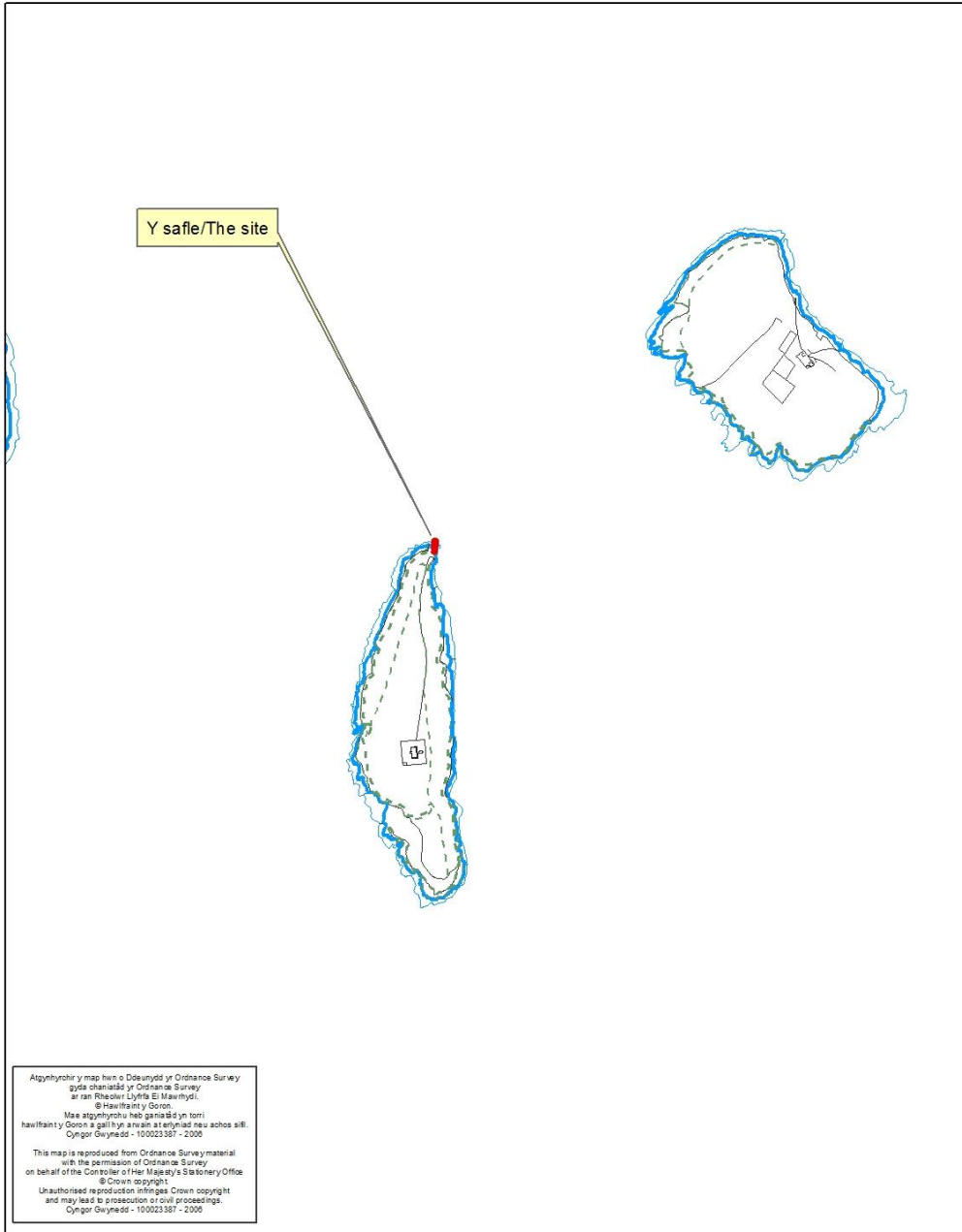


Number: 5



Rhif y Cais / Application Number : C15/0341/39/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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Application Number: C15/0341/39/LL
Date Registered: 05/06/2015
Application Type: Full - Planning
Community: Llanengan
Ward: Llanengan

Proposal: ENGINEERING WORKS TO CONSTRUCT A SLIPWAY
Location: YNYS SANT TUDWAL (WEST), ABERSOCH, PWLLHELI, GWYNEDD

Summary of the Recommendation:

TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 The application concerns the construction of a slipway. The slipway would be designed in steel and could support and launch two boats. It would be located on the northern end of the island and would extend out approximately 39 metres from the existing landing stage. The slipway would be approximately 6 metres wide and 1 metre higher than the existing landing stage at its southern end. It would lift up from a little under the Mean Low Water Spring to a height of 2 metres above the Mean High Water Spring. It is proposed to install a screen that would be approximately 1 metre high at the sides of the slipway above the mean high water to protect boats and people from the waves. The slipway would be supported by 10 thin cylindrical columns that would extend to the seabed rock with two thin cylindrical columns installed on the existing landing stage. The work would not need any excavation or blasting work and all work would be undertaken from the island without the need for barges. All the steel work would be galvanised and covered with a high performance marine coating designed for safe use in a marine environment.
- 1.2 It is understood that the structure has been designed to cope with the changes anticipated in sea levels over the next 100 years. It is recommended that the sea level will increase by between 600mm and 1000mm and the engineering figures used in the current application are an increase of 800mm. This is considered by an engineering designer to be a reasonable estimate.
- 1.3 The development would be situated on the northern headland of Ynys Sant Tudwal West near the existing wharf. The site is located within the Llŷn Area of Outstanding Natural Beauty (AONB) together with the Heritage Coast and the Llŷn and Ynys Enlli Landscape of Outstanding Historical Interest. The site also lies within the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC), Clogwyni Pen Llŷn SAC, Mynydd Cilan, Trwyn yr Wylfa a Ynysoedd Sant Tudwal Special Protection Area (SPA) and Porth Ceiriad, Porth Neigwl and Ynysoedd Sant Tudwal Sites of Special Scientific Interest (SSSI). On the island is a lighthouse and walls and one dwelling that are listed buildings. The southern section of the slipway would be located on part of the existing landing stage. This existing landing stage comprises a platform and stairs above the high water mark.
- 1.4 The proposed development does not fall within the description and criteria of Schedule 1 of the Town and Country Planning Regulations (Environmental Impact Assessment) (England and Wales) 1999. However, it is a development which falls within the description of a development as defined in paragraph 10(g) Construction of harbours and port installations including fishing harbours, and paragraph 10(m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, sea walls, jetties and other sea

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defence works, excluding the maintenance and reconstruction of such works on Schedule 2 of the Regulations. Following the receipt of the application the proposal was screened in accordance with the requirements of the criteria of Schedule 3 of the Town and Country Planning Regulations (Environmental Impact Assessment) (England and Wales) 1999. On the basis of that assessment it was considered that it was not a large development that was more than a local importance and that it was unlikely to have a significant impact on the environment via factors such as its size and nature. However, it was noted that this view was in order to assess if an Environment Impact Assessment was required as part of the application only and did not form part of the assessment on the planning application. Although no full Environmental Impact Assessment was requested, a non-statutory Environmental Assessment has been submitted as part of the application mainly because the site is situated within sensitive areas in terms of national and international ecological designations. The non-statutory Environmental Assessment includes the following:-

- Introduction
- Description of the site and the proposal
- Description of the area's nature conservation interests
- A landscape and visual impact assessment
- Ecological and nature conservation
- Noise and vibration
- Pollution control and bio-security risk assessment
- Hydrological and sediment deposit changes
- Mitigation requirements
- Alternative design options considered
- Conclusions

1.5 The application is submitted to Committee in light of receiving three or more objections to the proposal.

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales, emphasise that planning decisions should be in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

STRATEGIC POLICY 1 – TAKING PRECAUTIONARY MEASURES -
Development proposals that would have an adverse or uncertain impact on the environment, the society, the economy or the Welsh language or the cultural characteristics of communities in the area of the Plan will be refused unless it can be conclusively shown by an appropriate impact assessment that this can be negated or mitigated in a manner acceptable to the Planning Authority.

STRATEGIC POLICY 2 – THE NATURAL ENVIRONMENT - 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 maintained or improved by refusing development proposals that will significantly harm them.

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POLICY A1 – ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS - Ensure that sufficient information is provided with the planning application regarding any significant likely environmental or other impacts in the form of an environmental impact assessment or other impact assessments.

POLICY A3 – PRECAUTIONARY PRINCIPLE - Refuse proposals if there is any possibility of serious or irreversible damage to the environment or the community unless the relevant impact assessment can show beyond doubt ultimately that the impact can be avoided or alleviated.

