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Mr Aled Lloyd  
(01766) 772212  
NP5/59/495C

25<sup>th</sup> April 2023  
[Aled.lloyd@eryri.llyw.cymru](mailto:Aled.lloyd@eryri.llyw.cymru)



PARC CENEDLAETHOL ERYRI  
lle i enaid gael llonydd  
SNOWDONIA NATIONAL PARK  
one of Britain's breathing spaces

Ms Jodie Pritchard,  
Baileys and Partners,  
Tyddyn Du,  
Llanbedr,  
Gwynedd LL45 2LR

By e: mail: [jodie.pritchard@baileysandpartners.co.uk](mailto:jodie.pritchard@baileysandpartners.co.uk)

Dear Ms Pritchard,

**Re: Pre-application enquiry – Hydro scheme by extraction from the Afon Cynfal involving construction of intake weir, excavation of a trench for a pipe and cable together with a turbine house a pipe outfall/discharge and a metering building, Land near Pont yr Afon Gam, Ffestiniog**

I write in relation to the above pre-application enquiry.

**Relevant Planning History:**

NP5/59/495B	Proposed Hydro Electric Scheme up to 600KW on Afon Cynfal, comprising intake weir, buried pipeline (1.2km), turbine house building, outflow, buried grid connection, vehicular access and construction compounds (Revised proposal)	Withdrawn 16/10/2020
NP5/59/495A	Proposed Hydro-Electric Scheme (600KW) comprising intake weir, predominantly buried pipeline (1.2km), erection of 24m gantry bridge, turbine building, outflow, buried grid connection, vehicular access and construction compounds	Refused 26/11/2018
NP5/59/495	Hydro-Electric station involving construction of weir on Afon Cynfal and pipeline to turbine house at Cwm Farm	Withdrawn 05/01/1995

**(a) The provisions of the development plan, so far as material to the proposed application: -**

The area is covered by the Eryri Local Development Plan (2016-2031)

Any application for the erection of a dwelling at this location will be considered against all the policies contained in the Eryri Local Development Plan (ELDP) however, the following policies would be considered most relevant to your proposal:

SP A	National Park Purposes and Sustainable Development
DP 1	General development principles
SP D	Natural environment
SP Ff	Historic Environment
DP 2	Development and the landscape
DP 3	Energy
DP 6	Sustainable design and materials
DP 8	Protection of Non designated sites
SP H	A Sustainable Rural Economy
DP 20	Agricultural Diversification

**Constraints:**

- Within the Migneint-Arenig-Dduallt Special Area of Conservation (SAC);
- Within the Migneint-Arenig-Dduallt Special Protection Area (SPA);
- Within the Migneint-Arenig-Dduallt and Afon Cynfal SSSI;
- Area of Natural Beauty;
- Runs along Public Rights of Way and Slate Trail;
- Partially within C2 Flood Risk Zone;
- Within land designated under Section 3 of the Wildlife and Countryside Amendment Act 1985; and
- Dark Skies Core Area.

A copy of the ELDP and Supplementary Planning Guidance can be found on the Authority's website [www.eryri.llyw.cymru](http://www.eryri.llyw.cymru)

Copies of relevant Technical Advice Notes are available on the Welsh Government web site at [www.wales.gov.uk](http://www.wales.gov.uk).

**(b) Any supplementary planning guidance, so far as material to the proposed application: -**

- SPG 2 General Development Considerations
- SPG 6 Nature Conservation and Biodiversity
- SPG 7 Landscapes and Seascapes of Eryri
- SPG 10 Renewable and Low Carbon Energy
- SPG13 Landscape Sensitivity and Capacity Assessment
- SPG Note 9: Farm Diversification
- SPG Note 10: Renewable and Low Carbon Energy
- SPG Note 12: Enabling Sustainable Development in the Welsh National Parks
- SPG Note 13: Landscape Sensitivity and Capacity Assessment
- 

<http://www.eryri-npa.gov.uk/planning/planning-policy/Supp-Planning-Guidance>

Useful advice and information on Ecology can be found on our website: -

<http://www.eryri-npa.gov.uk/planning/Advice-and-Guidance/development-and-biodiversity/development-and-protected-species-guidance>

**(c) Any other considerations which are or could be material in the opinion of the Authority: -**

The effect of the proposal on Statutory Designations and the landscape of the National Park.

