



# **Awel y Môr Offshore Wind Farm**

## **Category 6: Environmental Statement**

### **Volume 4, Annex 10.5: SLVIA Legislation and Policy**

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## Abbreviations and acronyms

TERM	DEFINITION
AONB	Area of Outstanding Natural Beauty
AyM	Awel y Môr Offshore Wind Farm
BEIS	Department for Business, Energy and Industrial Strategy
CroW	Countryside and Rights of Way Act
DECC	Department of Energy and Climate Change (now BEIS)
ES	Environmental Statement
ETG	Expert Topic Group
GLVIA3	Guidelines for Landscape and Visual Impact Assessment, Third Edition
IoA	Isle of Anglesey
IPC	Infrastructure Planning Commission
METAR	Meteorological Terminal Air Report
MPA	Marine Protected Area
MPS	Marine Policy Statement

TERM	DEFINITION
MW	Megawatt
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OWF	Offshore Wind Farm
PEIR	Preliminary Environmental Impact Assessment
SoS	Secretary of State
SLVIA	Seascape, Landscape and Visual Impact Assessment
SNP	Snowdonia National Park
WTG	Wind Turbine Generator

# 1 Introduction

- 1 AyM will comprise an array of offshore Wind Turbine Generators (WTGs) in Welsh waters with an overall capacity greater than 350 Megawatts (MW) and therefore constitutes a Nationally Significant Infrastructure Project (NSIP) under the Planning Act (2008). Guidance in relation to assessing impacts on the seascape, landscape and visual resource for NSIPs is set out within National Policy Statements (NPSs), which are the principle decision-making documents for NSIPs. Those relevant to this chapter include:
  - ▲ Overarching NPS for Energy (EN-1; DECC 2011a); and
  - ▲ NPS for Renewable Energy Infrastructure (EN-3, DECC 2011b).
- 2 In addition to the current NPSs, updated draft NPSs were consulted upon in late 2021. The draft NPSs have been reviewed to determine the emerging expectations and changes from previous iterations of the NPSs. This includes the Draft Overarching NPS EN-1 (DECC, 2021a) and EN-3 (DECC, 2021b). These are summarised in Table 1 below.
- 3 References in Table 1 are to sections and tables included in Volume 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment (application ref: 6.2.10).

Table 1: Legislation and policy relevant to SLVIA.

LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
National Parks and Access to the Countryside Act 1949	Provided the framework for the establishment of National Parks and AONBs and sets out their purpose of conserving and enhancing natural beauty, wildlife and cultural heritage of National Parks and of promoting opportunities for the understanding and enjoyment of the special qualities of those Parks by the public.	<p>The effect on the Isle of Anglesey (IoA) Area of Outstanding Natural Beauty (AONB) is assessed in Section 10.11.3.</p> <p>The effect on Snowdonia National Park (SNP) is assessed in Section 10.11.5.</p> <p>The effect on the Clwydian Range and Dee Valley AONB is assessed in Section 10.11.7.</p>
Environment Act 1995	Sets out the duty of certain bodies to have regard to the purposes for which National Parks are designated (to preserve and enhance the natural beauty of the Park areas and for the purpose of promoting their enjoyment by the public) that they shall seek to foster the economic and social well-being of local communities within the National Park by cooperating with local authorities. If it appears there is a conflict between those purposes then the relevant authority shall attach greater weight to the purpose of conserving and enhancing the natural	The effect on SNP is assessed in Section 10.11.5.



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	beauty, wildlife and cultural heritage of the area of the National Park.	
Countryside and Rights of Way Act 2000 (CRoW)	Introduces provisions to help secure the better management and protection of AONBs. It requires the preparation and publication of a management plan for every AONB. It also places a duty on 'relevant authorities' when exercising or performing any function in relation to, or so as to affect, land in an AONB, to have regard to the purpose of conserving and enhancing the natural beauty of the AONB.	The effect on the loA AONB is assessed in Section 10.11.3.  The effect on the Clwydian Range and Dee Valley AONB is assessed in Section 10.11.7.
The Marine and Coastal Access Act 2009	Provides the framework for marine planning in Wales and across the UK. It sets Welsh Ministers as the Marine Plan authority for the Welsh Inshore and Offshore regions. When considering the impact of an activity it states that the marine plan authority (MPA) ' <i>should take into account existing character and quality, how highly it is valued and its capacity to accommodate change...</i> ' (2.6.5.3).	These aspects of the seascape, landscape and visual resource are considered in the assessment of the impacts in Sections 10.10 and 10.11.



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
NPS EN-1	Paragraph 4.2.5 advises that when considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence).	The cumulative effect of AyM is considered in Section 10.13.
NPS EN-1	Paragraph 5.9.5 advises that the applicant should carry out a landscape and visual assessment and makes reference to the following documents:  Landscape Institute and Institute of Environmental Management and Assessment (2002, 2nd edition): Guidelines for Landscape and Visual Impact Assessment; and  Countryside Council for Wales/ Cadw (2007) Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process.	The Guidelines for Landscape and Visual Impact Assessment' (GLVIA) (2002, 2nd edition) has been superseded by GLVIA Version 3.  Volume 3, Chapter 8: Onshore Archaeology and Cultural Heritage (application ref: 6.3.8) refers to the use of the Countryside Council for Wales/ Cadw (2007) guidance.  More recent reference documents, relevant to SLVIA, are set out in Section 10.4.1.