B8 - THE LLŶN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB) - Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site in accordance with the statutory requirements of the Countryside and Rights of Way Act 2000.

POLICY B9 – THE HERITAGE COAST - Refuse proposals for any building or structure on the heritage coast unless they can conform to a series of criteria aimed at avoiding significant damage to recognised features.

POLICY B12 – PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historic interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

POLICY B15 – PROTECTION OF NATURE CONSERVATION SITES OF INTERNATIONAL SIGNIFICANCE - Refuse proposals which are likely to cause significant damage to nature conservation sites of international significance unless they conform to a series of criteria aimed at managing, enhancing and safeguarding the recognised features of such sites.

POLICY B16 – PROTECTING NATIONALLY IMPORTANT NATURE CONSERVATION SITES - Refuse proposals which are likely to cause significant harm to nature conservation sites of national significance unless they conform to a series of criteria aimed at protecting, enhancing and managing the recognised features of the sites.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT - Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of the site.

POLICY B22 – BUILDING DESIGN - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY CH47 – MARITIME ACTIVITIES - Approve improving and extending the variety of maritime facilities within existing marinas and improve the quality of the boating provision or upgrade facilities within existing harbours, provided the scale

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and design of the proposed development is of the highest standard and is suitable for the site in question.

Supplementary Planning Guidance – Wildlife Sites
Supplementary Planning Guidance – Landscape character

2.3 National Policies:

Planning Policy Wales (7th Edition, November 2014)
Technical Advice Note (TAN) 5 - Nature Conservation and Planning (2009)
Technical Advice Note 11 - Noise (1997)

3. Relevant Planning History:

- 3.1 C11/0219/39/LL – Construction of a boat extractor – Approved 20 July 2011.
- 3.2 C13/0637/39/LL – New harbour and sea protection walls – Application not determined

4. Consultations:

Community/Town Council: Support.

Natural Resources Wales: Observations dated 26 June 2015 concerning Protected Sites.
The development lies within or near the following protected sites:

- Pen Llŷn a'r Sarnau Special Area of Conservation
- Clogwyni Pen Llŷn Special Area of Conservation
- Mynydd Cilan, Trwyn yr Wylfa and Ynysoedd Sant Tudwal Special Protection Area.
- Porth Ceiriad, Porth Neigwl and Ynysoedd Sant Tudwal Sites of Specific Scientific Interest.

The contents of the Appropriate Assessment undertaken were considered and the conclusion was that the proposal would not have a detrimental effect on the integrity of the Special Area of Conservation, Special Protection Area or the Ramsar site.

If all the mitigation measures included in table 2.2 of the Appropriate Assessment are adhered to then the proposal will not have a significant impact on the features of the above sites. Table 2.2 advises that the Construction Environmental Management Plan (including a suitable time to undertake the work) should be agreed with the Local Authority in consultation with Natural Resources Wales (NRW) as a condition of any permission. Without this condition the proposed development on the site would create an unacceptable risk for the environment and we would oppose the application.

Observations dated 8 September 2015 concerning the landscape and visual impact

NRW does not object to the proposal. In our view, as explained below, the proposal is unlikely to have a detrimental impact.

The information submitted by Richards Moorhead and Laing with their letter dated 5 August 2015, has assisted to clarify the

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relationship of the proposed slipway with Ynys Sant Tudwal and the seascape and its influence on the Llŷn AONB.

The drawings, photomontages and wire-frame images indicate:-

- Half the slipway would be located behind the northern front of the island's landform profile hiding a large portion of the structure from views from the coastal path.
- Approximately half the slipway would extend beyond to the northern front of the island into the sea. This would be hidden at high tide and be visible to varying degrees at other times. There would be twin marker posts on the lower part of the slipway that would continue above sea level at all times. This is considered to be a fairly minor human addition to the island that would have a minor visual presence at either side of high tide.
- At low tide and during clear visibility conditions, the proposal would have some contrast with the outline of the natural rock and we feel that this would change the sense of wilderness, remoteness and inaccessibility that the island currently appears to have.

When discussing if the impact on the natural beauty of the Llŷn AONB is substantial it is considered:-

- i. That the slipway would not become a key feature of the island and the seascape.
- ii. At times there may be some contrast with the view's natural features.
- iii. At times it will erode the sense of wilderness, remoteness and inaccessibility that the island appears to have (special features of the AONB evident here).

