources, energy and water. Whilst policies in other sections of the Plan provide guidance regarding specific types of land uses, e.g. residential development, shops, workshops, etc. it should be emphasised that those policies should not be read in isolation. A prospective developer should read the Plan as a whole in order to gain a full

understanding of matters linked to the proposed development. The policies included in this part of the Plan could be pertinent key policy considerations in relation to a number of types of development, and it will be necessary to thoroughly consider them in preparing and determining a planning application. The table below provides a list of cross-references to other policies that are closely linked to some of the policies listed in this section of the Plan (this list is not exhaustive and it will not include other more general policies and cross-references will not be included for every policy).

<b>Policy</b>	<b>Key policy considerations</b>
B26	CH21 - Signs

## DESIGN QUALITY

### **POLICY B22 - BUILDING DESIGN**

*Proposals for new buildings, extensions or alterations of existing buildings will be refused unless it can be shown to the satisfaction of the Local Planning Authority that they conform with the following criteria:*

- 1. that the proposal respects the site and its surroundings in terms of its scale, size, form, density, location, layout, symmetry, quality and suitability of materials, aspect, microclimate and density of building/land use and the space around and between buildings;*
- 2. that it does not have an unacceptable detrimental effect on the form and character of the surrounding landscape or townscape, or on the local natural or historical environment;*
- 3. that it does not have an unacceptable detrimental effect on prominent public views into, out of or across centres, villages, rural villages or open countryside.*

*Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how the proposal has taken account of good design principles will be refused. The following types of development will be required to undertake a Design Assessment and provide a formal 'Design Statement' with the planning application:*

- 1. major new development*
- 2. development that is likely to have a significant visual effect*
- 3. development affecting a sensitive site area or building*

- 3.5.2 Explanation** - In order to achieve a good quality of design it is imperative to gain an understanding of the relationship between a proposed development and its surroundings as well as the way in which the relationship between the individual elements surrounding the development site create character. The features of the site and the surrounding area should always be examined before preparing plans for the changes in question. The main advantage of this approach is that a design relevant to a particular site is secured (rather than opting for an 'off the peg' design), a design that either retains any special distinct character identified in the assessment or which reverses past tendencies where former development patterns have not responded to their context.
- 3.5.3** The Council has published a series of guidance notes, - Gwynedd Design Guide 2002, and The Landscape working for Gwynedd 2001 to raise awareness of a number of design principles.
- 3.5.4** All applicants will be required to present detailed illustrative materials with the planning application. Illustrative material might comprise photographs of the development site and its surroundings, drawings of the proposed design itself, and where appropriate, plans of the proposed layout in relation to neighbouring development and uses. The way in which this is done should be consistent with the nature and scale of the development. In some cases a formal Design Statement will be required in addition to the normal plans that indicate the various elevations of the proposed building. In other cases, a short written

explanation should suffice. Any Design Statement, formal or otherwise, submitted in support of a planning application will need to address sustainable design.

**3.5.5** Prospective developers are encouraged to discuss whether a Design Statement is required, and the requirements of the Statement with planning officers before submitting a planning application. The statement should clarify the following:

- the design principles and the design concept
- how these are reflected in the proposed development
- how the design is compatible with the site and local area, and
- how the development will conform with the Plan policies and the guidance referred to above

**3.5.6** The Design Commission for Wales (DCFW) can also be consulted on matters involving design. DCFW's purpose is to champion high standards of architecture, landscape and urban design in Wales, promoting wider understanding of the importance of good quality in the built environment, supporting skill building, encouraging social inclusion and sustainable development.

### ***POLICY B23 - AMENITIES***

*Proposals that cause significant harm to the amenities of local communities will be refused. Developers will be required to demonstrate clearly that they will respond positively to the following factors, as appropriate:*

- 1. that the development ensures the reasonable privacy of its users and nearby properties;*
- 2. that the development will not lead to the over-development of the site;*
- 3. that the development does not increase traffic nor the noise associated with traffic in a way that causes significant harm to local amenities;*
- 4. that the design of the site reduces opportunities for anti social behaviour and creates an atmosphere where people feel safe to walk, cycle and play;*
- 5. that the design of the external layout of the development takes into account the needs of all its potential users including disabled persons.*

**3.5.7** **Explanation** - It is important to ensure that the impact of new development on the quality and character of their surrounding environment is assessed in addition to ensuring that the needs of its users are met. When determining a proposal for a new development, consideration will be given to the relevant matters listed in the policy.

