

# STATEMENT TO THE ANGLESEY & GWYNEDD JOINT LOCAL DEVELOPMENT PLAN

## EXAMINATION

### SUBMISSION OF FURTHER INFORMATION BY THE FRIENDS OF BORTH-Y-GEST FOR HEARING SESSION SIX - NATURAL AND BUILT ENVIRONMENT

1. Borth-y-Gest is an exceptionally beautiful village which acts as a magnet to attract tourists to visit Eifionydd. Its natural environment enjoys “nominal” protection through various Tree Preservation Orders, through two areas of ancient woodlands, with many oak specimens, that are ‘designated’ as local nature reserves. The area benefits from being recognised as part of, and bordering on, the Aberglaslyn Landscape of Outstanding Historic Interest.
2. The area is also listed as a Candidate wildlife site, within the definitions included in the Gwynedd Council, Supplementary Planning Guidance – Wildlife sites - selection documents.
3. The expression “nominal” protection is used since there has been an increased tendency for property in the village to be purchased by incomers who have submitted planning applications to develop areas of land covered by TPOs, and which areas of land are privately owned extensions to the local nature reserves and within the local candidate wildlife site area.
4. Although such development applications have generally been refused by Gwynedd Council as the local planning authority, applicants increasingly take their applications to appeal with mixed results.
5. What is consistent in the appeals is the view of the Inspectors that the “nominal” protection is “non-statutory”. The degree to which consideration of particularly the ‘local nature reserves’ and the ‘candidate wildlife site’ should be taken into account is unclear and on each occasion appears to be discretionary and debateable. **This is not within the spirit of TAN 5.**
6. It is questionable whether the principles enshrined in strategic policy PS16 are being adhered to in the current drafts of the detailed policies AMG2 to AMG5
7. The statement in the Gwynedd Unitary Development Plan that

“In addition to these National Nature Reserves sites there are locally designated sites in the county, these have a lower level of protection, but their designation still marks them out as important for nature conservation, and are often locations for environmental education.”

**Is unsound.** It does not define what the “lower level of protection” should be and if left without clarification the same uncertainty that now characterises some appeals will persist. A better definition should be attached to AMG5. The statement in AMG5 that “it will possible to use planning conditions and/or obligations in order to safeguard the sites biodiversity and geological importance” has proven to be a false statement in practice.

8. **In this regard we consider the proposed Joint Local Development Plan to be unsound.** The omission of Local Nature Reserves from Table 23 leaves our natural environment in Borth-y-Gest inadequately protected. In our view its soundness could be much improved by extending Table 23 to include an entry for “local nature reserve and candidate wildlife sites”, or if it is viewed that a distinction should be made in the protection level between different sites to which such

local nature reserve designation applies, it should clearly identify the local nature reserve areas to which a sounder level of protection should apply.

9. **In our view, the answer to the Inspector's question 6 is a clear 'NO'.** We consider that both the Borth-y-Gest Local Nature Reserves of Pen-y-Banc and Parc-y Borth require better protection than the current Plan proposes. They both substantially affect the vista of the "Aberglaslyn Landscape of Outstanding Historic Interest" and the "Special Landscape Area" listed as No2 in Table 24 – Porthmadog and Tremadog Bay. Hence we consider that the protection afforded in AMG1 namely:

"There will be a need to appropriately consider the scale and nature of the development thus ensuring that there is no detrimental impact on the landscape. In exceptional circumstances, where development is necessary and could result in significant impact on the landscape, appropriate mitigation and compensation measures should be provided".

should apply to the 'local nature reserves' in Borth-y-Gest.

10. We would invite the Council and the Inspectors to amend the proposed Plan to afford the natural beauty of Borth-y-Gest the protection that it deserves.

Tom Brooks

For Friends of Borth-y-Gest (3026)

14 August 2016