From this, it is concluded that the proposed slipway at times will conflict with statutory conservation and the purpose and enjoyment of the ANOB designation. However, bearing in mind the influence of the tide on the proposal and the fact that the slipway will only be visible to varying degrees at times of low tide, the full impact of the slipway from the coastal path would not have a substantial detrimental impact and therefore NRW would not oppose planning permission to be granted.

Biodiversity Unit:

A great deal of information has been submitted with this application including an Environmental Statement. This development has the potential to impact on three different European sites:

- Pen Llŷn a'r Sarnau (Special Area of Conservation)
- Clogwyni Pen Llŷn (Special Area of Conservation)
- Mynydd Cilan, Trwyn yr Wylfa and Ynysoedd Sant Tudwal (Special Protection Area)

A Habitat Regulations Assessment was conducted on the development and the result of the assessment was that the

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development would not have a negative impact on these European sites. This was dependent on the developer submitting a Construction Environment Management Plan to the authority and NRW for approval prior to the commencement of any construction work.

We wish to include a condition that the mitigating measures detailed in Table 2.2 of the Habitats Regulations Assessment are followed and that the Construction Environment Management Plan is submitted for approval prior to the commencement of any work.

AONB Unit:

Observations dated 21 September.2015

The information has reduced my concerns regarding the impact of the development when the rib boats are situated on the slipway.

However, some concerns remain, as noted previously, regarding the development's impact on the AONB's natural environment and the Heritage Coast.

Observations dated 7 September.2015

Here are some further observations following the receipt of additional information dated 5 August. There was doubt whether the photomontages conveyed the true impact of the development. In addition, they do not show the impact when two boats are on the slipway. Also note the previous comments made on the application.

Observations dated 9 July.2015

These observations come to the following conclusions:

Ynysoedd Sant Tudwal form part of the landscape, seascape and special natural environment of Penrhyn Llŷn and a number of key designations recognise this.

Although we agree that part of the development will be under water at different times, it is a structure that is nearly 40 metres long with a side for protection from the waves. It would be a metal structure of substantial size, installed on a coastline that is nearly completely natural.

In the information submitted it is noted that the development has been planned to hold two rib type boats. We have to accept that these boats will be located on the wharf, out of the sea at some times and this will increase the development's visual impact.

Certainly the development would impair on the natural character of the northern section of Ynys Tudwal and would somewhat disturb the area's tranquillity. The development would be visible from certain places on the mainland within the AONB and the Heritage Coast including sections of the National Coastal Path and it will be intrusive from some of these places. In addition, the development would be visible and prominent from the sea nearby – used by a vast number of boats and marine vehicles.

Although the existing plan has less impact on the features of the Special Area of Conservation concerns continue regarding the visual

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impact of the development on the coastline and the natural environment of this area of the AONB and the Heritage Coast.

- Cadw: No observations to make on the proposed development.
- Public Protection Unit: Not received.
- Crown Marine Estates: Not received.
- Maritime Officer: Not received.
- Gwynedd Consultancy: Not received.
- Trinity House: Trinity House own the lighthouse on the island as well as the landing stage the applicant intends to extend with the slipway. It is understood that the remainder of the island is in applicant's ownership, however, Trinity House have rights of way between the landing stage and the lighthouse. The observations raise matters concerning the ability of Trinity House to use the existing landing stage and civil issues concerning land ownership. The comments also respond to some points included in the Non-statutory Environmental Assessment and state that improvements were undertaken to the existing landing stage following the storms of 2014, that the landing stage is not a listed structure and questioning if the existing landing stage needs to be higher in order to be of the same level in terms of height as the proposed slipway.
- Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and several items of correspondence were received objecting on the following grounds:
- The visual impact of the proposal.
 - Impact on the Area of Outstanding Natural Beauty, Heritage Coast and the Special Marine Conservation Area.
 - Need to safeguard the nature and beauty of these islands.
 - Light pollution.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1** Policy CH47 is supportive of proposals that will improve and enhance the variety of maritime facilities within existing marinas, and also improve the quality of the boating provision or upgrade facilities in existing harbours. The existing application entails creating a new slipway that would be a means of improving the quality of the provision for the island's users. However, although Policy CH47 is supportive to proposals to improve provision for boat users, this is subject to compliance with the remainder of Policy CH47 which states 'provided the scale and design of the proposed development is of the highest standard and is suitable for the site in

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question. The suitability of the proposal for the site will be assessed in the remainder of the report.

