

PLANNING COMMITTEE	DATE: 15/06/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Number: 10



Rhif y Cais / Application Number : C15-0345-15-LL

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



Algorithym y map hon o Ddwydd y Ordnance Survey
gildio a themodol y Ordnance Survey
a'r map o'r ddiwydion a'r ddiwydion
© The Ordnance Survey
The map is reproduced from Ordnance Survey material
with the permission of Ordnance Survey
on behalf of the Controller of Her Majesty's Stationery Office
© Crown copyright
Unauthorized reproduction infringes Crown copyright
and may lead to prosecution or civil proceedings.
Cynllun Gwynedd - 100022357 - 2008

PLANNING COMMITTEE	DATE: 15/06/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C15/0345/15/LL
Date Registered: 16/04/2015
Application Type: Full - Planning
Community: Llanberis
Ward: Llanberis

Proposal: ENGINEERING WORKS TO CREATE A SLIPWAY (AMENDED LOCATION TO THE PREVIOUSLY APPROVED APPLICATION REF. NO. C15/0022/15/LL
Location: PART OF LLYN PADARN, NEAR YSTAD DIWYDIANNOL Y GLYN, LLANBERIS, GWYNEDD, LL554EL

Summary of the Recommendation:

TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 An application for engineering works to create a slipway for the users of Llyn Padarn to facilitate direct access to the lake.
- 1.2 The site is located in the area of ‘Y Glyn’ which is on the outskirts of the village of Llanberis, an area of mixed use which includes an industrial estate and Lôn Las Peris. The proposal also includes a series of semi natural lagoons with nearby parking provision. The land slopes gradually from the nearby parking towards the water. The existing land is a mixture of slate aggregate and green spaces with openings in earth bunds which separate the car park from the water. There are a number of trees and bushes scattered throughout the site, and several public benches.
- 1.3 The proposal involves unsubstantial regrading of the land on the lakeside in order to create a suitable approach towards and into the lake. It is intended to set the slipway, that would measure 3m in width and approximately 11m in length, on the land and then onto the lake bed. The slipway would be made of pre-cast concrete similar to a 'plinth' which is set on the land and secured by anchoring it to a concrete beam buried in the earth, and by a series of pegs. Approximately 5m of the ‘plinth’ will be on open land and visible at any given time, while the remainder of the plinth, approximately 6m will be below the usual watermark of the lake.
- 1.4 Another slipway has already been approved on another part of the Glyn site, but for reasons which are explained further in this report, it is not possible to action this permission.

2. Relevant Policies:

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

2.2 Gwynedd Unitary Development Plan 2009:

POLICY B10 – PROTECT AND ENHANCE LANDSCAPE CONSERVATION AREAS - Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant harm to recognised features.

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

PLANNING COMMITTEE	DATE: 15/06/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

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

POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

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

POLICY B29 – DEVELOPMENT ON LAND AT RISK OF FLOODING - Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A unless they conform to a series of criteria relevant to the features on the site and to the purpose of the development.

POLICY CH30 – ACCESS FOR ALL – Refuse proposals for residential/business/industrial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

POLICY CH44 – PROVISION OF COMMUNITY SPORTS OR RECREATION FACILITIES
Proposals for the provision of new sports and/or leisure facilities, or for improving existing facilities to meet the needs of the local community will be approved provided they meet with all the criteria relevant to the location of the development, the possibility of meeting the need through dual use or through adapting the existing buildings, and the scale and nature of the development.

2.3 National Policies:

Planning Policy Wales, Version 7, 2014

TAN 5: Planning and Nature Conservation

TAN 12: Design

TAN 15: Development and Flood Risk.

3. Relevant Planning History:

3.1 Application C15/0022/15/LL – engineering works to create a slipway – approved 19.02.15

3.2 Application C13/0111/15/R3 – placement of permanent pontoon for use by rowers - approved 15.03.13

4. Consultations:

Community/Town Council: Not received

Natural Resources Wales: Creating a slipway in this location would not affect the protected species which are a feature of the lake’s designation as a Site of Special Scientific Interest (SSSI).

Biodiversity Unit: No objection, recommend monitoring the use of boats on the lake.

Public Consultation: A notice was posted on the site. The advertising period has ended. A large number of correspondences were received objecting on the grounds of:

- A detrimental effect on the landscape / general and

PLANNING COMMITTEE	DATE: 15/06/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

- residential amenities
- Detrimental effect on local ecology/biodiversity/protected species/ SSSI
- Lack of consultation
- Impact on existing users of the lake
- Unacceptable location/sufficient existing provision
- Use by power boats
- No assessment of its impact
- Unacceptable materials/pollution

In addition to the above objections, objections were received that were not valid planning objections which included:

- Poor use of money
- Matters relating to the Hydro Quarry Battery development

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 A number of discussions were held between the applicant and the officers of Parc Padarn, Natural Resources Wales and the Planning Service once it became evident that there was concern regarding the location of the slipway as previously approved. It was confirmed that although the proposal was identical to all purposes, it had been amended to locate it outside the red line of the previous permission, and therefore a new formal permission must be sought.
- 5.2 There is no objection to the above application to the proposal provided that the other statutory bodies with an interest in the lake are satisfied with the proposal.