### ***POLICY B24 - ALTERATIONS AND BUILDING EXTENSIONS WITHIN DEVELOPMENT BOUNDARIES, RURAL VILLAGES AND THE COUNTRYSIDE***

*Proposals for alterations or extensions will be approved provided that all the following criteria can be met:*

- 1. the design and scale is sympathetic to the main building and the locality;*
- 2. the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of dwellings.*

**3.5.8** **Explanation** - It is important that alterations and extensions do not create a visual intrusion that would have a detrimental impact on the character of the main building, the

environment or on the amenities of the occupants of nearby buildings or the locality. This is vitally important in sensitive areas such as the AONB, Landscape Conservation Areas and conservation areas. In the case of extensions and external alterations where local stone or local pebble-dash would be most suitable, the use of local stone will be encouraged. Further guidance may be seen in the Gwynedd Design Guide 2002 and applicants will be expected to demonstrate that they have fully considered the principles illustrated in the Guidance.

### **POLICY B25 - BUILDING MATERIALS**

*The distinctive visual character of the Plan area will be maintained by ensuring that only natural Welsh slates or slates that are similar in terms of appearance, colour and weathering properties are permitted, other than in circumstances in which the type of building or its particular setting, or the sustainability benefits, are such that another material would be appropriate. In respect of other building elements, development will be required to use high quality building materials that complement the character and appearance of the local area. Proposals that introduce substandard or intrusive materials will be refused.*

- 3.5.9 Explanation** - The correct use of materials for the construction of buildings and associated structures/features (e.g. walls, driveways) will be a means of ensuring that developments make a positive contribution to the character and appearance of an area. There are parts of the Plan area where the combination of building styles and building materials has resulted in a distinctive character and appearance. In these circumstances the use of the same or similar materials in terms of appearance, colour and weathering properties can be extremely advantageous, since it can reinforce that distinctive character. The use of recycled local stone or stone which comes from an acknowledged local source will be encouraged. In order to preserve and enhance the distinctive character of areas, developers will be required to show that they have considered the materials used in buildings in the locality and responded to this in a positive way.
- 3.5.10** In the right circumstances contemporary materials can be used effectively in isolation or combined with traditional elements to create a more innovative and unique building for the 21st century. Further guidance on this issue is provided in the Gwynedd Design Guide 2002.
- 3.5.11** Although natural slate is the most common material used on roofs in the area and the material the Local Planning Authority wishes to promote in order to maintain the area's built heritage, the Authority recognises that using slates on the roofs of certain kinds of buildings e.g. industrial scale buildings or modern agricultural buildings with wide roofs, could be inappropriate in economic or practical terms. Materials other than natural slate could also be acceptable on buildings in circumstances where it can be demonstrated that there are sustainability benefits or that the resultant design is equal to or better than that associated with natural slate.

### **POLICY B26 – SHOP FRONTS AND COMMERCIAL UNITS IN THE TOWN CENTRE**

*Proposals for new shopfronts or alterations to existing shopfronts or commercial units will be approved provided that the development relates well to the scale, mass, materials and, if relevant, the architectural style of the building and the locality of which it forms a part. Proposals to remove a historic or architecturally important shopfront will be refused.*

*Proposals for security grilles will be approved provided that they do not prevent the display of goods during all hours of day and night. Any grille permitted should be painted or colour-coated. Any box-housing should be fixed behind or below the fascia to avoid creating an over bulky fascia.*

- 3.5.12 Explanation** - The pressure to alter shop or commercial fronts is constant. A well designed shop or commercial front provides an opportunity for retailers to display goods

effectively and plays an important part in the character and appearance of the streetscene, particularly in conservation areas. Intrusive design work can detract from an attractive street of shops.

- 3.5.13** The Crime and Disorder Reduction Strategy for Gwynedd (2001) notes that some shopping streets are 'hotspots' in terms of levels of crime and disorder. The aim of this policy is to create and maintain a safe and attractive environment that does not prevent individuals from walking along streets thus preventing opportunities for passive surveillance. A row of shops with solid shutters or grilles that are insufficiently perforated (e.g. pin hole perforated grilles) can create a threatening environment in the evening. A threatening environment creates the fear of crime deterring individuals from walking past shops. All in all this can have a detrimental effect on the attractiveness of a town centre to shoppers and other visitors. Security shutters with large perforations placed behind the window are considered to be the best option.
- 3.5.14** All proposals for new shopfronts and to alter existing shop fronts should reflect the principles set out in the relevant section of the Gwynedd Design Guide 2002.