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NPS EN-1	Paragraph 5.9.5 advises that the landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development plans in Wales.	Published landscape character assessments and associated studies for the study area are referred to in Section 10.4.1 of the SLVIA. Local Development Plan policies are considered in Volume 1, Chapter 2: Policy and Legislation (application ref: 6.1.2).
NPS EN-1	Paragraph 5.9.6 advises that the assessment should include the effects of the project during its construction and operation on landscape components and landscape character.	The effect on landscape components and landscape character during construction and operation are assessed in Section 10.11.
NPS EN-1	Paragraph 5.9.7 advises that the assessment should include the visibility and conspicuousness of the project during its construction and operation and potential impacts on views and visual amenity.	The visual effects of AyM during construction and operation, are assessed in Section 10.11. Night-time visual effects are assessed in Section 10.12.
NPS EN-1	Paragraph 5.9.8 advises that landscape effects depend on the existing character of the local	The quality, value and capacity of the landscape to accommodate change are



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	<p>landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape.</p>	<p>considerations of the landscape assessment set out in Section 10.11 where they inform the assessment of effects of AyM on the landscape.</p>
NPS EN-1	<p>Paragraph 5.9.8 advises that <i>“virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”</i></p>	<p>The design of AyM has considered and addressed the potential effects on landscape in order to ‘minimise harm’ by mitigation of seascape and landscape effects as presented in Section 10.9 of the SLVIA.</p>
NPS EN-1	<p>Paragraph 5.9.12 advises that the <i>“duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of</i></p>	<p>The potential for AyM to impact upon the loA AONB, SNP and Clwydian Range and Dee Valley AONB has been considered in Sections 10.11.3, 10.11.5 and 10.11.7 respectively.</p> <p>Regard has been paid to the purpose and special qualities of these nationally</p>



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	<p><i>designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints.’ ... and paragraph 5.9.13 advises that “The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent”.</i></p>	<p>designated landscapes, and as a result the western extent of the array has been reduced for the PEIR as illustrated in Figure 2c (Annex 10.5), WTG numbers have been reduced and aviation lighting mitigation introduced as set out in Section 10.9.</p> <p>The visibility of AyM from within the nationally designated landscapes is assessed in Section 10.11.</p>
NPS EN-1	<p>Paragraph 5.9.14 advises that outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development plan in Wales has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p>	<p>The value of the local landscape is a consideration within the assessment of effects on landscape character in Section 10.11.</p> <p>This includes regard to the character, features and special qualities of the areas designated as Heritage Coast and Special Landscape Areas.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
NPS- EN-1	<p>NPS-EN1 goes on to recognise at paragraph 5.9.15 that <i>'The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure', but confirms that notwithstanding this 'The IPC [now the relevant Secretary of State] should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project'</i></p>	<p>The impacts on the landscape are assessed in Section 10.11.</p> <p>The benefits (including need) of the project are set out in Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).</p>
NPS EN-1	<p>NPS EN-1 also advises that account should be taken of the fact that projects can be temporary and their impacts reversible. It states in paragraph 5.9.16 that <i>"In reaching a judgment, the IPC [now the relevant Secretary of State] should consider whether any adverse impact is temporary, such as during construction, and/ or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the IPC considers reasonable"</i>.</p>	<p>Where the impacts of AyM are temporary or reversible this is set out in Sections 10.10 and 10.11.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
NPS EN-1	Paragraph 5.9.17 advises that <i>“The IPC [now the relevant Secretary of State] should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.”</i>	Volume 1, Chapter 4: Site Selection and Consideration of Alternatives (application ref: 6.1.4) sets out the iterative process that has influenced the design of AyM. The mitigation of landscape effects set out in Section 10.9 has been considered in the SLVIA, to minimise “harm to the landscape” where possible.
NPS EN-1	In a following section addressing ‘Visual Impact’ NPS EN-1 reiterates the likelihood of such infrastructure having notable visual effects, noting at paragraph 5.9.18 that <i>“All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The IPC [now the relevant Secretary of State] will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.”</i>	The impacts on visual receptors are assessed in Section 10.11.  The benefits (including need) of the project are set out in Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).



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NPS EN-1	Paragraph 5.9.21 advises that reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the landscape and/ or visual effects outweigh the marginal loss of function.	The balance between mitigation of visual and landscape effects and significant operational constraint/ reduction in function is considered in Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).
NPS EN-1	Paragraph 5.9.22 advises that <i>"Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed</i>	Adverse landscape and visual effects are minimised through mitigation measures as presented in Section 10.9. The role of the site selection process in minimising landscape and



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	<i>project. Materials and designs of buildings should always be given careful consideration."</i>	visual effects is presented in Volume 1, Chapter 4 (application ref: 6.1.4).  Choice of colours and materials is set out in Volume 2, Chapter 1: Offshore Project Description (application ref: 6.1.4).
NPS EN-1 (draft)	Paragraph 4.1.10 advises that Applicants need to consider the importance of <i>'good design' criteria and demonstrate this in their applications stating that "a project board level design champion could be appointed and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation."</i>	The design of AyM cannot be fixed at this time. This is recognised by NPS EN-1 Paragraph 4.2.5 and NPS EN-3 Paragraphs 2.23.6 and 2.23.7.  The approach taken to WTG parameters and layout in the SLVIA is set out in Section 10.8. A similar approach has been taken in the LVIA Volume 3, Chapter 2: Landscape and Visual Impact Assessment (application ref: 6.3.2).
NPS EN-1 (draft)	Paragraph 4.2.5 advises that 'In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain	Volume 1, Chapter 2 (application ref: 6.1.2) of the ES sets out the details of the project and which areas are and are not finally defined in detail. In this Chapter Section 10.6 sets out the uncertainty and difficulty arising from this and



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	<p>in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.'</p> <p>At paragraph 4.2.6 it is stated that, where this is the case, the need to ensure that the likely worst-case environmental effects are set out and assessed.</p>	<p>Section 10.8 sets out the maximum design parameters that have been defined to ensure that the worst-case seascape, landscape and visual effects are assessed.</p>
<p>NPS EN-1 (draft)</p>	<p>In relation to the topic of Criteria for Good Design' for Energy Infrastructure Paragraph 4.6.1 advises that <i>'The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object - be it a building or other type of infrastructure - including fitness for purpose and sustainability, is equally important. Applying "good design" to energy projects should produce</i></p>	<p>Opportunities for enhancement of the quality of an area through the 'Good Design' of an offshore wind farm are limited due to the technical and economic requirements associated with producing renewable energy as well as other environmental factors.</p> <p>The need to retain flexibility of WTG numbers, size and location within the array area through the planning stages and assessment of a Maximum Design Scenario (a necessary part of the process that is recognised through the NPS at paragraphs 4.2.5-4.2.6) also</p>



