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| PLANNING COMMITTEE                                     | DATE: 16/07/2020 |
| REPORT OF THE ASSISTANT HEAD OF ENVIRONMENT DEPARTMENT |                  |

**Number: 1**

**Application Number: C20/0244/08/LL**

**Date Registered: 05-03-2020**

**Application Type: Full**

**Community: Penrhyndeudraeth**

**Ward: Penrhyndeudraeth**

**Proposal:** *The following development is located within the boundaries of Gwynedd Council Local Planning Authority: 1) Construction of Western tunnel head house (including the associated construction compound) at Garth and the permanent access track The following development is located within the boundaries of Snowdonia National Park Local Planning Authority: 2) Construction of Eastern tunnel head house (including the associated construction compound), sealing end compound and permanent access at Cilfor 3) A new sealing end compound on the eastern side of the Dwryrd Estuary to connect the underground cables to the overhead line The following development does not require formal planning permission : These proposals would allow for the construction of an underground tunnel housing electricity cables and the removal of 10 existing pylons and associated overhead lines from across the Dwryrd Estuary The application crosses the boundary between Gwynedd Council and the Snowdonia National Park and therefore you may receive a consultation from each authority in relation to the development located within its boundaries.*

**Location:** Land Near Garth Sealing End Compound, Minffordd, Penrhyndeudraeth,

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

**1 Background:**

**1.1** This planning application has been submitted by the National Grid and relates to a project for the removal of electricity pylons between Minffordd and Cilfor (over the Dwryrd) and under-grounding the electricity cables for a distance of 3.5km.

**1.2** The project as a whole crosses the boundaries of two Local Planning Authorities, namely Gwynedd Council and Snowdonia National Park. Planning applications have been submitted to both Authorities for the proposed work near the Garth site, in Minffordd and Cilfor. Gwynedd Council Local Planning Authority is dealing with the planning application for the proposed work near the Garth site in Minffordd, which is the subject of this planning application. Snowdonia National Park Planning Authority

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is dealing with the planning application for the proposed work at Cilfor. The relevant parts of these applications have been noted on the plans submitted by the applicant.

- 1.3 Both applications are being submitted before the relevant Planning Committee for a decision.
- 1.4 The project is part of a plan to mitigate the visual impact that the existing electricity infrastructure is having on national protected landscapes in Britain, and Ofgem has agreed on a provision of £500 million for projects within the plan for a period between 2013 and 2021.
- 1.5 The aim of the project referred to as the Visual Impact Provision (VIP) project at Snowdonia National Park is to reduce the visual impact of the National Grid's overhead line over the Dwyryd Estuary near Porthmadog.
- 1.6 Stakeholders have agreed that the best way of doing this is by removing a section of the overhead line and burying the electricity cables in an underground tunnel instead. This is an excellent opportunity to improve the natural beauty, wildlife and environmental heritage of this part of Snowdonia's precious landscape.
- 1.7 The section of overhead line under consideration runs from the Garth Sealing End Compound near Minffordd (to the east of Porthmadog), and crosses the Dwyryd Estuary in Penrhyndeudraeth, where it reaches the western end of the National Park. Then, it carries on to the east, just beyond the small settlement of Cilfor.
- 1.8 The section of overhead line, erected in 1966, is a section of a 400kV electricity line that connects the 400kV substation of Pentir, near Bangor, with the former Trawsfynydd Nuclear Power Plant, which is now a 400kV substation.
- 1.9 Underground cables already cross the Glaslyn Estuary to the west of the section where it is intended to implement the VIP project.
- 1.10 Currently, the pylons carry one 400kV circuit on one side of the pylon, and another 132kV circuit on the other side which is a part of the Distribution Network Operators (DNO) system, namely Scottish Power Energy Networks (SPEN) in this area.
- 1.11 It was noted in an independent study of the landscape that this section of the line is having a major impact on the landscape in particular in the Ardudwy Coastal Countryside and on a small section of the Morfa Harlech landscape. This is a complex and dramatic landscape in the area between the National Park's coastline, which is popular with tourists, and the nearby hills.
- 1.12 The special features of the National Park can be seen clearly in the landscape which is very beautiful and valuable in terms of conservation and recreation.
- 1.13 The current overhead line clashes with the character of the landscape. It is very prominent and intrusive and it has an extensive influence on the surrounding landscape.
- 1.14 Removing this overhead line would improve the special features of the area's landscape, including the Aberglaslyn Registered Historic Landscape. The views and surroundings of the Portmeirion registered parklands and gardens and a number of listed buildings would also benefit and the views seen from local roads and paths and the coastal railway would improve, should the pylons be removed.

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1.15 Therefore, the project's aim is to improve the appearance of the area by removing the pylons, and the plan includes many different elements, as noted below.

1.16 Due to the nature of the VIP project, it is inevitable that the development area will be very vast and includes parts of the Gwynedd Planning Authority and the Snowdonia National Park Planning Authority. In addition, the project as a whole means that there is a need to satisfy a combination of requirements

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

1.17 Within the boundaries of Gwynedd Council's Local Planning Authority, the proposal involves erecting the Western tunnel head building (including the associated building compound), near the National Grid's existing site near Garth, Minffordd, along with a permanent access track.

1.18 This building would measure approximately 15.2m by 12.7m and 5.9m in height to the roof ridge. This building would provide access to the tunnel that will include the underground cables that are replacing the overhead pylons, electrical and mechanical equipment, including minor ventilation equipment, a control room and restricted welfare facilities. It is proposed to finish the building in stone with a grey slate finish and aluminium cladding in the form of louvres on a steel frame on the walls, and zinc panels on the roof.

1.19 It is proposed to provide an associated compound that measures approximately 40m by 40m and includes three parking spaces and a new vehicular access and track that leads from the existing highway to the south of this site, and it is proposed to provide a culvert over the existing drain in the field. It is proposed to provide a metal fence measuring 2.4m high (colour to be agreed) around the building, with an additional 1m high charged fence, as well as the provision of landscaping and native planting around the site in order to provide a screen.

1.20 Please note that the above development is the only element that is the subject of the planning application submitted before Gwynedd Council; the remainder of the development noted is either located within Snowdonia National Park (and is the subject of a separate planning application), or is being dealt with under separate legislation, or does not require formal planning permission as noted and explained below.

**Development that is the subject of a planning application within Snowdonia National Park Planning Authority**

1.21 A part of the development is located within the boundaries of the Snowdonia National Park Planning Authority, and this part includes the erection of the Eastern tunnel head building (including the associated building compound), a new sealing end compound and permanent access to the new site in Cilfor.

1.22 The tunnel head building and the new sealing end compound are located on the same site near Cilfor and within Snowdonia National Park. The footprint of the new sealing end compound would measure approximately 28m by 50m and the highest equipment on this site would measure approximately 6-8m. The tunnel head building would measure approximately 44.8m by 18.5m and 12.7m in height. This building would provide access to the tunnel that will contain the underground cables that are replacing the overhead pylons, electrical and mechanical equipment, including necessary ventilation equipment, a control room and restricted welfare facilities. It is proposed to finish the building with weathered metal cladding and ventilation louvres along the

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length of the building, along with piled slate walls and slate-coloured doors to match the walls.

- 1.23** It is proposed to provide an associated compound that includes six parking spaces and a new vehicular access and track from the highway with the A496, which would measure approximately 290m long to the north-east and it would avoid an area of peat within the site. It is proposed to provide a metal fence measuring 2.4m high (colour to be agreed) around the building, with an additional 1m high charged fence, as well as the provision of landscaping and native planting around the site in order to provide a screen. Gwynedd Council has provided formal observations to the National Park regarding this part of the project, and this element of the project is not a matter for Gwynedd Council to decide.

#### **Development that falls within permitted delegated rights**

- 1.24** The project also includes the provision of a tunnel and under-grounding electrical cables from the Garth site to Cilfor under the Dwyryd, along with the refurbishment of the existing sealing end site located in Garth. This tunnel crosses the boundary of both Planning Authorities (Gwynedd and Snowdonia National Park). The tunnel excavation work would involve providing a temporary compound on both sides and driving a drilling machine that has been specifically designed for this plan down the initial tunnel shaft on the western side of the site near Garth (Gwynedd side) and it will travel along the proposed tunnel path to the end of its journey on the eastern side in Cilfor, within the area of Snowdonia National Park.
- 1.25** The refurbishment work on the existing tunnel sealing end site in Garth involves the removal of the current gantry and reinstalling equipment that will be no taller than 10m in height. Discussions are in progress in order to deal with waste outputs and Natural Resources Wales will deal with any licence/permit required for its disposal. The project as a whole would be undertaken over a five-year period between 2021 and 2026.
- 1.26** Following extensive prior discussions with the National Grid, both Authorities have agreed that these specific developments are permitted developments under Schedule 2, Part 17, Class G of the Town and Country Planning Order (General Permitted Development) 1995 (as amended) and therefore they do not require formal planning consent.

#### **Development already approved under the Electricity Act 1947/57**

- 1.27** The project includes removing a section of the overground electricity line between Garth and Cilfor (including 10 pylons located on the land and within the Dwyryd) and this proposal has already been approved under extant permission to install, operate and remove the overhead line and pylons under the Electricity Act 1947/57. The current electricity line crosses the boundaries of both Local Planning Authorities along with the Dwyryd. Both Authorities have agreed that the development is already acceptable as the previous permission includes the right to demolish / remove the pylons. Nevertheless, the work of removing the pylons located within the Dwyryd also requires a licence from Natural Resources Wales as noted below.

#### **Development that is the subject of a Marine Licence from Natural Resources Wales**

- 1.28** An application for a marine licence has been submitted to Natural Resources Wales for the construction of a tunnel under the marine environment and the installation of a cable

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within the tunnel, and Gwynedd Council and Snowdonia National Park Authority have been consulted on this application.

**1.29** The National Grid intends to present a further application for a marine licence for the removal of two pylons located in the Dwyryd, along with their foundations and the foundations of the pylon that has already been demolished under emergency rights.

**1.30** These matters are not matters for the Council to decide.

**Development that is the subject of an exemption under the Electricity Act 1989**

**1.31** The proposal involves providing one pylon near the existing one on the site in Cilfor that would measure 53.6m high, with a footprint of approximately 60m by 60m. These pylons will replace the existing pylon behind this site and this would facilitate the extraction of cables from the ground from the new sealing end compound to be created in Cilfor. As this part of the development is located within Snowdonia National Park, the National Grid will be required to receive confirmation from the Park that this work is an exemption under Section 37 of the Electricity Act 1989, which is a separate advertisement process.

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

**1.33** Gwynedd Council has screened the proposal that is the subject of the application submitted under reference number C20/0519/08/SC and it has also similarly confirmed that it is not an EIA development.

**Description of the application on the Garth site, Minffordd:**

**1.34** The proposal involves erecting the Western tunnel end building (including the associated building compound) near the National Grid's existing site near Garth in Minffordd, along with a permanent access track.

**1.35** The site of the application submitted is a level agricultural field located on the outskirts of the village of Minffordd, and near the National Grid's existing sealing end site in Garth. Residential houses are located to the side of the site (to the east and to the south), and agricultural fields extend out to the rear and to the west. A class III road runs past the southern boundary of the site. Porthmadog bypass and the railway are located approximately 200m to the rear of the site, and Minffordd Quarry is located on the opposite side of the bypass.

