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## RSPB CONWY NATURE RESERVE PLANNING STATEMENT FOR RSPB CONWY

TEP  
401 Faraday Street  
Birchwood Park  
Warrington  
WA3 6GA

Tel: 01925 844004  
Email: [tep@tep.uk.com](mailto:tep@tep.uk.com)  
[www.tep.uk.com](http://www.tep.uk.com)

Offices in Warrington, Market Harborough, Gateshead, London and Cornwall



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## 1.0 Introduction

- 1.1 This Planning, Design and Access Statement has been prepared in support of a planning application for a new combined cycle and pedestrian path including two bridges and associated ramps lined by fencing and lighting ('the Proposed Development') at RSPB Conwy Nature Reserve ('the Application Site').
- 1.2 The application is submitted on behalf of Conwy County Borough Council ('the Applicant') with the following description of development being applied for:
- "A new combined cycle and pedestrian path comprising of two bridges and associated ramps with fencing and lighting bollards along the route. Access to be off Conway Road (A547), the A55 Junction 18 and Conway Road (A470). Resurfacing of existing RSPB access track."
- 1.3 The application is driven by the need to connect Glan Conwy residents with amenities at Llandudno Junction and Conwy. There is currently no safe walking or cycling route between these locations.
- 1.4 The Planning, Design and Access Statement provides a background to the Proposed Development, covering the Application Site and its surroundings, the policy context and the technical assessments which have considered the potential effects of the Proposed Development upon the Application Site and its surroundings. The Design and Access principles of the Proposed Development are also presented.
- 1.5 The Planning, Design and Access Statement has been prepared to assist Conwy County Borough Council ('the Local Planning Authority') in its determination of the application and should be read in conjunction with the suite of supporting material.
- 1.6 The structure of the Planning, Design and Access Statement is as follows:
- 1.0 Introduction;
  - 2.0 Application Site and Surroundings;
  - 3.0 Proposed Development;
  - 4.0 Planning Policy Context;
  - 5.0 Compliance with Planning Policy;
  - 6.0 Technical Assessment;
  - 7.0 Design and Access Statement
  - 8.0 Conclusion
- 1.7 A number of technical reports and plans have been prepared to support this application and should be read in conjunction with the Planning, Design and Access Statement:
- Arboricultural Plans (Ref: D10313.01.001.012)
  - Ecological Desk Study (Ref: 10313.004)
  - Ecological Impact Assessment (Ref: 10313.005)
  - Ground Investigation Report (Ref: 2996R01-1)
  - Landscape and Visual Appraisal (Ref: 10313.002)
  - Outline Lighting Assessment (Ref: 24009CCBC-SET-HLG\_GC-RP-EO-0001)

1.8 The following plans have also been produced to support the planning application:

- Railway Bridge & Elevated Ramp Section 1 of 2 (Ref: ERNS2301N/048)
- Railway Bridge & Elevated Ramp Section 2 of 2 (Ref: ERNS2301N/049)
- Afon Ganol Bridge - General Arrangement Option 1 (Girders) (Ref: ERNS2301N/049)
- Existing General Arrangement Key Plan (Ref: ERNS2301N/054)
- Existing General Arrangement Sheet 1 of 8 (Ref: ERNS2301N/055)
- Existing General Arrangement Sheet 2 of 8 (Ref: ERNS2301N/056)
- Existing General Arrangement Sheet 3 of 8 (Ref: ERNS2301N/057)
- Existing General Arrangement Sheet 4 of 8 (Ref: ERNS2301N/058)
- Existing General Arrangement Sheet 5 of 8 (Ref: ERNS2301N/059)
- Existing General Arrangement Sheet 6 of 8 (Ref: ERNS2301N/060)
- Existing General Arrangement Sheet 7 of 8 (Ref: ERNS2301N/061)
- Existing General Arrangement Sheet 8 of 8 (Ref: ERNS2301N/062)
- Proposed General Arrangement Key Plan (Ref: ERNS2301N/064)
- Proposed General Arrangement Sheet 1 of 8 (Ref: ERNS2301N/065)
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- Proposed General Arrangement Sheet 7 of 8 (Ref: ERNS2301N/071)
- Proposed General Arrangement Sheet 8 of 8 (Ref: ERNS2301N/072)
- Planning Application - Cross Sections Sheet 1 of 3 (Ref: ERNS2301N/073)
- Planning Application - Cross Sections Sheet 2 of 3 (Ref: ERNS2301N/074)
- Planning Application - Cross Sections Sheet 3 of 3 (Ref: ERNS2301N/075)
- Outline Landscape Strategy (Ref: D10313.001A)

## 2.0 Application Site and Surroundings

- 2.1 The Application Site is within RSPB Conwy Nature Reserve and also runs along the River Conwy to the west. The Nature Reserve borders the River Conwy and Aber Afon Conwy Site of Special Scientific Interest (SSSI) to the west and south. The A55 borders the north of the Nature Reserve and on the other side of the A55 is an industrial estate connected to Llandudno Junction. The east of the Nature Reserve is bordered by a railway line and beyond this are watercourses, tree lined fields and Conway Road to the south east.
- 2.2 The Nature Reserve comprises large pools of water, grassland, wooded areas, a network of footpaths for visitors, the visitor centre and associated car park.
- 2.3 The Application Site boundary follows the existing path along the River Conwy to the west and the A55 trunk road and the Conway valley railway line along the northern and eastern boundary of the reserve. It connects to Conway Road (A547) to the west, the A55 Junction 18 midway along and to a lay by off Conway Road (A470) to the east. The Site mainly comprises existing paths and vegetated undeveloped land. It crosses both the Afon Ganol and the railway line, where two bridges are proposed. The Application Site also includes an existing RSPB track which connects to the nature reserve car park.
- 2.4 The Application Site is within the Coastal Zone, Conwy Valley Special Landscape Area and Safeguarded Sand & Gravel area as defined by the Proposals Map. The Site is also within areas of High and Low Flood Risk from the Sea.

