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## 2.1 INTRODUCTION

This section reviews the general legislative and permitting requirements for the Rhyl Flats project and examines the planning context. Specific items of environmental legislation are discussed in the sections describing the specialist assessments of impacts, where appropriate.

## 2.2 LEGISLATIVE FRAMEWORK

### 2.2.1 Key Consents and Permitting

The Department of Trade and Industry (DTI) has issued draft guidance <sup>(1)</sup> in relation to applications for the various components of offshore wind farm developments. The consents required at present for the construction and operation of the wind farm are set out in *Table 2.1* below.

The DTI has formed the Offshore Renewables Consents Unit (ORCU) which is the main point of contact for applications submitted for the various consents. The ORCU will coordinate applications but does not replace the statutory responsibilities of the consenting authorities and the various permits will be determined by the authorities listed in *Table 2.1*.

**Table 2.1** *Wind Farm Permit/Consent Requirements*

Legislation	Components	Consenting Authority
<i>Section 36 Electricity Act, 1989</i>	Construction and operation of an offshore wind generating station equal to or greater than 1 MW in capacity.	DTI
	Deemed planning permission for associated onshore works under the <i>TCPA, 1990</i> .	
<i>Section 34 Coast Protection Act (CPA), 1949</i>	Construction, alteration or improvement of any works on, under or over any part of the seashore lying below the level of mean high water springs (MHWS).	Department for Transport, Local Government and the Regions (DTLR)
	The deposit of any object or materials below the level of MHWS.	
	The removal of any object or materials from the seashore below the level of MHWS.	

(1) Department of Trade and Industry, 12 October 2001: **Draft, Guidance Notes, Offshore Wind Farm Consents Process**, DTI, Offshore Renewables Consents Unit, 1 Victoria Street, London, SW1H 0ET.

<b>Legislation</b>	<b>Components</b>	<b>Consenting Authority</b>
<i>Section 5 Food and Environment Protection Act, 1985 (FEPA)</i>	<p>Installation of the meteorological mast and foundations.</p> <p>Installation of turbine foundations and towers <i>etc.</i></p> <p>Depositing scour protection.</p> <p>Rock armouring/burial of cables at the site and connection to shore.</p> <p>Associated construction works (<i>eg</i> cable landings involving coastal defence modifications).</p> <p>Deposit of any material in the sea whether for the purpose of waste disposal or during marine construction.</p>	National Assembly for Wales (Note: applications are administered by Marine Consents and Environment Unit (MCEU) on behalf of the National Assembly for Wales)
<i>Section 37 Electricity Act, 1989</i>	Onshore overhead electric line.	DTI
<i>Town and Country Planning Act (1990), Section 57</i>	<p>Onshore substation.</p> <p>Note: the developer can seek deemed planning permission for the onshore substation under Section 36 (see above).</p>	Local Authority
<i>New Roads and Streets Works Act (1991)</i>	Placing underground electric cables in a public highways.	Local Authority / Highways Agency
<i>Water Resources Act 1991</i>	Consent and licences to discharge, abstract and cross rivers.	Environment Agency
<i>Land Drainage Act 1991</i>		

## 2.2.2

### *International and UK Regulations*

Key provisions of international agreements and their enabling UK legislation for the marine environment are summarised in *Table 2.2*.

**Table 2.2 Key Marine Regulations**

<b>Item</b>	<b>Basis</b>	<b>Key Issues</b>
<i>MARPOL (International Convention on the Prevention of Pollution from Ships)</i>	International (World)	<ul style="list-style-type: none"> <li>• Discharge of oil or oily mixtures is prohibited unless below 15 ppm oil without dilution.</li> <li>• Floating or fixed rigs are considered as ships <i>ie</i> oil content of effluents must not exceed 15 ppm.</li> <li>• Tankage should be provided to receive residues which cannot be treated to 100 ppm.</li> <li>• Disposal of garbage overboard is prohibited.</li> </ul>
<i>Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1988 and 1993</i>	UK	<ul style="list-style-type: none"> <li>• Disposal of garbage from offshore installations is prohibited, except macerated food wastes</li> </ul>
<i>Merchant Shipping (Prevention of Oil Pollution) Regulations 1996</i>	UK	<ul style="list-style-type: none"> <li>• 15 ppm limit for oil in discharges</li> </ul>

**2.3 REQUIREMENTS FOR THE ASSESSMENT OF ENVIRONMENTAL EFFECTS**

The approach to the assessment of environmental effects will be based on meeting the requirements as set out in the legislation, including the *Electricity Works (Assessment of Environmental Effects) Regulations 2000*, the *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999*. These requirements enact *Council Directive of the 27<sup>th</sup> June 1985 on the Assessment of the Effects of Certain Public and Private Projects on the Environment (85/337/EEC)*, as amended by *Council Directive 97/11/EC*.