Biodiversity matters

- 5.2 The location of this proposed development includes important sites in terms of biodiversity, protected species, ecology of the area in general and specific sites that have a protected status. The site lies within the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC), Clogwyni Pen Llŷn SAC, Mynydd Cilan, Trwyn yr Wylfa and Ynysoedd Sant Tudwal Special Protection Area (SPA) and Porth Ceiriad, Porth Neigwl and Ynysoedd Sant Tudwal Sites of Special Scientific Interest (SSSI).
- 5.3 As part of the application a non-statutory Environmental Assessment was submitted that includes a number of surveys and assessments concerning the side-effects of the proposal on the designated sites and biodiversity.
- 5.4 Gwynedd Council as the competent authority conducted a 'Habitats Regulations Assessment' and an 'Appropriate Assessment' to consider the development's side-effects. The result of these assessments was that the development would not have a negative impact on the European sites referred to in paragraph 5.2, subject to the developer submitting a Construction Environment Management Plan for approval prior to the commencement of any work. It would also be necessary to ensure that the mitigation measures detailed in Table 2.2 of the Habitats Regulations Assessment are followed.
- 5.5 NRW have confirmed that they agree with the conclusion of the Appropriate Assessment and state that the proposal would not have a detrimental impact on the integrity of the Special Area of Conservation, Special Protection Area or Ramsar sites. NRW also support the fact that it is a requirement to comply with the mitigation measures in table 2.2 of the Habitats Regulations Assessment, including the submission and agreeing on a Construction Environment Management Plan prior to the commencement of any work. Without this condition the proposed development on the site would create an unacceptable risk for the environment and NRW would oppose the application.
- 5.6 The Habitats Regulations Assessment and the Appropriate Assessment have therefore shown that the development would not have a negative impact on the designated sites subject to attaching the conditions on the planning permission. These conditions would include the submission and agreement of a Construction Environment Management Plan prior to the commencement of the work and would also comply with all the mitigation measures included in table 2.2 of the Habitats Regulations Assessment. Consequently, it is considered that the proposal is unlikely to cause significant direct or indirect harm to any SAC, SPA or SSSIs and therefore the proposal is acceptable in terms of Policies A3, B15 and B16 of the GUDP.
- 5.7 Several species and/or their habitats can be found within or close to the site. These species include grey seals, bottle-nosed dolphins, otters, choughs and porpoises. Having considered the Habitats Regulations Assessment together with the observations received from NRW and the Biodiversity Unit it is considered that the impact on the species can be alleviated via effective management methods of the work site, of any actions and by having an effective pollution measures contingency plan. Such details may be requested via the Construction Environment Management Plan. Therefore, it is not considered that the proposal is contrary to Policy B20 GUDP that deals with the protection of species and habitats of international or national importance.

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Visual amenities

- 5.8 A full assessment has been undertaken regarding the visual impact of the proposed development on the landscape. This has been undertaken in the format of a visual landscape/seascape assessment. The assessment examines the visual impact of the proposal during and also at the end of the construction period. The impact on a variety of users and different locations were also examined. The assessment is split into two sections with one looking at the impact on the landscape and seascape from the development and the other concerning the visual impact of the proposal.
- 5.9 The assessment notes that the island is located within a number of landscape designations and this indicates that it is a landscape of high quality and value. It is considered that the island feels isolated as a result of its physical split by the sea. The remoteness is intensified by steep topography that is partly inaccessible. The open marine location of the island and the comparative absence of human activity create the sense of a special place that is reinforced by the fairly constant noise of the wind and waves as well as the calls (and stench) of sea birds. The presence of boats as well as views to the settlements of Machroes and Abersoch mitigate against the feeling of being separate and complete tranquillity.
- 5.10 In terms of the impact of the landscape / seascape, the assessment states that the island is visible from the Trwyn yr Wylfa headland and from property near Penrhyn Du east of Machroes. Far views can be had from areas of Abersoch (3km) and from higher ground at Mynydd Tir y Cwmwd (5km). There are also distant views when there is good visibility of the Cardigan Bay Coast, south of Harlech. Whilst the island and the lighthouse can be seen from the places named above the existing landing stage is not very visible.
- 5.11 The assessment on the impact on the landscape and seascape comes to the conclusion that there will be an increase in the levels of human activity, storage of materials and equipment and boat traffic during the construction period. It is considered that the impact of the construction period will be temporary and would not leave any permanent detrimental impact. The operational period is considered in the landscape and seascape impact assessment and this would have less of an impact on the character of the landscape and seascape. It would be a private facility serving the existing accommodation with anchored boats screened from many of the main views and the boats would be present when the property is used rather than throughout the year. It is also considered that the scale and nature of the structure is what would be expected to be seen in such a location and would not be seen as a visual intrusion. It is considered that the building materials will quickly blend in with the existing forms and rocks on the island. Therefore, it is considered that the proposal would have a negligible impact on the landscape and seascape.
- 5.12 In terms of the visual impact the landscape and visual impact assessment submitted with the application has assessed the proposal in terms of locations and also with the number of varied amenities. In accordance with that assessment the impact on amenities included:-
- Residential amenities e.g. schools, hospitals, community buildings, residential property.
 - Leisure amenities e.g. public rights of way, public open spaces such as beaches, private leisure facilities such as touring caravan sites, camping sites.
 - Transport amenities e.g. public roads, private water vehicles.