## ENHANCING THE QUALITY OF THE LANDSCAPE

### **POLICY B27 - LANDSCAPING SCHEMES**

*Proposals will be approved provided that high quality soft/hard landscaping appropriate to the site and the locality is provided. Wherever practical, it is expected that trees, hedges, pools, water courses, estate features, 'cloddiau', slate fences, stone walls and any other features that are a part of the landscape are safeguarded and enhanced. The following factors will be considered when assessing the suitability of a landscaping plan.*

- 1. that proposed planting creates a link with nearby planting in order to add to wildlife corridors and habitats;*
- 2. ensuring that trees, hedgerows, water features and any other features on the site that are important to the character of the landscape, the village/town or its setting, the setting of a Listed Building or Ancient Monument, a conservation area or its setting, or nature conservation are kept on the site and protected during the building process and in the long-term once the development is completed,*
- 3. that the planting of any new trees, wild flowers, shrubs or hedges is done effectively using local native species, except for exceptional cases where the use of local native species would not complement the current dominant character of the site,*
- 4. in the case of a development that is visible from the Llŷn or Anglesey AONB or the Snowdonia National Park, that important views in and out of the sensitive landscapes are protected.*

*When a development is approved, planning conditions and/or planning agreements will be used in order to ensure that appropriate conservation/protection measures, planting and/or aftercare work takes place in the long term after the development has been completed.*

- 3.5.15 Explanation** - It is important that landscaping matters are considered from the outset as part of the design for the proposal. The aim should always be to try and ensure that the development blends into its surroundings whilst creating an attractive setting for the building(s).
- 3.5.16** The Council has published a series of guidance notes - Gwynedd Design Guide 2002, and The Landscape Working for Gwynedd 2007 to raise awareness of a number of design aspects, and these should be considered by all developers. The latter document is based on the results of the LANDMAP assessment. This assessment identified 16 Landscape Character Areas (LCA), which are shown in Appendix 2. Each LCA has its own distinctive landscape. Wherever there are features that are important to the character and distinctiveness of a locality, the Local Planning Authority will aim to protect them. In

considering development proposals that affect trees, further guidance is included in Supplementary Planning Guidance on Trees and Development (to be prepared).

## MANAGING DEVELOPMENT ON SITES THAT ARE 'AT RISK' AND DEVELOPMENTS THAT CREATE RISK

### Introduction

- 3.6.1** Policies B28 – B35 provides land use planning guidance regarding development that could be at risk because of specific circumstances or development that could itself place other land uses at risk. Whilst policies in other sections of the Plan provide guidance regarding specific types of land uses, e.g. residential development, shops, workshops, etc. it should be emphasised that those policies should not be read in isolation. A prospective developer should read the Plan as a whole in order to gain a full understanding of matters linked to the proposed development. The policies included in this part of the Plan could be pertinent key policy considerations in relation to a number of types of development, and it will be necessary to thoroughly consider them in preparing and determining a planning application. The table below provides a list of cross-references to other policies that are closely linked to some of the policies listed in this section of the Plan (this list is not exhaustive and it will not include other more general policies and cross-references will not be included for every policy).

Policy	Key policy considerations
B29	B32 – Increasing surface water
B30	C3 – Re-using previously developed sites

### DEVELOPMENT THAT IS AT RISK

#### ***POLICY B28 - UNSTABLE LAND***

*Proposals on land, or adjacent to land, which is or is likely to be unstable will be refused unless it can be ensured to the satisfaction of the Local Planning Authority:*

- 1. that any instability can be overcome by means of an environmentally acceptable design or location, and*
- 2. that any instability of the site, or an adjacent site will not cause significant harm to the development, and*
- 3. that the development will not cause significant harm to the stability of the land or adjacent land.*

*When a development is approved, planning conditions and/or agreements will be used in order to ensure that measures to overcome the problem of instability are satisfactorily in place.*

- 3.6.2 Explanation** - It is important that a proposal for new development or intensification of existing development considers the stability of the land early in the process. It is the applicant/developer and/or landowner's responsibility to ascertain whether land is suitable for development and to ensure that the development is safe and stable. In those cases when there is uncertainty as regards the stability of the land, then it is expected that the developer will arrange for a thorough assessment of the land to be carried out by an expert in the field in order to ensure:

- that the land is not unstable, or

- that any existing or potential instability can be solved by means of restoration, preventative or precautionary measures.