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	<p><i>sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.'</i></p>	<p>reduces opportunities for good design as part of the mitigation measures.</p> <p>Section 10.9 and the Planning Statement (application ref: 8.2) set out how AyM responds to these criteria.</p>
<p>NPS EN-1 (draft)</p>	<p>Paragraph 4.6.2 continues on the topic of good design and notes that this is a means by which many policy objectives in the NPS can be met. This may include siting and use of appropriate technologies that can help mitigate adverse impacts.</p>	<p>Volume 1, Chapter 4: Site Selection and Consideration of Alternatives (application ref: 6.1.4) sets out the iterative process that has influenced the design of AyM.</p> <p>Opportunities for enhancement of the quality of an area through the 'Good Design' of an offshore wind farm are limited due to the technical and economic requirements associated with producing renewable energy as well as other environmental factors.</p>



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		<p>The need to retain flexibility of WTG numbers, size and location within the array area through the planning stages and assessment of a Maximum Design Scenario (a necessary part of the process that is recognised through the NPS at paragraphs 4.2.5-4.2.6) also reduces opportunities for good design as part of the mitigation measures.</p> <p>Section 10.9 of this Chapter sets out the mitigation measures that are included in AyM and Section 10.10 assesses the visual impacts on the landscape or seascape.</p>
NPS EN-1 (draft)	<p>In relation to Good Design paragraph 4.6.3 advises that <i>'The Secretary of State should be satisfied that the applicant has taken into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits,</i></p>	<p>Section 10.9 of this Chapter sets out the mitigation measures that are included in AyM and Section 10.10 assesses the visual impacts on the landscape or seascape.</p>



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	<p><i>and visual impacts on the landscape or seascape) as far as possible’.</i></p>	
<p>NPS EN-1 (draft)</p>	<p>Paragraph 4.6.4 sets out that the applicants should be able to demonstrate how the design process was conducted and how the design evolved and design decisions were made. This is in order for the Secretary of State (SoS) to consider the application. In doing so the SoS <i>‘should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process.’</i></p> <p>It is also noted that <i>‘Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.’</i></p>	<p>The evolution of the design is set out in Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4) of the ES.</p> <p>How the design has evolved in relation to landscape impacts is included in Section 10.9 of this Chapter.</p> <p>The duration of the impacts is assessed in Sections 10.10 and 10.11 of this Chapter.</p>



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NPS EN-1 (draft)	Paragraph 5.10.1 notes that landscape and visual effects will be varied and that ' <i>references to landscape should be taken as covering seascape and townscape where appropriate.</i> '	Sections 10.10 and 10.11 address both seascape and landscape as well as the varied visual effects.
NPS EN-1 (draft)	Paragraph 5.10.5 sets out the need to carry out a landscape and visual assessment in accordance with published guides. Relevant guides are listed as The Landscape Institute and Institute of Environmental Management and Assessment: Guidelines for Landscape and Visual Impact Assessment (2013, 3rd edition) (GLVIA3); Landscape and Seascape Character Assessments – <a href="https://www.gov.uk/guidance/landscape-and-seascape-character-assessments">https://www.gov.uk/guidance/landscape-and-seascape-character-assessments</a> ; Countryside Council for Wales/ Cadw (2007) Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process; or any successor documents.	The guidance that has been considered/ followed in preparing this chapter is set out on page 62.  Volume 2, Chapter 11: Offshore Archaeology and Cultural Heritage (application ref: 6.2.11) considers the effects on the registered Landscapes of Historic Interest in Wales and references the Countryside Council for Wales/ Cadw (2007) Guide.



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NPS EN-1 (draft)	Paragraph 5.10.5 goes on to say that <i>'The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales. For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.'</i>	Sections 10.10 and 10.11 take into account the relevant landscape and seascape character assessments as listed in Table 3.
NPS EN-1 (draft)	Paragraph 5.10.6 states that the ES should include assessment of the effects of the construction, the completed development and its operation on landscape components and landscape character.	There are no effects on landscape components as a result of the offshore infrastructure of AyM. There are however effects on seascape components and landscape character, and these are assessed in Sections 10.10 and 10.11.



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NPS EN-1 (draft)	Paragraph 5.10.7 advises that the assessment should include the visibility and conspicuousness of the project during its construction and operation and potential impacts on views and visual amenity. <i>'This should include light pollution effects, including on local amenity, and nature conservation.'</i>	The visual effects of AyM during construction and operation, are assessed in Section 10.11. Night-time visual effects are assessed in Section 10.12.
NPS EN-1 (draft)	At paragraph 5.10.8 the document also states that <i>'The assessment should also demonstrate how noise and light pollution from construction and operational activities on residential amenity and on sensitive locations, receptors and views, will be minimised.'</i>	Section 10.9 of this Chapter sets out the mitigation measures that are included in AyM. This includes a commitment by the Applicant to reduced lighting intensity in certain conditions.  Section 10.12 assesses the visual effects of operational lighting.
NPS EN-1 (draft)	Paragraph 5.10.9 advises that landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of	The quality, value and capacity of the landscape to accommodate change are considerations of the landscape assessment set out in Section 10.11 where they inform the



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	<p>these factors need to be considered in judging the impact of a project on landscape.</p> <p>It goes on to acknowledge that <i>‘Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.’</i></p>	<p>assessment of effects of AyM on the landscape.</p> <p>The design of the AyM has considered and addressed the potential effects on landscape in order to ‘minimise harm’ by mitigation of landscape effects as presented in Section 10.9 of the SLVIA.</p>
NPS EN-1 (draft)	<p>Paragraph 5.10.10 advises that <i>‘Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.’</i></p>	<p>This chapter addresses offshore effects. Consideration of the need to manage the landscape in the vicinity of the onshore substation is included in Volume 3, Chapter 2: Landscape and Visual Impact Assessment (application ref: 6.3.2).</p>



