



## 4. POLICY CONTEXT

## 4.1 INTRODUCTION

- 4.1.1 This section presents the key policy, legislation and guidance relevant to the proposed development. Section 38(6) of the Planning and Compulsory Purchase Act 2004 Act states that:

*“...if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*

- 4.1.2 The following section considers relevant national strategies, policy and guidance, and Development Plans as far as they are relevant to the proposed development. This relates to matters of energy and planning.

## 4.2 National Energy Context

### Climate change Act

- 4.2.1 The Climate Change Act 2008 required long term targets for the UK to achieve an 80% reduction in greenhouse gases by 2050 against 1990 levels. In June 2019, the Climate Change Act 2008 (2050 target Amendment) Order came into effect which required the net UK carbon account for the year 2050 to be 100% of 1990 levels.
- 4.2.2 The UK Act requires governments to set legally binding ‘carbon budgets’. Each budget provides a five-year cap on total greenhouse emissions; in order to meet the UK’s emission reduction commitments caps should not be exceeded.
- 4.2.3 The first carbon budget (2008-12) and the second (2013-17) have been met and the UK is on track to outperform the third (2018-22). However, it is not on track to meet the fourth (2023-27) or the fifth (2028-32).

### Environment (Wales) Act 2016

- 4.2.4 The Act provides the necessary legislation to improve planning and management of natural resources in Wales. Part 2 of the Act relates to Climate Change and places an obligation on Welsh Ministers to reduce greenhouse gas emissions such that in the year 2050 they are at least 80% lower than baseline figures for 1990 or 1995, depending the type of GHG.

### Advice Report: Path to a Net Zero Wales

- 4.2.5 Required under the Environment (Wales) Act 2016, the Report provides ministers with advice on Wales’ climate targets between now and 2050 and assesses progress on reducing emissions to date. Prepared in December 2020 by the Climate Change Committee (an independent statutory body) the report states that meeting the Net Zero target in Wales requires action across four key areas; Reducing demand for carbon-intensive activities; Take-up of low-carbon solutions; Expansion of low-carbon energy supplies; Land; and Flexibility to meet Net Zero.
- 4.2.6 In April 2019, the Welsh Government Minister for the Environment, Energy and Rural Affairs, Lesley Griffiths AM declared a climate emergency in Wales. The Welsh Government initially committed to a 95% reduction in emissions by 2050, but in February 2021 amended this to a legal commitment to achieve net zero emissions

by 2050, with a stated ambition to “get there sooner”. IACC declared a climate emergency in September 2020.

### 4.3 NATIONAL CONTEXT

#### Future Wales: The National Plan 2040

4.3.1 Future Wales: The National Plan 2040 (Adopted February 2021) is the national plan that sets the direction of development in Wales to 2040. Future Wales constitutes the development plan for DNSs in line with s38(6) of the Planning and Compulsory Purchase Act 2004. It states:

*Wales can become a world leader in renewable energy technologies. Our wind and tidal resources, our potential for solar generation, our support for both large and community scaled projects and our commitment to ensuring the planning system provides a strong lead for renewable energy development, mean we are well placed to support the renewable sector, attract new investment and reduce carbon emissions.*

4.3.2 As set out in legislation (Planning & Compulsory Purchase Act 2004 as amended by the Planning (Wales) Act 2015), applications for Developments of National Significance must be determined in accordance with Future Wales, which is the national development plan for Wales.

4.3.3 Future Wales identifies 11 Outcomes to be achieved in 20 years-time. Outcome 9 seeks a Wales where people live in places that sustainably manage their natural resources and reduce pollution. Outcome 11 seeks a Wales where people live in places which are decarbonised and climate-resilient.

4.3.4 Future Wales states:

*Wales is abundant in opportunities to generate renewable energy and the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of our commitment to decarbonisation and tackling the climate emergency.*

4.3.5 Furthermore, Future Wales sets the following ambitious targets for the generation of renewable energy:

- For 70% of electricity consumption to be generated from renewable energy by 2030.
- For one gigawatt of renewable energy capacity to be locally owned by 2030.
- For new renewable energy projects to have at least an element of local ownership from 2020.

4.3.6 The National Plan includes Policies 17 and 18 which are strategic spatial and detailed criteria-based policies respectively and should be considered together in the determination of applications.

4.3.7 Policy 17 demonstrates the Welsh Government’s support in principle for all renewable energy projects and technologies. Proposals should ensure there is no significant unacceptable detrimental impact on the surrounding natural environment and local communities and that the development delivers positive social, environmental, cultural and economic benefits. Policy 17 - Renewable and Low Carbon Energy and Associated Infrastructure states:

*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. In determining planning applications for renewable and low carbon energy development, 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....*

*Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities....*

- 4.3.8 Policy 18 provides a decision-making framework for renewable and low carbon energy technologies. Policy 18 - Renewable and Low Carbon Energy Developments of National Significance states:

*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:*

- 1. 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);*
- 2. there are no unacceptable adverse visual impacts on nearby communities and individual dwellings;*
- 3. there are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons of Overriding Public Interest (IROPI) and appropriate compensatory measures have been secured);*
- 4. there are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species;*
- 5. the proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity;*
- 6. there are no unacceptable adverse impacts on statutorily protected built heritage assets;*
- 7. there are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance;*
- 8. there are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T);*
- 9. there are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation;*
- 10. the proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources;*

*11. there are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.*

*The cumulative impacts of existing and consented renewable energy schemes should also be considered.*

#### Prosperity for All: A Low Carbon Wales

- 4.3.9 The Environment (Wales) Act 2016 requires Welsh Government to reduce emissions of greenhouse gases (GHGs) in Wales by at least 80% for the year 2050 from 1990 levels with a system of interim emissions targets and carbon budgets. The Plan sets out how Wales aims to meet the first carbon budget (2016-2020) and consequently the 2020 interim target through 100 policies and proposals across Ministerial portfolios.

#### Planning Policy Wales Edition 11

- 4.3.10 The Welsh Government published Planning Policy Wales Edition 11 (PPW) in February 2021. This provides the overarching national level source of planning policy for Wales and is a material consideration alongside Future Wales. It has been updated to take into account Future Wales and the Wellbeing of Future Generations Act which incorporates 7 wellbeing goals. It seeks to support the requirement for sustainable development via the planning system whereby the presumption in favour of sustainable development forms the overarching role together with a firm view on improving population wellbeing

- 4.3.11 PPW sets out the specific planning policies for achieving sustainable development across Wales. Figure 4 sets out the key planning principles of this national policy, stating that

*“The planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals.”*

- 4.3.12 Chapter 5 (Productive and Enterprising Places) of the PPW sets out the Welsh Government’s policies regarding Enterprising Placemaking and Well-being across Wales. One of the key aims in relation to energy is:

- For Wales to generate 70% of its electricity consumption from renewable generation by 2030;
- For one Gigawatt of renewable electricity capacity in Wales to be locally owned by 2030; and
- Actively managing the transition to a low carbon economy.

- 4.3.13 Chapter 5 of the PPW outlines the importance of the planning system to deliver these targets, paragraph 5.7.15 states:

*“The planning system has an active role to help ensure the delivery of these targets, in terms of new renewable energy generating capacity and the promotion of energy efficiency measures in buildings.*

- 4.3.14 Paragraph 5.9.19 states that:

*“In determining applications for the range of renewable and low carbon energy technologies, planning authorities should take into account:*

- the contribution a proposal will make to meeting identified Welsh, UK and European targets;*
- the contribution to cutting greenhouse gas emissions; and*
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development.*

4.3.15 Paragraph 5.9.20 continues stating:

*Planning authorities should also identify and require suitable ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy development. The construction, operation, decommissioning, remediation and aftercare of proposals should take into account:*

- the need to minimise impacts on local communities, such as from noise and air pollution, to safeguard quality of life for existing and future generations;*
- the impact on the natural and historic environment;*
- cumulative impact;*
- the capacity of, and effects on the transportation network;*
- grid connection issues where renewable (electricity) energy developments are proposed; and*
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so, consider whether measures to adapt to climate change impacts give rise to additional impacts.*

4.3.16 Chapter 5 also outlines that before an application is submitted “...developments should, wherever possible, consider how to avoid, or otherwise minimise, adverse impacts through careful consideration of location, scale, design and other measures”. Furthermore, active engagement with the local community should be undertaken at pre-application stage.

#### 4.4 LOCAL CONTEXT

4.4.1 The Anglesey and Gwynedd Joint Local Development Plan was adopted in July 2017 and provides the overarching strategic planning framework for Anglesey and Gwynedd to 2026.

4.4.2 As Future Wales is the national, and highest, tier of development plan in Wales, Local Development Plans are required to be in accordance with it. s38(5) of the Planning & compulsory Purchase Act confirms that:

*“If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document” –*

4.4.3 For this application, the last document is Future Wales.

4.4.4 The key policies relating to sustainable development and renewable energy at the local level are:

- Strategic Policy PS 5: Sustainable Development
- Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change

- Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
- Strategic Policy PS 7: Renewable Energy Technology
- Policy PCYFF 1: Development Boundaries
- Policy PCYFF 2: Development Criteria
- Policy PCYFF 4: Design and Landscaping
- Policy ADN 2: PV Solar Energy
- Policy TRA 4: Managing Transport Impacts
- Policy AMG 3: Protecting and Enhancing Features and Qualities That Are Distinctive to the Local Landscape Character
- Policy AMG 5: Local Biodiversity Conservation
- Policy AMG 6: Protecting Sites of Regional or Local Significance
- Policy PS 20: Preserving and Where Appropriate Enhancing Heritage Assets

4.4.5 Each of the above policies are detailed below.

4.4.6 Strategic Policy PS5 seeks to support development where is it consistent with the principles of sustainable development such as to “alleviate the causes of climate change...”.