**3.6.3** The results of the stability assessment should be submitted with the planning application so that the Local Planning Authority may determine:

- the likely outcome of site development
- which measures are necessary to stabilise the land and protect any proposed building or structure on that land

**3.6.4** In certain cases, for example, on the coast, it will not be possible to overcome the problems satisfactorily. In those instances planning permission will be refused. In addition, those features that may cause the instability or are created as a result of the instability may be of historical, archaeological or nature conservation importance. The Local Planning Authority will consult with specialists, e.g. the Environment Agency, the Countryside Council for Wales in order to establish the impact of the development or any steps to stabilise the land on those features and will assess that impact against the particular value of those features.

### **POLICY B29 - DEVELOPMENT ON LAND AT RISK FROM FLOODING**

*Proposals for development that is highly vulnerable<sup>1</sup> or proposals for emergency services on a site forming part of an area categorised as zone C2 (areas of the floodplain without significant flood defence infrastructure) will be refused. New development should be directed away from zone C and towards suitable land in zone A, or otherwise zone B. The tests outlined in TAN15 will be applied to development within zone C. Proposals for a less vulnerable development<sup>2</sup> in zone C2 (areas of the floodplain without significant flood defence infrastructure) or any new development proposal in zone C1 (areas of the floodplain which are developed and served by significant infrastructure, including flood defences) will be refused unless it can be clearly demonstrated that:*

- 1. its location in zone C is necessary to assist, or be part of, a Local Authority and other key partners' regeneration initiative or a local authority strategy required to sustain an existing settlement, or*
- 2. its location in zone C is necessary to contribute to key employment objectives supported by the Local Authority, and other key partners, to sustain an existing settlement or region, and*
- 3. it concurs with the aims of PPW and meets the definition of previously developed land, and*
- 4. the potential consequences of a flooding event for the particular type of development have been found to be acceptable in relation to the tests set out in TAN15*

*Development proposals (including raising ground levels) will be approved in other areas provided that they do not present an unacceptable risk of flooding either on or off the site, or cause significant harm to flood management or maintenance schemes.*

**3.6.5 Explanation** - Development on a site within an area identified as being at risk from flooding may itself be at risk, exacerbate existing flooding problems or create new flooding problems on land or property elsewhere by reducing the floodplain's storage capacity or obstructing the water flow. Flood prevention measures can reduce the danger of flooding, but it can never be eradicated. Where detailed information regarding flood risk is not available, the onus will be on the developer to undertake and pay for detailed technical investigations in accordance with the requirements of TAN 15 Development and Flood Risk in order to assess the degree of flooding and to ensure that any unacceptable development (including raising ground levels) is not located in the area that is at risk from flooding. Where necessary, developers will be expected to provide details of hydrolic investigations in order to assess the obligations of the proposed development. The

Environment Agency will be consulted regarding every application that is likely to be affected by flooding.

- 3.6.6** If, exceptionally, development is approved developers will be required to show that full consideration has been given to the possibility of flooding in its design, e.g. more than one floor so that its occupants and any furniture etc can be moved to somewhere safe; locating parking spaces and access points in locations that facilitate use during floods, creation of specific flood routes that facilitate the dispersal of flood water. No development will be approved until any necessary mitigation works have been implemented to the satisfaction of the Local Planning Authority in consultation with the Environment Agency and a formal agreement signed with the Local Planning Authority regarding the future maintenance of any flood protection or mitigation structures. If additional or new flood defences are required, these will be provided at the developer's cost as well as measures to mitigate its impact and any long term inspections and management. Development that will, despite mitigating measures, still be at risk from flooding that will endanger lives and cause substantial damage to property will be refused.

<sup>1</sup> Every type of residential development, (including hotels and caravan parks), public buildings (for example schools, libraries, hospitals, leisure centres), industrial development that is particularly at risk (e.g. power stations, chemical works, waste incineration plants) and waste disposal sites.

<sup>2</sup> General industry, employment, commercial and retailing, public infrastructure and facilities, mineral extraction sites and associated processing facilities, apart from waste disposal sites.