**2.4 PLANNING CONTEXT FOR THE OFFSHORE COMPONENTS**

**2.4.1 Overview**

This section summarises the development control and planning policy context within which the offshore wind farm development should be considered. It then goes on to consider the extent to which the proposed development conforms with strategic planning policy.

**2.4.2 Development Control**

For land use planning purposes the seaward limit is generally the mean low water mark. Decisions on development proposals below the low water mark are outside the scope of the Town and Country planning system and are instead regulated according to type of activity. Consent for the offshore components of the scheme will be sought from the Department of Trade and Industry and other government departments as detailed in *Table 2.1*.

The offshore elements of the scheme are beyond the jurisdiction of land based planning policies. However, much of the national, regional and local guidance give a clear indication of government and local authority support for renewable energy and as such provides a useful context.

### 2.4.3 *National Planning Policy*

#### *Introduction*

The planning system has an important role in helping to deliver the Government's objectives and targets for renewable energy generation and contributing to the UK's commitment to address the causes of climate change. Government energy policy provides for renewable sources of energy to make a steadily increasing contribution to secure diverse and sustainable energy supplies. Government policy on renewable energy is reinforced through planning policy guidance, though at the national level this has not yet been updated to take account of most recent energy policy developments.

There are some onshore impacts of the offshore element of the scheme and these are considered in *Section 2.4.5*. Current national planning policy advice is contained in the following documents:

- Planning Guidance (Wales): Planning Policy, 1999; and
- Technical Advice Note (Wales) 8: Renewable Energy, 1996.

Both these documents are currently being updated to take account of current policy on renewable energy. Emerging policy is discussed in a later section.

#### *Current National Planning Policy*

'Planning Policy Guidance (Wales): Planning Policy' sets out the land use planning policies as they apply in Wales. It is supplemented by a series of Technical Advice Notes on specific topic areas.

#### *Planning Guidance (Wales): Planning Policy, April 1999*

The guidance contains specific policy support '*to stimulate the exploitation and development of renewable energy sources wherever they have prospects of being economically attractive and environmentally acceptable*'<sup>(1)</sup>. The guidance contains a specific section on energy projects, and indicates that local authorities '*should consider both the impact of renewable energy projects, including associated infrastructure, on the local environment and their contribution to reducing emissions of greenhouse gases and other pollutants*'<sup>(2)</sup>

A revised draft of 'Planning Guidance (Wales): Planning Policy' has been issued for consultation and is discussed below.

(1) Planning Guidance (Wales) : Planning Policy, April 1999. Section 13, para 13.1.

(2) Planning Guidance (Wales) : Planning Policy, April 1999, Section 13 para 13.3.

*Technical Advice Note (Wales) 8: Renewable Energy, 1996*

Technical Advice Note (TAN) 8 provides more targeted advice on the development of renewable energy projects, recognising the advantages of using renewable energy as being *'the substitution of valuable energy sources of finite supply, and the limiting of emissions of greenhouse gases'* <sup>(1)</sup>. TAN8 outlines the specific planning and environmental considerations peculiar to renewable technologies which should be taken into account in assessing projects. Annex A is devoted to wind energy schemes. However, it only deals with land-based schemes as offshore developments fall outside the local authority planning regime and development control jurisdiction.

*Current National Economic and Climate Change Policy*

The National Assembly for Wales has adopted a number of policy documents which contain support for the use of renewable and clean energy sources.

*A Winning Wales - the National Economic Development Strategy, January 2002*

The economic strategy sees the National Assembly's commitment to sustainable development as an opportunity for Wales to develop green growth sectors, including clean and renewable energy. One of the main priorities for economic development is by *'establishing Wales as a global showcase for clean energy development and energy conservation'* <sup>(2)</sup> by capitalising on Wales' distinctive opportunities for producing clean energy development and strengthen the energy production base in Wales. One of the main actions of the economic strategy is to publish a Clean Energy Strategy in summer 2002.

