

Adran yr Economi a'r Seilwaith
Department for Economy and Infrastructure



Llywodraeth Cymru
Welsh Government

**THE CHESTER TO BANGOR TRUNK ROAD (A55) (JUNCTIONS 16 AND 16A
IMPROVEMENT REALIGNMENT AND SLIP ROADS) ORDER 202-**

**THE CHESTER TO BANGOR TRUNK ROAD (A55) (JUNCTIONS 16 AND 16A
IMPROVEMENT REALIGNMENT AND SLIP ROADS) (SIDE ROADS) ORDER 202-**

**THE WELSH MINISTERS (THE CHESTER TO BANGOR TRUNK ROAD (A55)
(JUNCTIONS 16 AND 16A IMPROVEMENT REALIGNMENT AND SLIP ROADS))
COMPULSORY PURCHASE ORDER 202-**

PROOF OF EVIDENCE

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WELSH GOVERNMENT, PLANNING POLICY

DOCUMENT REFERENCE: WG 1.04.02

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1. Author

- 1.1 I am Shân Wyn Jones. I am currently employed by Richards, Moorehead and Laing Ltd as a Principal Planning Consultant.
- 1.2 I have a BA Honours degree in Geography from Aberystwyth University and a Masters degree in Civic Design from Liverpool University. I have been a Member of the Royal Town Planning Institute (RTPI) since 1995.
- 1.3 I have undertaken several local authority Development Control roles, from a Planning Assistant, Glyndŵr District Council (Denbighshire County Council on local government re- organisation) to a Senior Development Control Officer for Anglesey County Council, then as an Environment Planner, Wrexham County Borough Council in 2003. This role was based as part of an Environment Team within the Planning Department with projects focused on regeneration, local planning, and development management. Key responsibilities included training and guidance on sustainable development and compliance with Environmental Impact Assessments. My subsequent role as a Senior Development Control Officer at Denbighshire County Council, focused on major planning applications and appeals, which included affordable housing, environmental matters.
- 1.4 I joined Richards, Moorehead and Laing Ltd (RML) in 2015, initially as a Senior Town Planning Consultant then progressed to a Principal Town Planning Consultant, working with a range of work from private clients to road infrastructure specialist adviser. I advise on a range of development management proposal, including objections on behalf of clients; guidance for unauthorised developments and local development plan issues and provide guidance on planning matters to colleagues. I have also undertaken specialist reports and these include: Housing Impact Assessments and Welsh Language Impact Assessments. Since 2021 I am contracted as a specific 'partner' planning advisor for the Farmer's Union of Wales members, focusing predominantly on North Wales.
- 1.5 My relevant highways experience includes the following projects:
 - a) Site compound Environmental Impact Assessment (EIA) planning permission for the A487 Caernarfon to Bontnewydd bypass at Seiont Quarry, Caernarfon and related Compensation Valuation matters on sterilisation of remaining quarry reserves.
 - b) A40 Llanddewi Velfrey to Penblewin Improvements (Key Stages 3 to 4) for Welsh Government – 2017 Cumulative Assessment Effects EIA Chapter author.

- c) A55 Junction 15. Improvements Consultancy Contract (Key Stages 3 to 4) for Welsh Government – 2016 onwards. The separate Cumulative Assessment Effects and Community, Private Assets and Agriculture (except the detailed agricultural assessments) chapters author.
 - d) A40 Penblewin to Redstone Cross (Key Stages 3 to 4) for Welsh Government – 2019 onwards. The Cumulative Assessment Effects EIA Chapter author.
 - e) A494 River Dee Bridge Improvement Scheme (Key Stages 3 to 4) for Welsh Government. The Cumulative Assessment Effects EIA Chapter author.
 - f) A483 Wrexham Junctions 3 to 6 Improvements Scheme (Key Stage 2) for Welsh Government, 2019 onwards. Contributions towards key strategic planning matters, including the relationship with the deposit LDP.
 - g) Planning appeals including a Public Inquiry into a public footpath diversion as part of Liverpool City Council's major re- development proposals at the Colomendy Outdoor Pursuits Centre, Mold; informal hearing with included highway and accessibility matters at Penvale Lakes chalet site, Llangollen, several minor scale applications and appeals covering matters of highway visibility standards.
 - h) Submitted objections on behalf a client to highlight a need for an integrated highway infrastructure and transport strategy as part of the LDP future growth planned for Wrexham town, and to focus on the inclusion of dedicated sites for car 'park and ride', in-conjunction with improved railway facilities.
- 1.6 As a Member of the RTPI, I must abide by the Institute's Code of Professional Conduct, which sets out the standards, ethics and professional behaviour and competence expected of Members.
- 1.7 I am part of the team responsible for the delivery of the A55 Junctions 16 and 16A Improvement Scheme (subsequently described in my evidence as 'the Project' or 'the Scheme') in my role as expert witness on matters relating to land use planning at this inquiry. The evidence which I have prepared and provide in this proof is true and has been prepared and presented in accord with my professional status, as a Member of the RTPI. I confirm that the opinions and conclusions in this proof represent my own true and professional work.
- 1.8 I am the author of two separate topic chapters of the Environmental Impact Assessment for the Scheme's Chapter 5 Community, Private Assets, except