### **POLICY B30 - CONTAMINATED LAND OR BUILDINGS**

*Proposals to develop or reclaim contaminated or potentially contaminated land or buildings in a manner that takes land or buildings from a negative value to a positive value to the environment will be refused unless all the following criteria can be met:*

- 1. a detailed report on research into the site (including a risk assessment) is submitted with the planning application in order to establish the nature and extent of any contamination;*
- 2. (where there is evidence of contamination) a strategy, consistent with good practice, for removing, reducing or treating the contamination is included with the planning application;*
- 3. that the threat of contamination will not continue following treatment of the site.*

*When a development is approved planning conditions or agreements will be used to ensure that the necessary reclamation and monitoring measures are implemented, in accordance with details submitted as part of the planning application.*

- 3.6.7** **Explanation** - In assessing development proposals the Local Planning Authority will examine current sources of information, particularly information arising from the Contaminated Land Inspection Strategy. However, it is the duty of the site developer or owner to assess whether any contamination exists on site and to include any remediation measures if necessary. It is the duty of the Local Planning Authority to consider whether the planning application for a development on such a site:
- indicates that the potential contamination has been given full consideration, and
  - includes measures to restore or alleviate its extent in order to solve the problem prior to, during or following the development work (whichever may be appropriate).
- 3.6.8** The Local Planning Authority will consult with other agencies, e.g. the Environment Agency, and will consider other legislation and powers available - Environmental Health legislation (to conform with Environmental Protection Act (as amended) 1990 and Environment Act 1995, Building Control legislation, Contaminated Land Act. The Council and its partners will be providing a leaflet that will provide information and advice to developers.
- 3.6.9** If any contamination not identified initially is uncovered whilst developing the site and the contamination in question arises from a different source and/or is of a different type to that

discussed in the remediation strategy, then an amended remediation strategy will have to be submitted to the Local Planning Authority.

## DEVELOPMENT THAT CREATES OR INCREASES RISK OR NUISANCE

### **POLICY B31 - DEVELOPMENT THAT DEAL WITH HAZARDOUS SUBSTANCES**

*Proposals that deal with hazardous substances will not be approved if they are located:*

- 1. within or very close to existing or proposed residential, educational, leisure or retail developments, or*
- 2. within or very close to sites that are of historical importance or important to biodiversity.*

*Also, proposals for residential, educational, leisure or retail developments will be refused if they are near an existing development that deals with hazardous substances unless the Local Planning Authority is satisfied that there will be no risk to the safety of the local community or occupants of the new development which cannot be overcome in a satisfactory manner.*

- 3.6.10 Explanation** - The aim of this policy is to protect the environment and people from development that treats and disposes of hazardous substances. Areas that need to be protected include areas where many people live, work or relax on a regular basis, as well as areas that are environmentally important, e.g. conservation areas, Listed Buildings, Archaeological Remains and important areas in terms of biodiversity such as SSSI's, Wildlife Sites and water resources.
- 3.6.11** The Local Planning Authority will consult with other relevant bodies, for example (in case of a development within the sphere of influence of an existing development dealing with a dangerous substance), the Health and Safety Executive.

### **POLICY B32 - INCREASING SURFACE WATER**

*Proposals that do not include flood minimisation or mitigation measures that will reduce the volume and rate at which run off reaches rivers and other watercourses will be refused.*

*When a development is approved planning conditions or agreements will be used to ensure that the necessary flood minimisation or mitigation measures are implemented, in accordance with submitted details which were approved*

- 3.6.12 Explanation** - A new development can increase the surface area of impermeable land. In turn, this can result in a far greater volume of water being directed through drains and sewers to watercourses for instance. This will affect the natural recharge of groundwater, wasting a valuable resource and increasing the risk of pollution (e.g. through polluted urban surface run-off and overflow from a combined sewer), and can increase river flows. Increased river flows can cause physical damage to the banks and bed of watercourses, and can increase the risk of flooding.
- 3.6.13** Wherever practical, surface water should be disposed of as close to the source as possible. Flood minimisation facilities or mitigation measures may be a prerequisite to development if possible risks are identified. Consideration should be given to the use of softer engineering structures collectively referred to as Sustainable Urban Drainage Systems (SUDS). SUDS typically include swales, ponds, infiltration basins and porous surfaces and should be considered in place of conventional drainage methods where appropriate. Environment Agency Wales can provide advice on SUDS design and

reference may be made to their document Sustainable Urban Drainage Systems – An Introduction. The Local Planning Authority will expect the developer to provide evidence that funding is available and that maintaining flood minimisation facilities or mitigation measures will prove practical in the long term.