### Planning History

- 2.5 The following previous planning applications are relevant to the Proposed Development:

*Table 1 Relevant Planning History*

Application No.	Location	Description	Decision
0/31282	RSPB Nature Reserve	Erection of steel footbridge to provide means of access from Glan Conwy to the RSPB Nature Reserve	Approved 7th March 2006
0/38691	RSPB Nature Reserve	Proposed Landscaping and Improvements including exhibition area, viewing mound, decking, tunnel and climbing frame	Approved 19th April 2012
0/39547	RSPB Nature Reserve	Construction of a new footpath and erection of a wooden viewing screen to provide a new viewpoint across the Deep Lagoon.	Approved 19th March 2013

- 2.6 Planning application 0/31282 was for a footbridge on the same location as the Proposed Development, between the layby on Conway Road and the RSPB nature reserve. The application was approved and the Case Officer Report stated that the principle of development is acceptable in principle because it will provide pedestrian access to Glan Conwy. The Report also stated that although the structure will be visible from the nature reserve and the surrounding area, it will provide a valuable link from Llandudno Junction to Glan Conwy and so it considered on balance to be acceptable. Therefore, the principle of a footbridge at this location has already been accepted. This planning application was not implemented because of lack of capital.

## 3.0 Proposed Development

- 3.1 The Active Travel (Wales) Act 2021 places a duty on local authorities to plan for, improve, and promote routes for walking and cycling for everyday journeys. Conwy Council has been awarded funding to upgrade active travel around the borough through the Coast to Valley Transport Bid. This comprises three parts to kick start a programme of investment in a Coast to Valley Active Travel Route and improve transport connections in the Conwy Valley. The Proposed Development forms part of this programme of investment. The new active travel link will be financed through the funding awarded to the council through the UK Government's Levelling Up Fund.
- 3.2 This planning application is for a proposed active travel route along the edge of the RSPB Conwy Nature Reserve and the River Conwy, which would link Glan Conwy with Llandudno Junction and Conwy. The new Active Travel path would comprise the creation of a new minimum 3m wide paved surface with verges and would link Conway Road (A547) to the west, the A55 Junction 18 midway along and to a lay by off Conway Road (A470) to the east. There is an existing path along the River Conwy, which would be resurfaced to ensure it is 3m wide.
- 3.3 There would be fencing and lighting bollards along the entire route, including along the River Conwy and through the nature reserve. This fencing would separate it from the RSPB reserve, meaning that users of the path would not have access to the nature reserve unless they go through the official RSPB entrance. The fencing and lighting ensures it meets active travel standards. There would be demountable barriers or gates to restrict motor vehicle traffic from entering the path. An existing RSPB access track would also be resurfaced with asphalt.
- 3.4 The proposed route would include a bridge crossing the Afon Ganol and a bridge with an associated ramp crossing the railway line to a lay by on Conway Road. Both bridges are 34.2m long and include an infill parapet and a high platt truss running along them. The railway bridge has an 8.6m high pier on the RSPB reserve side of the railway line. The proposed ramp leading up to the railway bridge is approximately 100m long and raises up to 8.6m high before joining the railway bridge.
- 3.5 Areas of new planting of native species are proposed in several areas along the proposed route and nearby. This is shown in the Outline Landscape Strategy (Ref: D10313.001A).
- 3.6 There is currently no simple, safe walking or cycling route between Glan Conwy and Llandudno Junction and Conwy. The proposed improvements would vastly improve the active travel connectivity of these places. This would reduce the reliance on car travel for accessing local amenities and promote modal shift towards active travel.



## 4.0 Planning Policy Context

### Planning Policy Wales (Edition 12, February 2024)

- 4.1 Planning Policy Wales (PPW) sets out the Government’s planning policies for Wales and how these are expected to be applied at a local level and how developers should adhere to them.
- 4.2 Table 2 below sets out the relevant chapters from PPW that the development will be assessed against.

*Table 2 Relevant PPW Chapters*

Chapter	Description
Chapter 3	Strategic and Spatial Choices
Chapter 4	Active and Social Places
Chapter 5	Productive and Enterprising Places
Chapter 6	Distinctive and Natural Places

### Future Wales - The National Plan 2040

- 4.3 Future Wales - The National Plan 2040 is the national development framework for Wales, setting the direction for development to 2040. It sets a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of communities. The document states that "*Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole*".
- 4.4 Table 3 shows relevant policies from Future Wales for this Proposed Development.

*Table 3 Relevant Future Wales Policies*

Policy	Description
Policy 4	Supporting Rural Communities
Policy 5	Supporting the Rural Economy
Policy 12	Regional Connectivity

### Adopted Development Plan

- 4.5 The Development Plan for Conwy County Borough Council comprises of the Conwy Local Development Plan 2007 - 2022 Written Statement and Proposals Map.

4.6 Table 4 identifies the key policies from the LDP that the development will be assessed against.

*Table 4 Relevant LDP Policies*

<b>Policy</b>	<b>Description</b>
Strategic Policy DP/1	Sustainable Development Principles
Policy DP/3	Promoting Design Quality and Reducing Crime
Policy DP/4	Development Criteria
Policy DP/6	National Planning Policy and Guidance
Strategic Policy TOU/1	Sustainable Tourism
Policy TOU/2	New Sustainable Tourism and Recreational Development
Strategic Policy NTE/1	The Natural Environment
Policy NTE/3	Biodiversity
Policy NTE/4	The Landscape and Protecting Special Landscape Areas
Policy NTE/5	The Coastal Zone
Strategic Policy CTH/1	Cultural Heritage
Strategic Policy CTH/2	Development Affecting Heritage Assets
Policy CTH/5	The Welsh Language
Strategic Policy STR/1	Sustainable Transport, Development and Accessibility
Policy STR/4	Non-Motorised Travel
Policy STR/5	Integrated Sustainable Transport System
Policy MWS/3	Safeguarding Hard Rock and Sand and Gravel Resources

## 5.0 Compliance with Planning Policy

### Coastal Zone

- 5.1 The Application Site is within the Coastal Zone and outside of settlement boundaries, as designated by the Proposals Map of the Conwy LDP.
- 5.2 LDP Policy NTE/5 states that development in the coastal zone, outside of settlement boundaries, will only be permitted where it requires a coastal location, does not adversely affect the open character of the zone, does not adversely affect the nature conservation value of the zone, does not interfere with natural coastal processes and does not impede the function of any existing coastal defence structures.
- 5.3 The Proposed Development is required to go through the Coastal Zone to connect Glan Conwy with Llandudno Junction. The proposed route is required to be on the southern side of the A55 and therefore within the Coastal Zone because there are no safe crossing points on the A55 before junction 18.
- 5.4 Impacts upon the open character and nature conservation of the Coastal Zone are assessed in the Landscape and Ecology sections of the Technical Matters chapter. These show that there are no impacts upon these factors which cannot be mitigated.