Visual amenities and general amenities

- 5.3 This site is a popular destination for the users of Llyn Padarn, and it can be seen that the land has already been graded to facilitate the launching of boats into the lake from this location. The presence of a number of trees and the form of the surrounding land mean that the slipway would not be prominent until someone is in close proximity to the site itself.
- 5.4 This size and form of the structure is standard and appropriate for this type of resource, and its width and form makes it accessible for a wide range of users. The majority of the slipway will lie underwater, which will make it difficult if not impossible for it to be visible from a distance.
- 5.5 This resource will improve the existing leisure provision on the lake, and will upgrade the existing facilities, thereby ensuring that there are specific and specialised resources available for the participants of water activities. A permanent pontoon has already been installed nearby, and it is considered that this addition will offer a supplement to the existing provision.
- 5.6 It is not considered that the proposal would impact the area's visual and general amenities, that it would be accessible and an improvement to the existing resources available, and therefore it is believed that the application complies with the requirements of policies B10, B23, B25, CH50 and CH44 of the UDP.

Biodiversity Matters

- 5.7 The lake has been designated as a Site of Special Scientific Interest (SSSI) which means that developments must consider their impact on this designation.

PLANNING COMMITTEE	DATE: 15/06/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

- 5.8 NRW misunderstood the location of the previous slipway as it was intended to locate it on a part of the lake where there are rare plants which are a feature of the lake's designation as a Site of Special Scientific Interest (SSSI). Once the mistake was found, discussions were held in order to agree upon a suitable location, and as a result, this application has been submitted.
- 5.9 NRW confirmed that there was no concern regarding this location in terms of its impact on these plants, or the char which are also a feature of the lake. The Council's Biodiversity Unit has no objections to the proposal.
- 5.10 It is therefore considered that there will be no detrimental impact on the lake and its SSSI designation or on any protected species, and that it meets the requirements of Policies B16 and B20 of the UDP.

Flooding matters

- 5.11 This site is within a C2 flood zone, but evidently the development must be located here due to its nature and purpose. A limited floods consequence assessment was submitted with the application which discusses these matters.
- 5.12 It is not considered that this proposal will have a detrimental impact on flooding matters by displacing water which would impact other parts of the lake. NRW are satisfied with the proposal and have already released permission for undertaking the work within the flood zone. It is not considered that the proposal is unacceptable and it therefore complies with the requirements of Policy B29 of the UDP.

Any other considerations

- 5.13 Due to the site's location within the SSSI, and in order to conform to current requirements, the proposed development has been formally screened to ascertain whether an Environmental Impact Assessment (EIA) needs to be submitted. The screening has confirmed that an EIA is not required in this case.

Relevant planning history

- 5.14 As can be seen above, the planning history confirms that formal planning permission has already been granted for the same development in a different location on another part of this site. No objections were received to the previous proposal by any of the statutory consultees or the public.

Response to the public consultation

- 5.15 Several concerns were raised and objections received to the proposal for a number of reasons, as noted above. Any objections must be on the grounds of a material planning consideration, and in this case, the principal concerns raised were in relation to the impact on the area's visual and general amenities, and also the lake's SSSI designation.
- 5.16 References were also made to the fact that permitting this type of development would increase the use of power boats on the lake. For clarity, only rowing boats and sailing boats are permitted on Llyn Padarn. Power boats are prohibited unless a power boat is supervising or safeguarding an event or an activity where power boat supervision is required. If a power boat needed to be launched on the lake for the safety of a rowing boat or a swimming event, the speed of the boat is restricted to 6 knots unless the boat is responding to an emergency or a call-out.
- 5.17 It is noted that a number were concerned about the lack of local consultation about the application. In this case it is confirmed that the consultation method was in accordance with the

PLANNING COMMITTEE	DATE: 15/06/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

statutory requirements for this type and scale of application in this location, and that full consideration has been given to all the relevant issues.

6. Conclusions:

- 6.1 Having considered the above and all the relevant matters including the local and national policies and guidance, and the observations/objections received, it is believed that this application for creating a permanent slipway in Y Glyn area of Llyn Padarn is acceptable and satisfies the requirements of the relevant policies noted above.

7. Recommendation:

- 7.1 To approve – with conditions

1. Time
2. Comply with plans