for the detailed agricultural land assessments and Chapter 19, the Cumulative Assessment. My role involves the key tasks of:

- a) Ensuring that the relevant methodology is used for the topic chapter and the scope of the project is understood.
- b) Identifying, collection and assessment of all relevant baseline data for both chapter topics and ensure that this is clearly annotated and presented as part of the technical details to support the relevant EIA Chapters.
- c) Liaising with the project specialists and external stakeholders for information.
- d) Ensuring data and information is kept up to date, when required to do so, including relevant land use planning matters.

- 1.9 The project for the A55 improvements at Junction 15 and 16 has developed so that it encompasses Junctions 14 and 16A.
- 1.10 The two sets of junctions, namely Junctions 14 and 15 to the west at Llanfairfechan, and Junctions 16 and 16A to the east at Dwygyfylchi and Penmaenmawr, are being treated under different sets of draft Orders and Environmental Statements (ES).
- 1.11 This proof of evidence addresses Junctions 16 and 16A, at Penmaenmawr and Dwygyfylchi, hereby referred in this proof of evidence as the 'Scheme' or the 'Junction 16 Scheme' as appropriate.
- 1.12 My Proof of Evidence provides an overview of land use planning aspects relevant towards the Junction 16 Scheme.
- 1.13 The opinions expressed are my own unless I state otherwise. I have been assisted by colleagues from within the project team in the various tasks that are reported in this document. Colleagues are also presenting evidence within their specialist environmental expertise. Where a topic is covered in detail by the proof of evidence of another specialist, I provide a cross reference to the relevant proof.
- 1.14 It is not my intention to reproduce large sections of text from the Environmental Statement (ES), but simply to cross refer to, or highlight key procedural and technical matters that are pertinent to the assessment of the published Scheme. Consequently, I will refer in this Proof of Evidence to supporting material contained within the ES and other documents where relevant.
- 1.15 My Proof of Evidence covers land use planning matters which are relevant to the Scheme and is structured in the following manner:

- Part 2 The scope and purpose of this Proof of Evidence.
- Part 3 The Scheme and defining and aligning the relevant planning policies and development management.
- Part 4 This provides a summary of the matters raised in the objections that are relevant to my Proof of Evidence.
- Part 5 Land Use Planning review.
- Part 6 Conclusion and Declaration.

Scheme Plans

- 1.16 Any subsequent material revisions to the plans that I have reviewed as part of the preparation of this proof and before the public inquiry takes place will oblige a review and a summary assessment of any relevant land use planning implications, as set out in this proof.

Links with other Proofs of Evidence

- 1.17 I will rely on the following expert witnesses to cover their respective specialist fields:

Chief Witness (Statement of Case), James Healey (WG 1.01)

Climate Change and Carbon, Simon Price (WG 1.02)

Air Quality, Graham Harker (WG 1.10)

Nature Conservation, Donna Hall (WG 1.08)

Environment, Andrew Sumner (WG 1.06)

Engineering, Jonathon Bayliss (WG 1.05)

Landscape and Visual Impact, Jon Stoddard (WG 1.07)

Noise, Craig Barson (WG 1.09)

Traffic and Economics, Nigel Roberts (WG 1.03)