*Climate Change Wales - Learning to Live Differently, July 2001*

The document states the Assembly's commitment to developing and delivering a climate change programme which meets the requirements of the Kyoto Protocol and moves the UK as a whole toward its domestic goal of a 20% reduction in carbon dioxide emissions by 2010. It focuses on practical action to reduce greenhouse gas emissions and put in place measures that will reduce dependence on fossil fuels and shift to more sustainable patterns of energy sources. This *'means focussing on the efficient use of energy and efficient, economical and environmentally acceptable energy generation from renewable and non-renewable source'* <sup>(3)</sup>. The document acknowledges that Wales is well placed to exploit energy sources, with significant potential for generation from onshore and offshore wind and tidal power. The Assembly has commissioned a number of major studies into renewable energy resources. The report reiterates the sustainable development target originally set out in 'BetterWales' for the generation of 5% of electricity from renewable sources by 2003.

(1) Planning Guidance (Wales), Technical Advice Note (Wales) 8, Renewable Energy, November 1996. Page 1, paragraph 3.

(2) A Winning Wales - the National Economic Development Strategy, 2002. Chapter 4, Page 8.

(3) 'Climate change Wales - Learning to Live Differently', July 2001, Page 3, para 13.

## *Emerging National Policy*

The National Assembly for Wales has produced several consultation documents, which give a strong indication of how policy will evolve. Four consultation documents contain policy statements relevant to the promotion of renewable energy:

- Planning Policy (Wales) Public Consultation Draft, November 2001;
- A Sustainable Wales - Learning to Live Differently, Consultation Document, 2000;
- Strategic Study of Renewable Energy Resources in Wales, 2000; and
- Review of Strategic Study of Renewable Energy Resources in Wales, 2001.

Account should also be taken of emerging policies, which are going through the statutory procedures towards adoption. Emerging policy guidance can be regarded as material considerations, as it indicates that a relevant policy is under review and the circumstances which have led to that review may need to be taken into account. For this reason consideration has been given to the recent consultation draft of Planning Policy (Wales), 2001.

### *Draft Planning Policy (Wales), Public Consultation Draft, November 2001*

The revised draft of Planning Guidance (Wales), issued in November 2001, is more specifically aimed at meeting sustainability objectives and as such contains more explicit support of renewable energy. The draft contains a number of new sustainability objectives, which include contributing 'to climate protection by ... promoting the use of energy from renewable sources' <sup>(1)</sup>. More specific objectives for the provision of infrastructure and services include the promotion of 'the generation and use of energy from renewable sources and energy efficiency, especially to enable objectives for climate protection to be met' <sup>(2)</sup>. The draft guidance makes reference to the UK's targets of increasing contribution of electricity supplied from renewable energy sources to 5% by 2003 and 10% by 2010 <sup>(3)</sup>. As part of the UK's commitment the National Assembly intends to encourage the development of the renewables sector and promote energy efficiency and conservation in an economic, environmental and socially acceptable way.

The guidance makes reference to the recent reviews of energy production in Wales, as outlined in the section on emerging supporting policy. The targets to emerge from the reviews will then be fed back into the final version of Planning Policy Wales.

(1) Draft Planning Policy Wales, November 2001, paragraph 2.3.2.

(2) Ibid, paragraph 12.1.4

(3) 'Prospects for New and Renewable Technologies - Prospects for the 21st Century', Department of Trade and Industry, March 1999.

The emphasis is placed on local authorities to make positive provision for renewable energy where it is environmentally and socially acceptable. Local planning authorities need to recognise the environmental, economic and social opportunities that the use of renewable energy resources can make to strategic planning objectives and the delivery of renewable energy targets whilst ensuring environmental impacts on protected areas and local communities are minimised.

#### *Emerging National Supporting Policy*

The commitment to promoting renewable energy in Wales comes through in a number of supporting economic and sustainable development policy documents.

#### *A Sustainable Wales - Learning to Live Differently, Consultation Document 2000*

In 'A Sustainable Wales - Learning to Live Differently', published as a consultation document in January 2000, the National Assembly defined sustainable development as '*development which meets the needs of the present without compromising the ability of future generations to meet their own needs*' <sup>(1)</sup>. The emerging sustainable development framework seeks to contribute to the action being taken to tackle climate change and protect human health from hazards such as air pollution. It endorses the four objectives of the UK Sustainable Development Strategy, which includes the effective protection of the environment and the prudent use of natural resources.