### Sustainable Travel and Accessibility

- 5.5 Policies 4 and 5 of Future Wales 2040 include in their supporting text that planning authorities should support improvements to connectivity within and between rural settlements.
- 5.6 Future Wales 2040 Policy 12 states that the Welsh Government will work with local authorities to support the implementation of the Active Travel Act to create comprehensive networks of local walking and cycling routes that connect places that people need to get to for everyday purposes. The supporting text to Policy 12 states that the Welsh Government's aim is to reduce the need to travel by private vehicles and support a modal shift to walking and cycling.
- 5.7 PPW Chapter 4 highlights that the planning system has an important role in promoting and supporting the delivery of the Active Travel Act and creating the right environments and infrastructure to make it easier for people to walk and cycle, including new and improved routes.
- 5.8 The Proposed Development would contribute to the implementation of the Active Travel Act to create comprehensive networks of local walking and cycling routes. It would help fulfil the duty put on local authorities by the Active Travel Act to plan for, improve, and promote routes for walking and cycling for everyday journeys.
- 5.9 The Active Travel Act requires local authorities to prepare maps showing possible future routes for active travel. The proposed active travel route has been identified as a possible future route by the Conwy Borough Council as part of this requirement by the Active Travel Act. Therefore, this supports the principle of the Development in this location.

- 5.10 PPW Chapter 3 Strategic and Spatial Choices sets out support for development that addresses inclusivity and accessibility for all; maximises opportunities for sustainable travel choices and supports active lifestyles.
- 5.11 PPW Chapter 4 Active and Social Places supports enabling more sustainable travel choices including walking and cycling.
- 5.12 PPW Chapter 5 Productive and Enterprising Places supports necessary transport infrastructure improvements which increases the use of sustainable transport.
- 5.13 LDP Strategic Policy DP/1 supports proposals providing safe and convenient access by bicycle and on foot, minimising the need to travel by car.
- 5.14 LDP Policy DP/4 supports proposals which enhance cycling and pedestrian infrastructure.
- 5.15 LDP Strategic Policy STR/1 promotes walking and cycling. The Policy states that footways and cycle infrastructure should be provided to encourage active travel, reducing the need to travel by private car and improving the accessibility of services to those with poor availability of transport. The Policy goes on to say that the design and construction of walking and cycling facilities and infrastructure will be improved to make walking and cycling more attractive, direct and safe.
- 5.16 LDP Strategic Policy STR/1 also states that transport schemes which lead to improvements in accessibility will be supported in principle.
- 5.17 LDP Policy STR/4 supports increased levels of cycling and walking.
- 5.18 Currently, there are no active travel links between Glan Conwy and Llandudno Junction. There are irregular and infrequent public transport services, including no direct connection from Glan Conwy to Conwy. The road environment is not safe for cycling and it discourages people from on-road cycling. There are important amenities in Llandudno Junction and Conwy that residents of Glan Conwy need to use but there are no safe active travel links to access them.
- 5.19 The new active travel infrastructure would address these issues by creating a better integrated active travel network. It would improve accessibility for people travelling from Glan Conwy to Llandudno Junction and Conwy by providing a much safer route for cycling and walking between these places. Significantly enhancing the environment for active travel would encourage more people to travel by walking and cycling rather than by car.
- 5.20 There would also be greater ability for people without private cars to access services and facilities at Llandudno Junction and Conwy from Glan Conwy because of the safe active travel route provided. The local services with improved accessibility shall include schools, shops, businesses, employment and the public transport hub at Llandudno Junction.
- 5.21 LDP Policy STR/5 states that the Wales Coastal Path Improvement Programme and the Conwy Rights of Way Improvement Plan will be promoted in order to improve accessibility to the coast and countryside for local communities and visitors.

- 5.22 Aim 3 of the Conwy Rights of Way Improvement Plan (ROWIP) is to provide a more connected, safe and accessible network suitable for all users. Also, the ROWIP aims to explore how the Wales Coastal Path links to and from local communities.
- 5.23 The Proposed Development supports the ROWIP by creating an additional active travel path that is accessible for local communities of Glan Conwy and Llandudno Junction to use. Also, the new route would connect to the Wales Coastal Path. Therefore, the Wales Coastal Path would be more accessible for the community of Glan Conwy to travel to by walking and cycling. Users of the Wales Coastal Path would have improved access to Glan Conwy via active travel. There would be improved accessibility to the coast and countryside for local communities and visitors, in accordance with LDP Policy STR/5.
- 5.24 Strategic Policy STR/1 states that improvement works identified in the Regional Transport Plan for Conwy shall be safeguarded.
- 5.25 The Regional Transport Plan for Conwy is the North Wales Joint Local Transport Plan 2015. The Plan identifies the proposed active travel route between Glan Conwy and the RSPB as a 'higher level intervention' in Table 6.5 and a County Priority Project. The intervention is described as an off-road active route from Glan Conwy to schools, shops, businesses, employment sites and public transport hubs in Llandudno Junction. Therefore, the proposed active travel route is safeguarded by Policy STR/1. This policy supports in principle the location of the active travel route.
- 5.26 Overall, the Proposed Development will make walking and cycling more attractive, direct and safe. This would improve accessibility to local services and promote a modal shift away from cars towards more sustainable transport modes.

### **Tourism**

- 5.27 Policies 4 and 5 of Future Wales 2040 include in their supporting text that sustainable forms of tourism including opportunities for active and green tourism should be explored.
- 5.28 PPW section 5.5 Tourism supports tourism where it contributes to economic development, conservation and social inclusion.
- 5.29 PPW Paragraph 5.5.5 states that long-distance routes, rights of way and other green infrastructure are important tourism and recreation facilities, both in their own right and as a means of linking attractions.
- 5.30 LDP Strategic Policy TOU/1 states the Council will promote sustainable tourism by improving connectivity by improvements to the Wales Coastal Path and through the Public Rights of Way Improvement Plan, in line with Strategic Policy STR/1.
- 5.31 LDP Policy TOU/2 requires sustainable tourism and recreational development to be appropriate to its location, be sustainably accessible and encourages non-car based transport.