Steve Cox, Water Quality and Flooding (WG 1.11)

Phil Studds, Contaminated Land (WG 1.12)

2. Scope and Purpose of this Proof of Evidence

- 2.1 My evidence addresses land use planning matters. This proof is based on current planning legislation and policies at the time of preparation (July 2021).
- 2.2 There would be a loss of farmland and some of this land is allocated as part of three separate land use allocations, as identified under the adopted Conwy Local Development Plan, as part of this Scheme. The farmland is also used for camping/caravanning on a seasonal basis. Some of the identified, existing open space land would be impacted, both on a permanent and temporary basis and a small area of the garden at the Oasis Retreat Centre would be required.
- 2.3 Section 10 (2) of the Highways Act 1980¹ (Document Reference WG 4.01.10) requires the Welsh Ministers considerations for improvements to existing trunk roads the requirements of local and national planning, including the requirements of agriculture. Similarly, the relevant Environmental Impact Assessment (EIA) Regulations (EIA Directive 2011/92/EU², as amended) (Document Reference WG 4.01.149) requires the consideration of interrelationships and cumulative effects. This means the assessment of the direct effects and any indirect, secondary, cumulative, short, medium, and long term permanent or temporary, positive, and negative effects of the project with other plans or projects.
- 2.4 ES Chapter 5 confirms³ it has had regard to planning policy.
- 2.5 The proofs presented by Chief Witness (Statement of Case), James Healey (Document References WG 1.01.01 and 1.01.02) confirm that a Sustainable Development Report⁴ (Document Reference WG 4.03.03) was published with the draft Scheme Orders. These also identify related, key legislation and policy changes taken place since the ES publication and which are to be covered in the evidence at the Public Local Inquiry. The role of land use planning considerations, as part of the overall Welsh Government aims for achieving sustainable development goals, is referred to in those proofs.

¹ <https://www.legislation.gov.uk/ukpga/1980/66/section/10>

² <https://www.legislation.gov.uk/eudr/2011/92>

³ Paragraphs 5.1.3 and 5.16.1

⁴ <https://gov.wales/sites/default/files/publications/2021-04/a55-junctions-14-and-15-sustainable-development-report.pdf> The report shows how sustainability was considered throughout the decision making process

- 2.6 ES Chapter 5, at the time of preparation, sets out the relevant⁵ overarching land use planning legislation and plans as part of the decision-making process⁶. This proof will set out any relevant changes to planning policy and guidance that have taken place since the baseline date of the Scheme ES.
- 2.7 Andrew Sumner’s proof (Document Reference 3.01.01) also highlights that any relevant planning legislation and policy documents published since the ES was written will be included in the evidence presented at the Public Inquiry.
- 2.8 For the avoidance of repetition, this proof does not duplicate any of these separate proofs.
- 2.9 The Scheme ES Chapter 19⁷ (Document Reference 3.01.01) identifies the relevant planning permissions and Local Development Plan (LDP) allocations, as at the end of February 2019. The ES Chapter focused on the main ‘other development’ sites identified at the time of preparation.
- 2.10 Some of the representations arising from the draft Orders also raise concerns about land use planning matters⁸, and these are covered in this proof.
- 2.11 Therefore, my evidence sets out the impact of the Scheme relative to current land use planning policy and planning legislation, including development of agricultural land. Any environmental measures proposed to mitigate the impact on specific farm holdings are considered separately in the evidence of Andrew Sumner (Document Reference WG 1.06.02).

The Role of Land Use Planning

- 2.12 In succinct terms, *‘the planning system manages the development and use of land in the public interest, prioritising long term collective benefit, contributing to improving the economic, social, environmental and cultural well-being of Wales. It must reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, ensuring the*

⁵ Paragraphs 5.6.1-5.6.6

⁶ Paragraphs 2-6

⁷ Paragraph 19.2.14

⁸ Land use planning matters are those which are recognised as material planning considerations under the Regulations.