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- 5.13 The assessment of the proposal's visual impact concludes that significant or substantial views from the development are limited to private water vehicles travelling between Ynysoedd Sant Tudwal or in the northern end of Ynys Sant Tudwal West. Dwelling houses and recreation facilities are considered amongst the most sensitive, but in this case those views would not suffer a detrimental impact as a result of the distance to the island and together with the slipway's location in relation to the island that would greatly reduce its feasible visual impact. The islands provide a dramatic focal point from the mainland that would not be detrimentally impacted by the new development.
- 5.14 The site lies within several designations that deal with the visual effect of the development on the landscape. These designations include the AONB, Heritage Coast and the Llŷn and Ynys Enlli Landscape of Outstanding Historical Interest.
- 5.15 The proposal would add a man-made structure to the northern end of the island. Currently, the island is fairly undeveloped and comprises the existing landing stage together with a lighthouse, its walls and one dwelling house. The island is considered to be one of the most remote areas of the AONB that is characterised by its rocky coastline. The LANDMAP visual and sensory assessment for the area of the Islands refers to a series of small uninhabited islands off the southern coast of Pen Llŷn with steep/rocky slopes forming part of the panoramic coastal views from the mainland with a strong coastal sense. It is noted that there are attractive views both into and out of the area. They are assessed to have a high value and it is noted that they have not been spoiled, offer attractive views and are comparatively rare.
- 5.16 The aim of Policy B8 GUDP is to protect, maintain and enhance the character of the AONB and to refuse proposals that would cause significant harm to the landscape and the coast (including views in and out of the area), wildlife, historical remains and buildings, language and culture and the quiet and unpolluted nature of the area unless there are very exceptional circumstances. These features have been identified as the special characteristics of Llŷn and contribute towards the area's character. Permission will only be given to a development that would have a substantial impact on the special features of the area if it is proven, without any doubt following a thorough inspection that exceptional reasons exist. It is understood that the new slipway is needed to enable the period when a boat can arrive and leave the island to be extended. However, the existing landing stage has served the island sufficiently for years and therefore it is questioned if there are exceptional reasons here for having the new slipway.
- 5.17 We consulted the AONB Unit regarding the proposal. In the observations they state that measures have been taken to limit the impact of the development and that other methods of satisfying the need have been considered. They also agree with the methodology used to prepare the landscape/seascape assessment and the visual impact and this follows standard guidance regarding this type of work. Generally, the AONB Unit accepts the assessment's conclusions, however, they disagree with some of the statements made e.g. 4.9.4 that states that the structure is of a scale and nature that would be expected in such a location and that it should not be seen as a visual intrusion.
- 5.18 The AONB Unit have also stated that it is significant that the proposed development would be visible from popular public areas in the AONB and the Heritage Coast, namely the beaches at Abersoch and Warren, Mynydd Tir y Cwmwd and the Penrhyn Mawr area on the Coastal Path. It would also be prominent from other paths in this area. In addition, the development would be visible and prominent from the sea and