- 5.32 The proposed new active travel route would be used for outdoor recreation and tourism. The Wales Coastal Path would be accessible from the proposed route. The route would also enhance the wider active travel network in the local area and contribute towards the Public Rights of Way Improvement Plan. Therefore it would improve connectivity to the Wales Coastal Path and provide more opportunities for recreational activity, supporting tourism.
- 5.33 The RSPB Nature Reserve is an important visitor destination and there are many visitor destinations in the wider area, including at Conwy, Llandudno, Colwyn Bay and the wider Conwy Valley. The Proposed Development would facilitate greater links to these visitor destinations and encourage more visitors, particularly for people travelling from Glan Conwy. This would support sustainable tourism by promoting travelling to these visitor destinations by sustainable modes of transport.

### **Green Infrastructure**

- 5.34 PPW Chapter 6 Distinctive and Natural Places gives support to the enhancement of green infrastructure networks, which includes public rights of way.
- 5.35 The Proposed Development would enhance local green infrastructure by providing greater access to the wider green infrastructure network across the surrounding countryside, which will improve well-being for residents and visitors.
- 5.36 Section 6.2.12 of PPW states that a Green Infrastructure Statement should be submitted with all planning applications proportionate to the nature and scale of Proposed Development, which this section addresses. This shall be submitted at the determination of stage of the planning application, as requested in pre-app advice.
- 5.37 Section 6.4.39 of the PPW requires planning authorities to protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function.
- 5.38 PPW section 6.4.42 states that where loss of trees is unavoidable, developers will be required to provide compensatory planting proportionate to the proposed loss. Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the Site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost.
- 5.39 Areas of new planting of native species are proposed in several areas along the proposed route and nearby. The location and species mix of the proposed new planting is shown on the Outline Landscape Strategy (Ref: D10313.001A). These planting proposals are subject to further discussion with landowners, consultees and review of site constraints.
- 5.40 The Arboricultural Assessment Plans show that the Development would result in the loss of 23 individual trees and the loss of 0.92ha tree cover. The recommended tree replacement in accordance with Local and National policies is the planting of 69 individual trees and planting of 1.47 broadleaf tree cover.

5.41 Some of this planting would be done within and adjacent to the site boundary but there is not enough appropriate and available land for planting of trees within the site or adjacent to it. Therefore, tree planting is proposed off-site to meet the full requirement. Off-site locations for tree planting are currently under consideration. PPW states that planting off-site is less preferable but due to the very large amount of required planting and the ecological constraints of planting trees within the nature reserve or similar adjacent habitats, land off-site is proposed.

5.42 The Proposed Development would bring great benefits of improving sustainable travel and improving access to local services for people without the use of a private motor vehicle. This strong benefit should be considered as favourable to the application when balanced against the necessity to plant trees off-site because of site constraints.

### **Heritage**

5.43 PPW Chapter 6 states that "*Any decision made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place*".

5.44 LDP Policy DP/4 states that planning permission will not be granted where development has an unacceptable impact on archaeological interests and the built form.

5.45 LDP Strategic Policy CTH/1 states that development will not have significant adverse impact upon heritage assets. The Policy says development should respect the character of heritage assets; and preserve and enhance the Conwy World Heritage Site.

5.46 LDP Policy CTH/2 requires that development which affect heritage assets and/or its setting, shall preserve or, where appropriate, enhance that asset. Heritage assets included in the Policy are Conservation Areas, Conwy World Heritage Site and listed buildings.

5.47 The Grade II listed The Old Rectory and the Grade listed II Top Lodge at Bryn Eisteddfod are to the south west of where the proposed route connects to the lay by on Conway Road. Further to the west of the Application Site, is the Grade II Registered Historic Park & Garden Bryn Eisteddfod along with associated list buildings. However, these historic features would be well screened by a large number of trees between them and the Proposed Development and there will be little visibility.

5.48 The Grade II listed Island Quay, Grade II\* listed Toll House at Conwy Suspension Bridge, the Grade I listed Tubular Railway Bridge and the Grade I listed Conwy Suspension Bridge are all within approximately 500m of the Application Site to the southwest. There is also the Conwy World Heritage Site to the southwest.

- 5.49 The Application Site is approximately 1km away from the Conwy World Heritage Site. At this distance, the Proposed Development would be of such a small scale and screened by vegetation that it would have no impact on the World Heritage Site. The Landscape Visual Assessment states that views of the Site can be experienced from limited locations around the castle and bridge, particularly from the entrance to the Suspension Bridge from Conway Road. From this location, visitors experience open views towards the Llwybr Moryd Conwy Estuary Trail although much of the Site to the north and east is set behind vegetation associated with RSPB Conwy. Views are also likely to be experienced from elevated vantage points along the east facing castle walls and turrets, however visibility of the Site becomes restricted from other areas within the castle grounds and across the suspension bridge.

### **Landscape**

- 5.50 PPW Chapter 6 identifies the importance of valuing the quality of Welsh landscapes, stating that 'the characteristics and environmental qualities of places varies across Wales, creating distinctive or unique features associated with their particular natural or cultural heritage and these should be recognised and valued, in and of, themselves and should be protected and enhanced.'
- 5.51 LDP Strategic Policy D/1 supports development which conserves the character and quality of local landscapes and the wider countryside.
- 5.52 LDP Policy DP/4 states that planning permission will not be granted where development has an unacceptable impact on landscape character and environmental conditions such as lighting.
- 5.53 LDP Strategic Policy NTE/1 states the Council will safeguard landscapes through protection and enhancement of sites of international, national, regional and local importance; and respecting the local character and distinctiveness of the individual Special Landscape Areas.
- 5.54 LDP Policy NTE/4 designates the Conwy Valley as a Special Landscape Area, which the Site is within. The Policy requires development within Special Landscape Areas to pay regard to the character of each locality to minimise impact and be satisfactorily integrated into the landscape. In appropriate cases planning applications are required to be accompanied by a Landscape and Visual Impact Assessment to assess the visual and landscape impacts of the development.
- 5.55 A Landscape and Visual Appraisal (LVA) carried out by TEP in August 2024. The site visits for the LVA were undertaken in January 2024 and March 2024.
- 5.56 The study has assessed the potential effects on landscape character and concluded that these would be up to moderate adverse in the short-term, which would be reduced to minor adverse in the medium and long-term. Construction activities generate higher levels of adverse effect, whereas the completed development will incur less effect upon the landscape.