Stated priorities for reviewing existing policies and programmes to incorporate sustainability objectives include looking at how to influence policy in non-devolved areas such as energy and to develop a strategic framework for energy developments in Wales.

The 'Sustainable Development Scheme' approved in November 2000 endorsed the UK Government's Sustainable Development Strategy and indicated that the Assembly would take specific actions to grasp the growth opportunities in key sustainable development sectors such as renewable energy.

#### *Strategic Study of Renewable Energy Resources in Wales, 2000*

In order to inform the creation of a realistic energy framework a strategic study has been undertaken for the National Assembly into the potential for renewable energy in Wales over the next decade. The resulting report 'Strategic Study of Renewable Energy Resources in Wales' sets out the case for advancing renewable energy in Wales. The National Assembly has an obligation under devolution to implement the UK's international greenhouse gas abatement commitments and contribute towards the UK government's target of a 20% reduction in CO<sub>2</sub> emissions.

(1) 'A Sustainable Wales - Learning to Live Differently', Consultation Document, 2000, Page 7, Section 2.



The report concludes that to ‘achieve a significant reduction in greenhouse gas emissions caused by the supply and consumption of energy, therefore, a significant level of generation of renewable resources is essential’ <sup>(1)</sup>. The natural advantages of climate and geography further strengthen the case for advancing renewable energy generation as a major part of Wales’ climate change strategy. However, the report does recognise that a reasonable balance has to be struck between the need to ensure that the environmental impact of a particular development is ‘acceptable’.

The report explicitly recommends that there could be ‘major benefits to Wales to be derived from securing at least one offshore wind farm development’ <sup>(2)</sup>. It is envisaged that the recommendations from this study will form the basis for a Clean Energy Strategy.

*Review of Strategic Study of Renewable Energy Resources in Wales, 2001*

A review of the Strategic Study of Renewable Energy Resources in Wales was undertaken in 2001, for the National Assembly of Wales by AEA Technology. It concluded that there is an opportunity for Wales to become more closely identified with the offshore wind sector. The report recommended that the National Assembly should ‘seek to develop a suitable context within which future offshore wind schemes can be developed around the coast of Wales’ <sup>(3)</sup>

The report sets out the potential for offshore wind farms under a number of different scenarios linked to alternative levels of deployment. These broadly represent ‘business as usual’, ‘accelerated development’ and ‘green futures’ approaches to renewable energy. Table 2.3 shows the indicative renewable energy potential for offshore wind farms under these scenarios by 2010.

**Table 2.3** *Indicative Renewable Energy Potential for Offshore Wind Farms by 2010*

Scenario A : Business as Usual	1 Scheme
Scenario B : Accelerated Deployment	2 Schemes
Scenario C : Green Future	4 Schemes

**2.4.4** *Regional Planning Guidance*

The aim of the regional planning guidance for North Wales is to provide a strategic context for the preparation of Unitary Development Plans in North Wales and resolving cross border planning issues, such as energy generation. The regional guidance has been adopted by the constituent local authorities as

(1) Strategic Study of Renewable Energy Resources in Wales, 2000. Chapter 2, Page 3.

(2) Strategic Study of Renewable Energy Resources in Wales, 2000. Chapter 6. Pages 156/157.

(3) ‘Review of Strategic Study of Renewable Energy Resources in Wales’ September 2001, Page 4.

Supplementary Planning Guidance and is relevant to the applications for consent for the proposed development.

*Regional Planning Guidance for North Wales, Adopted July 2001*

The guidance recognises the potential in North Wales to contribute to the Government's target of securing 10% of UK electricity demand from renewable sources by 2010. It contains specific guidance that *'Unitary Development Plans should include policies which aim to facilitate the development of appropriately sized renewable energy schemes where their environmental impact is acceptable'* <sup>(1)</sup>.

#### **2.4.5 Development Plan Policy**

This section sets out the planning policy context in terms of support for renewable energy projects and for the onshore impacts on designated landscape and nature conservation areas.