4.4.7 Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change states that:

*“In order to alleviate the effects of climate change, proposals will only be permitted where it is demonstrated that they have fully taken account of and responded to the following:*

*The energy hierarchy:*

*Reducing energy demand;*

*Energy efficiency;*

*In order to adapt to the effects of climate change, proposals will only be permitted where it is demonstrated with appropriate evidence that they have fully taken account of and responded to the following: ...*

*Ensuring that the ability of landscapes, environments and species to adapt to the harmful effects of climate change is not affected, and that compensatory environments are provided if necessary...”*

4.4.8 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment states that

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

4.4.9 Strategic Policy PS 7: Renewable Energy Technology seeks to ensure that the Plan area wherever feasible and viable realises its potential to provide renewable and low carbon energy technologies. The policy states

*“by promoting:*

*1. Renewable energy technologies within development proposals which support energy generation from a variety of sources which include biomass, marine, waste, water, ground, solar and wind, including micro generation;*

*2. Free-standing renewable energy technology development.”*

- 4.4.10 Policy PCYFF 1: Development Boundaries seeks to approve proposals in accordance with other policies within the Plan. The policy states that:

*“Outside the development boundaries development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.”*

- 4.4.11 Policy PCYFF 2: Development Criteria

*“A proposal should demonstrate its compliance with:*

*1. Relevant policies in the Plan;*

*2. National planning policy and guidance.”*

- 4.4.12 Policy PCYFF 4: Design and Landscaping provides guidance to what a landscape scheme should demonstrate and identity as part of a proposal. The policy states that:

*“All proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused.”*

- 4.4.13 Policy ADN 2: PV Solar Energy supports proposals for Solar PV Farm of 5MW or more and other solar schemes of up to 5MW providing the proposal conforms to the listed criteria. The policy states

*“Proposals for Solar PV Farms of 5MW or more should be directed to the potential search areas shown on the Proposals Map. Proposals of this scale will only be permitted in other locations in exceptional circumstances when the need for a scheme can be justified and there are specific locational circumstances.”*

- 4.4.14 Policy TRA 4: Managing Transport Impacts of the LPD states:

*Proposals that would cause unacceptable harm to the safe and efficient operation of the highway, public transport and other movement networks including pedestrian and cycle routes, public rights of way and bridle routes, will be refused...”*

- 4.4.15 Policy AMG 3: Protecting and Enhancing Features and Qualities That Are Distinctive to the Local Landscape Character states that

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

*A proposal will be granted provided it doesn’t have significant adverse impact upon features and qualities which are unique to the local landscape in terms of visual, historic, geological, ecological or cultural aspects.”*

- 4.4.16 Policy AMG 5: Local Biodiversity Conservation seeks for proposals to protect and,



where appropriate, enhance biodiversity that has been identified as being important to the local area. The policy states

*“A proposal affecting sites of local biodiversity importance will be refused unless they can conform with all of the following criteria: -*

- 1. That there are no other satisfactory alternative sites available for the development.*
- 2. The need for the development outweighs the importance of the site for local nature conservation;*
- 3. That appropriate mitigation or compensation measures are included as part of the proposal.*

*Where necessary, an Ecological Assessment which highlights the relevant local biodiversity issues should be included with the planning application.”*

4.4.17 Policy AMG 6: Protecting Sites of Regional or Local Significance states that

*“Proposals that are likely to cause direct or indirect significant harm to Local Nature Reserves (LNR), Wildlife Sites (WS) or regionally important geological / geomorphologic sites (RIGS) will be refused, unless it can be proven that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid having a detrimental impact on sites of local nature conservation value or local geological importance.”*

4.4.18 Policy PS 20: Preserving and Where Appropriate Enhancing Heritage Assets seeks to support the wider economic and social needs of the Plan area, the Local Planning Authorities will preserve and where appropriate, enhance its unique heritage assets. The policy states:

*“Proposals that will preserve and where appropriate enhance the following heritage assets, their setting and significant views into and out of the building/area will be granted:*

- 1. Scheduled Ancient Monuments and other areas of archaeological importance (in line with Policy AT 4).*
- 2. Listed Buildings and their curtilages.*
- 3. Conservation Areas (in line with Policy AT 1).*
- 4. Beaumaris Castle and Caernarfon Castle and Town Walls World Heritage Sites (in line with Policy AT 1).*
- 5. Candidate World Heritage Sites.*
- 6. Registered Historic Landscapes, Parks and Gardens (in line with Policy AT 1).*
- 7. Buildings of architectural/ historic/ cultural merit that are not designated or protected (in line with Policy AT 3).”*

## 4.5 SUMMARY AND CONCLUSION

4.5.1 This section of the ES outlines the policy context for the determination of Parc Solar Traffwll.

4.5.2 There is clear policy support for renewable energy schemes at both the local and national level, particularly as such schemes will support a vibrant and decarbonised

economy.

- 4.5.3 Whilst policy takes a positive approach to the renewables sector, development proposals need to be mindful of local constraints, communities and natural resources.
- 4.5.4 This ES reports on a detailed assessment of the site and its environs and how they are anticipated to interact with the proposed development.
- 4.5.5 The Planning Statement that accompanies the planning application presents a detailed appraisal of the proposal in the context of the above policies.