- 5.57 The greatest level of visual effects will be experienced by the closest receptors: primarily users of the Llwybr Moryd Conwy Estuary Trail, visitors to RSPB Conwy, residents of the property Ynys-fawr immediately east of the Site between Conwy Valley Railway and Conwy Road (A470) and users of the Conwy Valley Railway. Such effects will be partially mitigated by replacement tree planting within the Site to accommodate for the trees removed along the A470.
- 5.58 Overall, the LVA has found that the effects of the Proposed Development will be restricted to a localised geographical area and would not result in substantial harm to landscape character beyond the Site boundary, nor would there be substantial detrimental effects to visual amenity across a wide area. More detail on the LVA section is provided in the Technical Matters chapter.

### **Lighting**

- 5.59 The Active Travel Act Guidance (July 2021) is published by the Welsh Government for use throughout Wales and the contents must be considered when planning, designing and maintaining active travel routes and related facilities, enhancing provision for walkers and cyclists as part of other highway schemes (including planned maintenance work), or when considering the needs of walkers and cyclists as part of new developments, traffic management and road safety schemes. Section 15.5 provides guidance on lighting and says that walking and cycling must be promoted as around-the-clock means of transport, rather than just a daylight activity and so active travel routes should normally be lit to provide an adequate level of safety, both real and perceived.
- 5.60 Therefore, lighting is being provided to promote active travel and provide adequate safety at all times of day. This is especially important during the winter, when daylight is much more limited. The outline lighting design consists of TRT Lighting VIA bollards located at 11m intervals (approx. 182) for the full distance of the path, with the exception of the ramp / bridges. DW Windsor Garda illuminated handrail is proposed on both sides of the ramp & bridges in a staggered configuration.
- 5.61 An Outline Lighting Assessment was completed by Specialist Engineering Technical Services in May 2024 and more detail on this is provided in the Technical Matters section.

### **Ecology and Biodiversity Statement**

- 5.62 PPW Chapter 6 supports the conservation of biodiversity and the protection of statutorily and non-statutorily designated sites. PPW Chapter 6 sets out that the Section 6 Duty on planning authorities to maintain and enhance biodiversity means that development should not cause any significant loss of habitats or populations of species and must work alongside nature.
- 5.63 LDP Strategic Policy DP/1 requires development to conserve or enhance the quality of biodiversity and wildlife habitats, and safeguard protected species.
- 5.64 LDP Policy DP/4 states that planning permission will not be granted where development has an unacceptable impact on ecological and wildlife interests.

- 5.65 LDP Strategic Policy NTE/1 states that the Council will enhance the natural environment by protecting and enhancing sites of international, national, regional and local importance; improve areas of biodiversity value, safeguard protected species and enhance their habitat, protecting the coastal zone and preventing all forms of pollution.
- 5.66 LDP Policy NTE/3 sets out that new development should conserve and enhance biodiversity through avoiding European/national/local protected sites, avoid or mitigate any adverse impact on biodiversity, manage wildlife habitats and contribute to achieving targets of the Conwy Local Biodiversity Action Plan (LBAP). The Policy also requires proposals to include a Biodiversity Statement and says that proposals with a negative impact on a European site, protected species or habitat will be refused unless the impact is adequately mitigated.
- 5.67 An Ecological Impact Assessment and Desk Study was carried out by TEP in March 2024. This assessed the proposed route from the A55 junction to Conway Road (A470). An additional assessment is being carried out for the proposed route from Conway Road (A547) up to the A55 junction and would be submitted with the planning application. These reports provide detail on the extent of impact on biodiversity, as required by Policy NTE/3.
- 5.68 The majority of the Proposed Development's footprint comprises of recently cleared vegetation in semi-natural broad-leaved woodland, plantation woodland and dense continuous scrub, and uses a section of existing track. The Proposed Development lead to the loss of small areas of non-priority habitat, principally modified neutral grassland, semi-natural broadleaved woodland, plantation woodland and dense scrub.
- 5.69 Impacts on protected species and SPI (S7) are limited by the restricted scale of the Proposed Development and impacts can be minimised through the adoption of ecological precautionary working method statement (PWMS) included within the contractors CEMP. Potential impacts upon Aber Afon Conwy SSSI can also be minimised through a PWMS and CEMP. In the design stages, the path route has been amended to avoid particular sensitive ecological features, therefore this has reduced negative impacts upon biodiversity. Therefore the Proposed Development would not have unacceptable impacts on ecological and wildlife interests.
- 5.70 PPW Chapter 6 goes onto state that after providing evidence in the Green Infrastructure Statement that the step-wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact.

- 5.71 A full Green Infrastructure Statement would be submitted during determination of the planning application. At this stage, an Outline Landscape Strategy (Ref: D10313.001A) has been proposed. This shows areas of new planting of native species proposed in several areas along the proposed route and nearby. The proposed planting includes grass reinstatement following earthworks and individual scattered tree planting. The locations of the planting has been sensitively chosen to not negatively interfere with existing habitat and also to maintain open views to towards the estuary.
- 5.72 As explained in the Green Infrastructure section, replacement tree planting is proposed. Some of this would be on site and adjacent the site but because of ecological and land ownership constraints, much of this replacement planting would have to be off-site. This proposed planting in the Outline Landscape Strategy and the planting of trees off-site would enhance areas of habitat and mitigate against vegetation that has been lost.
- 5.73 The Ecological Assessment proposes mitigation and enhancement to address potential ecological effects. These recommendations would contribute to a net benefit for biodiversity.

### **Welsh Language**

- 5.74 LDP Policy DP/4 states that planning permission will not be granted where development has an unacceptable impact on the Welsh language.
- 5.75 LDP Strategic Policy CTH1 supports development which is compatible with the long-term viability of the Welsh Language.
- 5.76 LDP Policy CTH/5 states that the Council will ensure that development supports and sustains the long term well-being of the Welsh language, and will resist development which, because of its size, scale or location, will significantly harm the character and linguistic balance of a community. The Policy also says that the Council will encourage the provision of bilingual signs.
- 5.77 Any signage associated with the development would include Welsh and be positioned so that it is likely to be read first, in accordance with Conwy Council's Welsh Language Standards.

### **Flood Risk**

- 5.78 PPW Chapter 6 states that development should reduce, and must not increase, flood risk on and off the development site itself. The priority should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development.
- 5.79 LDP Strategic Policy DP/1 requires development to take account of and address the risk of flooding.
- 5.80 LDP Policy DP/4 says that planning permission will not be granted where development has an unacceptable impact on flooding and flood risk.