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the assessment recognises that Abersoch bay is popular with all types of boats and marine vehicles. Ynysoedd Sant Tudwal form part of the landscape, seascape and special natural environment of Penrhyn Llŷn and a number of key designations recognise this. Although the AONB Unit agree that part of the development will be under water at different times it is a structure that is nearly 40 metres long with a side for protection from the waves. It would be a metal structure of substantial size installed on a coastline that is nearly all totally natural. In the information submitted it is noted that the development has been planned to hold two rib type boats. We have to accept that these boats will be located on the wharf, out of the sea at some times and this will increase the development's visual impact. Certainly the development would impair on the natural character of the northern section of Ynys Tudwal and would somewhat disturb the area's tranquillity. The development would be visible from certain places on the mainland which is within the AONB and the Heritage Coast including sections of the National Coastal Path and it will be intrusive from some of these places. In addition, the development would be visible and prominent from the sea nearby – used by a vast number of boats and marine vehicles.

- 5.19 More recent observations have been received from the AONB Unit following the receipt of the proposal's photomontages, plans showing the slipway's profile against the rocks and details of how a rib type boat located on the slipway would look. In these recent observations the AONB Unit have stated that the information had reduced the concerns regarding the impact of the development when the rib boats are situated on the slipway. However, concerns remain, as noted above, regarding the impact of the development on the natural environment of the AONB and the Heritage Coast.
- 5.20 Observations have also been received regarding the visual impact of the proposal by Natural Resources Wales (NRW). Their initial observations regarding the visual impact were to oppose unless additional information was submitted to show that the proposal would not have a detrimental effect on the Llŷn AONB. NRW were anxious for the applicant to submit drawings showing the slipway's profile against the island's topography and photomontages showing the slipway against the island at different tide times. The applicant was informed of this and the above information was received as additional information. Having received this information the NRW were re-consulted on the proposal.
- 5.21 As a result of receiving the above additional information, confirmation was received from NRW that they had no objection to the proposal. It was considered that the drawings, photomontages and the wire-frame images indicated:-
- That half the slipway would be located behind the northern front of the island's landform profile hiding a large portion of the structure from views from the coastal path.
 - Approximately half the slipway would extend beyond to the northern front of the island into the sea. This would be hidden at high tide ac would be visible to varying degrees at other times. There would be twin marker posts on the lower part of the slipway that would continue above sea level at all times. This is considered to be a fairly minor human addition to the island that would have a small visual presence at either side of high tide.
 - At low tide and during times of clear visibility the proposal would have some contrast with the outline of the natural rock and we feel that this would change

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the sense of wilderness, remoteness and inaccessibility that the island currently appears to have.

5.22 When discussing if the impact on the natural beauty of the Llŷn AONB would be substantial the NRW considered:-

- i. That the slipway would not become a key feature of the island and the seascape.
- ii. At times there may be some contrast with the view's natural features.
- iii. At times it will erode the sense of wilderness, remoteness and inaccessibility that the island appears to have (special features of the AONB evident here).

From the above, NRW conclude that the proposed slipway at times will conflict with statutory conservation and the purpose and enjoyment of the ANOB designation. However, bearing in mind the influence of the tide on the proposal and the fact that the slipway will only be visible to varying degrees at times of low tide, the full impact of the slipway from the coastal path would not have a substantial detrimental effect and therefore NRW would not oppose planning permission to be granted for the proposal.

5.23 As previously stated, the aim of Policy B8 GUDP is to protect, maintain and enhance the character of the AONB and to refuse proposals that would cause significant harm to the landscape and the coast (including views in and out of the area), wildlife, historical remains and buildings, language and culture and the quiet and unpolluted nature of the area unless there are very exceptional circumstances. Currently, the island is fairly undeveloped and includes the existing landing stage together with a lighthouse, its walls and one dwelling house. The proposal would add a man-made structure to the northern end of the island. This structure would be of a substantial size of 39 metres long and 6 metres wide and up to two boats may be located on the slipway when in use. The applicant has however explained that rib type boats would not be higher than the wave barrier either side of the slipway and when staying on the slipway boats would be located in the higher part that is hidden from the mainland by the island's landform. In addition, the slipway itself would not be totally visible all the time as sections of it would be underwater depending on the tide. The slipway would be painted in a grey colour that would also be a means to try and get the structure to blend into the background of rocks. Taking into account all the observations and information submitted it is considered that the proposal would not cause significant harm to the landscape and the coast and therefore it is considered to be acceptable in terms of Policy B8 GUDP.