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NPS EN-1 (draft)	Paragraph 5.9.14 advises that the <i>"duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints."</i> ... and paragraph 5.9.15 advises that <i>"The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent"</i> .	<p>The potential for AyM to impact upon the IoA AONB, SNP and Clwydian Range and Dee Valley AONB has been considered in Sections 10.11.3, 10.11.5 and 10.11.7 respectively.</p> <p>Regard has been paid to the purpose and special qualities of these nationally designated landscapes, and as a result the western extent of the array has been reduced for the ES following stakeholder comments as illustrated in Figure 2c (Annex 10.5), WTG numbers have been reduced and aviation lighting mitigation introduced as set out in Section 10.9.</p> <p>The visibility of AyM from within the nationally designated landscapes is assessed in Section 10.11.</p>
NPS EN-1 (draft)	Paragraph 5.9.16 advises that outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by	The value of the local landscape is a consideration within the assessment of effects on landscape character in Section 10.11.



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	<p>local designation. Where a local development plan in Wales has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p>	<p>This includes regard to the character, features and special qualities of the areas designated as Heritage Coast and Special Landscape Areas.</p>
<p>NPS EN-1 (draft)</p>	<p>NPS-EN1 goes on to recognise at paragraph 5.9.17 that <i>'The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure'</i>, but confirms that notwithstanding this <i>'The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project'</i></p>	<p>The impacts on the landscape are assessed in Section 10.11.</p> <p>The benefits (including need) of the project are set out in Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).</p>
<p>NPS EN-1 (draft)</p>	<p>NPS EN-1 also advises in 5.10.18 that <i>"In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as</i></p>	<p>Where the impacts of AyM are temporary or reversible, this is set out in Sections 10.10 and 10.11.</p>



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	<p>during construction, and/ or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the IPC considers reasonable”.</p>	
<p>NPS EN-1 (draft)</p>	<p>Paragraph 5.10.19 advises that <i>“The Secretary of State] should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.”</i></p>	<p>Volume 1, Chapter 4: Site Selection and Consideration of Alternatives (application ref: 6.1.4) sets out the iterative process that has influenced the design of AyM. The mitigation of landscape effects set out in Section 10.9 has been considered in the SLVIA, to minimise “harm to the landscape” where possible.</p>
<p>NPS EN-1 (draft)</p>	<p>In a following section addressing ‘Visual Impact’ NPS EN-1 reiterates the likelihood of such infrastructure having notable visual effects, noting at paragraph 5.10.20 that <i>“All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and</i></p>	<p>The impacts on visual receptors are assessed in Section 10.11. This includes consideration of visibility from undeveloped coast.</p> <p>The benefits (including need) of the project are set out in Volume 1, Chapter 4: Site Selection and Alternatives (application ref: 6.1.4).</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>other receptors, such as visitors to the local area, outweigh the benefits of the project."</i></p> <p>In addition, it is recognised that "<i>Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</i>"</p>	
NPS EN-1 (draft)	<p>Paragraph 5.10.20 relates to visual effects and in addition to those included in the current NPS EN-1 notes that '<i>Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</i>'</p>	<p>The visual effect on coastal areas is assessed in Section 10.11.</p> <p>Section 10.16 sets out examples of existing permitted infrastructure with similar magnitudes of impact on sensitive receptors.</p>
NPS EN-1 (draft)	<p>At paragraph 5.10.21 it is suggested that it may be helpful for applicants to draw attention to examples of existing permitted infrastructure they are aware of with similar magnitude of impact on sensitive receptors.</p>	



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
NPS EN-1 (draft)	Paragraph 5.10.23 advises that reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/ or visual effects outweigh the marginal loss of function.	The balance between mitigation of visual and landscape effects and significant operational constraint/ reduction in function is considered in Volume 1, Chapter 4 (application ref 6.1.4).
NPS EN-1 (draft)	Paragraph 5.10.23 advises that <i>“Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes,</i>	Adverse landscape and visual effects are minimised through mitigation measures as presented in Section 10.9. The role of the site selection process in minimising landscape and



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<i>depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration."</i>	visual effects is presented in Volume 1, Chapter 4 (application ref: 6.1.4).  Choice of colours and materials is set out in Volume 2, Chapter 1: Offshore Project Description (application ref: 6.2.1).
NPS EN-3	Paragraph 2.4.2 advises that <i>"Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology."</i>	AyM has been designed to address potential seascape, landscape and visual effects. Mitigation measures that address seascape, landscape and visual effects are presented in Section 10.9. The reduction in the AyM array increases its distance from the Anglesey Area of Outstanding Natural Beauty (AONB) and limits the horizontal field of view with WTGs from there as well as from SNP, the Clwydian Range and Dee Valley AONB, and the Great Orme Heritage Coast.
NPS EN-3	Paragraph 2.6.202 advises that: <i>"Where a proposed offshore wind farm will be visible from the shore, an SVIA should be undertaken which is proportionate to the scale of the potential impacts. Impact on</i>	The visibility of AyM from the shore is assessed in Section 10.11. Impacts on seascape are addressed in Sections 10.10 and 10.11.