- 5.81 A Flood Consequences Assessment is being produced in accordance with Technical Advice Note 15: Development and Flood Risk and will be submitted during the pre-application consultation period.

### **Minerals**

- 5.82 The Application Site is within an area designated on the Proposals Map as Safeguarded Sand & Gravel. Policy MWS/3 states that development will not be permitted within a Safeguarded Sand & Gravel designation which could directly or indirectly harm the long-term viability of working those resources unless the need for development outweighs the need to protect the mineral resource or; such development would not have a significant impact on the viability of the mineral being worked or; where the mineral is extracted prior to the development.
- 5.83 The Proposed Development would not have a significant impact on the viability of the mineral being worked. The nature of the Proposed Development does not involve any new buildings or structures which would prevent the extraction of minerals under them, nor would it sterilise them.

### **Pollution**

- 5.84 LDP Policy NTE/1 says that all forms of pollution including to light, soil and water will be prevented, reduced and remedied.
- 5.85 A Phase 2 Ground Investigation was carried out by GroundSolve Ltd in January 2024. The results of site investigation and laboratory analysis generally record negligible to zero concentrations of potential contaminants. Whilst unexpected contamination is not anticipated, the Proposed Development could encounter previously unrecorded hotspots of contaminants. These would be assessed and mitigated in accordance with current good practice. More detail is available in the Ground Investigation section of the Technical Matters chapter.

## 6.0 Technical Matters

### Landscape

- 6.1 A Landscape and Visual Appraisal (LVA) published by TEP in August 2024. The site visits for the LVA were undertaken in January 2024 and March 2024.

#### Assessment of Landscape Effects

- 6.2 During construction direct adverse effects to landscape components will result from changes in land cover, vegetation, and alterations to the existing topography, during the construction works alongside the provision of temporary site compounds and parking; the storage of materials; erection of temporary fencing; the use of operational plant; and general construction works. All are uncharacteristic features of the landscape, but generally will be temporary and short-term. All construction works will be carried out in accordance with best practice to avoid, reduce or limit the extent of effects as far as possible.
- 6.3 The Proposed Development would result in the loss of some areas of marginal land, scrub and approximately 1ha of trees in the local landscape and introduce features that did not previously exist on the Site including the new bridges, Active Travel path, fencing and lighting, however similar features commonly occur throughout the study area in other locations. The Proposed Development will also widen and re-surface the Llwybr Moryd Conwy Estuary Trail, which is already approximately 3m wide, and re-surface the existing access track in the north of the RSPB Reserve. The Proposed Development has been designed to minimise its effects upon the wider landscape and to integrate the Site within the existing character and context.
- 6.4 The design ensures the trees and hedgerows and trees to the periphery of the Site are retained wherever possible although tree removal along parts of the route will be required to accommodate the development. New trees will be planted to compensate for those lost along the path and within the south-eastern part of the Site where the footbridges will be introduced. However, the effect of new planting will initially be limited.
- 6.5 At the district level the Site lies within landscape unit B7 Conwy Valley and C10 Great Orme and Creuddyn Peninsular. The study has assessed the potential effects on landscape character in relation to landscape units B7 and C10 and concluded that these would be up to moderate adverse in the short-term, which would be reduced to minor adverse in the medium and long-term. This is primarily as a result of the small area of landscape affected by the Proposed Development, with construction activities generating higher levels of adverse effect, whereas the completed development will incur less effect upon the landscape.

### Assessment of Visual Effects

- 6.6 During construction visual impacts will arise from activities including; the storage of materials; operational plant; and the construction of the footbridges, structures, and landscape. The effects of construction works generally will be short term and temporary. All construction works will be carried out in accordance with good practice to avoid, reduce or limit the extent of negative visual effects as far as possible.
- 6.7 Following the completion of the Proposed Development the greatest levels of effects would be experienced by those receptors closest to the Site including users of the Llwyr Moryd Conwy Estuary Trail, users of RSPB Conwy Nature Reserve, residents of the property Ynys-fawr immediately east of the Site between Conwy Valley Railway and Conwy Road (A470) and Conwy Valley Railway.
- 6.8 Visibility of the Site is generally limited by intervening landform, woodland and built form within the wider landscape, although some receptors experience clear and direct views of the Site, particularly from along the Llwyr Moryd Conwy Estuary Trail, within the RSPB Conwy Reserve and from elevated vantage points within the wider landscape, namely around Conwy Castle and Bryn Pydew obelisk.
- 6.9 The greatest level of visual effects will be experienced by the closest receptors: primarily users of the Llwyr Moryd Conwy Estuary Trail, visitors to RSPB Conwy, residents of the property Ynys-fawr immediately east of the Site between Conwy Valley Railway and Conwy Road (A470) and users of the Conwy Valley Railway. During construction and completion of the Proposed Development, the overall effect on these receptors will be up to moderate adverse. Such effects will be partially mitigated by replacement tree planting within the Site to accommodate for the trees removed along the A470.

### Conclusion

- 6.10 This LVA has found that the effects of the Proposed Development will be restricted to a localised geographical area and would not result in substantial harm to landscape character beyond the Site boundary, nor would there be substantial detrimental effects to visual amenity across a wide area.

### **Ecology**

- 6.11 An Ecological Impact Assessment and Desk Study was carried out by TEP in March 2024. This assessed the proposed route from the A55 junction to Conway Road (A470). An additional assessment is being done for the proposed route from Conway Road (A547) up to the A55 junction and would be submitted with the planning application.
- 6.12 There are five internationally designated wildlife sites within 10km of the Proposed Development, the nearest being Coedwigoedd Penrhyn Creuddyn/ Creuddyn Peninsula Woods located 1.4km North of the Proposed Development. There are eight nationally designated wildlife sites (SSSIs) within 5km of the Site. There is one statutory locally designated wildlife sites within 5km, Bodlondeb Woods LNR of which is 1.8km West of the Proposed Development.