Conwy Unitary Development Plan, Consultation Draft, April 2001 contains specific objectives and policies that support the promotion of the sustainable use of resources and explicitly to *'enable the development of renewable energy ... where they are not detrimental to the environment or local amenity'* <sup>(2)</sup>. The UDP recognises the potential contribution renewable sources and particularly wind can make to energy generation but acknowledges that there can be local environmental effects.

The adopted Colwyn Borough Local Plan, March 1999, supports the generation or capture of energy from naturally sustainable sources to reduce the dependence on depletable fossil fuels. Policy CN30 states local authority support for proposed renewable energy developments *'most notably wind power and hydro-electric power, provided they are compatible with other local plan policies'*.

The approved Conwy Version of the Clwyd Structure Plan, March 1999, further supports the development of renewable energy schemes, stating that *'renewable energy proposals will be encouraged as far as they are compatible with other structure plan policies'* (policy CONS 27).

#### *Landscape*

The effects of the proposed development on designated landscape areas are considered in *Section 8.8.5*.

Although the development of the offshore elements of the scheme falls outside the remit of development plan policy there are some onshore impacts on protected landscapes. These are addressed in the following section.

(1) Regional Planning Guidance for North Wales, Adopted July 2001. Page 25, para 8.18.

(2) Conwy County Borough Council - Draft Unitary Development Plan - April 2001. Page 24.

Planning Guidance (Wales), First Revision 1999, advises that in *'areas statutorily designated for their landscape quality, account should be taken, both in plan policies and determining applications and appeals of the objectives and purposes of designation and the features and qualities that led to designation'* <sup>(1)</sup>.

The offshore elements of the wind farm are remote from the Snowdonia National Park. However, there are some views of and from the National Park which need to be considered against policies contained in the adopted Eyri Local Plan, 1999. The overarching objective of the Plan is to

*'ensure that the conservation of the Park's most valued environmental and cultural assets is achieved in ways which relate development to the environment'* <sup>(2)</sup>.

One of the main landscape objectives of the Snowdonia National Park is to *'maintain the existing qualities of those landscapes where the impact of human development remains minimal and unobtrusive'* <sup>(3)</sup>. The landscape assessment in Section 8.8.3, demonstrates that the wind farm will not conflict with the overall purposes of the National Park and objectives to preserve the quality of the landscape.

The aim of the Great Orme Head Heritage Coast is to *'conserve, protect and enhance the natural beauty of the Great Orme'* <sup>(4)</sup>, recognised among the nation's finest coastal scenery. The Heritage Coast is a non-statutory designation, providing a lower level of protection in landscape terms than National Parks. The Heritage Coast is afforded protection under policy E10 of the Consultation Draft of the Conwy Unitary Development Plan, which states that *'development which would harm the character or appearance of the Great Orme will not be permitted'*. The landscape assessment, in Section 8.8.3, demonstrates that wind farm will not have a significant impact on the character of the Great Orme Head Heritage Coast designation and as such conforms to policy objectives.

The landscape assessment shows that the wind farm will not affect the natural beauty of either the Isle of Anglesey or Clwydian Hills Areas of Outstanding Natural Beauty and as such does not conflict with policies within the draft Isle of Anglesey UDP, 2001 (policy EN2), the deposit draft Denbighshire UDP, 1999 (policy ENV2) or the Draft North Flintshire Local Plan, 1997 (policy L4).

(1) Planning Guidance (Wales) Planning Policy, First Revision April 1999. Paragraph 5.3.4.

(2) Eyri Local Plan, Adopted 1999. Page 10, paragraph 1.3.

(3) Ibid. Page 33

(4) Conwy Unitary Development Plan, Consultation Draft, April 2001. Page 59, paragraph 5.34.

## *Nature Conservation*

The effects of the proposed development on designated nature conservation areas are considered in *Section 8.6*.

Planning Guidance (Wales), First Revision 1999, advises that '*local planning authorities should have regard to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests*' <sup>(1)</sup>.

There are a large number of coastal nature conservation sites of international and national importance in the Liverpool Bay area. The assessment in *Section 8.6* demonstrates that there is no significant impact on these areas and as such no policy conflict at the national, regional or local level.

## **2.5 PLANNING CONTEXT FOR THE ONSHORE COMPONENTS**

### **2.5.1 Introduction**

This section summarises the development control and planning policy context within which the onshore elements of the wind farm development should be considered. The onshore elements of the wind farm scheme fall within the planning jurisdiction of Conwy County Borough Council. This unitary authority covers the area that was formerly Colwyn Borough and, at the county level, Clwyd.