**1.36** The site is located within a C2 flood zone and a Grade II listed building is located approximately 60m away.

**1.37** This tunnel end building would measure approximately 15.2m by 12.7m and 5.9m high to the roof ridge. This building will provide access to the tunnel that will include the underground cables that are replacing the overhead pylons, electrical and mechanical equipment, including minor ventilation equipment, a control room and restricted welfare facilities. It is proposed to finish the building in stone with a grey slate finish

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and aluminium cladding in the form of louvres on a steel frame on the walls, and zinc panels on the roof.

**1.38** It is proposed to provide an associated compound that measures approximately 40m by 40m and includes three parking spaces and a new vehicular access and track from the existing highway to the south of this site, and it is proposed to provide a culvert over the existing drain in the field. It is proposed to provide a metal fence measuring 2.4m high (colour to be agreed) around the building, with an additional 1m high charged fence, as well as the provision of landscaping and native planting around the site in order to provide a screen.

**1.39** The documents that have been submitted as part of the application include the following:

- Design and Access Statement
- Welsh Language Statement
- Environmental Appraisal
- Outline Waste Management Plan
- Outline Construction Traffic Management Plan
- Biosecurity Risk Assessment
- Outline Peat Bog Management Plan
- Dust Risk Assessment
- Reptile Method Statement
- Outline Habitat Management Plan
- Pre-application Consultation Report
- SUDs Information
- Flood Consequence Assessment
- Photomontage
- Trees Report
- Visual and Landscape Impact Assessment
- Construction Environmental Management Plan

## **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 made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

PS 1: The Welsh Language and Culture

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

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PS 5: Sustainable Development  
 PS 6: Alleviating and adapting to the effects of climate change  
 PCYFF 1: Development Boundaries  
 PCYFF 2: Development Criteria  
 PCYFF 3: Design and Place Shaping  
 PCYFF 4: Design and Landscaping  
 PCYFF 5: Carbon Management  
 PCYFF 6: Water Conservation  
 PS 19: Conserving and where appropriate enhancing the natural environment  
 AMG 2: Special Landscape Areas  
 AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape  
 AMG 5: Local biodiversity conservation  
 PS20: Protecting and where appropriate enhancing heritage assets  
 AT1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.  
 AT4: Protection of non-designated archaeological sites and their setting  
 PS 22: Minerals  
 MWYN 5: Mineral Site Buffer Zone

Supplementary Planning Guidance: Planning Obligations  
 Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

**2.4 National Policies:**

Environment Duty (Wales) Act 2016  
 Planning Policy Wales (Edition 10), 2018  
 Technical Advice Note 5: Planning and Nature Conservation  
 Technical Advice Note 11: Noise  
 Technical Advice Note 12: Design  
 Technical Advice Note 15: Development and Flood Risk  
 Technical Advice Note 18: Transportation  
 Technical Advice Note 20: Planning and the Welsh language  
 Technical Advice Note 24: The Historic Environment

**3. Relevant Planning History:**

C18/0962/08/SS - Proposed Tunnelling of part of the Existing Overhead Line (4ZC) and removal of ten pylons between Garth Sealing End Compound, Minffordd and Cilfor, Gwynedd - NO NEED FOR EIA - 15.02.2019

NP5/77/E336A - Proposed Tunnelling of part of the Existing Overhead Line (4ZC) and removal of ten pylons between Garth Sealing End Compound, Minffordd and Cilfor, Gwynedd - NO NEED FOR EIA - 08.11.2019

**4. Consultations:**

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| Community/Town Council: | Not received |
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| Transportation Unit: | The comments below relate to the development located within the boundary of Gwynedd Council LPA only.<br><br>I refer to the above application and confirm that I have no objection to the proposal. |
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|  | <p>I recommended that conditions / notes be included relating to the proposed access, streetworks and reaching an agreement on movements as part of any planning permission granted.</p> |
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| <p>Natural Resources Wales:</p> | <p>Sections of the comments below are relevant to the site located in Cilfor and which is a part of the planning application submitted to the National Park; nevertheless the conditions proposed are relevant to the application submitted before the committee and the application submitted to the National Park.</p> <p>We understand that a significant portion of the tunnelling works will be covered by a Marine Licence. As this is a separate consenting regime, we have not provided comments applicable to that area of works in this response.</p> <p>We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified, and we would not object provided you attach them to the planning permission:</p> <p>Condition 1- Protected Landscape: Submission of a detailed Landscape implementation and after care plan, to be approved prior to development commencing.</p> <p>Condition 2- Protected Landscape: The developer to submit material boards, to be approved by the Local Planning Authority Prior to development commencing.</p> <p>Condition 3- Protected Landscape, Pollution Prevention, Waste, Protected Sites and Species: A detailed CEMP and associated supporting documents should be submitted by the contractor (once appointed) and agreed by the Local Planning Authority.</p> <p>Condition 4- Protected Sites and Species: All avoidance and mitigation measures identified within the HRA are secured appropriately with any consent.</p> <p>Condition 5- Geoscience: Unsuspected contamination</p> <p><b>Protected Landscape:</b></p> <p>The overall scheme includes the permanent removal of approximately 3.4 km of 400 kV (and 132 kV) of Over Head Line (the VIP subsection), by direct drilling below the Dwyryd Estuary. 10 pylons and the existing gantry at Garth Sealing End Compound would be removed. Two new tunnel head buildings set within Sealing End Compounds (SEC) would be required at each end - at Garth (east) and Cilfor (west). The works lie within two planning authorities of Snowdonia National Park and Gwynedd. NRW's landscape comments relate to the influence of the scheme upon the designated landscape of Snowdonia National Park and its visual setting. While we appreciate this application specifically relates to the tunnel head houses, we have</p> |
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|  | <p>provided our landscape comments on the scheme as a whole in this letter.</p> <p>We recognise that for the scheme to achieve its primary objective (of providing visual benefits to Snowdonia and local communities) the removal of major electricity infrastructure from the Dwyrdd estuary requires the introduction of new development and construction disturbance. This is within a study area of high sensitivity for its landscape character, visual amenity, habitats and heritage.</p> <p>NRW have been party to a number of pre-application consultation meetings and consultations by email. This has allowed the scope of the LVA and viewpoints for the assessment to be agreed. The design elements of the scheme which effect character and visual amenity have been discussed and have evolved – most notably the appearance of the tunnel head buildings and their landscape integration.</p> <p>We have reviewed the submitted planning information and generally concur with the assessment of effects. This indicates the scheme would bring a positive benefit the natural qualities of the Dwyrdd Estuary. This would benefit the visual appreciation of Snowdonia National Park and its setting by the public.</p> <p>We consider the design and landscape integration approach taken to the new tunnel head building at Cilfor in Snowdonia National Park demonstrates good practice and supports TAN12 design and that the scheme as a whole supports the objectives of PPW10 policy for conserving and enhancing the natural beauty of designated landscapes.</p> <p><i>Landscape and visual appraisal, Gillespies 2019 (section 6 1 EA Vol 1):</i></p> <p>We consider Section 6 Landscape and Visual, associated figures and photomontage images provide sufficient information to consider the scheme effects. The appraisal has chosen to express the magnitude of effect, without expressing whether this is adverse or beneficial. We have stated our position on these areas within this response, but the determining authority may wish to request this is clarified to assist in decision making.</p> <p>Appendix 6C: Viewpoint Appraisal<br/> 9 Viewpoints (M to U) lie within Snowdonia National Park.<br/> 7 Viewpoints (C,G,V,K,W,J and L) lie within Gwynedd and experience open landscape views of the estuary and Snowdonia skyline and have landscape characteristics and qualities comparable with those within Snowdonia. The assessed magnitude of visual effects indicate the following:</p> <ul style="list-style-type: none"> <li>• Views at low elevation within approximately 400m of the nearest pylon or closer, currently see pylons</li> </ul> |
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against the skyline with noticeable contrast. In open landscape settings the removal of the pylon towers would have a high magnitude of change effect – likely to be perceived to be a beneficial effect. 10 of the assessed viewpoints adjacent to the pylon corridor would benefit from the VIP project to this degree.

- Views at higher elevations become considerably more expansive and the existing pylons have less contrast seen against landform backdrop below. The removal of pylon towers would have a beneficial low to medium magnitude of change effect.
- Within near views of the tunnel head buildings, two different effects would occur – the removal of existing pylons would bring some visual benefits; whilst the addition of the tunnel head building would introduce a new building form. We consider the landscape context to the eastern tunnel house at Cilfor is of highest sensitivity to change given the strong evidence of natural beauty. The proposed materials, the curved frontage, new planting framework and curved access road, however indicate careful consideration has been given to landscape integration. We concur with the LVA that a moderate magnitude of change would occur. This would reduce to low magnitude of change as planting establishes, materials weather and the building becomes part of the landscape.

Given the attention shown to contextual design, we would not raise significant concerns in this regard. Construction disturbance and impacts upon tranquillity would be a local issue for the duration of the works, but would be a temporary effect. We are satisfied that cumulative effects are not an issue in this instance.

#### **Photomontages**

We note that two photomontages have been submitted to illustrate the two tunnel head buildings. We have previously seen draft photomontages for views of the estuary with and without the overhead electricity infrastructure. We had expected these to be submitted as they explain the reason behind the VIP project – while we acknowledge they are perhaps not directly relevant to this specific application. As such, the determining authority may wish to request these files to assist in decision making.

We are satisfied with the embedded proposals for landscape as defined in Appendix 3C: Embedded Mitigation During Construction.

*Landscape mitigation proposals for Cilfor tunnel head building in SNP (PDD-33494-TUN-039 - P03 Proposed Permanent Development Sheet 6 of 6):*

The drawing shows the general arrangement of earthworks, hard and soft landscape proposals. It shows retained vegetation and proposed landscape works including: mixed native woodland and woodland edge; native trees; mixed native scrub; mixed low growing native scrub; native hedgerow; species rich grassland; and reinforced grass. The general approach is naturalistic, works well with the character of site and would soften the form of tunnel head building as planting matures. These measures are acceptable. A detailed landscape scheme with planting, maintenance and management specification needs to be made a condition of any approval and should include these points. We also recommend ecological advice be incorporated into the final specification of plant stock and habitat creation.

Condition 1- Submission of a detailed Landscape implementation and after care plan, to be approved prior to development commencing.

*Building design and landscape design for the tunnel head buildings and sealing end compounds:*

The Design and Access Statement explains the ethos applied to the design of the tunnel head buildings. Reference has been made to landscape colour and building form that aims to suit the visual context within which the buildings would be seen. We support this approach.

The black and white line elevation and plan drawings submitted however don't fully explain this. Through NRW's pre-application meetings, we have seen the evolution of the architectural proposals, so have some confidence that what is proposed would be appropriate here. For public awareness the submission of colour elevation drawings and material boards to explain the building's visual appearance and relationship with the landscape would be beneficial. These details would otherwise be required by condition of any planning approval.

Condition 2- The developer to submit a material boards, to be approved by the Local Planning Authority Prior to development commencing.

***Stage 1 & 2 Arboricultural Impact Assessment Report RSK 2019:***

The tree removals and impacts table on page 9 sets out the assessment category (A, B and C) and number of trees that would be removed due to an unavoidable clear conflict with the working areas. Category A and B trees are normally of sufficient value as to be worth retaining within development proposals. The table indicates 23 category A trees and 51 category B trees would be removed (not 40 as described in the text below the table). We would expect large infrastructure projects to compensate and provide net gain for trees unavoidably lost, to avoid eroding what is often a common

landscape feature. Whilst the tree report makes no recommendations, we consider the landscape mitigation plans PDD-33494-TUN-038 - P03 (Proposed Permanent Development Sheet 2 of 6) and PDD-33494-TUN-039 - P03 (Proposed Permanent Development Sheet 6 of 6) does address this.