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>seascape should be addressed in addition to the landscape and visual effects discussed in EN-1”.</i></p>	
NPS EN-3	<p>Paragraph 2.6.203 advises that: <i>“Where necessary, assessment of the seascape should include an assessment of three principal considerations on the likely effect of offshore wind farms on the coast:</i></p> <ul style="list-style-type: none"> <li><i>▲ limit of visual perception from the coast;</i></li> <li><i>▲ individual characteristics of the coast which affect its capacity to absorb a development; and</i></li> </ul> <p><i>how people perceive and interact with the seascape.”</i></p>	<p>Assessment of the effects on AyM on seascape is contained in Sections 10.10 and 10.11.</p>
NPS EN-3	<p>Paragraph 2.6.204 advises that: <i>“As part of the SVIA, photomontages are likely to be required. Viewpoints to be used for the SVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage”</i></p>	<p>Viewpoints were agreed in consultation with statutory consultees as described in Section 10.3. Photomontages are included in Volume 6, Seascape, Landscape and Visual Impact Assessment Figures and Visualisations.</p>
NPS EN-3	<p>Paragraph 2.6.205 of EN-3 advises that: <i>“Magnitude of change to both the identified seascape</i></p>	<p>The methodology for the assessment of magnitude of change to seascape receptors,</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<i>receptors (such as seascape units and designated landscapes) and visual receptors (such as viewpoints) should be assessed in accordance with the standard methodology for SVIA.”</i>	designated landscapes and visual receptors is set out in Volume 4, Annex 10.1: SLVIA Methodology (application ref: 6.4.10.1).
NPS EN-3	Paragraph 2.6.206 of EN-3 advises that: <i>“Where appropriate, cumulative SVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 4.2 of EN-1.”</i>	The cumulative SLVIA of AyM accords with Section 4.2 of EN-1 and is set out in Section 10.13.
NPS EN-3	Paragraph 2.6.207 of EN-3 advises that: <i>“The IPC should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.9 of EN-1.”</i>	Reference to these policy matters is set out above.
NPS EN-3	Paragraph 2.6.208 of EN-3 advises that: <i>“Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The IPC should not refuse to grant consent for a</i>	Volume 1, Chapter 4: Site Selection and Consideration of Alternatives (application ref: 6.1.4) sets out the alternatives that have been considered.



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>development solely on the ground of an adverse effect on the seascape or visual amenity unless:</i></p> <ul style="list-style-type: none"> <li>▶ it considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or</li> <li>▶ taking account of the sensitivity of the receptor(s) as set out in EN-1 paragraph 5.9.18, the harmful effects are considered to outweigh the benefits of the proposed scheme."</li> </ul>	<p>The SLVIA is based on a Rochdale Envelope Approach, which has defined maximum design scenarios for assessment that incorporate the worst arrangement of WTGs in north to south aligned rows, as agreed through stakeholder consultation. The Rochdale Envelope Approach and the acknowledged need to maintain flexibility until the detailed design stage, post consent, does not lend itself to further detailed consideration of WTG layout within the array area within the SLVIA.</p> <p>Section 10.9 of this Chapter sets out the mitigation measures introduced to address effects on sensitive receptors.</p>
NPS EN-3	<p>Paragraph 2.6.209 of EN-3 advises that: "<i>Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the IPC should take into account the</i></p>	<p>Sections 10.10 and 10.11 set out the extent to which the identified effects are temporary or reversible.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<i>extent to which the effects are temporary or reversible."</i>	
NPS EN-3 (draft)	Paragraph 2.4.2 advises that <i>"Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology."</i>	AyM has been designed to address potential seascape, landscape and visual effects. Mitigation measures that address seascape, landscape and visual effects are presented in Section 10.9. The reduction in the AyM array increases its distance from the Anglesey Area of Outstanding Natural Beauty (AONB) and limits the horizontal field of view with WTGs from there as well as from SNP, the Clwydian Range and Dee Valley AONB, and the Great Orme Heritage Coast.
NPS EN-3 (draft)	Paragraph 2.22.21 notes that 'In sites with nationally recognised designations (SSSIs, National Nature Reserves, National Parks, the Broads, Areas of Outstanding Natural Beauty, Registered Parks and Gardens, and Marine Conservation Zones), consent for renewable energy projects should only be granted where the relevant tests in Sections 5.4 and	The site does not have a nationally recognised landscape planning designation. Therefore, this paragraph of EN-3 is not applicable.