*sustainable management of natural resources, and protecting, promoting, conserving and enhancing the built and historic environment.*⁹

The Legislation and Requirements of Land Use Planning in Wales

- 2.13 The Planning Wales Act 2015¹⁰ (Document Reference WG 4.01.03) strengthened the existing and well-established plan-led approach for planning and defined the requirement for the Welsh Ministers to produce and keep up to-date a national land use plan, a National Development Framework¹¹ (NDF) for Wales, to set out the national land use priorities and infrastructure requirements.
- 2.14 In 2020 the Future Generations Commissioner for Wales (FGCW)¹² highlighted the significance of land use planning: ‘Future generations need a land use planning system fully aligned with the Well-being of Future Generations Act. All plans at a local, regional, and national level need to deliver against local authorities’ well-being objectives and steps along with the national well-being goals. The report highlights that planning will support decarbonisation of all sectors and provide the relevant infrastructure to ‘operate that shift.’
- 2.15 The FGCW document acknowledges that Wales’ national planning policy of ‘placemaking’¹³ as a planning ‘tool’ towards achieving each of the Wales Future Generation (WFG) goals represents a significant aspect and is relevant to all other sectors, including transport. In the hierarchies for transport, energy and waste, the document emphasises the need to ‘*understand the connections between housing, the environment, technology,*

⁹ Page 4 Planning Policy Wales Edition 11 (PPW) 2021
https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf page 14, Page 4 (Document Reference WG 4.01.51)

¹⁰ Planning (Wales) Act 2015 anaw 4 <https://www.legislation.gov.uk/anaw/2015/4> (Document Reference WG 4.01.03) and ES Paragraph 5.13.1 (Document Reference WG 3.01.01)

¹¹ Details of the National Development Framework (NDF) (Document Reference WG 4.01.38) are provided as part of this proof

¹² Chapter 5, Future Generations Report 2020 (Document Reference WG 4.01.121)
<https://www.futuregenerations.wales/wp-content/uploads/2020/06/Chap-5-Planning.pdf>

¹³ PPW11 (Document Reference WG 4.01.51), previously PPW10 (Document Reference WG 4.01.27)

*transport, access to services, culture and language now and for generations to come in order to help them achieve multiple objectives and steps*¹⁴.

Welsh Government COV 19 Recovery and Land Use Planning

- 2.16 The Welsh Government published ‘Building Better Places. The Planning System Delivering Resilient and Brighter Futures. Placemaking and the COV 19 recovery’¹⁵. This document emphasises ‘*placemaking*’ as a key priority, with 8 key action issues, including the publication of the NDF. A continuation towards reducing the need to travel and creating places which support sustainable and active travel is highlighted, as is the emphasis on ‘*active and social streets*’¹⁶ and the preference for nature-based solutions, including green infrastructure assets and networks.
- 2.17 The national planning policy at the time was revised to ‘*strengthen support for the use of compulsory purchase powers by local planning authorities to help facilitate the development, redevelopment and improvement of land and buildings where there is a compelling case in the public interest*’.¹⁷
- 2.18 Compulsory purchase powers are identified as important placemaking measures as part of the Covid-19 action tools¹⁸. As at March 2021, further proposals to update the compulsory purchase process in Wales is ongoing.¹⁹

¹⁴ Chapter 5, Future Generations Report 2020, Page 52

¹⁵ Building Better Places - The Planning System Delivering Resilient And Brighter Futures - Placemaking And The Covid-19 Recovery -July 2020
<https://gov.wales/sites/default/files/publications/2020-07/building-better-places-the-planning-system-delivering-resilient-and-brighter-futures.pdf>

¹⁶ Supported by ‘Manual for Streets’ and the companion guide ‘Manual for Streets 2’ (Document Reference WG 4.01.123)

¹⁷ This follows changes to planning policy and guidance on use of compulsory purchase powers previously issued in 2020 see : [Change to planning policy and guidance on use of compulsory purchase powers \[HTML\] | GOV.WALES](#) and Planning Policy Wales Paragraph 3.5.3 (Document Reference WG 4.01.27)

¹⁸ See <https://gov.wales/change-planning-policy-and-guidance-use-compulsory-purchase-powers-html>

¹⁹ Further revisions to the compulsory purchase legislation is ongoing at the time of the preparation of this proof and details awaited from the Welsh Government. See <https://gov.wales/sites/default/files/consultations/2021-03/summary-of-responses-reforms-to-compulsory-purchase-powers-and-procedures.pdf>.