We asked for Ash Die back to be assessed, as the future loss of tree cover could cause the degree of enclosure and openness in the landscape to change in the future, affecting the visibility of the permeant infrastructure. Chart 3.2. Summary of tree species notes the range of tree species found locally (useful reference for any planting schemes). It indicates Ash - at 10%, is a relatively small component of tree cover within the study area. We would therefore not expect the VIP project to take into consideration the implications of tree loss though die back on the visual baseline, or specifically need to consider this in the landscape mitigation plan.

***Outline Construction Environment Management Plan (CEMP):***

The outline CEMP includes measures to construct, operate and maintain the Proposed Project. It is however light on landscape considerations. Table 1: The Proposed Project refers to, Landscape and visual mitigation mounding and planting; and Landscape and visual mitigation mounding and planting (at an appropriate maturity).

We recommend section 3.18 be broadened in scope to include Landscape Terrestrial Biodiversity and Nature Conservation.

Table 2: Responsibilities of the Contractor – we recommend the role of the ecological clerk of works be extended, or a separate landscape clerk of works employed, as the overseeing of landscape and ecological mitigation requires different professional considerations.

The above information should be included in any future CEMP produced for the proposals by a specific contractor.

Condition 3- A detailed CEMP and associated supporting documents should be submitted by the contractor (once appointed) and agreed by the Local Planning Authority.

**Pollution Prevention:**

We have reviewed the Construction Environment Management Plan (CEMP) and are satisfied with the statements directing future works to adhere to numerous GPP and PPG documents.

We note that it will be the responsibility of the contractor to produce a Water Management Plan, Pollution Incident

Control Plan and designate vehicle fuelling, maintenance and wash-down areas. These should be completed prior to works commencing onsite and must be available for NRW to review. This should be provided in line with Condition 3 detailed above

**Waste:**

NRW note and welcome the principles and measures detailed within the Outline Waste Management Plan (OWMP) (Report reference: 66721R1, February 2020) (Appendix 3 of the Construction Environment Management Plan). This covers various aspects of the wider project – not just those covered by this planning permission. It identifies a number of areas where:

- further dialogue with NRW will be required
- where permits /licences may be required
- and where additional documentation will be produced by contractors including Site Waste Management Plans (SWMP) and Materials Management Plans (MMP)

In line with Condition 3 these should be provided as part/ in support of a CEMP where possible focusing on or making it clear those matters specifically within the remit of this application.

We will continue to engage with the developer as various other aspects of the project which are not within the scope of this permission progress. We would encourage the developer to identify suitable off-site facilities for the purposes detailed in this plan as soon as possible. The applicant is obliged to keep, treat or transport any waste arising from the project in accordance with current UK and Wales legislation including section 34 waste duty of care under the Environmental Protection Act 1990 and Environmental Permitting Regulations 2016. The following points should also be considered:

- Duty of Care applies to anyone who produces, stores, transports, treats and disposes of waste.
- NRW require the waste producer keep a written record of waste produced and moved off site in the form of waste transfer notes.
- NRW requires that the contractor recycles/ disposes of waste arisings at suitably permitted waste sites.
- Any waste moved off site must be transported by a contractor registered as an upper tier waste carrier.

**Protected Sites and Species:**

*Habitat Regulations Assessment:*

The Developer has submitted a document in order to inform HRA (Visual Impact Provision (VIP) Project – Snowdonia Project – Habitat Regulations Assessment Report, REV01, Will Holden, 02/12/2019).

The report identifies pathways for potential impacts on the Meirionnydd Oakwoods and Bat Sites SAC. The report goes on to the Appropriate Assessment stage and applies mitigating measures. NRW is satisfied that providing the measures detailed within the report are implemented, the proposals are unlikely to affect the integrity of the SAC.

As such, we consider that these measures should be secured by appropriate condition.

Condition 4 – All avoidance and mitigation measures identified within the HRA are secured appropriately with any consent.

*Site of Special Scientific Interest (SSSI) and Bats:*

We are satisfied that the development being applied for here is unlikely to have a significant impact on the Glaslyn SSSI, the Ysbyty Bron y Garth SSSI or bats utilising the area. The ES has stated that bat boxes will be erected as part of this development. The locations of these should be agreed with the Local Planning Authority. The remainder of the avoidance and mitigation measures identified in regards to these receptors should be secured in line with Condition 3.

In regards to the wider project and particularly pylon removal there are points for the developer to consider moving forward, which we have detailed below.

The vegetation between this scheme and the A487 is an important flight line for Lesser Horseshoe Bats to help them commute safely from the Bron y Garth Hospital roost over and through the A487 to the wider landscape. The vegetation serves as a connection between the various bridges and culverts through this road.

Trees along this road were either left in situ or planted in order to preserve and enhance these important commuting routes for the bats. In order to protect these routes, they were included within the Ysbyty Bron y Garth SSSI. It would appear that trees in this location have been marked as potentially 'impacted' but it is not clear what this means- if it is anything more than a few clipped branches, it could have an adverse effect on this protected mitigation.

If it is proposed to remove trees and replace them, it should be noted that new trees are unlikely to be effective mitigation for bats for at least 5 to 10 years, depending on their location and what size tree was lost. In addition, it would be good to

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|  | <p>know to what extent the areas at the base of the existing pylons will be replanted or allowed to revegetate as a net gain.</p> <p>NRW would welcome further dialogue on this matter as the project progresses and consider that avoidance and mitigation measures are likely to overcome any potential impacts.</p> <p><i>Otter:</i><br/>We are satisfied that the direct risk to otters from the development is minimal. Reasonable Avoidance Measures have been defined in the outline CEMP which are applicable to this species and these should be brought forward to any future version in line with Condition 3. The developer should also detail how the risks from excavations will be managed (covered overnight, fenced off, escape ramps provided etc.) to the satisfaction of the Local Planning Authority.</p> <p><i>Biosecurity:</i><br/>NRW consider Biosecurity to be a material consideration for these works and the project as a whole. A Biosecurity risk assessment should be submitted as part of any CEMP in line with Condition 3 or as a supporting document which adequately quantifies the highest risks on-site and demonstrates that measures are in place to eradicate and prevent the spread of any Invasive Non-Native Species to or from the working areas.</p> <p><b>Geoscience:</b></p> <p>Condition 5- Unsuspected contamination - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.</p> <p>This is to ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.</p> <p><i>NLQ I 08 Waste on site:</i><br/>Informative/ advice to applicant:<br/>The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.</p> <p>Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice.</p> |
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This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterized both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

**Peat:**

NRW is satisfied that the projects impact on peat is unlikely to be significant given the measures to be put in place. In chapter 07 Ecology 7.10.18 – it is stated that- “Peat restoration will be undertaken in a number of areas including: on the excavated slopes around the compound; along the access road; and in areas identified for peat restoration (which may include ditches within the site or remote locations)”

We would note that this should not involve adding acrotelm turves to the road batters and that the turves should not be replaced anywhere that peat is not present or the hydrological conditions deemed unsuitable. If this is not undertaken appropriately, the acrotelm turves dry out and release CO2 to the atmosphere and lose function rendering the measure ineffective. The areas identified for restoration should be informed by the detailed peat surveys undertaken and agreed with the Local Planning Authority.

**Flood Risk:**

We have reviewed the FCA (Stantec, Visual Impact Provision (VIP) – Snowdonia Project, dated 03/12/2019), submitted in support of the development and are satisfied that the proposals for the Eastern and Western Tunnel Heads are acceptable in terms of flood risk and will not have a detrimental impact on third parties in terms of loss of available flood plain. We would make you aware that the new access route to the eastern Head House will however be subject to a degree of flood risk during the extreme flood event. In view of the fact that the existing road would already be affected by flooding in such an event, this is unlikely to be an issue.

The flood risk associated with the Construction and Decommissioning Phases will be covered by the Marine Licence and where applicable, and a Flood Risk Activity Permit (FRAP) as required. A detailed Method Statement covering flood risk and mitigation measures will be required in due course as part of these applications.

**Other Matters**



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| PLANNING COMMITTEE                                     | DATE: 16/07/2020 |
| REPORT OF THE ASSISTANT HEAD OF ENVIRONMENT DEPARTMENT |                  |