- 6.13 With the exception of Aber Afon Conwy Site of Special Scientific Interest (SSSI) that lies within 100m of the northern section of the Proposed Development and 50m of the southern end of the Proposed Development no direct or indirect impacts on the other designed sites are anticipated due to the intervening distances and small-scale nature of the proposed works. All non-statutory local wildlife sites are located at least 1km distance from the Proposed Development and as such no direct or indirect impacts are anticipated.
- 6.14 There is a potential risk of disturbance to wading bird species associated with the Aber Afon Conwy SSSI notably curlew, redshank and oystercatcher due to construction works and operational use. There is also potential risk of disturbance to habitats and species within the RSPB Nature Reserve. Impacts can be minimised through the adoption of ecological precautionary working method statement (PWMS) included within the contractors CEMP.
- 6.15 None of the habitats currently present on site qualify as habitats of principal importance under S7 of the Environment (Wales) Act 2016. The semi-natural woodland is small and effectively a group of trees dominated by relatively young willow species and has no woodland structure. The remaining habitats result from the creation of the reserve approximately 30 years ago.
- 6.16 The survey did not record any notable or protected plant species within the Proposed Development. Invasive plant species giant hogweed, Japanese Rose and Himalayan cotoneaster were recorded along the Proposed Development route. The surveys were however undertaken outside of optimal survey periods and the full extent of these species may not have been recorded at the time of the survey.
- 6.17 There are multiple waterbodies and wet ditches present within the reserve that may offer suitable breeding habitat for common amphibians including common toad (S7) that have been recorded within the reserve. Precautionary working measures should be adopted and included in the PWMS.
- 6.18 Three buildings have negligible bat roosting suitability and six trees recognised as having PRF-I bat roosting suitability may be disturbed or impacted during construction works and as such mitigation measures are required. No further surveys will be required but removal of the tree will require a precautionary inspection of the PRFs to be completed. There remains a chance of a bat roost being present in the railway cutting/slope over which the bridge is being constructed.
- 6.19 As further vegetation clearance will be required impact on the nesting and foraging bird communities within the Site could result as a result of the Proposed Development. It is recommended that any tree, scrub and ground foliage site clearance is undertaken outside of the bird breeding season. If clearance outside of the nesting bird season cannot be avoided, or at any time when bird nesting is suspected, a nesting bird check will be required.
- 6.20 The dense/continuous scrub, scattered scrub and woodland habitats provide opportunities for hedgehog sheltering, foraging and ranging. Prior to commencement of works, any potential sheltering and hibernation features for hedgehog within the works area will be removed by hand by the ECoW.

- 6.21 A pre-clearance check for polecat should be undertaken immediately prior to works commencing on the Proposed Development by the ECoW or a suitably qualified ecologist.
- 6.22 There is potential for the recently removed vegetation to regrow before construction commences and provide cover for otters. As they are a highly mobile species a pre-construction survey by a suitably qualified ecologist is recommended to ensure that otter activity has not changed in the vicinity of the works.
- 6.23 Precautionary working measures recommended for common amphibians should be adopted also for reptiles to minimise the risk of harm or injury to the species group.
- 6.24 The appointed contractors CEMP should include industry standard, best-practice methods to avoid impacts on fish species.

### **Ground Investigation**

- 6.25 A Phase 2 Ground Investigation was carried out by GroundSolve Ltd in January 2024.
- 6.26 The results of site investigation and laboratory analysis generally record negligible to zero concentrations of potential contaminants. Whilst unexpected contamination is not anticipated, the Proposed Development could encounter previously unrecorded hotspots of contaminants. These will be assessed and mitigated in accordance with current good practice. It should be noted that the Radon potential in this area is high. Should the Proposed Development change and buildings be constructed, 'full' Radon Protection measures would need to be installed. Due to the proximity of the Afon Ganol it is recommended that care is taken during the proposed works to ensure that no hydrocarbon contamination enters the water course. This can be mitigated by good environmental practices and the use of spill kits.
- 6.27 Where competent bedrock is encountered traditional spread foundations are likely suitable for the Proposed Development. Where the granular made ground 'armour rock' is present along the Afon Ganol and the 'piling mat' location, it may be possible to excavate and recompact these granular materials to a suitable specification in order to allow the use of spread foundations. This will be dependent on the proposed loads of the new structure.
- 6.28 Where the organic Silt deposits are present it is likely that piled foundations will be required to transfer the load to bedrock. An assessment of the soil and groundwater data (following the protocol established in BRE Special Digest 1, 2005) indicates that ACEC Class AC-1 conditions prevail. However, in one location (WS105 at 1.00-2.00m) high levels of sulphate were encountered. Should infrastructure be installed at this location or within the organic silt strata it is recommended that DS-3 AC-2 sulphate resistant concrete is used. Due to the brackish conditions, and likely continuity of the groundwater and the sea, special precautions may be required at the Site for the design of concrete in terms of the durability and structural performance.

### **Outline Lighting Assessment**

- 6.29 An Outline Lighting Assessment was completed by Specialist Engineering Technical Services in May 2024.



- 6.30 The outline lighting design consists of TRT Lighting VIA bollards located at 11m intervals (approx. 182) for the full distance of the path, with the exception of the ramp / bridges. The VIA bollards will be primarily located on the estuary side of the path and they will be fitted with 180° rear shields to prevent any light spill towards the Conwy RSPB Nature Reserve. The VIA bollards feature a 0° tilt which limits the any upwards light pollution. The asymmetric optics are configured in such a way as to only illuminate the path with very little light spill beyond the confines of the path. The bollards will have a CCT of 1750K (PC-Amber) providing an orange glow and minimising the amount of short-wavelength (blue) light which both reduces light pollution and provides a better environment for fauna and flora by reducing the harmful effects of artificial light.
- 6.31 The remainder of the Proposed Development will consist of a 35m bridge across the Afon Ganol and a 100m ramp & 35m bridge across the railway. The outline design consists of DW Windsor Garda illuminated handrail installed on both sides of the ramp & bridges in a staggered configuration. The Garda illuminated handrail will be configured with a 0° tilt which limits the any upwards light pollution. The asymmetric optics will only illuminate the path with very little light spill beyond the confines of the path. The current Proposed Development is for the ramp and bridges to feature glass infill parapets and therefore there will be some minor illumination visible externally of the structures however, it will provide negligible back light. The illuminated handrails will have a CCT of 1800K providing an orange glow and minimising the amount of short-wavelength (blue) light which both reduces light pollution and provides a better environment for fauna and flora by reducing the harmful effects of artificial light.

## 7.0 Design and Access

### Introduction

- 7.1 PPW Chapter 3 supports design which addresses accessibility for all, contributes to well-being, respects special characteristics of the local area and maximises sustainable travel choices.
- 7.2 LDP Policy DP/3 sets out development principles for design. These include appropriateness to the locality, accessibility standards, local character, landscaping and integrating with existing green transport routes.
- 7.3 The Proposed Development has been designed to minimise its effects upon the wider landscape and to integrate within the existing local character. The Development will be restricted to a localised geographical area and would not result in substantial harm to landscape character beyond the Site boundary, nor would there be substantial detrimental effects to visual amenity across a wide area. Replacement planting would mitigate against loss of trees.