The National Development Framework: Future Wales – the National Plan 2040

- 2.19 The ES refers to the preparation of a National Development Framework (NDF)²⁰ (Document Reference 4.01.37) for Wales. This new document was published earlier this year and represents the first NDF for Wales. The NDF provides a spatial context for development in Wales over the next 20 years, with a review to be published every five years. *‘Future Wales will be used to guide both public and private investment. Our aim is to ensure investments in infrastructure and development – whether large or small in scale - contribute to our broader ambitions of greater well-being and the creation of better places. We will lead the way with our own investments.’*²¹
- 2.20 The document addresses ‘key national priorities’ through the planning system, including sustaining and developing a vibrant economy, supporting our town and city centres, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. *Future Wales* reflects the lessons being learnt from the Covid-19 pandemic.
- 2.21 The NDF is to be read alongside the updated Planning Policy Wales (PPW) document, as this provides the planning policy direction on an all Wales basis and, as such, the NDF does not repeat PPW. The document replaces a previous document, the ‘Wales Spatial Plan’ (WSP)²² (Document Reference WG 4.01.26).
- 2.22 The Scheme ES does refer to the previous WSP²³ but this is no longer considered of direct relevance and is reference only.

²⁰ Paragraphs. 5.13.1 -2 and 5.14.16, The National Development Framework 2020-2040. Consultation Draft.(NDF)
<https://gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf>

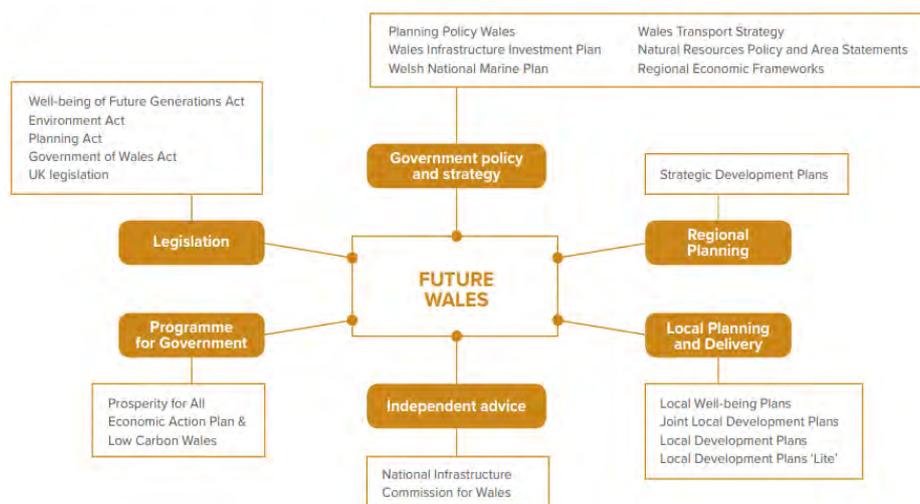
²¹ Introduction, Page 10, NDF

²² Wales Spatial Plan. This represented a plan prepared and approved by the National Assembly for Wales, to set out a strategic framework to guide future development and policy interventions, whether these relate to formal planning control. Under the Planning and Compulsory Purchase Act 2004, a local planning authority must have regard to this plan in preparing an LDP. The WSP was divided into six cross-boundary Spatial Plan Areas (SPAs). The Conwy Plan Area fell mainly within the North East Wales – Border and Coast SPA and was seen as making a very important contribution to both the Welsh and UK economy.

²³ Chapter 5, Paragraph 5.14.1-5.14.8

2.23 Several Welsh Government strategies and policies, including the new Wales Marine Plan²⁴ (Document Reference WG 4.01.126), Wales Transport Strategy²⁵ (Document Reference WG 4.01.21) and the Low Carbon Wales plan²⁶ (Document Reference WG 4.01.12) form the basis for the NDF, as are the main themes highlighted by the first annual report (2019) of the National Infrastructure Commission for Wales²⁷ (Document Reference WG 4.01.81).

Model of Future Wales Influence



2.24 The majority of the proposed 11 NDF outcomes focus on ‘People’ and ‘Places’. The document highlights that: *‘our ports, roads and rail lines are key connections into wider European network’*. Holyhead port in North Wales *‘is the main port for freight and sea passenger transport with Ireland’*²⁸.