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|  | <p>Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.</p> <p>We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.</p> |
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| Welsh Water: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> <p><b>SEWERAGE</b></p> <p>In the absence of a foul drainage layout plan/ proposed foul drainage strategy, we would kindly request that if you are minded to grant Planning Consent for the above development that the following Condition and Advisory Notes in relation to providing a foul water drainage scheme and SUDS requirements are included within the consent to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.</p> <p><b>WATER SUPPLY</b></p> <p>A 'domestic' water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site water-mains and associated infrastructure. The developer is advised to contact us if it is intended to utilise potable water for industrial/commercial uses as constraints may arise. We are not obliged to provide potable water for use in any industrial process.</p> |
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| Public Protection Unit: | <p><u>Response dated 11.06.2020 (relevant to Gwynedd and the Park)</u></p> <p>After receiving the applicant's response to my observations below, I note that it would be very difficult to anticipate whether the development would be likely to cause problems in terms of nuisance, but from what has been included in their comments, it could be of assistance to attempt to manage the noise situation from what is permitted development, with a condition that refers to the CEMP.</p> <p><u>Response of Public Protection dated 15.05.2020</u></p> <p>Having assessed the information contained within the planning application for the above projects which are located within both Gwynedd Council Planning area and Snowdonia National Park. Our reply will cover both areas and planning applications. Please find enclosed the Services observations:-</p> |
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|  | <p>The underground tunnelling and removal of the pylons do not form part of this planning application as they are considered as permitted development. Although the Service have referred to them in our assessment as should planning permission be granted these activities will also be undertaken.</p> <p>Officers of the Service have been in discussions with the National Grid prior to the planning application being submitted in relation to working hours, the section that would require 24 hours working would be the tunnelling. The tunnelling is classed as permitted development and therefore the noise from this section of the work would not be able to be conditioned through the planning process.</p> <p>Such a development has a potential to cause a significant effect on noise, vibration and dust to nearby properties and the surrounding area. It is therefore imperative that stringent mitigation measures are implemented to reduce any environmental and health impacts on the area should planning permission be granted.</p> <p>The Environmental Appraisal has included chapters relating to noise and air quality which have been assessed separately. Baseline noise monitoring has been undertaken and the predicted noise levels have been included within Chapter 14 of the Environmental Appraisal. The outline Construction Environmental Management Plan (referred to as CEMP) has provided a small section on noise control and has stated that the final CEMP would be prepared by the contractor appointed who will choose the mitigation measures required. We would recommend that further details regarding the mitigation measures that will be implemented is provided in the final CEMP, and is submitted to the Authority for approval prior to the works commencing, along with the predicted noise levels when this mitigation is in place.</p> <p>Our reply has been sent out as one for both Gwynedd Council Planning Authority and Snowdonia National Park Authority as the same conditions and comments apply to both sites. Comments relating only to the Cilfor Eastern side have been marked in italics, and comment relating only to Garth side will be underlined.</p> <p><b>Noise &amp; Vibration:</b><br/> A noise assessment has been undertaken for the whole project and noise prediction provided and set out within the Chapter 14 of the Environmental Appraisal. The noise consultant for the project has identified that the noise levels will exceed the noise levels outlined within the British Standards 5228: “Code of Practice for Noise and Vibration Control on Construction and Open Sites” at a number of properties on both the Cilfor and Garth side of the project should there be no form of noise mitigation measures implemented. The Chapter continues to reiterate that the noise mitigation measures that will be used will be set out by the contractor within the final CEMP when a contractor has been appointed. The noise consultant has identified mitigation measures that can be implemented within paragraphs 14.11 and we would recommend that these measures are applied within the final CEMP and conditioned should planning permission be granted. We would request that the acoustic screens (which are proposed to</p> |
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|  | <p>provide at least a 10dB reduction) and enclosures (that are proposed to give a 15dB reduction) are implemented to provide a higher level of protection as possible for residents along with the other mitigation measures that have been identified within section 14.11 of the Noise Chapter.</p> <p>The final CEMP should be submitted for approval to the Planning Authorities and must incorporate the noise mitigation measures outlined within paragraph 14.11 (that will provide the highest level of noise reduction), and demonstrate that the noise levels will be below the noise limits that have been set by the British Standards.</p> <ul style="list-style-type: none"> <li>- The measures outlined within the CEMP shall be adhered too throughout the project</li> </ul> <p>There will be a certain degree of noise associated with this project, and the construction hours are a means of regulating noise. The hours have been set out within the outlined CEMP and Environmental Appraisal along with the associated work which must adhere to these construction hours. The tunnelling is the only activity that will require to work on a 24 hour basis although this is considered as permitted development and unable to be conditioned under this application. These hours have been agreed, and it would be advised that these hours are conditioned should planning permission be granted by Gwynedd Council Planning Authority or Snowdonia National Park Authority.</p> <ul style="list-style-type: none"> <li>- No work shall take place outside the core construction hour of 0800-1800 Monday to Friday, 0800- 1300 Saturday, and no working on a Sunday or bank holidays.</li> <li>- Movement of HGV deliveries outside the core working hours shall not be permitted. Movement of excavated materials/spoil offsite shall not be permitted during weekends and Bank holidays.</li> <li>- The developer must inform the Planning Authority should a situation arise that cannot be undertaken during the core working hours: <ul style="list-style-type: none"> <li>o completion of operations commenced during the core working hours which cannot safely be stopped;</li> <li>o any highway works requested by the highway authority or requested by third</li> <li>o parties such as network rail, police escorts etc.;</li> <li>o the completion of works delayed or held up by severe weather conditions which</li> <li>o disrupted or interrupted normal construction activities</li> </ul> </li> </ul> <p>Piling will be undertaken on sections of this project on both the western and eastern side. Such an activity has the ability to cause a noise disturbance. National Grid have stated that they will utilise a quieter piling method by the use of a continuous flight auger which is a steel case piling method. It has been agreed that should planning permission be granted, that the piling hours would be reduced and that non-percussive method is adopted as stated within the Noise Chapter. It is advised that this method is conditioned should planning permission be granted.</p> |
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|  | <ul style="list-style-type: none"> <li>- The pilling method adopted must be that of non-percussive nature. Pilling must only be undertaken between the hours of 9:00 – 17:00 Monday to Fridays only, pilling shall not be permitted on Saturday, Sundays or a bank holiday.</li> </ul> <p>The Environmental Appraisal has referred to the noise from tunnelling. This is classed as permitted development and unable to be conditioned as part of this planning application. Although this planning application does go hand in hand with this activity which will be undertaken for 17 months, 24 hours a day. Stringent mitigation measures must be undertaken to ensure that the noise does not cause a disturbance to local residence from this activity. The noise consultant has set out noise mitigation measures to be adopted to ensure that levels are within the noise limit set out within the British Standards 5228. Following discussions with National Grid, they have confirmed that the equipment used during the night will be enclosed, which will provide a 15Rw reduction. We would advise the developer to ensure that an acoustic barrier is placed surrounding the sites. Should planning permission be granted, the Service would be advising National Grid that the mitigation measures that have been outlined within the Noise Chapter should be implemented, including enclosing equipment and acoustic barriers around the compound area where possible, as per appendix 14.B, and that the noisy activities are to be undertaken during daytime hours.</p> <p>Construction of the access tracks have been identified as requiring noise mitigating measures as unmitigated they will exceed the threshold levels for noise within BS5228 standards. The construction of access tracks are to be confined to core working hours.</p> <p>The temporary bridge over the railway line north of Cae Ednyfed and Minffordd Station Barn Hall (option 1) to access pylon 4ZC035 (Garth side) and access to pylon 4ZC030R has been highlighted within the noise chapter as having a significant noise impact during the construction of the access roads, which will also exceed the trigger level for noise insulation. Additional mitigation will be necessary that must demonstrate that the noise level will be below the threshold levels. The temporary bridge (option 1 for 4ZC035) it would be advised that if this option is chosen, that this activity is only undertaken during the day time hours, with possession of the railway line, unless the mitigation measures can demonstrate that the noise will not affect nearby residents.</p> <ul style="list-style-type: none"> <li>- Mitigation measures for the construction of the access tracks must be implemented on both the eastern and western side of the project.</li> </ul> <p>The design of the tunnel head house has changed and therefore there will be no ventilation system on the Western Garth side and operational noise will not be an issue. The design of the tunnel head house for the Eastern side Cilfor has incorporated noise mitigation measures into the design of the building (i.e. acoustic louvers, doors, walls, roof etc.), the measures have been set out within the Noise Chapter 14, paragraph 14.3.51. Should different materials be used, they must have the same noise insulating properties (sound reduction</p> |
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|  | <p>Rw value) or better than that which have been outlined in the chapter. The assessment has demonstrated that with the noise insulation properties that have been designed into the building, the noise rating level will be below the existing background noise level. We would recommend that the following is applied to any planning permission granted by Snowdonia National Park;</p> <ul style="list-style-type: none"> <li>- <i>The design of the tunnel head house at Cilfor must implement the acoustic features outlined by the acoustic design, and paragraph 14.3.51 of the noise chapter 14.</i></li> </ul> <p><i>Construction of the replacement pylon on the eastern side Cilfor shall be confirmed to daytime core construction hours, and piling hours as mentioned in the section above shall apply. The replacement pylon 4ZC027R has been discussed within the noise chapter and stated that there would not be a change in the noise characteristics that the new design would be quieter than the older designs and would be beneficial.</i></p> <p>This project will create a certain degree of noise for the area on both the Garth and Cilfor side. The noise chapter has set out the noise predictions and identified areas that noise mitigation measures has to be implemented in order to reach the noise limits within the British Standards 5228. There will be noise during the evenings for tunnelling, especially on the Garth side, and should complaints be received we would expect that National Grid to work with residents to resolve the issues even if the noise monitoring demonstrate that they are below the noise limits.</p> <p>Should planning permission be granted, we would recommend that the points raised above are conditioned in order to control the level of noise. With a project of this size, it is impractical to be able to impose conditions to ensure that noise will not audible, and with construction this would not be possible to achieve. The implementation of conditions would be to control the level of noise to ensure that noise is kept within the guidance of the British standards. It has to be remembered that the area does have low background noise levels, especially during the night, and the noise threshold imposed by the British Standards are still above the average background noise level for the area during the night time period. Even with the mitigation in place to achieve the noise limits of the British Standards, there is a possibility for residents to hear a certain amount of noise from the development. The World Health Organisation has provided guidance for night time noise stating that “Assuming an open window provides a reduction in noise levels of between 10 – 15 dB(A), during the night-time the WHO guidance indicates that external noise levels should remain below 40 – 45 dB LAeq,T to maintain the restorative processes of sleep”.</p> <p>The Chapter has stated that noise monitoring will be undertaken throughout the project and we would advise that this is conditioned.</p> <ul style="list-style-type: none"> <li>- Noise monitoring shall be undertaken on the boundary of the closest residential properties; to ensure that the noise threshold are not exceeded which have been outlined within CEMP, (category A of the British Standards 5228)</li> <li>- Noise sensitive property shall be notified by letter or leaflet drop advising of the works programme with estimated start</li> </ul> |
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|  | <p>and completion dates. The notification shall also contain the names and telephone numbers of site contacts to deal with enquiries. The notification leaflet/letter shall also be sent to the Planning Authority and Public Protection Department.</p> <ul style="list-style-type: none"> <li>- The developer shall be responsible for responding to complaints within an adequate time frame and where appropriate providing details of corrective action taken. All complaints shall be recorded and the Local Authority notified.</li> <li>- Noise mitigation measures outlined within section 14.11 of the noise chapter 14 shall be implemented. Including enclosing the equipment highlighted in Appendix 14.B.</li> </ul> <p>Vibration has been identified within the CEMP and Chapter 14 of the Environmental Appraisal. It has been noted that the predicted levels will not exceed the vibration levels under British Standards 5228-2 for the pilling work that will be undertaken. Within the BS5228-2 guidance, levels above 1.00mms-1 – 10.0mms-1 may cause complaint but can be tolerated if prior warning and explanation is given to residents.</p> <p>The chapter has identified that the construction vibration on the Garth side will be below 1.00mms-1, and therefore the vibration level for the construction work on the Garth side shall not exceed this level.</p> <p>The Chapter has identified three properties where the level may be slightly above 1.00mms-1 for a short period of time during the tunnelling work. As the tunnelling is not part of this application as it is classed as permitted development, this section of the work will be unable to be conditioned under this application. Although this will be unable to be controlled under these planning application. They have identified that close liaison will be required because mitigation against vibration at these locations will not be possible. Should planning permission be granted, vibration monitoring must be undertaken by National Grid throughout the length of the project to ensure that the levels are acceptable and do not exceed the levels outlined within the British Standard 5228-2 and BS 6472. The vibration levels should not exceed 1mm/s ppv during the construction phase as this may cause an adverse effect.</p> <p><u>Land Contamination</u></p> <p>We concur with Section 10.12.3 of ‘Visual Impact Provision (VIP), Snowdonia Project, Environmental Appraisal Volume 1’. Therefore a ground investigation is to be undertaken to ascertain the ground conditions and a suitable programme of gas monitoring to ascertain the gas regime. The investigation should also include the assessment and remediation (if required) of any contamination encountered. We look forward to receiving a copy of the report.</p> <p><u>Dust Management and Air Quality</u></p> <p>Table 6 of ‘Visual Impact Provision (VIP), Snowdonia Project: Appendix 7 dust Risk Assessment’ states that the Local Authority will be consulted on the proposed Dust, PM10 and PM2.5 baseline and</p> |
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|                                  | <p>continuous monitoring methodology. The measures outlined within Table 6 must be adhered too throughout the project should planning permission be granted.</p> <p>No exceedances of the current objective values in Table 1 below should occur at receptor locations. Should new objectives be introduced, then this table would be altered.</p> <p><u>Table 1</u></p> <table border="1"> <thead> <tr> <th>Authority</th> <th>Pollutant</th> <th>Objective</th> <th>Measured as:</th> <th>Relevance</th> </tr> </thead> <tbody> <tr> <td>EC/UK Air Quality Standard</td> <td>PM10</td> <td>50µg/m-3 Exceeded &lt; 35 times/annum</td> <td>24hr mean</td> <td>Air Quality in relation to public health</td> </tr> <tr> <td>EC/UK Air Quality Standard</td> <td>PM10</td> <td>40µg/m-3</td> <td>Annual mean</td> <td>Air Quality in relation to public health</td> </tr> <tr> <td>EC/UK Air Quality Standard</td> <td>NO2</td> <td>200µg/m-3</td> <td>Hourly mean</td> <td>Air Quality in relation to public health</td> </tr> <tr> <td>EC/UK Air Quality Standard</td> <td>NO2</td> <td>40µg/m-3</td> <td>Annual mean</td> <td>Air Quality in relation to public health</td> </tr> <tr> <td>UK Air Quality Standard - target</td> <td>PM2.5</td> <td>Target value 25µg/m-3 by 2020</td> <td>Annual mean</td> <td>Air Quality in relation to public health</td> </tr> </tbody> </table> <p>Please contact David Williams (davidanthonywilliams@gwynedd.llyw.cymru) for any consultation. Please can you clarify your reasoning for not including any NO2 monitoring as a result of increased traffic flows relating to the project and refer to the guidance that informed this decision.</p> | Authority                          | Pollutant    | Objective                                | Measured as: | Relevance | EC/UK Air Quality Standard | PM10 | 50µg/m-3 Exceeded < 35 times/annum | 24hr mean | Air Quality in relation to public health | EC/UK Air Quality Standard | PM10 | 40µg/m-3 | Annual mean | Air Quality in relation to public health | EC/UK Air Quality Standard | NO2 | 200µg/m-3 | Hourly mean | Air Quality in relation to public health | EC/UK Air Quality Standard | NO2 | 40µg/m-3 | Annual mean | Air Quality in relation to public health | UK Air Quality Standard - target | PM2.5 | Target value 25µg/m-3 by 2020 | Annual mean | Air Quality in relation to public health |
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| Authority                        | Pollutant   | Objective                          | Measured as: | Relevance                                |              |           |                            |      |                                    |           |  |                            |      |          |             |  |                            |     |           |             |  |                            |     |          |             |  |                                  |       |                               |             |  |
| EC/UK Air Quality Standard       | PM10  | 50µg/m-3 Exceeded < 35 times/annum | 24hr mean    | Air Quality in relation to public health |              |           |                            |      |                                    |           |  |                            |      |          |             |  |                            |     |           |             |  |                            |     |          |             |  |                                  |       |                               |             |  |
| EC/UK Air Quality Standard       | PM10  | 40µg/m-3                           | Annual mean  | Air Quality in relation to public health |              |           |                            |      |                                    |           |  |                            |      |          |             |  |                            |     |           |             |  |                            |     |          |             |  |                                  |       |                               |             |  |
| EC/UK Air Quality Standard       | NO2   | 200µg/m-3                          | Hourly mean  | Air Quality in relation to public health |              |           |                            |      |                                    |           |  |                            |      |          |             |  |                            |     |           |             |  |                            |     |          |             |  |                                  |       |                               |             |  |
| EC/UK Air Quality Standard       | NO2   | 40µg/m-3                           | Annual mean  | Air Quality in relation to public health |              |           |                            |      |                                    |           |  |                            |      |          |             |  |                            |     |           |             |  |                            |     |          |             |  |                                  |       |                               |             |  |
| UK Air Quality Standard - target | PM2.5   | Target value 25µg/m-3 by 2020      | Annual mean  | Air Quality in relation to public health |              |           |                            |      |                                    |           |  |                            |      |          |             |  |                            |     |           |             |  |                            |     |          |             |  |                                  |       |                               |             |  |