### ***POLICY B33 - DEVELOPMENT THAT CREATES POLLUTION OR NUISANCE***

*Proposals that will cause significant harm to the quality of public health, safety or amenities, or to the quality of the built or natural environment as a result of higher levels of air, water, noise, or soil pollution will be refused unless adequate controls can be attained by means of planning conditions and powers of regulatory bodies, and that arrangements can be made to monitor discharges.*

*In addition, proposals located adjacent to an existing source of pollution or nuisance will be refused unless the Local Planning Authority is satisfied that there will be no risk to the health or safety of the local community or potential occupants of the new development that can not be satisfactorily overcome.*

- 3.6.14 Explanation** - The aim of this policy is to protect people and the environment from development which can cause pollution or nuisance by way of, for example, dust, dirt, fumes, PM10, gases (e.g. NO<sup>2</sup>), noise, vibration and to ensure that an existing development does not have an unacceptable effect on the proposed development.
- 3.6.15** All planning applications for a new development which may cause pollution or nuisance must include sufficient details to enable the Local Planning Authority and other agencies to assess the impact correctly. The criteria against which proposals will be considered include location, impact on amenity, risks, prevention of nuisance, impact on transport infrastructure and other infrastructures, restoration and decommissioning. An Environmental Statement is required as part of the Environmental Impact Assessment process in those cases where a development because of its nature, size, or location is likely to have a significant detrimental effect on the environment or the public. The Local Planning Authority will consult with other agencies, e.g. Environment Agency Wales, Welsh Water, and with other departments within the Council, e.g. Housing and Public Protection Department, as appropriate.
- 3.6.16** In the case of new development nearby an existing development, an assessment will be conducted as to whether the steps taken to minimise or dispose of any possible pollution or nuisance are sufficient or whether the proposal can be adapted to overcome any risk or nuisance satisfactorily.

### ***POLICY B34 - LIGHTING AND LIGHT POLLUTION***

*Proposals for lighting schemes will be permitted provided that they do not have significant harm on the amenity of neighbouring land uses and the environment. When the schemes are permitted, planning conditions may be used to ensure the appropriate management and design of the systems.*

- 3.6.17 Explanation** - There is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place with the need to:
- protect the natural and historic environment including wildlife
  - retain dark skies where appropriate, and
  - prevent glare and respect the amenity of neighbouring land uses
- 3.6.18** The over-provision of artificial lighting can affect amenity due to glare and light spillage, have a detrimental effect on wildlife such as the breeding habitats of certain species of birds, and can cast excessive light upwards, thereby reducing security, wasting energy

and intruding on the night sky. Developments built with lighting at night can increase their visual impact.

- 3.6.19** However, lighting can also have beneficial effects such as enabling evening activity, increasing safety and security and advertising /exhibiting particular buildings or landscape features.
- 3.6.20** In rural areas, lighting should be restricted to that which is absolutely necessary for highway safety. Landscaping measures should be provided to screen the lighting installation from view. Any necessary road lights should be carefully designed to minimise their impact both on their immediate surroundings and the wider rural night time landscape.
- 3.6.21** Full consideration should be given to the type, design, extent, intensity and timing of the lighting provision necessary to accomplish the purpose.

### ***POLICY B35 - AVOIDING THE SPREAD OF INVASIVE SPECIES***

*Where the development involves the disturbance of soil contaminated by invasive species, developers will be requested to state what measures will be taken to deal with the invasive species and/or move it to a certified site.*

*When a development is approved, planning conditions or agreements will be used to ensure that the necessary measures to deal with and/or move the species are implemented, in accordance with details submitted with the planning application.*

*Also, where a development involves disposal of soil or infill material on site, the Local Planning Authority will include a planning condition to ensure that the material did not originate from a polluted source.*

- 3.6.22** **Explanation** - It is an offence to affect the spread of any identified invasive species in the wild. Japanese knotweed is an example of such a species. Also, soil contaminated by such plants is categorised as waste under the 1990 Environmental Protection Act and its disposal is subject to the relevant Waste Disposal Regulations.

## MONITORING

### **Sustainability Principle: Effective protection of the environment**

#### **Topic: Historic resources**

#### **Strategic Aim:**

Maintain and enhance the special quality and distinctiveness of the built and historic environment of the Plan area.

#### **Strategic Policies:**

Strategic Policy 3 - The area's built and historic environment will be protected from development that would significantly harm it and new developments in historic areas will be expected to conform to particularly high design standards which will maintain or improve their special character.

#### **List of Part 2 Policies: B1 – B7**

#### **Policy performance indicators:**

Number of Listed Buildings in the At Risk category on the Local Planning Authority's Listed Buildings At Risk Register.

#### **Target:**

Nil loss in the number of Listed Buildings as a direct result of development, compared to the entries on the Register in 2001.

Total number of applications for consent to demolish Listed Buildings that are determined, and % approved.

Total number of approved applications for consent to alter Listed Buildings and % that are dismissed.