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p>5.10 of EN-1 are met and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.'</p>	
<p>NPS EN-3 (draft)</p>	<p>Paragraphs 2.23.6 and 2.23.7 relate to the need for flexibility in the project details owing to the complex nature of offshore wind farm development. It is recognised that this may include the location and configuration of turbines and associated development (including offshore substations), the exact turbine dimensions and the precise cable type and route.</p> <p>In accordance with Section 4.2 of EN-1 and recognising there may be a need for flexibility in the consent it is stated that <i>'Where this is sought and the precise details are not known, then the applicant should assess the effects the project could have (as set out in EN-1 paragraph 4.2.6) to ensure that the project as it may be constructed</i></p>	<p>The need for a level of flexibility within the design envelope is well established and described in the Project Description Chapter. The Key Parameters for Assessment that have been used to inform the assessment of the maximum adverse case for the purpose of SLVIA are set out in Section 10.8.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>has been properly assessed (the Rochdale Envelope)24. In this way the maximum adverse case scenario will be assessed and the Secretary of State should allow for this uncertainty in its consideration of the application and consent.'</i></p>	
<p>NPS EN-3 (draft)</p>	<p>Paragraph 2.35.2 notes that seascape is an additional issue to be considered given that <i>'it is an important environmental, cultural and economic asset. This is especially so where seascape provides the setting for a nationally designated landscape (National Park, the Broads or AONB) and supports the delivery of the designated area's statutory purpose; and for stretches of coastline identified as Heritage Coasts which are associated with a largely undeveloped coastal character. Seascape is a discrete area within which there is shared inter-visibility between land and sea.36 In some circumstances it may be necessary to carry out a seascape and visual impact assessment (SLVIA) in</i></p>	<p>The effects on seascape are assessed in Sections 10.10 and 10.11.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>accordance with the relevant offshore wind farm EIA policy. This will always be the case where a coastal National Park, the Broads or AONB, or a Heritage Coast is potentially affected.'</i> The key reference provided for the SLVIA is GLVIA3.</p>	
NPS EN-3 (draft)	<p>Paragraph 2.35.3 states that relevant guidance should be followed including seascape character assessments.</p>	<p>Relevant seascape character assessments have been referenced as set out in Table 3.</p>
NPS EN-3 (draft)	<p>It is noted in Paragraph 2.35.4 that <i>'where an offshore wind farm will be visible from the shore and would be within the setting of a nationally designated landscape with potential effects on the area's statutory purpose, an SLVIA should be undertaken which is proportionate to the scale of the potential impacts'</i>.</p>	<p>It is considered that the SLVIA is proportionate to the scale of the potential impacts and the assessment in Section 10.11 includes the effects on the settings of nationally designated landscapes. The SLVIA has been informed through consultation with stakeholders during statutory, non-statutory and Evidence Plan processes, which has influenced the SLVIA in all aspects, from consideration of the maximum design scenarios, the number and location of</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
		<p>viewpoints, the approach taken to assessment at each location, and detail presented in contextualizing key assessment criteria such as magnitude and susceptibility. The SLVIA is therefore directly proportionate both to the scale of potential impacts and the quantum of feedback provided.</p>
<p>NPS EN-3 (draft)</p>	<p>Paragraph 2.35.5 notes that four principal considerations should be included in the assessment of the likely effect from the coast:</p> <ul style="list-style-type: none"> <li>▲ <i>'the limit of visual perception from the coast under poor, good and best lighting conditions</i></li> <li>▲ <i>'the effects of navigation and hazard prevention lighting on dark night skies'</i></li> <li>▲ <i>'individual landscape and visual characteristics of the coast and the special qualities of designated landscapes, which limits the coasts capacity to absorb a development'</i> and</li> <li>▲ <i>'how people perceive and interact with the coast and seascape.'</i></li> </ul>	<p>The range and frequency of visibility of the AyM array area from the coast is illustrated in Figure 20 and considered throughout the assessments in Sections 10.10 and 10.11.</p> <p>Night time effects of lighting are assessed in Section 10.12.</p> <p>The individual characteristics and special qualities of the coast in relation to designated landscapes is assessed in Sections 10.10 and 10.11.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
		How people perceive and interact with the coast and seascape is considered in Sections 10.10 and 10.11.
NPS EN-3 (draft)	Paragraph 2.35.6 advises that: <i>“As part of the SVIA, photomontages are likely to be required. Viewpoints to be used for the SVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage”</i>	Viewpoints were agreed in consultation with statutory consultees as described in Section 10.3. Photomontages are included in Volume 6, Seascape, Landscape and Visual Impact Assessment Figures and Visualisations.
NPS EN-3 (draft)	Paragraph 2.35.7 advises that: <i>“Magnitude of change to both the identified seascape receptors (such as seascape and landscape units, visual receptors and designated landscapes) should be assessed in accordance with the standard methodology for SLVIA.”</i>	The methodology for the assessment of magnitude of change to seascape receptors is set out in Volume 4, Annex 10.1: Methodology (application ref: 6.4.10.1).
NPS EN-3 (draft)	Paragraph 2.6.206 of EN-3 advises that: <i>“Where appropriate, cumulative SVIA should be undertaken in accordance with the policy on cumulative assessment outlined in EN-1.”</i>	The cumulative SLVIA of AyM accords with EN-1 and is set out in Section 10.13.



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
NPS EN-3 (draft)	It is noted at Paragraph 2.35.9 in relation to mitigation that <i>'Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the Secretary of State should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible. However, the layout of the turbines should be designed appropriately to minimise harm, taking into account other constraints such as ecological effects, safety reasons or engineering and design parameters.'</i>	The specific layout of the WTGs has not been defined at this stage.  However, Section 10.9 sets out the mitigation that has been included in order to reduce the potential for seascape, landscape and visual effects, which has included a reduction in the AyM array area and numbers of WTGs proposed. The significant reductions made throughout the pre-application process, which have resulted in a material reduction in the maximum possible layout extent, have been introduced specifically to minimise harm.
NPS EN-3 (draft)	Paragraph 2.35.11 advises that 'Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The Secretary of State should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless:	Volume 1, Chapter 4: Site Selection and Consideration of Alternatives (application ref: 6.4.10.1) sets out the alternatives that have been considered.  The SLVIA is based on a Rochdale Envelope Approach, which has defined maximum



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<ul style="list-style-type: none"> <li>▶ it considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the applicant has faced such as ecological effects, while maintaining safety or economic viability of the application</li> <li>▶ taking account of the sensitivity of the receptor(s) and impacts on the statutory purposes of designated landscapes as set out in Section 5.10 of EN-1, the harmful effects are considered to outweigh the benefits of the proposed scheme.</li> </ul>	<p>design scenarios for assessment that incorporate the worst arrangement of WTGs in north to south aligned rows, as agreed through stakeholder consultation. The Rochdale Envelope Approach and the acknowledged need to maintain flexibility until the detailed design stage, post consent, does not lend itself to further detailed consideration of WTG layout within the array area within the SLVIA.</p> <p>Section 10.9 of this Chapter sets out the mitigation measures introduced to address effects on sensitive receptors.</p>
NPS EN-3 (draft)	At paragraph 2.35.12 the Secretary of State is reminded that the extent to which the effects are temporary or reversible should be taken into account.	
UK Marine Policy	The MPS provides the UK's framework for preparing marine plans including the Welsh National Marine	These aspects of the seascape, landscape and visual resource are considered in the