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| Biodiversity Unit: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> <p><b><u>Observations dated 26.05.2020</u></b></p> <p>I am satisfied with what has been proposed in the applicant's e-mail and further comments, along with the Biodiversity information provided recently.</p> |
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A condition should be imposed that the National Grid sends their contractor's CEMP to us for approval when it becomes available (if this is acceptable in planning terms).

Also, I would wish to impose a condition that the details regarding the location of the nesting boxes are sent to us for approval:

*“We’ve proposed to accommodate them on standalone structures or mature trees and will be agreed with landowners and consultees.”*

I have no further observations.

#### **Observations dated 29.04.2020**

We have been involved in discussions with the National Grid regarding the development for some years, therefore, the vast majority of the biodiversity matters and concerns have been resolved before we have reached this planning application process. Only a relatively small section of the development requires planning permission within the Gwynedd area. The majority of our comments are relate specifically to this development (in Gwynedd LPA) only, and not to the broader development.

A large number of documents have been submitted, including:

Ecological Report (Chapter 7 of the Environmental Appraisal Volume 1. This document is supported by the following appendices:

- Appendix 7A – Ecological Baseline Report (Botanics) RSK, 2019;
- Appendix 7B – Baseline Ecological Report (Animals) RSK, 2019; and
- Appendix 7C - Special Area of Conservation (SAC) Meirionnydd Oakwoods and Bat Sites Special Area of Conservation

Also,

- Appendix 2A - Outline Construction Environmental Management Plan (CEMP)
- Habitats Regulations Assessment Report RSK, 2019.

#### **Bats**

Mitigation measures have been proposed to reduce the impact of the development on bats and their population including reducing the use of artificial light, avoidance of light in sensitive areas during the construction process, and the use of cowls to avoid light being cast on sensitive areas. A condition should be imposed that the full details of all mitigation measures are to be agreed with the local planning authority before the work commences.