### Use

- 7.4 The application seeks planning permission for a new active travel route which connects Glan Conwy with Llandudno Junction and Conwy. The application is driven by the need for promoting modal shift to active travel and improving accessibility to local amenities without the need for a private car.

### Amount

- 7.5 The Proposed Development comprises of a new active travel path, a bridge over the Afon Ganon, a bridge over the railway and associated ramp; fencing and lighting along the entire route, demountable barriers or gates to restrict motor vehicle traffic and an existing RSPB maintenance track is to be resurfaced.

### Layout

- 7.6 This proposed active travel route would run along the edge of the nature reserve and along the River Conwy, which would link Llandudno Junction, Conwy and the RSPB Conwy Reserve to the village of Glan Conwy. Access to the route will be Conwy Road (A547) to the west, the A55 Junction 18 midway along and the existing layby off Conway Road (A470) in Glan Conwy to the east.
- 7.7 This layout of the route was chosen to minimise impact upon the nature reserve and the wider landscape by being screened by the surrounding vegetation. Along the estuary, the existing path would be used to minimise impact and views across the estuary would be maintained.

### Scale

- 7.8 The total length of the proposed active travel route would be approximately 2km long.
- 7.9 Both bridges are 34.2m long. The railway bridge has a 2.2m high Platt Truss and a 1.8m high soli infill parapet over the railway span. There is an 8.6m high pier attached to the bridge on the RSPB reserve side of the railway line.

- 7.10 The Afon Ganol bridge has a 2.2m high Platt Truss and a 1.4m high infill parapet over the Afon Ganol span.
- 7.11 The railway bridge's ramp is approximately 100m long and raises up to the height of 8.6m to connect to the bridge pier. The ramp would have a 1.4m high vertical infill parapet all the way along it, which is a continuation of the parapet along the rest of the proposed new path.

### **Appearance**

- 7.12 The new Active Travel path would comprise the creation of a new minimum 3m wide paved surface with verges. Fencing would be along the entire cycle path, which would consist of wire mesh fencing and wooden post fencing.
- 7.13 Both bridges have an infill parapet and a high platt truss running along them. The pier on the RSPB nature reserve side of the railway bridge would have masonry facing the RSPB elevations. On the ramp, there would be exposed concrete finish to the railway elevations.
- 7.14 The design of the bridges including the parapet is in accordance with safety requirements for pedestrians and cyclists using them.

### **Landscaping**

- 7.15 Vegetation would be retained wherever possible to aid screening of the proposed new active travel route including the ramp and bridges.
- 7.16 An Outline Landscape Strategy (Ref: D10313.001A) has been proposed. This shows areas of new planting of native species proposed in several areas along the proposed route and nearby.

### **Access**

- 7.17 The path would be minimum 3m wide, which would make the proposed route accessible for people with wheelchairs, pushchairs and bicycles. The ramped footpath onto the railway bridge and would give access to the active travel route for people who are unable to use steps.
- 7.18 The Proposed Development would facilitate the creation a new public active travel route, increasing access for people travelling from Glan Conwy to access amenities at Llandudno Junction and Conwy. It would also improve access for people to visit the surrounding area for tourism using active travel. Access to the wider active travel network would promote sustainable movement and wellbeing.
- 7.19 To aid users of the bridges after dark and make it safe, there would be LED illuminated handrails and bollards. The illuminated handrails would be for the entire length of bridge and ramp on both sides and the lighting would be integrated at the bottom of the handrail facing the ground. Via Bollards from TRT would be used, which is International Dark Sky Association approved, therefore reducing levels of light pollution. There would be bollards placed at regular intervals along the entire pathway.

## 8.0 Conclusion

- 8.1 This Planning, Design and Access Statement has been prepared in support of a planning application for a new combined cycle and pedestrian path including two bridges and associated ramps lined by fencing and lighting ('the Proposed Development') at RSPB Conwy Nature Reserve ('the Application Site').
- 8.2 The application is submitted on behalf of Conwy County Borough Council ('the Applicant') with the following description of development being applied for:

"A new combined cycle and pedestrian path comprising of two bridges and associated ramps with fencing and lighting bollards along the route. Access to be off Conway Road (A547), the A55 Junction 18 and Conway Road (A470). Resurfacing of existing RSPB access track."
- 8.3 The Proposed Development would develop a new active travel path. This would promote active travel, improve access to local amenities at Llandudno Junction and Conwy and it would support sustainable tourism. The new route including bridges and ramp would be sympathetic upon the local landscape and have a limited impact.
- 8.4 The technical assessments and reports which support the application identify any potential impacts of the Proposed Development on the Application Site and the surrounding area. These reports identify that the Proposed Development would not give rise to any significant adverse impacts.
- 8.5 In the absence of any adverse impacts that outweigh the benefits of the Proposed Development, and that the Proposed Development is in accordance with the development plan, we would urge that the development be approved.



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**HEAD OFFICE**

Genesis Centre,  
Birchwood Science Park,  
Warrington  
WA3 7BH

Tel: 01925 844004  
E-mail: [tep@tep.uk.com](mailto:tep@tep.uk.com)

**MARKET  
HARBOROUGH**

The Reynard Suite,  
Bowden Business Village,  
Market Harborough,  
Leicestershire,  
LE16 7SA

Tel: 01858 383120  
E-mail: [mh@tep.uk.com](mailto:mh@tep.uk.com)

**GATESHEAD**

Office 26, Gateshead  
International Business  
Centre,  
Mulgrave Terrace,  
Gateshead  
NE8 1AN

Tel: 0191 605 3340  
E-mail: [gateshead@tep.uk.com](mailto:gateshead@tep.uk.com)

**LONDON**

8 Trinity Street,  
London,  
SE1 1DB

Tel: 020 3096 6050  
E-mail: [london@tep.uk.com](mailto:london@tep.uk.com)

**CORNWALL**

4 Park Noweth,  
Churchtown,  
Cury,  
Helston  
Cornwall  
TR12 7BW

Tel: 01326 240081  
E-mail: [cornwall@tep.uk.com](mailto:cornwall@tep.uk.com)

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