This section considers policy at three levels:

- national level as reflected in policy guidance for Wales;
- regional level as set out in the Regional Planning Guidance for North Wales; and
- local level as contained in the Conwy Unitary Development Plan Consultation Draft, April 2001, Clwyd Approved Structure Plan (Conwy Version), March 1999 and the Colwyn Borough Adopted Local Plan, March 1999.

### **2.5.2 Development Control**

For land use planning purposes the onshore elements of the scheme start at the mean low water mark. It is anticipated that consent for the onshore elements of the scheme will be sought from the local planning authority.

(1) Planning Guidance (Wales) Planning Policy, First Revision, 1999. Paragraph 5.3.13.

### 2.5.3 *National and Regional Planning Policy*

The national and regional planning policy context is as that set out for the offshore elements of the scheme in *Sections 2.4.3 and 2.4.4*.

### 2.5.4 *Development Planning Policies*

#### *Overview*

The Conwy Unitary Development Plan is at the consultation draft stage and is intended to supersede the adopted plans for Clwyd County and Colwyn Borough. Adopted plans still in force for the area are the Approved Conwy Version of the Clwyd Structure Plan (1999) and the Adopted Colwyn Borough Local Plan (1999). All three plans are considered as part of this appraisal.

#### *Conwy Unitary Development Plan, Consultation Draft, April 2001*

The UDP contains specific objectives and policies that support the promotion of the sustainable use of resources and explicitly to '*enable the development of renewable energy ... where they are not detrimental to the environment or local amenity*' <sup>(1)</sup>. The UDP recognises the potential contribution renewable sources and particularly wind can make to energy generation but acknowledges that there can be local environmental effects. Policy CF15 seeks to strike a careful balance between the local need to conserve the environment and the national need to harness renewable energy sources.

There are two options for the onshore elements of the scheme from the land fall to the north of the A55. From the A55 to the grid connection the route is the same for both options. The onshore elements of the scheme transect a number of designated areas whose policy implications need to be considered.

#### *The Grid Connection Route*

The underground section of the cable route passes through the coastal zone, protected under policy E11. Being underground there will be no significant effects on the landscape of the coastal zone and no conflict with policy.

The proposed substation is located within an area designated as a Green Barrier under policy E8. The objectives of the Green Barriers are to control urban expansion and protect the setting around settlements. As such there is a general presumption against development within these areas and any development should not detract from the open character of the area. There will be no significant impacts on the open character of the Green Barrier, either through the development of the substation or the overhead lines, and hence the development conforms to the policy objectives to maintain the overall open character of the area.

(1) Conwy County Borough Council - Draft Unitary Development Plan - April 2001. Page 24.

The substation and the overhead cables transect an area designated as Undeveloped Coastal Belt, under policy ST6, which extends from the mean low water mark up to 3 km inland. Policy ST6 seeks to prevent development that would have an adverse effect on the character and appearance of the Undeveloped Coastal Belt. The overall impact on the Undeveloped Coastal Belt will not be significant or conflict with policy objectives.

About 2.5 km south of the substation the overhead cables pass through an Area of Landscape Value which is afforded protection under policy E6. There will be no significant impacts on the Area of Landscape Value, and as such there will be no conflict with policy aspirations.

The alignment runs within 400 metres of Hendre-fawr Farm, a Grade II\* listed building which is afforded protection under policy BE2. The proposed development would be located approximately 400m from this listed building. However, this building is surrounded by substantial levels of vegetation, particularly to the north, with an existing overhead electricity route located on land crossing in front of Hendre-fawr Farm at closer proximity than the proposed route. Therefore, the proposed development is expected to be at least partially screened from this property, and so it will not have a significant impact on the setting of this listed building.

The route from the A55 passes through a section of the Area of Landscape Value, protected under policy E6 and the Undeveloped Coastal Belt, policy ST6. The route is expected to have only very localised impacts on these designations but not a significant effect on these designations overall, and therefore does not conflict with policy.

South of the A55, near to the village of St George, the alignment clips an area reserved for the future extension of St George's quarry. The area affected is very small and close to the edge of the designated area, hence the scheme will not detract from the current safeguarding or conflict with policy.