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|  | <p>The application site is near a European Site: Meirionnydd Oakwoods and Bats Sites Special Area of Conservation (SAC).</p> <p>One of the features of this designation is the Lesser Horseshoe Bat. Gwynedd Council, as the Eligible Authority, is required to conduct a Habitat Regulations Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) before determining the application.</p> <p>The developer has submitted a document to assist the authority to carry out the assessment:<br/>(Visual Impact Provision (VIP) Project – Snowdonia Project – Habitat Regulations Assessment Report, REV01, Will Holden, 02/12/2019).</p> <p>The report notes the direction of potential impacts on the Meirionnydd Oakwoods and Bats Sites SAC. The report goes on to the Appropriate Assessment phase and considers the use of the mitigation measures noted above. The outcome of the document is, provided that the mitigation measures described in the report are implemented, that the development is unlikely to have a negative impact on the SAC.</p> <p>Along with National Resources Wales, we agree with the conclusions of this document.</p> <p>As the use of mitigation measures will be imposed as conditions, Gwynedd Council can be confident that the development will not lead to a Negative Significant Impact on the features or processes of the Meirionnydd Oakwoods and Bats Sites Special Area of Conservation.</p> <p><b>Biodiversity Enhancements</b></p> <p>The Outline Habitat Mitigation Plan refers to the installation of nesting boxes (4.4.2 Bird Box Installation)</p> <p><i>A variety of bird boxes will be installed to provide additional nesting habitat for breeding birds. Bird boxes should consider placement on the north to east aspect of structures so as to avoid direct sunlight and overheating of boxes. Open-fronted boxes will be erected at 2m height, and hole-fronted boxes will be installed at 3m height. They should be installed during the autumn to give birds the opportunity to find them prior to the breeding season commencing. All models of bird box and tubes should be in keeping with the specifications in Appendix 1.</i></p> <p><i>It is recommended that the following bird boxes are installed:</i></p> <ul style="list-style-type: none"> <li>• <i>Two House Sparrow (Passer domesticus) terrace nest boxes (Schwegler 1SP)</i></li> </ul> |
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|  | <ul style="list-style-type: none"> <li>• <i>Four 26mm hole-fronted bird boxes (Schwegler 1B) on retained trees, not obscured by vegetation, for use by Blue Tit (Cyanistes caeruleus) and Great Tit (Parus major)</i></li> </ul> <p><i>Two Swift nest boxes (Schwegler 17A) at 6m to 7m high should a suitable building be identified.</i></p> <p>This document appears to refer to measures for the National Park also, as well as Gwynedd. This means that it is unclear which boxes will be in Gwynedd's part of the development. Do the figures need to be halved? Having more clarity on this would be helpful. Or a reference to which document includes the information.</p> <p><b>Swifts</b><br/> We, along with the National Park's ecologist, have asked many times about incorporating Swift nests into the Tunnel Head House building. The response has been negative for technical reasons relating to maintenance. Installing nests in a new building is not a new and ground-breaking act and there are a number of examples where developments have managed to do this, e.g. Barratt Homes. Therefore, it is disappointing that they cannot be incorporated into the Tunnel Head House, which has high walls clad in slate. In particular bearing in mind that the developer is managing to overcome technical problems of tunnelling through the rock under the Dwyryd Estuary!</p> <p>The statement - "<i>two swift boxes provided should a suitable building be found</i>" is very weak. Unless a building has been identified to date, the likelihood that one will be identified is relatively low. Therefore, what would be the alternative option? As the SPA ecologist, I therefore ask the developer to consider building a specific structure for swifts. I would appreciate further discussions on this matter.</p> <p><b>Advice for the developer</b><br/> It should be ensured that the ecological connectivity for bats in the broader landscape outside the boundary of this development is protected. Any trees, hedges or hedgerows that provide this connectivity should not be felled.</p> |
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| Trees Unit: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> <p>From looking at the plans and information submitted, there is no substantial impact on the grounds of trees as the development is located in a field, with surrounding trees and <i>cloddiau</i>.</p> <p>No objection to the application.</p> |
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| Conservation Officer: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> |
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|  | <p>Rhos is the closest listed building to this location; however, due to the distance and also the mature trees around the property and the proposal to landscape, it is not believed that the proposal is likely to have any impact on the character of the building or its setting. There is no objection to the proposal.</p> |
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| CADW: | <p>The following comments refer to both applications located within the boundaries of both Gwynedd Council and Snowdonia National Park LPA's.</p> <p><u>Registered Parks and Gardens</u><br/>PGW (Gd) 29(GWY) Portmeirion (grade II*)</p> <p><u>Registered Historic Landscape</u><br/>HLW (Gw) 2 Ardudwy<br/>HLW (Gw) 7 Aberglaslyn</p> <p>The proposed development will require the construction of two tunnel head houses, one in Garth, near Minffordd, and one in Cilfor within the western edge of Snowdonia National Park. A sealing end compound would also be required at the Cilfor end to connect the underground cables to the overhead line. These proposals will allow the existing electricity cables to be placed in an underground tunnel and the 10 existing pylons and associated overhead lines that cross the Dwyryd Estuary to be removed.</p> <p>An environmental appraisal of the proposed development has been prepared and this includes chapter 8 Archaeology and Cultural Heritage that has considered the impact of the proposals on the above designated heritage assets.</p> <p>The information contained in this chapter indicates that whilst the two ends of the proposed route are located in the registered historic landscapes of Ardudwy and Aberglaslyn, any direct adverse impact will be very slight, at most, and will be outweighed by the improvement in those historic landscapes by the removal of the upstanding pylons. Likewise, any impact on the setting of the registered Portmeirion historic park and garden during the construction work will be completely outweighed by benefits gained by the removal of the pylons. We concur with this assessment.</p> |
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| Gwynedd Archaeological Planning Service: | <p>The following comments are relevant to the development located within the boundaries of Gwynedd Council LPA only.</p> <p>I have been involved in pre-application discussions about this scheme as part of the Environmental Liaison Group as well as providing technical advice to the applicant's archaeological consultants. We have also been consulted by</p> |
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|  | <p>Natural Resources Wales on the Marine Licence Application for the scheme.</p> <p>I have reviewed the submitted details relevant to terrestrial and offshore archaeology, including the outline CEMP. I am able to confirm that the archaeological chapters and supporting appendices conform to the relevant professional standards and provide a suitable basis for decision making. I would make one minor observation on the effect of mitigation, which is to lessen the harm caused by development rather than to offset it; in the case of this scheme, the overwhelmingly positive impact on the Registered Historic Landscapes of Aberglaslyn and Ardudwy of removing the existing infrastructure offsets the likely limited adverse impacts on any buried or submerged remains. Having said this, the mitigation proposals presented are appropriate and in accordance with the pre-application discussions, and I am overall in agreement with the conclusions of the reports.</p> <p>Within the area of development within the boundary of Gwynedd Council Local Planning Authority, the Archaeology and Cultural Heritage assessment (Chapter 8 of the Environmental Appraisal Report) identifies that all works outside the footprint of existing development have the potential to encounter presently unknown archaeology. Any such remains are expected to be associated with low intensity activity associated with the estuary, which may date from any period, with a specific potential to encounter a Roman road that has been postulated to pass through this general area. Such remains are unlikely to be identified through field evaluation and will most likely only come to light through large-scale excavation or during construction works.</p> <p>In light of the above comments and in accordance with Planning Policy Wales 10 (December 2018) and TAN24: The Historic Environment (May 2017), it is recommended that, should planning permission be granted, the local planning authority should require the implementation of suitable archaeological mitigation by condition.</p> <p>The mitigation should comprise a formal programme of archaeological observation and recording, commonly termed a watching brief, together with subsequent post-excavation work and reporting as appropriate to the discoveries made. The watching brief should be undertaken by a professional archaeological firm on an intensive basis, i.e. during all ground disturbing works that may encounter archaeological deposits. I note that this mitigation requirement has also been set out in the outline CEMP. This additional security is welcomed as this will highlight the archaeological requirements to all parties; however, the paragraphs in the outline CEMP are not sufficiently detailed</p> |
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|  | <p>to be enforceable, and a condition is therefore still considered to be necessary.</p> <p>An equivalent condition has been recommended for the works falling within the boundaries of the Snowdonia National Park Authority. It is expected in the interests of consistency that the mitigation would be undertaken and reported under a single suite of documentation, with duplicate copies to be submitted to each of the local authorities.</p> |
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| Snowdonia National Park | Not received |
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| Minerals Officer | <p>The comments below relate to the development located in both LPAs.</p> <p>Following discussions, the National Grid have confirmed that they will provide a more detailed waste management plan following further assessment. A note is required on the planning permission to ensure further discussions as a result of this.</p> <p>All operations that include the disposal, treatment or recovery of tunnel outputs should be achieved in accordance with the waste hierarchy and the objectives of the outline waste management plan. Contact the Gwynedd Planning Service and Natural Resources Wales in relation to the requirements of the Environmental Licensing Regulations or planning status of any waste management facility or other site noted for the receipt, treatment or disposal of any waste arisings.</p> |
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| Network Rail | <p>The following comments are in relation to the development located within the boundaries of Gwynedd Council LPA only.</p> <p>Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.</p> |
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| Trunk Road Agency: | <p>The following comments are in relation to the development located within the boundaries of Gwynedd Council LPA only.</p> |
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|  | <p>I refer to your consultation of 23/03/2020 regarding the above planning application and advise that the Welsh Government as highway authority for the A487 trunk road directs that any permission granted by your authority shall include a condition requesting a Construction Traffic Management Plan (CTMP) before any work is commenced.</p> |
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| Land Drainage Unit: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> <p>As the development is located within a C2 flood zone, we will let NRW to comment on the flood risk associated with the proposed development.</p> <p>Our maps show that a watercourse runs through the development site and the developer intends to install a culvert within this ditch to allow access to the site. An Ordinary Watercourse Consent will be required for any work that could affect the flow of this ditch. Gwynedd Council does not object to culverting for access purposes, provided that a suitably-sized pipe is used.</p> |
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| Welsh Language Service Manager: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> <p>I am happy with the language statement submitted here, due to the nature of the application and work in question. It is obvious that the company has considered the importance of the Welsh language in the area and is very aware of the need for bilingual communication. They also note that they will use a local workforce where possible, therefore I have no further formal observations.</p> |
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| Fire Emergency Planning Service: | <p>The comments below relate to the development located within the boundary of Gwynedd Council LPA only.</p> <p>The Fire Authority will have an opportunity to provide observations on the fire safety measures during the Building Regulations Consultation process as applicable.</p> <p>The report relates to access for vehicles and water supply.</p> <p><b>ACCESS FOR FIRE VEHICLES</b><br/>No observations</p> <p><b>WATER SUPPLY</b><br/>A fire hydrant should be located within a maximum of 150m to the property.</p> |
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| Police Emergency Planning Service: | Not received |
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| NHS Emergency Planning Service: | Not received |
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| National Trust: | <p>Sections of the comments below are relevant to the site located in Cilfor and which is a part of the planning application submitted to the National Park, as well as this application.</p> <p>The National Trust welcomes the opportunity to respond to this application. One of the founding beliefs of the National Trust is that places matter to people. Our statutory core purpose is to promote and protect places of historic interest and natural beauty – forever and for everyone. Over the last 125 years we have continually sought to ensure that the nation’s countryside, heritage and natural environment are protected for the enjoyment of all and for inheritance by future generations. As a result, the Trust has supported National Grid’s Visual Impact Provision (VIP) project (the scheme under which this proposal will be delivered) since its inception and valued our involvement in the regional stakeholder group for the Dwyryd Estuary project.</p> <p>We strongly commend the VIP’s ambition to enhance the natural beauty of the nation’s special places, Areas of Outstanding Natural Beauty (AONBs) and National Parks.</p> <p>The National Trust has a diverse land portfolio within the Aber Dwyryd estuary and also wider land within its visual catchment. We own land on the estuary (forming part of the access) that will be subject to the removal of pylons 4ZC030, 4ZC030R and 4ZC031: land that is included in the future Marine Licence for construction access. We own land adjoining the estuary that will bring forward transformational change, and we own much of the estuary backcloth, including the mountain at Cnicht which will bring forward cleaner long-distance views into and out of the Snowdonia National Park.</p> <p>In the vicinity of the development itself, we agree with the conclusions of the Environmental Appraisal that major beneficial landscape and visual effects are likely to arise once the development is operational for local communities and visitors and users of the Wales Coastal Path, the long distance recreational routes and the two National Cycle Routes in this popular area.</p> <p>In respect of the construction impacts identified through the EA, we trust the Council will ensure these are minimised wherever possible and ensure that matters such as the Construction Environmental Management Plan (CEMP) is suitably robust to ensure that impacts on the local road network during construction are limited and disruption to communities and visitors are minimised.</p> |
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We have a number of more detailed observations we wish to raise;

*Communication and engagement*

We welcome the commitment that post consent a communication plan will be prepared to identify the approach to ongoing engagement with both stakeholders and the public up to commencement of construction and through the construction and restoration period. This will be critical to ensure that local communities and landowners are kept fully informed during the process and it will also provide an opportunity for parties to work together to resolve any issues during construction, should they arise. This is particularly important with a project of this complexity and duration.

Whilst the Dust Risk Assessment refers to a communication plan and there is reference to communications within the Outline Construction Traffic Management Plan we consider there should be an explicit requirement for a communication plan to be produced for the project as a whole across the range of construction matters. This Plan could also then include methods to be used to convey the status of the project and the complexities around the various consenting regimes. We suggest this could be included as an overarching requirement of the Construction Environment Management Plan [CEMP].

*Land and access for construction works*

National Trust has undertaken early discussions with National Grid and is satisfied to leave the details of access provision to our land to be covered closer to the time of pylon removal as detailed discussions will be required and this is largely outside the planning application process. However, it is worth noting National Grid's commitment within the EA that following the completion of all construction works, the land temporarily used within the working area will be fully reinstated as near as practically possible to its former condition or as agreed with landowners and stakeholders in advance and '*areas of habitat will be restored to equivalent habitat condition post-construction*'. This is welcomed.

*Landscape and visual matters*

We support the conclusions of the landscape character appraisal which considers that the overall effect of the proposed project would be '*highly beneficial*' in terms of reducing the importance of the impact which the infrastructure currently has on the perception of the character, quality and integrity of the landscape in this area.

We agree that the removal of four pylons and the redundant foundations of former Pylon 4ZC030 from



within Glaslyn and Dwyryd Estuary Special Landscape Area and indirect effects of the removal of other pylons outside the SLA would have an overall effect that would also be *'highly beneficial'* in terms of reducing the importance of the impact on the key characteristics of this SLA; particularly as one of these key characteristics is the fact that it is considered as an important setting to Snowdonia National Park.

In terms of visual effects, we appreciate that parts of the East Tunnel Head House, operational compound and access road may be glimpsed in oblique views by a proportion of the community of Cilfor and that by year 15, the proposed native tree and scrub planting designed along the access road and around the compound would help to frame and filter views of the infrastructure. However, the success of this landscaping will depend on its management and whilst noting the project has a habitat management plan, it does not appear to include a similar landscape management plan. We consider this requirement should be secured by planning condition in order to ensure the tunnel head house design integrates as anticipated into the local landscape.

We welcome the attention to detail [2.3.5] regarding the security fencing for both the western and eastern tunnel head houses which states that the colour of the fencing will be agreed with the relevant planning authority and will be in-keeping to the tunnel head house building and the surrounding environment. Again, we anticipate a suitably worded planning condition can cover this matter as well as other matters such as the details of building materials, lighting and landscaping maintenance and management thereof.

Overall, on balance, we agree the Proposed Project would result in substantial enhancements to landscape character and visual amenity.

#### *Ecology*

National Grid's commitment to a saltmarsh survey covering the access routes ahead of construction and the provision of an ecological clerk of works for the construction works [Section 16.11] is welcomed.

We note that prior to excavation works at Site 4ZC031 the top layer of Atlantic salt meadows/ saltmarsh will be temporarily translocated and maintained and then replaced later to restore the habitat. We support the commitment to a post construction botanical saltmarsh survey to be undertaken at this location one year post construction. However, we recommend there should be some clarity around the maintenance regime for the translocated meadows to ensure translocation and its ultimate reinstatement can be successfully delivered. A

methodology could be provided through the Habitat Management Plan.

The submission explains that the peat valley mire habitat is in moderate condition and it is the existing drainage ditches across this habitat which is a major factor reducing the quality of this habitat. We note the aim of the Outline Peat Management Plan is to improve the condition of the restored valley mire to good condition, but also to increase the coverage of valley mire habitat overall, through infilling of ditches.

The submission states that following removal of the trackway and matting, recovery of the peat substrate (from compression) and the recovery of the plants will occur within 10 years and the improvement of peat within the drainage ditches from moderate to good condition is expected within 10 to 15 years.

Clearly, over such a time frame monitoring will be important and the Outline Plan states all habitats will be monitored for a period of time which will be agreed with consultees to check that habitats are establishing themselves effectively. However, the recommendations state they are '*for general guidance and are subject to ongoing discussions with consultees*'.

We suggest that certainty around the length of the monitoring regime and any agreement to remedial measures (where appropriate to do so) should be identified as part of the submission in order to ensure this is secured over the timescales reflected in the documentation.

Prior to decommissioning [7.9.2] there is a commitment to reassess ecological impacts and relevant mitigation measures, taking account of any changes in legislation and assessment guidance which are updated during the operational stage of the project. Clearly, it is not known what may evolve during the lifetime of the operation. However, it would be appropriate for planning conditions to require this assessment prior to decommissioning works and should buildings and infrastructure be removed at the end of the project a demolition and reinstatement plan should be provided, for restoration of the local environment.