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
Statement (MPS) (2011)	Plan. In relation to seascape paragraph 2.6.5.3 advises that <i>“In considering the impact of an activity or development on seascape, the marine plan authority should take into account existing character and quality, how highly it is valued and its capacity to accommodate change specific to any development. Landscape Character assessment methodology may be an aid to this process.”</i>	assessment of the impacts in Sections 10.10 and 10.11.
	<p>Paragraph 2.6.5.4 states that: <i>“For any development proposed within or relatively close to nationally designated areas the marine plan authority should have regards to the specific statutory purposes of the designated areas. The design of a development should be taken into account as an aid to mitigation.”</i></p> <p>Examples of nationally designated areas are given as AONBs, National Parks or Heritage Coasts.</p>	<p>The effect on the IoA AONB is assessed in Section 10.11.3.</p> <p>The effect on the SNP is assessed in Section 10.11.5.</p> <p>The effect on the Clwydian Range and Dee Valley AONB is assessed in Section 10.11.7.</p> <p>Heritage Coasts are not a statutory designation but are afforded protection through planning policy (considered below).</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
<p>Future Wales The National Plan 2040</p>	<p>It is noted in relation to Developments of National Significance that <i>“The planning system sets policy and takes decisions on on-shore schemes. The Welsh Government is supportive of off-shore proposals and sees them as an important part of our future energy mix but they do not fall within the remit of Future Wales”</i>. However, the policies set out therein (17 and 18) provide useful provisions and advice in relation to renewable energy and nationally designated landscapes.</p> <p><i>Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure advises that “The Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs.</i></p> <p><i>In determining planning applications for renewable and low carbon energy development,</i></p>	<p>The AyM array area is not within a National Park or Area of Outstanding Natural Beauty. The effect on these areas has been assessed in Section 10.11 in order to inform decision makers in their balancing of such effects with the benefits of the renewable energy provided by the AyM OWF in order to assess acceptability.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency."</i></p> <p><i>And that "Applications for large-scale wind and solar will not be permitted in National Parks and Areas of Outstanding Natural Beauty and all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment."</i></p>	
<p>Future Wales The National Plan 2040</p>	<p>Policy 18 – Renewable and Low Carbon Energy Developments of National Significance states that <i>"Proposals for renewable and low carbon energy projects (including repowering) qualifying as Developments of National Significance will be permitted subject to policy 17 and the following criteria:</i></p>	<p>Section 10.11 assesses the effects on the settings of the National Parks and AONBs relevant to AyM OWF as well as the impacts on nearby communities.</p>

LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p>1. <i>outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty);</i></p> <p>2. <i>there are no unacceptable adverse visual impacts on nearby communities and individual dwellings."</i></p>	
<p>Planning Policy Wales Edition 11</p>	<p>Section 6.3 Landscape advises that: "<i>Landscape policy is guided by the European Landscape Convention.</i>"</p> <p>The landscape of Wales is stated as a key consideration when developing policies and when proposing development.</p> <p>6.3.3 notes that collaboration and engagement with adjacent planning authorities, Natural Resources Wales (NRW), Cadw and the third sector</p>	<p>Effects on landscape character are assessed in Section 10.11.</p> <p>The consideration of the opportunity for the generation of renewable energy is presented in Volume 2, Chapter 1: Offshore Project Description (application ref: 6.2.1).</p> <p>As recognised by NPS EN-1, large-scale infrastructure projects are likely to have effects on landscape character.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p>will be necessary to draw on a wide range of expertise and evidence. This means:</p> <ul style="list-style-type: none"> <li>ensuring Wales contributes to meeting international responsibilities and obligations for landscapes;</li> <li>ensuring statutorily designated sites are properly protected and managed;</li> <li>ensuring that the value of all landscapes for their distinctive character and special qualities is protected; and</li> <li>ensuring the opportunities landscapes provide for tourism, outdoor recreation, local employment, renewable energy and physical and mental health and well-being are taken into account and multiple well-being benefits for people and communities secured.</li> </ul> <p>6.3.4 Where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission.</p>	



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
Planning Policy Wales Edition 11	<p>6.3.5 provides advice in relation to National Parks and AONB in Wales advising that: Planning authorities have a statutory duty to have regard to National Parks and AONB purposes. This duty applies in relation to all activities affecting National Parks and AONBs, whether those activities lie within, or in the setting of, the designated areas.</p> <p>The designated landscapes should be drivers of the sustainable use and management of natural resources in their areas, and planning authorities should have regard to their identified special qualities in the exercise of their functions and any relevant management plans.</p>	<p>The effects on the IoA AONB, SNP and the Clwydian Hills and Dee Valley AONB as a result of the AyM being located within part of their setting are assessed in Sections 10.11.3, 10.11.5 and 10.11.7 respectively and take into account the identified special qualities.</p>
Planning Policy Wales Edition 11	<p>6.3.6 states that <i>"In National Parks, planning authorities should give great weight to the statutory purposes of National Parks, which are to conserve and enhance their natural beauty, wildlife and cultural heritage, and to promote opportunities for</i></p>	<p>The SLVIA includes assessment of the effects of AyM on the natural beauty and special qualities of the National Park at 10.11.5.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>public understanding and enjoyment of their special qualities.”</i></p>	
<p>Planning Policy Wales Edition 11</p>	<p>6.3.12 notes that in relation to the Characteristics of Local Landscapes <i>“Planning Authorities should provide for the conservation and, where appropriate, enhancement of local landscapes. This may include policies for landscape features, characteristics and qualities of local significance, and the designation of Special Landscape Areas (SLAs). Planning authorities should state which features, characteristics or qualities require extra protection, and explain how the policy or designation will achieve this protection.”</i></p>	<p>The value associated with the characteristics, features and qualities associated with the landscape where these are protected by local policy and designation as Special Landscape Areas is considered in the assessment in Section 10.11.</p>
<p>Planning Policy Wales Edition 11</p>	<p>6.3.20 notes the importance of LANDMAP as an <i>“information resource, methodology and monitoring baseline for the landscapes of Wales”</i> LANDMAP assessments <i>“can help to inform development management decisions”</i></p>	<p>The Visual and Sensory Evaluation compiled as a LANDMAP dataset is presented in Figure 9 and the information used to inform the assessment of the effects in Section 10.11.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
Planning Policy Wales Edition 11	<p>6.5 sets out the considerations in relation to Coastal Areas.</p> <p>6.5.12 sets out provision for Designated or Protected Sites on the Coast advising that <i>“Development Proposals should aim to protect or enhance the natural or historic character and landscape of undeveloped coastlines. The particular landscapes of the coastline should be recognised and protected where they represent significant characteristics of place. Designation as a heritage coast does not directly affect the status of the area in planning terms, however, the features which contributed to the designation of such areas will be important considerations in development plans and in making development management decisions.”</i></p>	Section 10.11 assesses the effects on the views and character of the coastline taking account of the degree of development and aspects of heritage coast designation.
Welsh National Marine Plan	<p>SOC_06: Designated landscapes</p> <p>Proposals should demonstrate how potential impacts on the purposes and special qualities for which National Parks or Areas of Outstanding</p>	The effects on the loA AONB, SNP and the Clwydian Hills and Dee Valley AONB, as a result of the AyM being located within part of their settings, is assessed in Sections 10.11.3,