2.25 The NDF’s related integrated sustainability appraisal sets out the continuous assessment process and outcomes set against several factors.

²⁴ Welsh National Marine Plan – November 2019 <https://gov.wales/welsh-national-marine-plan-document>

²⁵ Llwybr Newydd The Wales Transport Strategy 2021 https://gov.wales/sites/default/files/publications/2021-03/llwybr-newydd-wales-transport-strategy-2021-full-strategy_0.pdf

²⁶ Welsh Government. Prosperity for All - A Low Carbon Wales 2019 https://gov.wales/sites/default/files/publications/2019-06/low-carbon-delivery-plan_1.pdf

²⁷ National Infrastructure Commission For Wales - Annual Report – 2019 https://gov.wales/sites/default/files/publications/2019-11/national-infrastructure-commission-for-wales-annual-report_0.pdf

²⁸ NDF Page 43

2.26 NDF Policy 1 sets out ‘*Where Wales will grow*’ and identifies three ‘*National Growth Areas*’. These are areas planned for growth in employment and housing opportunities, and investment in infrastructure and include: Cardiff, Newport and the Valleys; Swansea Bay and Llanelli; Wrexham and Deeside.

2.27 The ‘*National Growth Areas*’ are complemented by ‘*Regional Growth Areas*’ which are forecast to ‘grow, develop and offer a variety of public and commercial services’²⁹. There are ‘*Regional Growth Areas*’ in three regions, including The South West; Mid Wales; and the North. The North ‘*Regional Growth Area*’ includes Holyhead, Caernarfon and Bangor; Llandudno and Colwyn Bay, Rhyl and Prestatyn. Paragraphs 2.36 and 2.37 in this proof sets out further details for ‘*Regional Growth Areas*’.

2.28 The NDF spatial strategy plan indicates the ‘*National Growth Areas*’, ‘*Regional Growth Areas*’, and ‘*Strategic Gateways*’. It also sets out international connectivity, national connectivity, national parks and, areas of outstanding natural beauty³⁰.

2.29 A copy of the NDF spatial strategy is shown in Figure 1.

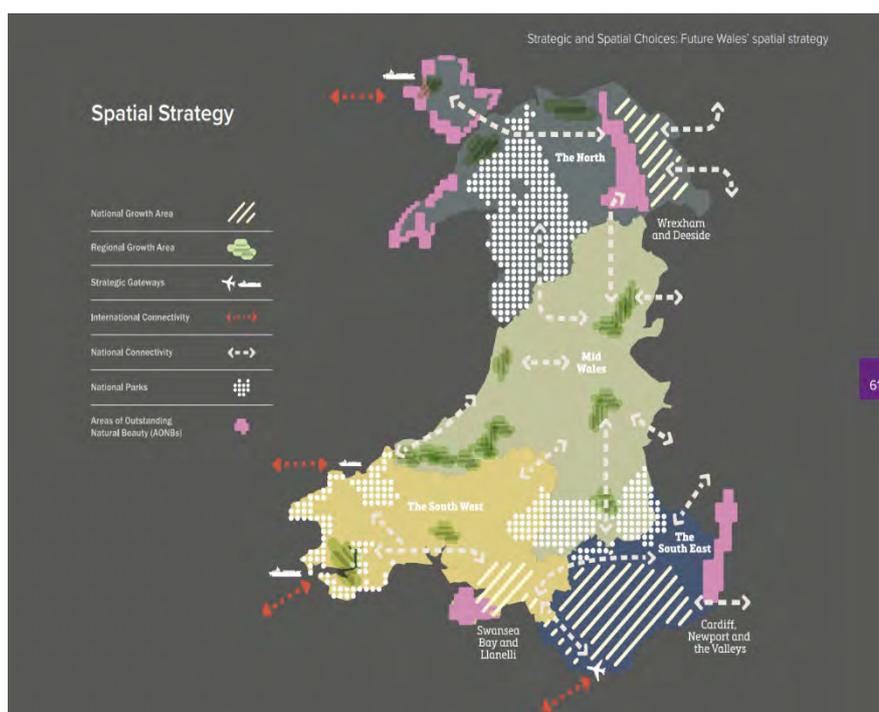


Figure 1: NDF Wales 2021 Spatial Strategy (refer to Appendix A for full-sized version)

2.30 NDF Policy 10, ‘*International Connectivity*’, identifies the Welsh Government’s commitments towards four ‘*Strategic Gateways*’ to facilitate international

²⁹ NDF Page 62

³⁰ NDF Page 62

connectivity and looks towards Strategic and Local Development Plans (LDP's) to support these 'Gateways' by maximising the benefits they provide to their respective regions and Wales.