% of applications for development proposals refused because they are not in accordance with the World Heritage Management Plan.

Total number of applications to demolish a building within a conservation area determined, and % approved.  
% of appeals dealing with conservation areas that are dismissed because the development would have a detrimental impact on a conservation area.

% applications that have an impact on archaeological remains approved/refused in accordance with advice from Gwynedd Archaeological Trust.

% applications that have an impact on sites on the Register of Landscapes, Parks & Gardens of Historic Interest in Wales approved/refused in accordance with advice from Gwynedd Archaeological Trust, Cadw or CCW.

#### Key Partners:

1. Gwynedd Council
2. Cadw
3. National Amenity Societies
4. Gwynedd Archaeological Trust
5. Local Building Preservation Trusts
6. Private sector
7. Owners and occupiers of Listed Buildings, property in conservation areas or archaeological remains
8. Representatives of landowners e.g. CLA

Nil loss of buildings that make a positive contribution to the special character or appearance of a conservation area due to development (based on the Conservation Area Character Appraisal or photographic evidence) compared to the date of the appraisal.

Nil loss of Scheduled Ancient Monuments or archaeological remains compared to the entries on the SMR in 2001.

#### Supplementary/ supporting actions

1. Regularly undertake a use and condition survey of Listed Buildings
2. Prepare Conservation Area Character Appraisals
3. Explore the possibility of establishing Areas of Special Control of Advertisements
4. Prepare and implement Conservation Area Plans and Delivery Strategies
5. Develop the programme to raise the awareness of owners and occupiers of historic land or property
6. Raise awareness of heritage issues through local schools
7. Take appropriate legal actions to protect and prevent damage or loss of important historic or architecturally important buildings and features
8. Investigate the possibility of establishing partnerships and appropriate funding packages, e.g. Town Schemes, repair grants
9. Establish a Local Heritage Strategy

#### Sustainability Principle: Effective protection of the environment

#### Topic: Protected countryside and open spaces

**Strategic Aim:**

Maintain and enhance the quality and the distinctiveness of the landscape and coastal areas.

**List of Part 2 Policies:** B8 – B14**Policy performance indicators:**

Total number of applications for development in the Llŷn AONB that are determined, and the proportion approved.

Total number of applications for development on the Heritage Coast that are determined and % approved.

Total number of applications for development in a Landscape Conservation Area that are determined and % approved.

Total number of applications for development in a designated open space that are determined and % approved.

% of Appeals dealing with development in the Llŷn AONB, Heritage Coast, Landscape Conservation Areas, and designated open spaces that are dismissed because of their impact on the designated area or site.

**Key Partners:**

1. Gwynedd Council
2. Countryside Council for Wales
3. The Llŷn AONB Consultative Committee
4. Cadw
5. Gwynedd Archaeological Trust
6. Property owners and landowners
7. Snowdonia National Park Authority

**Strategic Policies:**

Strategic Policy 2 - The area's natural environment and its landscape character, and views in and out of the Snowdonia National Park and the Llŷn and Anglesey Areas of Outstanding Natural Beauty, will be safeguarded, maintained or improved by refusing development proposals that will significantly harm them.

**Target:**

There will be no direct loss or damage, through development, to designated areas or sites of national or local importance.

**Supplementary/ supporting actions:**

1. Prepare and implement a Management Plan for the Llŷn AONB
2. Revise the Llŷn AONB boundaries
3. Develop the programme to raise the environmental awareness of owners and occupiers of land
4. Raise awareness of environmental issues through local schools
5. Review/ update LANDMAP
6. Attract grants to develop schemes to conserve the quality of the landscape within the AONB
7. Integrate landscape management with regeneration programmes for communities in the AONB

**Sustainability Principle: Effective protection of the environment****Topic: Biodiversity****Strategic Aim:****Strategic Policies:**

Maintain and increase biodiversity in the Plan area

Strategic Policy 2 - The area's natural environment and its landscape character and views in and out of the Snowdonia National Park and the Anglesey and Llŷn Areas of Outstanding Natural Beauty, will be safeguarded, maintained or improved by refusing development proposals that will significantly harm them

**List of Part 2 Policies:** B15 – B21

**Indicators of policy performance:**

Total number of applications for development affecting the SCA, SPA, RAMSAR sites, SSSI, NNR, LNR, WS or RIGS that are determined and % that are approved.

Total number of applications for development that affect protected species or their habitats that are determined and % that are approved.

Total number of applications for development that affect habitats or species identified in "Natur Gwynedd" that are determined and % that are approved.