#### *Archaeology*

In general we support the scheme of archaeological mitigation works put forward by National Grid to run alongside development work in relation to both terrestrial and maritime archaeology, and to the broader historic environment and cultural heritage, which seems both appropriate and proportionate for the project as a whole.

#### *Summary and conclusions*

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|  | <p>Finally, in summary we strongly support the removal of the existing infrastructure which has significant adverse impacts on the setting of the Snowdonia National Park and whilst there will be short term disturbance associated with the construction of the development overall the proposal will lead to significant landscape and visual enhancement.</p> <p>However, we recognise that the most severe impacts in relation to archaeology, cultural heritage and landscape are likely to be felt by other neighbouring landowners and private individuals, some of whom have potential to be severely affected in the short and longer term. With this in mind, the National Trust would encourage National Grid to continue to work closely with local communities and the local authorities to seek ways of further mitigating any unavoidable and necessary impacts.</p> <p>In all respects we trust the Authority will consider the need for suitably robust planning conditions along the lines suggested by Natural Resources Wales, in order to ensure that the identified embedded mitigation and commitments within the submission documents are delivered.</p> |
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| Public Consultation: | <p>A notice was posted on site and in the local paper and nearby residents were informed. The advertisement period ended on 15.04.2020 and one letter / correspondence was received by The Campaign for National Parks, in support of the proposal:</p> <ul style="list-style-type: none"> <li>• Offers an opportunity to improve the character of the landscape and the visual amenities of the area</li> </ul> |
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## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The proposal involves erecting the Western tunnel end building (including the associated building compound), along with a permanent access track.
- 5.2 The building that is the subject of this application is relatively substantial, but is equivalent to an agricultural building in terms of its size, height and design, with two ridges on the roof and a uniform shape to the walls. The compound is also relatively substantial, but it includes parking spaces and a turning space, and it would be surrounded by a grass slope and vegetation, along with a security fence measuring up to 2.4m in height. A new access track and vehicular access are included within the development and these will provide access to the site. It is proposed to install a farm gate on the access.
- 5.3 The proposal that is the subject of this application is an integral part of a further plan to improve the visual condition of the area, as noted in the background information at the beginning of this report. The tunnel head building and compound and associated access will be the only permanent features of this site once the initial tunnelling and cable connection work has been completed. The site is located outside any development

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boundary (the closest in Penrhyndeudraeth is approximately 550m away), but this location is essential for the development due to its proximity to the current Garth sealing end site. The site has been the subject of substantial pre-application discussions with stakeholders, consultees and the public before a decision was made on the exact site submitted. The planning information submitted has been reviewed and assessed and in general, we agree with the assessment of impacts. There is no doubt that the plan in its entirety would offer a positive benefit to the area.

- 5.4 It is considered that the development that is the subject of this application is acceptable in terms of its location, size, scale and design and is in keeping with the character of the area and to this end, it is considered that the principle of the proposal complies with policies PS5, PS6, PCYFF 1, 2, 3 and 4 of the LDP and TAN 12 Design.

### Visual amenities

- 5.5 Despite the site's location outside the closest development boundary, it is also located on the outskirts of the defined cluster of the village of Minffordd, therefore it does not appear as if it is located in open landscape. The bypass and railway are located approximately 200m to the site, and the closest houses are located almost immediately next door to the site.
- 5.6 The application site is located outside the Landscape Protection Area (which is approximately 200m away) and Snowdonia National Park (1km away) and it is not considered that the proposal that is the subject of the proposal submitted affects these designations. It is noted that other parts of the development as a whole are located within the Landscape Protection Area and Snowdonia National Park and although these matters are either the subject of extant permission, or do not require planning permission, or they are the subject of planning applications within the Park or a Natural Resources Wales licence/permit.
- 5.7 The proposal involves erecting the Western tunnel head building (including the associated building compound), along with a permanent access track, and although the building that is the subject of this application is relatively substantial, it is comparable to an agricultural building in terms of its size, height and design. The building would have two ridges and a dip in the centre in order to ensure an acceptable roof shape and height and a uniform shape to the walls. This will avoid a roof that is too high or a pitch that is too shallow. The compound is also relatively substantial, but it includes parking spaces and a turning space off the adjacent road, and it would be surrounded by a grass slope and vegetation, along with a security fence measuring up to 2.4m in height. A new access track and vehicular access are included within the development and these will provide access to the site. It is proposed to install a farm gate on the access.
- 5.8 It is proposed to finish the building in stone with a grey slate finish and aluminium cladding in the form of louvres on a steel frame on the walls, and zinc panels on the roof and details and photos of these finishes have been submitted as part of the application and they are considered to be acceptable. The proposal provides a hard floor to the compound and grasscrete or similar on the vehicular access track. Extensive prior discussions have been held with Council's officers and the architect of Natural Resources Wales regarding these issues in order to ensure an appropriate development.
- 5.9 A Visual and Landscape Assessment has been submitted as part of the application. This assessment includes landscape details and details of the visual impact, including photomontages that show the outcome of the plan as a whole, and there is recognition that demolishing the pylons will have a positive visual impact and on the landscape in general.

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- 5.10 Within close views of the tunnel head building, two different impacts occur - removing the current pylons would bring some visual benefits; whilst adding a tunnel head building would introduce a new building form. We agree with the Visual and Landscape Assessment that a moderate change would occur. This would reduce to a small-scale change as the planting establishes itself, as the materials adapt to the weather conditions and as the building becomes a part of the landscape.
- 5.11 In order for the plan to achieve its main objective (namely provide visual benefits to Snowdonia National Park and local communities), there is recognition that there would be a temporary impact in relation to the necessary work of removing major electricity infrastructure from the Dwyryd Estuary. This would lead to new development and construction disruption within an area that has high sensitivity in terms of its landscape character, its visual amenities, its habitats and heritage, but it must be emphasised that this aspect does not form part of this planning application, as explained in the first part of this report.
- 5.12 Planning officers, along with Natural Resources Wales, have been involved in a number of pre-application consultation meetings and formal consultations on a number of aspects within the proposal, including the degree of the Landscape Assessments and the viewpoints for assessment. The design elements of the plan that affect the character and visual amenities have been discussed and evolved - specifically the appearance of the tunnel head building and how it will be integrated into the landscape.
- 5.13 Based on the information and plans submitted as part of the application, it is considered that the long-term impacts of the proposal are acceptable in terms of design, scale, materials, landscaping and the impact on the landscape and that it complies with the requirements of policies PCYFF 2, 3 and 4, AMG 2 and 3 of the LDP and TAN 12: Design.

#### **General and residential amenities**

- 5.14 The site is located on the outskirts of the defined cluster of the village of Minffordd, and the closest houses are located almost immediately next door to the site. Osmond Terrace is located to the south of the site across an unclassified road, and a cluster of houses (Y Graig, Glan Don and Rhos) is located to the east of the site, with a track/informal path between them and the site.
- 5.15 The proposed building is to be located approximately 30m away from the informal track, and then the closest dwelling, Y Graig. The proposed access would be located approximately 25m away from the rear gardens of Osmond Terrace. It is proposed to provide landscaping in the form of vegetation around the building, and as noted above, the building is of a size, design and finish that would equate to the size of a common agricultural building seen in the local area.
- 5.16 There is recognition that the plan as a whole would cause disruption, noise, vibration, dust and traffic during the temporary work of tunnelling and building the tunnel head house. Those parts that are not the subject of this planning application will be the subject of discussion and supervision carried out by the Public Protection Unit, as they deal with general nuisance, and Natural Resources Wales who will licence the waste disposal. It is also noted that noise and dust mitigation matters, vibration monitoring, transportation plan and pollution management would form part of the Construction Environment Management Plan that will be the subject of a planning condition.

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- 5.17 Once the tunnelling and construction work is complete, the presence of any staff would be occasional and traffic would not come and go from the building/site on a daily basis. The Public Protection Unit has noted acceptable working hours for the proposal in relation to the construction of the tunnel head building that is the subject of this application as Monday to Friday 08.00-18.00 and 08.00-13.00 on Saturday and no work at all on Sunday. It is also noted that HGV movements will also fall within these hours. It is noted that there would be some exceptions to the above working hours for specific issues that have been agreed with the Public Protection Unit. These exceptions include tunnelling work, health and safety matters and monitoring work. Conditions can be imposed on any noise, dust, traffic and working hours, etc. issues that derive directly from the development that is the subject of this application and requires planning permission, and the applicant can provide an update on the situation by submitting an update to the Construction Environment Management Plan that will be the subject of a planning condition.
- 5.18 It is recognised that it is inevitable that such a development will have some impact on the general and residential amenities of nearby residents; however, in the long-term, it is not considered that the proposal that is the subject on this application is likely to have a detrimental impact on the general or residential amenities of any nearby residents. Considering the short-term impacts of implementing the permission, it will be possible to manage and/or mitigate the impacts to acceptable levels and it is considered that this can be managed by means of appropriate planning conditions as mentioned in this assessment. Therefore, it is considered that the proposal complies with the requirements of policies PCYFF 2 and 3 of the LDP and TAN 11: Noise.

#### **Transport and access matters**

- 5.19 The proposal includes providing a new access and track off the class III road that runs past the site. The Transportation Unit has confirmed that the proposed parking provision and the access are acceptable and there is no objection to the proposal, subject to conditions and notes relating to providing an acceptable access and road work. The Trunk Road Unit has also confirmed that it does not have an objection to the proposal, provided that a condition is imposed requiring the submission and approval of a Construction Traffic Management Plan beforehand.
- 5.20 It is noted that the Transportation Unit is already involved in discussions with the National Grid regarding the traffic impact as a result of the tunnelling and pylon removal work and which derive directly from the Grid in relation to the issues that do not form a part of this planning application. Nevertheless, a Transportation Plan would form part of the information that will be the subject of a Construction Environment Management Plan that will be the subject of a planning condition.
- 5.21 On this basis, it is considered that the proposal is acceptable and complies with the requirements of policies PS4, TRA2 and TRA4 of the LDP and TAN 18: Transportation.

#### **Biodiversity matters**

- 5.22 Extensive information has been submitted as part of the application relating to Biodiversity matters, and this information is the result of prior extensive discussions between the Biodiversity Unit and the National Grid, and is for the plan as a whole, as well as the subject of this planning application.
- 5.23 Mitigation measures have been proposed to reduce the impact of the development on bats and their population including reducing the use of artificial light, avoidance of

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light in sensitive areas during the construction process, and the use of cowls to avoid light being cast on sensitive areas. The Biodiversity Unit is satisfied with these mitigation measures, subject to conditions to ensure that full details are submitted and agreed upon beforehand with the LPA.