5.24 The site also lies within the Heritage Coast. Policy B9 states that proposals for any building or structure on the Heritage Coast will be refused unless they can conform to 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.

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It is recognised that a coastal location is required for the slipway and therefore the proposal is acceptable in terms of criterion 1. In accordance with the above assessment it is considered that the proposal conforms to criterion 2 as it would not cause an adverse impact to the landscape and biodiversity. Criterion 3 asks that priority be given to locations that are visually well related to existing buildings or structures. The slipway would be located near the existing landing stage and as the intention is to facilitate access to the island it would not be possible to locate it near other buildings/structures. Criterion 4 is not relevant in this case as it would not be possible to locate the development on any other site as the purpose of the proposal is to facilitate access to the island. It is therefore considered that the proposal is acceptable in terms of Policy B9 of the GUDP.

5.25 The site lies within the Llŷn and Ynys Enlli Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the Historical Landscapes if the impact of proposals is on such a large scale that their impact would be greater than merely a local impact. As stated above, the proposal would add a man-made structure to the island's northern headland. However, in terms of location and size it is considered that the proposal would have merely a local impact and its impact would not be more extensive on the historical landscape. Therefore, it is considered that the proposal is not contrary to policy B12 of the GUDP.

5.26 The slipway design is fairly standard in terms of marine structures together with steel material. It is proposed to paint the slipway in a grey colour in order that it may blend in better with the nearby rocks. However, it is considered to be reasonable to attach a condition on the permission to agree on the grey colour to be used. Therefore, in terms of the type of structure in question, it is considered that its design is acceptable regarding Policy B22 and also the proposed materials are acceptable in terms of Policy B25.

Any other considerations

5.27 From the observations it can be seen that Trinity House have raised matters concerning their rights as the owners of the existing landing stage and their ability as a result of the development to use this stage. As the landowner of the existing landing stage part of the proposal would be located on it and the applicant would need permission from them to construct the slipway and it is understood that discussions are on-going between the applicant's representatives and Trinity House. However, these are matters that are beyond the planning process and therefore are not relevant when determining the application.

Response to the public consultation

5.28 Concern was voiced regarding light pollution emanating from the proposal. The applicant's representative has stated that no light needs to be part of the proposal. However, a navigational marker would be installed near the slipway. This marker would stand 2 metres above the level of the highest tide and would be a galvanised steel pole with a diamond shape panel painted red. Since there is no intention to install lights as part of the proposal, therefore the proposal would not create light pollution.

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6. Conclusions:

- 6.1 The location of this proposed development include important sites in terms of biodiversity, protected species, ecology of the area in general and specific sites that have a protected status. Gwynedd Council as the competent authority conducted a 'Habitats Regulations Assessment' and an 'Appropriate Assessment' to consider the development's side-effects. The result of these assessments were that the development would not have a negative impact on the European sites referred to in paragraph 5.2 subject to the developer submitting a Construction Environment Management Plan for approval prior to the commencement of any work and that the mitigation measures detailed in Table 2.2 of the Habitats Regulations Assessment are followed. It is considered that it would be possible to have a condition for these two matters as part of a planning permission and therefore the proposal is considered to be acceptable in terms of biodiversity matters.
- 6.2 The site is located on one of the few islands in the AONB and is an extremely sensitive coastal landscape. The proposal would entail adding a man-made structure to the northern end of the island. The island is considered to be one of the more remote and undeveloped parts of the AONB where the natural character of the coast continues to dominate. The slipway would be of a substantial size of 39 metres long and 6 metres wide and up to two boats may be located on the slipway when in use. The applicant has however explained that rib type boats would not be higher than the wave barrier either side of the slipway and when staying on the slipway boats would be located in the higher part that is hidden from the mainland by the island's landform. In addition, the slipway itself would not be totally visible all the time as sections of it would be underwater depending on the tide. The slipway would also be painted in a grey colour that would be a means to try and get the structure to blend into the background of rocks. Taking all the observations and information submitted into account it is considered that the proposal would not cause significant harm to the landscape or the seascape.

7. Recommendation:

- 7.1 To approve – conditions
1. Commence within five years
 2. In accordance with plans.
 3. Submit and agree a Construction Environment Management Plan prior to the commencement of the work.
 4. Complete the work in accordance with the mitigation measures in section 2.2 of the Habitats Regulations Assessment.
 5. Agree on the colour of the grey paint for the slipway.