% of appeals dealing with development that affect designated sites or protected species of international, national, regional or local importance that are dismissed because of their impact on the designated area, site or species.

**Key Partners:**

1. Gwynedd Council
2. Countryside Council for Wales
3. North Wales Wildlife Trust
4. Private sector
5. North Wales Police – the Nature Conservation Unit
6. Royal Society for the Protection of Birds
7. Gwynedd/ Clwyd Badgers Group
8. National Trust
9. Council for the Protection of Rural Wales
10. Gwynedd and Môn RIGS group
11. Landowners and occupiers

**Target:**

There will be no direct or indirect loss or damage, through development, to designated areas, sites or species of international, national regional or local importance to nature conservation.

Maintain and add to the range and numbers of species subject to protection.

**Supplementary/ supporting actions:**

1. Implement Natur Gwynedd, - the Gwynedd Local Biodiversity Action Plan.
2. Develop the programme to raise awareness of biodiversity issues amongst landowners and occupiers.
3. Raise awareness of biodiversity issues through local schools.
4. Take appropriate legal action to protect and prevent damage to biodiversity resources.
5. Explore the possibility of establishing partnerships and appropriate funding packages.

**Sustainability Principle: Effective protection of the environment**

**Topic: Improving the quality of Gwynedd's environment and protecting local distinctiveness**

**Strategic Aim:**

Facilitate development proposals that incorporate good design principles and contribute to local distinctiveness in terms of its historic, architectural, natural and social environment.

**Strategic Policies:**

Strategic Policy 4 - Development will be expected to be of a good design in order to ensure that it makes a positive contribution, wherever possible, to the landscape, built environment and sustainable development.

**List of Part 2 Policies: B22 – B27****Indicators of policy performance:**

Total number of applications determined for development that have significant design implications that include a formal Design Statement as part of the planning application and % approved.

Total number of applications determined that submit a landscaping scheme as part of the planning application and % approved.

Total number of applications that are approved that result in the loss of protected trees, woodlands or 'important' hedgerow and % approved.

**Key Partners:**

1. Gwynedd Council
2. Architects
3. Gwynedd Architects Panel
4. Landscape Architects
5. Community Councils
6. Owners of buildings and landowners
7. Council for the Protection of Rural Wales
8. Private sector
9. Countryside Council for Wales
10. North Wales Police
11. Access Groups

**Target:**

Ensure that every application for a development that has significant design implications submit an appropriate Design Statement.

Increase the number of planning applications that include a landscaping scheme as part of the planning application.

Reduce the loss or damage to natural features such as trees, woodlands or hedgerow as a result of development.

**Supplementary/ supporting actions:**

1. Raise awareness among property owners and landowners about the distinctive built character of the area.
2. Raise awareness about the distinctive built character of the area through local schools.
3. Establish a register of traditional buildings, i.e. locally important buildings.
4. Prepare Development Briefs for specific sites.
5. Provide Design Guides.
6. Explore the possibility of preparing design guides/ statements for individual villages in partnership with local communities.
7. Maintain partnerships and financial arrangements such as Town Improvement Grants, Commercial Area Grants.

**Sustainability Principle: Effective protection of the environment****Topic: Managing developments on sites that are at risk or developments that create risk****Strategic Aim:**

Prevent development in places that are or are likely to be at substantial or unnecessary risk and development that will or are likely to create substantial or unnecessary risk to the well-being of communities and the environment.

**Strategic Policies:**

Strategic Policy 5 - Developments that are inconsistent with the need to safeguard floodplains or minimise flood risk and developments that create a risk of unacceptable damage to health, property or the environment, will be refused.

**List of Part 2 Policies: B28 – B35****Indicators of policy performance:**

Total number of applications for highly vulnerable development given permission on land at risk of flooding and % approved.

**Target:**

No highly vulnerable development on land that is within an area identified as being at risk from flooding.

% of appeals dealing with applications for highly vulnerable development that are dismissed.

**Key Partners:**

- Gwynedd Council
- Private sector
- Environment Agency (EA)
- Health and Safety Executive
- Lighting engineers and designers

**Supplementary/ supporting actions:**

- Establish a contaminated land database.
- Ensure that up-to-date information about land liable to flooding is available from the EA.
- Undertake an Air Quality Survey and Assessment in accordance with the 1995 Environment Act.
- Establish a Contaminated Land Strategy.
- Duties of the Housing and Public Protection Department.

Gwynedd Unitary Development Plan 2001-2016

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