



SYLWADAU NMC271 COMMENTS

CEFNOGI / SUPPORT

	 <p>CYNGOR SIR YNYS MÔN ISLE OF ANGLESEY COUNTY COUNCIL</p>	<p><b>Defnydd swyddfa yn unig/ Office use only</b></p> <p>Rhif Cyn./Rep No.:</p> <p>Derbyniwyd/Received:</p> <p>Cydnabod/Acknowledged</p>
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Cynllun Datblygu Lleol ar y Cyd Ynys Môn a Gwynedd 2011-2026

FFURFLEN SYLWADAU NEWIDIADAU MATERION SY'N CODI /

Anglesey and Gwynedd Joint Local Development Plan 2011-2026

**MATTERS ARISING CHANGES COMMENTS FORM**

26/1/17.

**RHAN 2: Eich Sylwadau a Newidiadau a Awgrymir**

**PART 2: Your Comments and Suggested Changes**

Eich enw/Sefydliad:

Your name/Organisation: Helen Ashby-Ridgway / Lichfields

**1. Ar ba un o'r Newidiadau Materion sy'n Codi yr ydych chi'n gwneud sylwadau? (Cofiwch ddefnyddio un ffurflen ar gyfer pob sylw)**

**1. Which of the Matters Arising Changes are you commenting on? (Remember to use one form for each representation)**

<p>Rhif y Newid Materion sy'n Codi (NMC)</p> <p>Matters Arising Change Number (NMC)</p>	<p>NMC271</p>	<p>Cefnogi/Support</p>	<p><input checked="" type="checkbox"/></p>	<p>Gwrthwynebu/Object</p>	<p><input type="checkbox"/></p>
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**2. Cyn i chi esbonio eich sylwadau'n fanwl, byddai'n dda gwybod os ydych yn credu fod y Cynllun yn gadarn ai pheidio, o ganlyniad i'r Newidiadau Materion sy'n Codi, neu a ydych o'r farn bod rhannau ohono neu bob rhan ohono ddim yn gadarn a bod angen ei newid.**

I gael rhagor o wybodaeth am gadernid a gofynion gweithdrefnol, gweler y nodiadau cyfarwyddyd. Os ydych yn ansicr, gadewch y rhan yma yn wag.

**2. Before you set out your comments in detail, it would be helpful to know whether you think that, as a result of the Matters Arising Changes, the Plan is sound or that all or parts of it are unsound.**

For more information on soundness and procedural requirements, see the guidance notes. If you are unsure, leave this section blank.

Cadarn/Sound	■	Dim yn gadarn a dylid ei newid /Unsound and should be changed	■
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**3. Rhowch eich sylwadau isod gan ddefnyddio tudalennau ychwanegol fel bo angen.** Dylech roi eich sylwadau chi'n llawn. Bydd hynny'n helpu'r Awdurdod a'r Arolygydd i ddeall y materion y byddwch yn eu codi. Ni fyddwch chi'n cael cyflwyno rhagor o wybodaeth gerbron yr Archwiliad oni fydd yr Arolygydd yn eich gwahodd chi i egluro unrhyw faterion y bydd yn godi.

Rhowch wybod os ydych chi'n cyflwyno deunyddiau eraill i ategu eich sylwadau.

**3. Please set out your comments below using additional sheets as necessary.** Your comments should be set out in full. This will help the Authority and the Inspector to understand the issues you raise. You will only be able to submit further information to the Examination if the Inspector invites you to address matters that he may raise. Please indicate if you are submitting other material to support your comments.

Draft Policy PS 16 (NMC271) states:

*“STRATEGIC POLICY PS 16: CONSERVING **AND OR** ENHANCING THE NATURAL ENVIRONMENT*

*“The Councils will manage development so as to conserve **and or** enhance the Plan area’s distinctive natural environment, countryside and coastline, and proposals that have a **significant** adverse effect on them will be refused **unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area.**” (MAC in bold)*

Draft Policy PS 16 (4 and 5) (NMC271) states:

*“4. Protect **ing or and** enhance **ing** biodiversity within the Plan area and enhance **ing** and/or restore **ing** networks of natural habitats in accordance with the Local Biodiversity Action Plan and Policy AMG 4;*

*5. Protect **ing or and** enhance **ing** biodiversity through networks of green/ blue infrastructure” (MAC in bold).*

Bourne Leisure supports the Councils’ approach within this draft policy to managing development so as to conserve “or” enhance the natural environment, given that the context for each development proposal will be different.

The Company also supports this MAC in as far as it seeks to balance the need for and benefits of development against the value and national policy protection for the site and area.

Bourne Leisure considers that NMC271 meets the second soundness test (is the plan appropriate?) because it takes a logical and balanced approach to the impact of proposals on biodiversity.

**4. Os yw eich sylw yn 3 yn fwy na 100 o eiriau, darparwch grynodeb os gwelwch yn dda (dim mwy na 100 o eiriau).**



**4. If your response to 3 above exceeds 100 words, please provide a summary (no more than 100 words).**

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GWRTHWYNEBU / OBJECT

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Miss Nia Haf Davies,  
Uned Polisi Cynllunio ar y Cyd,  
Swyddfeydd Cyngor Dinas Bangor,  
Ffordd Gwynedd,  
Bangor,  
Gwynedd,  
LL57 1DT

09/03/2017

Dear Miss Davies,

**Matters Arising Changes Schedule – Ynys Mon and Gwynedd Joint Local Development Plan (LDP)**

Thank you for forwarding the Matters Arising Change Schedule to us for the Ynys Mon and Gwynedd Joint Local Development Plan (LDP) which was received on the 25th January 2017. Further to our response dated 10th February 2017 we have the following additional comments to make.