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
November 2019	<p>Natural Beauty have been designated have been taken into consideration and should, in order of preference:</p> <ul style="list-style-type: none"> <li>a. avoid adverse impacts on designated landscapes; and/ or</li> <li>b. minimise impacts where they cannot be avoided; and/ or</li> <li>c. mitigate impacts where they cannot be minimised.</li> </ul> <p>If significant adverse impacts cannot be avoided, minimised or mitigated, proposals must present a clear and convincing case for proceeding.</p> <p>Opportunities to enhance designated landscapes are encouraged.</p>	<p>10.11.5 and 10.11.7 respectively and takes into account the identified special qualities.</p> <p>A description of how the effects have been avoided, minimised and mitigated is included in Volume 1, Chapter 4 (application ref: 6.1.4), and Section 10.9 of this chapter.</p>
Welsh National Marine Plan	<p>Paragraph 128 advises that <i>“There are also a number of non-statutory designations including Heritage Coasts and Registered Historic Landscapes. Some 42% of Wales’ coastline is defined as Heritage Coast; often this is contiguous</i></p>	<p>Volume 2, Chapter 11 (application ref: 6.2.11) considers the effects on Registered Historic Landscapes.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
November 2019	<i>with other designations such as National Parks or AONBs. These non-statutory designations were defined to protect stretches of scenic and undeveloped coastline from unsuitable development.”</i>	The recognized value and qualities associated with Registered Historic Landscapes and Heritage Coasts is considered in Section 10.11.
Welsh National Marine Plan November 2019	<p>Paragraphs 129 and 130 set out the policy aims. <i>“Policy SOC_06 recognises that resilient, diverse, multifunctional landscapes supported by sustainable management practices can provide a range of services and opportunities with the potential to contribute to the achievement of social objectives and improve health and well-being as well as delivering economic benefit.</i></p> <p><i>130. Under this policy, proposals should demonstrate appropriate consideration of the potential impacts of developments and activities on designated landscapes. This policy also encourages opportunities to contribute positively to the protection or enhancement of these areas. National Parks and AONBs are of equal status in</i></p>	The effects on the loA AONB, SNP and the Clwydian Hills and Dee Valley AONB, as a result of the AyM being located within part of their settings, is assessed in Sections 10.11.3, 10.11.5 and 10.11.7 respectively and takes into account the landscape and scenic beauty identified by certain special qualities.



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p><i>terms of landscape and scenic beauty and both should be afforded protection from inappropriate developments."</i></p>	
<p>Welsh National Marine Plan November 2019</p>	<p>SOC_07: Seascapes</p> <p>Proposals should demonstrate how potential impacts on seascapes have been taken into consideration and should, in order of preference:</p> <ul style="list-style-type: none"> <li>a. avoid adverse impacts on seascapes; and/ or</li> <li>b. minimise impacts where they cannot be avoided; and/ or</li> <li>c. mitigate impacts where they cannot be minimised.</li> </ul> <p>If significant adverse impacts cannot be avoided, minimised or mitigated, proposals must present a clear and convincing case for proceeding.</p> <p>Opportunities to enhance seascapes are encouraged.</p>	<p>The effects on seascapes as a result of the AyM is assessed in Sections 10.10 and 10.11.</p> <p>A description of how the effects have been avoided, minimised and mitigated is Section 10.9 of this chapter.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p>Paragraph 135 advises that <i>“Where there is the potential to significantly change the seascape of an area through proposed developments or plan-making, under Policy SOC_07 the impacts and relative value of the altered seascape should be considered as part of decision making. Seascape concerns in themselves need not be a barrier to sensitively sited and designed development and considering seascapes at an early stage should be seen as an approach that can be helpful to identify more widely acceptable solutions and to help steer the right development to the right place.”</i></p>	<p>The effects on seascapes as a result of the AyM is assessed in Sections 10.10 and 10.11. This includes consideration of the impacts and relative value of the altered seascape.</p>
<p>Welsh National Marine Plan November 2019</p>	<p>GOV_01: Cumulative effects</p> <p>Proposals should demonstrate that they have assessed potential cumulative effects and should, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid adverse effects; and/ or</li> <li>b) minimise effects where they cannot be avoided; and/ or</li> </ul>	<p>The cumulative effect of AyM is considered in Section 10.13.</p> <p>A description of how the effects have been avoided, minimised and mitigated is included in Section 10.9 of this chapter.</p>



LEGISLATION/ POLICY	KEY PROVISIONS	SECTION WHERE MATTER ADDRESSED
	<p>c) mitigate effects where they cannot be minimised.</p> <p>If significant adverse effects cannot be avoided, minimised or mitigated, proposals must present a clear and convincing case for proceeding.</p> <p>Proposals that contribute to positive cumulative effects are encouraged.</p>	



## 2 References

See Volume 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment (application ref: 6.2.10) for references.



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