Previous application and the reasons for refusal.

**(d) An initial assessment of the proposed development on the basis of the information provided under paragraphs (a) to (d)**

I confirm that planning approval will be required from this Authority for the proposed development as described in your submission.

I will respond to the questions raised in your letter dated 22<sup>nd</sup> March which forms part of the pre-application enquiry

- *Classed as Major application being greater than 1ha which will require Pre-application community consultation*

**Response** - Section 17 of the Planning (Wales) Act 2015 and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO), as amended, require applicants to carry out pre-application consultation for major development. Major development includes development carried out “on a site having an area of 1 hectare or more” and, thus, the proposed development falls within the pre-application consultation requirement.

The purpose of the Pre-Application Consultation (PAC) report is to summarise the consultation exercise, the responses received, and the response of the Applicant/agent to the comments made. The consultation period extends to 28 days as required under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

- *Preparation of an Environmental Statement to fulfil the requirements of the Environmental Impact Assessment regulations which will be submitted in conjunction with the planning application*

**Response** – A scoping exercise was produced by the Authority dated 6<sup>th</sup> September 2020. I can confirm that the content of the letter appended to this response remains valid.

- *The information from the Environmental Statement will help to inform the Habitats Regulations Assessment which the planning authority will have to complete*

**Response** - Noted.

**Surveys which will be revisited in 2023**

It is noted that you propose to re-visit the following surveys

- Breeding bird survey
- Bat survey of the mine adit to involve the deployment of static detectors
- NVC survey updated/reviewed
- Updated ecology walkover

The Authority will require updated surveys in relation to the above.

The Authority as the competent Authority will require all surveys on the submission of the application to enable an Assessment under the Habitat Regulations to be carried out.

The surveys submitted as part of application NP5/59/495B which was registered on the 20<sup>th</sup> November 2019 included the following.

I have commented if they are likely to be acceptable in a re-submission or if new or further survey/assessment work is required.

- Ecological Impact Assessment and Statement to Inform an Appropriate Assessment – ***A new assessment is required as the one submitted in relation to application no NP5/59/495A is dated June 2019 nearly 4 years ago. Please see attached CIEEM Advice Note on the lifespan of ecological reports and surveys.***
- Landscape and Visual Appraisal – ***Acceptable as part of the resubmission***
- Landscape and Visual Impact Assessment – Appendix A, B C & D - ***Acceptable as part of a resubmission***
- Bryophyte survey and assessment – ***Needs to be updated.***
- Archaeological Assessment - ***Acceptable as part of a resubmission.***
- Design and Access Statement – ***Needs to be updated.***
- Construction method Statement - ***Needs to be updated.***
- Ecological Surveys - ***A new assessment is required as the one submitted in relation to application no NP5/59/495A is dated 9<sup>th</sup> July 2018. Please see attached CIEEM Advice Note on the lifespan of ecological reports and surveys.***
- Flood Consequence Assessment - ***Acceptable as part of the resubmission.***
- Flow/photo survey for Rhaeadr y Cwm, Cwm Cynfal - ***Acceptable as part of a resubmission.***

I would advise that the Authority may require further, updated survey works on the receipt of responses from consultees and a detailed assessment of a submitted application.

I trust that the above explains the Authority's position. Please contact me should you wish to discuss the content of this response further.

Yours sincerely,

*Aled Lloyd*

Aled Lloyd, MRTPI  
Principal Planning Officer (Development Management)

**This above advice is given on the basis of the information currently available, and without prejudice to any formal determination that the Authority may be required to make. Any subsequent applications will be subject to formal determination based upon consideration of the merits of each application, current planning policy, legislation, relevant consultation responses and other material planning considerations at that time**