**Matters Arising Change Schedule – Written Statement**

- *NMC 271 PS 16 – Strategic Policy PS 16 Conserving ~~and~~ or enhancing the natural environment*

We note that the Strategic Policy title is proposed to be changed from 'Conserving and Enhancing the Natural Environment' to 'Conserving or Enhancing the Natural Environment' and that criteria 2) and 4) of the policy is also subject to change to reflect this. We understand that this was a recommendation made by the Inspector at the Examination Sessions of the draft Joint LDP.

We have reviewed the proposed changes and have the following comments to make.

We draw your attention to paragraph 5.2.8 of PPW, which identifies that *'the planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable'*.

We are therefore concerned that the proposed change to the policy to confirm that development proposals will have to conserve or enhance biodiversity does not fully reflect the potential of the planning system to contribute, where appropriate to enhancing biodiversity as is recognised in PPW (paragraph 5.2.8).

We therefore suggest that the title of strategic policy PS 16 is amended to include 'Conserving and, where appropriate Enhancing the Natural Environment'.

We also suggest that the first sentence of the policy is also amended to reflect this suggestion as follows 'The Councils will manage development so as to conserve and, where appropriate enhance the plan area's distinctive natural environment, countryside and coastline....'

In this case our definition of conserve equates to either the maintenance or restoration of the conservation status of habitat and species in Gwynedd and Ynys Mon. This would therefore accord with the provisions of Article 2(2) of the Habitats Directive.

To this effect criteria 2) and 4) of the policy should also be updated to confirm that development will be need to ensure that they conserve and, where appropriate enhance biodiversity.

Amending criteria 2) as per our suggestion will also ensure that the policy wording is in compliance with paragraph 5.5.8 of PPW which identifies that ' With regard to SSSIs, which are of national importance, the Wildlife and Countryside Act, as amended by the Countryside and Rights of Way Act 2000, places a duty on all public bodies (including local planning authorities) to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features by reason of which a SSSI is of special interest.

Amending criteria 4) as per our suggestion will ensure that the policy wording is in compliance with paragraph 5.4.5 of PPW which recognises that the development plan should 'include locally-specific policies for the conservation and, where appropriate, enhancement of landscape and amenity'.

We also recommend that consideration is given by the LPA to the preparation of a Supplementary Planning Guidance (SPG) that clarifies the meaning of terminology associated with the conservation maintenance, restoration and enhancement of habitats and species in Gwynedd and Ynys Mon.

Policy AMG 4 (Local Biodiversity Conservation) of your draft Plan already reflects national policy guidance by identifying that 'Proposals must protect and, where appropriate, enhance biodiversity that has been identified as being important to the local area....'.

We consider that the changes that we have identified above to Policy PS 16 are required to ensure that the plan has regard to national policy and meets Test of Soundness C2.

We trust that our comments are of assistance to you. Please do not hesitate to contact us if we can be of any further assistance to you.

Yn gywir / yours faithfully

**Angharad Wyn Crump MRTPI**  
**Uwch-gynghorydd Cynllunio Datblygu / Senior Development Planning Adviser**  
**Gwasanaeth Cynghori Cynllunio Datblygu / Development Planning Advisory Service**

**Harris Eirian (Rh-CTGC)**

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**From:** Jones Heledd Fflur (Rh-CTGC)  
**Sent:** 09 March 2017 16:24  
**To:** Harris Eirian (Rh-CTGC)  
**Subject:** FW: Joint LDP - Matters Arising Changes

Dyma sylwadau Chris Wynne – doedd o ddim yn gallu defnyddio'r ffurflen am ryw reswm.

Heledd

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**From:** [REDACTED]  
**Sent:** 09 March 2017 16:21  
**To:** Jones Heledd Fflur (Rh-CTGC)  
**Subject:** RE: Joint LDP - Matters Arising Changes

Hi Heledd,

Set out below are our comments which related specifically to SP16

Our comments relate to SP16 (NMC271)

We strongly recommend that the wording throughout policy SP16 reverts to the original "maintain AND enhance biodiversity".

This will ensure consistency within the LDP

- Policy AMG4 says 'to conserve *and* where possible enhance'
- Policy AMG2 (Local Landscape Features) says 'conserve *and* enhance'

Further the policy would then also be in line with:

- Environment Act which states that local authorities have a duty '...to seek to maintain **and** enhance biodiversity'
- Well-Being & Future Generations Act which says Wales will be 'A nation which **maintains and enhances** a biodiverse natural habitat with healthy functioning ecosystems.....'

Thank you for pointing out the problem!

[REDACTED]  
Ymddiriedolaeth Natur Gogledd Cymru/North Wales Wildlife Trust

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**From:** Jones Heledd Fflur (Rh-CTGC) [<mailto:heleddfflurjones2@gwynedd.llyw.cymru>]  
**Sent:** 09 March 2017 16:03  
**To:** [REDACTED]  
**Subject:** RE: Joint LDP - Matters Arising Changes

If you're having difficulties with the form I can also accept the representation via email.

Heledd

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**From:** [REDACTED]  
**Sent:** 09 March 2017 16:01