- 5.24 The application site is near a European Site: Meirionnydd Oakwoods and Bats Sites Special Area of Conservation (SAC). One of the features of this designation is the Lesser Horseshoe Bat. The Biodiversity Unit on behalf of Gwynedd Council, as the Eligible Authority, has conducted a Habitat Regulations Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) as is required before determining the application.
- 5.25 The developer has submitted a document "*Visual Impact Provision (VIP) Project – Snowdonia Project – Habitat Regulations Assessment Report, REV01, Will Holden, 02/12/2019*" to assist the authority to carry out the assessment. The report notes the direction of potential impacts on Meirionnydd Oakwoods and Bats Sites SAC. The report goes on to the Appropriate Assessment phase and considers the use of the mitigation measures noted above. The outcome of the document is, provided that the mitigation measures described in the report are implemented, that the development is unlikely to have a negative impact on the SAC. The Biodiversity Unit, along with National Resources Wales, agree with the outcomes of this document.
- 5.26 Due to the use of mitigation measures that can be imposed as conditions, the Biodiversity Unit confirms that Gwynedd Council can be confident that the development will not lead to a Significant Negative Impact on the features or processes of the Meirionnydd Oakwoods and Bats Sites Special Area of Conservation.
- 5.27 Planning Policy Wales 10, notes that local planning authorities must maintain and enhance biodiversity when exercising their functions. This means that developments should not cause any loss of habitats or substantial populations of species, either locally or nationally, and net benefits must be ensured for biodiversity (para 6.4.5). This policy and subsequent policies in Chapter 6 Planning Policy Wales 10 respond to Section 6 of the Environment Duty (Wales) Act 2016.
- 5.28 The letter of Welsh Government's Chief Planner (October 2019) states that ensuring net benefits for biodiversity within the context of Planning Policy Wales calls for a pragmatic approach to the specific circumstances of the site. By using the phased method (Planning Policy Wales, paragraph 6.4.21), which confirms appropriate cases, a net benefit can be ensured for biodiversity through the creation of habitats and/or long-term management arrangements to improve existing habitats, to improve biodiversity and the robustness of ecosystems.
- 5.29 The proposal involves the planting of new hedges, reinforcing existing hedges and creating/enhancing habitats within and surrounding this application site, the National Grid's existing site in Garth, and other small sites. These proposals equate to an improvement of approximately 2.5% compared with the current situation.
- 5.30 It is also noted that this plan as a whole is substantial and crosses the boundaries of Planning Authorities and the applicant is proposing benefits across the project area which includes areas outside the boundaries of this planning application, as well as some within the Snowdonia National Park area.
- 5.31 Therefore, when considering the situation pragmatically and considering the features of the current site, which is a field of agricultural grassland, and its existing ecological condition and what is proposed as mitigation and enhancement plans, it is

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considered that the net benefit is acceptable under the circumstances. As a result, it is considered that the proposal, subject to planning conditions to ensure the implementation of enhancements and future monitoring of improvements, complies with the requirements of Planning Policy Wales and the Environment Duty (Wales) Act 2016. Similarly it is considered that the proposal complies with the requirements of policies PS19 and AMG5 of the LDP and TAN 5: Nature Conservation and Planning.

### **Archaeological and Heritage Matters**

- 5.32 The site is located on the outskirts of the defined cluster of the village of Minffordd, and a cluster of houses (Y Graig, Glan Don and Rhos) is located to the east of the site, with a track/informal path between them and the site. Rhos is a Grade II listed building and this is the closest listed building to this location; however, due to the distance and also the mature trees around the property and the proposal to landscape, it is not believed that the proposal is likely to have any impact on the character of the building or its setting. The Senior Conservation Officer has confirmed that there is no objection to the proposal on this basis.
- 5.33 The site that is the subject of the application is located within the Ardudwy and Aberglaslyn Registered Historic Landscape and the information submitted as part of the application within Chapter 8 of the Environmental Appraisal Report (Archaeological and Cultural Heritage Assessment) suggests that any direct detrimental impact would be very minimal, at most, and would be outweighed by the improvement in those historic landscapes as a result of the removal of existing pylons in the area. Similarly, any impact on the setting of the Portmeirion registered historic park and gardens during the construction work would be completely outweighed by the benefits obtained following the removal of the pylons. CADW have confirmed that they agree with this assessment and therefore they do not object to the proposal and they acknowledge the general visual benefit as a result of the plan as a whole.
- 5.34 Chapter 8 of the Environmental Appraisal Report also notes that all work outside the footprint of the present development has the potential to come across archaeology that is currently unknown. Any such remains are expected to be associated with low density activity linked to the estuary, which could date back to any period, with specific potential to come across a Roman Road posted to pass through this general area. It is unlikely that any such remains will be identified by appraising fields and that they would only be discovered by undertaking large-scale excavation or during construction work.
- 5.35 On this basis, the Gwynedd Archaeological Planning Service recommends, should planning permission be granted, that the local planning authority should demand that suitable archaeological mitigation is implemented. On these grounds, the Gwynedd Archaeological Planning Service has confirmed that there is no objection to the proposal.
- 5.36 Based on the above, it is therefore considered that the proposal is acceptable and conforms with the requirements of policies PS20, AT1 and AT4 of the LDP along with TAN: 24 - The Historic Environment.

### **Flooding and water conservation matters**

- 5.37 The application site is located entirely within a C2 flood zone, and a Flood Consequence Assessment has been submitted as part of the application.



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- 5.38 As this proposal is for utilities infrastructure, the use falls under the definition of developments that are less vulnerable to harm as noted in Figure 2 within part 5 of TAN 15: Development and Flood Risk. Natural Resources Wales has reviewed the Assessment (*Stantec, Darpariaeth Effaith Weledol (VIP) - Prosiect Eryri, dated 03/12/2019*), submitted to support the development and they are satisfied that the proposals for the Western Tunnel Head Building are acceptable in terms of the flood risk and that it will not have a detrimental impact on third parties in relation to the loss of the available floodplain. Natural Resources Wales have also confirmed that the flood risk associated with the Construction and Decommissioning Periods will be covered by the Marine Licence where relevant, and the Flood Risk Activity Permit (FRAP) as required. A detailed Method Statement dealing with flood risk and mitigation measures will be required in due course as part of these applications.
- 5.39 The Council's Drainage Unit does not object to the proposal and notes that it is proposed to install a culvert within the ditch that crosses the site in order to allow access. The Unit confirms that an Ordinary Water Course Consent would be required for any work that could affect the flow of this ditch. Welsh Water have confirmed that there will be a need to ensure an acceptable way of dealing with foul water waste, and they propose a condition to ensure this.
- 5.40 On the basis of the above, and that the proposal falls under the definition of developments that are less vulnerable to harm and as Natural Resources Wales have confirmed that the flood risk is acceptable, it is considered that the proposal complies with the requirements of Policies PS5 and 6 and PCYFF 6 of the LDP and TAN 15: Development and Flood Risk.

#### **Language Matters**

- 5.41 This development does not reach the thresholds of Strategic Policy PS1 which promotes and supports the use of the Welsh language in the Plan area. Nevertheless, a Welsh Language Statement has been submitted as part of the application and has been assessed by the Welsh Language Service Manager.
- 5.42 The Language Service is satisfied with the language statement submitted, due to the nature of the application and the work in question. It is obvious that the National Grid has considered the importance of the Welsh language in the area and is very aware of the need for bilingual communication. The Grid also note that they will use a local workforce where possible, therefore the Language Service does not object to the proposal.
- 5.43 Based on the information submitted therefore, the proposal complies with the requirements of policies PS1 of the LDP, SPG: Maintaining and Creating Distinctive and Sustainable Communities and TAN 20: Planning and the Welsh Language.

#### **Minerals Matters**

- 5.44 The site is located within the buffer zone of Minffordd Quarry, which is located approximately 250m away. This buffer zone is relevant for assessing the impact of dust from the quarry on sensitive developments (e.g. residential houses and hotels, etc.). As this proposal does not include any sensitive element, it is considered that it is acceptable in this respect.
- 5.45 The North Wales Minerals and Waste Service has been in discussions with the National Grid specifically about dealing with the waste output deriving from the tunnelling work. This element is not a part of this planning application; however, the Minerals

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and Waste Service, along with Natural Resources Wales, who will be responsible for any licences, will discuss suitable locations for the waste output. Further discussions regarding this matter would derive from the further assessment of the situation and in the context of the Construction Environment Management Plan.

- 5.46 Based on the information submitted and the proposal before the committee, it is considered therefore that the proposal complies with the requirements of policies PS22 and MWYN 5 of the LDP.

### **Carbon Management Matters**

- 5.47 Policy PCYFF5 states that developments will need to show how the energy tree in policy PS6 was addressed in order to take full advantage of the contribution of renewable energy or low carbon technologies to satisfy the requirements of the proposals for energy and heat. When appropriate, the co-location of developments is supported in order to optimise opportunities for connecting with renewable or low carbon energy equipment.
- 5.48 A Carbon Management Statement has been submitted as part of the Design and Access Statement for the application. This statement shows how the applicant has considered the energy hierarchy, which includes reducing the demand for energy, energy efficiency and use of low carbon or zero-carbon energy technologies where practical and viable. The statement notes the National Grid's general targets for reducing carbon, and that Environmental Management Procedure is in place to control the targets.
- 5.49 The statement considers low carbon or zero-carbon energy technology aspects; energy efficiency and emissions and waste during the construction period and efficiency and reducing the need for energy during the tunnel end building's operational period and then when decommissioning. These measures include reducing traffic as much as possible and using low energy methods as much as possible. It is considered that these steps will be of benefit to protect visual amenities, the natural, built and historic environment of the landscape, and that the National Grid engages with the area's communities regularly, in accordance with the policy requirement.
- 5.50 Based on the information submitted, it is considered that the development has considered the energy hierarchy and attempts to act as efficiently and as low carbon as possible. Therefore, it is considered that the proposal complies with the requirements of policies PS6 and PCYFF5 of the LDP.

### **Other Matters**

- 5.51 As highlighted above, this proposal is a part of a much larger plan that crosses the boundaries of Local Planning Authorities and the Dwyryd, with sections of the proposal falling outside the control of the planning system.
- 5.52 Note that only the development assessed above is the subject of the planning application submitted before Gwynedd Council; the remainder of the development (as noted in the report as part of the background information of the application), is either located within the boundaries of Snowdonia National Park Authority (and is the subject of a separate planning application), or is being dealt with under separate legislation, or does not require formal planning permission as noted and explained at the beginning of this report.
- 5.53 As has also been noted previously, the proposal has been screened by the Gwynedd and Snowdonia National Park Planning Authorities, as well as by Natural Resources Wales.

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The screening conclusions confirm that the proposal is not a development that is the subject of an Environmental Impact Assessment.

- 5.54 In order to provide assurances for aspects of the proposal, and as the plan as a whole is more than what is covered in this application alone, and as there is a need to ensure that no unacceptable environmental impacts occur as a result of this work, any planning permission will be the subject of a planning condition to present and receive approval to a Construction Environment Management Plan for the control of various aspects of the work, including matters relating to the management of working hours, transportation, water, pollution, piling, waste outputs of the site and materials, work carried out on trees, biosecurity risk, noise, dust, vibration, Biodiversity matters and temporary work associated with the development as a whole, and these matters will be agreed upon in consultation with the relevant bodies.

## **6. Conclusions:**

Having considered the above and all material planning matters fully including local and national policies and guidance, it is deemed that this proposal is acceptable and complies with the requirements of the relevant policies as noted above.

## **7. Recommendation:**

7.1 To approve – conditions:

1. Five years
2. In accordance with the plans and assessments submitted as part of the application.
3. The colour of the fence
3. Highways
4. Trunk Roads
5. NRW Conditions
6. Welsh Water
7. Working hours - and other Public Protection conditions
8. Biodiversity
9. Archaeological
10. CEMP
11. Landscaping and monitoring management plan

Notes

Highways

Welsh Water

All operations involving the disposal, treatment or recovery of tunnel spoil should be carried out in accordance with the waste hierarchy and objectives of the outline waste management plan. Please contact Gwynedd Planning Service and Natural Resources Wales with respect to the requirements of the Environmental Permitting Regulations or planning status of any waste management facility or other site identified for the reception, treatment or disposal of any waste arisings.