The St George's Conservation Area lies over 500 metres from the alignment. Development outside a Conservation Area boundary can have an impact on its setting. Policy BE5 affords protection by carefully controlling development to protect the character and appearance of the Conservation Areas and to ensure views both into and out of the area are preserved. A negligible magnitude of change in visual amenity is predicted for the setting of the Conservation Area as to the nearest parts of the route to the village are screened from view by the intervening vegetation and landform of the local Quarry. Therefore, the visual amenity will not be significantly affected and the development does not conflict with the aims in policy BE5.

The route runs within 400 metres of the setting of Kinmel Park, an Historic Park and Garden, and overhead lines may be visible from the Park. Policy BE11 seeks to protect views into and out of Historic Parks and Gardens by preventing development which would have an '*unacceptable detrimental effect*'. The level of planting within the Park itself will screen the majority of views of

the proposed route and so there will be no significant impacts on the setting of Kinmel Park and hence it conforms to policy objectives.

The alignment runs close to Fadre Farm, a Grade II\* listed building, which is afforded protection under policy BE2. The impact on the building and its setting is likely to be significant due to the close proximity of the proposed route to the building. In view of the only partial visibility of the listed building from the nearby local road network, the adjacent clutter of farm buildings and the nearby electricity route, these significant effects are not considered to be unacceptable.

*Colwyn Borough Local Plan, Adopted, March 1999*

The plan supports the generation or capture of energy from naturally sustainable sources to reduce the dependence on depletable fossil fuels. Policy CN30 states local authority support for proposed renewable energy developments '*most notably wind power and hydro-electric power, provided they are compatible with other local plan policies*'.

The adopted plan also contains similar policies to the deposit draft UDP to protect designated areas from inappropriate development. These include Conservation Areas (policies CB10 and CB11), listed buildings (policy CB1), green barriers (policy CN5) and coastal zone (policy CN6).

The main difference to consultation draft UDP, is that the adopted local plan contains a large area designated as a Special Landscape Area. The SLA applies to most of the landscape to the south of the A55. The route alignment is expected to have localised significant effects on the SLA, but not a significant impact on the character of the SLA as a whole. The policy aims to protect the landscape from adverse elements of development and the impact of urban expansion although it does accept the need to permit essential development. The SLA has not been carried through as a designation in the Conwy consultation draft UDP.

*Conwy Version of the Clwyd Structure Plan, Approved, March 1999*

The approved structure plan supports the development of renewable energy schemes. Policy CONS 27 states that '*renewable energy proposals will be encouraged as far as they are compatible with other structure plan policies*'.

The structure plan contains policies that seek to preserve and enhance elements of the built and natural environment affected by the scheme. These are landscape areas (policy CONS 4), green barriers (policy CONS 8), Conservation Areas (policy CONS 21), listed buildings (policy CONS 22) and Historic Parks and Gardens (policy CONS 23).

Adopted policy provides strategic support for the development of renewable energy sources. The advantages of renewable energy as providing a substitute for valuable energy sources of finite supply, and contributing to the reduction of emissions of greenhouse gases, are strongly advocated.

Stronger policy support is evolving through a series of draft sustainability, economic and planning strategies. Explicit references are made to the capacity for offshore wind farms, which had previously been omitted from guidance contained in Planning Guidance (Wales) and TAN8. The objective of the UK Government's energy policy is to ensure a secure and sustainable supply of energy. This includes increasing the UK contribution of electricity supplied from renewable energy to 5% by the end of 2003 rising to 10% by 2010 <sup>(1)</sup>. The National Assembly for Wales has an obligation under devolution legislation to implement the UK's international greenhouse gas abatement commitments. These targets, therefore, appear as strategic targets in a number of Welsh national strategies, including 'BetterWales', the strategic plan for the National Assembly.

At the local level all three development plans, including the approved structure plan, adopted local plan and consultation draft UDP all contain strong policies in support of the development of renewable energy resources. A common policy strand is that the recognition of the contribution wind energy can make to clean energy generation is balanced against the consideration of local environmental impacts. There is no impact on, and therefore no policy conflict with, landscape or nature conservation designations associated with the offshore elements of the scheme. In the main, the impact of the onshore elements of the scheme on designated areas is not significant enough to conflict with policy aspirations.

(1) 'Prospects for New and Renewable Technologies - Prospects for the 21st Century', Department of Trade and Industry, March 1999