- 2.31 NDF Policies 11 and 12 are also of direct relevance. Policy 11 '*National Connectivity*' highlights Welsh Government's support and investment in improving national connectivity. This includes the '*Strategic Road Network*' and investing in '*road improvements to reduce journey times, deliver a safer and more resilient road network, and improve air and noise quality. Create a network of rapid-charging points to enable longer distance travel by electric vehicles throughout Wales*'.³¹ In doing so, the NDF recognises that '*Planning authorities should support developments associated with improvements to national connectivity and, where appropriate, maximise the opportunities that arise from them*'.³²
- 2.32 NDF Policy 12 '*Regional Connectivity*,' sees support and investment in improving regional connectivity and utilising several measures, for both urban and rural areas. It also highlights co-relationships with Transport for Wales, local authorities, operators, and partners. The key NDF outcomes for Policy 12 include the following:
- a) Active Travel;
 - b) Integration of regional and local bus networks;
 - c) Metros, as new integrated transport systems that provide faster, more frequent and joined-up services using trains, buses, and light rail and;
 - d) Ultra-Low Emission Vehicles.
- 2.33 The NDF highlights that '*Planning authorities must plan the growth and regeneration of the National and Regional Growth Areas*'. Planning authorities '*must act to reduce levels of car parking in urban areas, including supporting car-free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time. Where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have electric vehicle charging points*'.³³

³¹ NDF Page 83

³² NDF Page 83

³³ NDP Page 83

NDF and the New Wales Transport Strategy ‘Llwybr Newydd’

- 2.34 The new Wales Transport Strategy ‘Llwybr Newydd’ (Document Reference WG 4.01.21) is a 20-year long-term vision for transport in Wales and aligns with ‘Future Wales’. PPW refers to the ‘Llwybr Newydd’s *‘strategic framework for the two tiers of transport plans in Wales – the National Transport Finance Plan and Joint Local Transport Plans... These are five-year detailed plans which present specific projects, schemes, initiatives or interventions. The Joint Local Transport Plans set out policies for the promotion and encouragement of safe and efficient transport and the implementation of the Wales Transport Strategy in their area.’*³⁴
- 2.35 James Healey in his evidence³⁵ sets out further details of ‘Llwybr Newydd’.

NDF and Strategic Development Plans (SDP’s)

- 2.36 The Scheme ES refers to the new provision of ‘Strategic Development Plans’ (SDP’s)³⁶. The NDF identifies the role of four SDP’s for each region within Wales: North Wales, Mid Wales, South-West Wales, and South-East Wales.
- 2.37 As part of the regional SDP’s, Wrexham and Deeside; Cardiff, Newport, and the Valleys; and Swansea Bay and Llanelli are identified as nationally significant areas for growth.
- 2.38 NDF Policy 19 highlights the role of SDPs³⁷ which are to focus on the location of key services, transport, and connectivity infrastructure.

NDF- the North Region, Regional Growth Areas, and North Wales Metro

- 2.39 The NDF stresses that the North Region should work *‘together to consider the connections with Mid Wales, Ireland, Cheshire West and Chester and the North West of England. Promoting accessibility and inter-linkages between these areas, based on an understanding of their roles and functions, will ensure these areas operate as a cohesive whole, and do not compete against each other or take strategic decisions in isolation’*. The SDP should *‘focus on the movement of people across the region and support an integrated approach to strategic land-use and transport planning’* with decisions to focus

³⁴ PPW11 1.3

³⁵ See Document Reference WG 1.01.01

³⁶ Chapter 5, Paragraph 5.13.1 Point b) (Document Reference WG 3.01.01)

³⁷ See <https://gov.wales/sites/default/files/consultations/2021-07/corporate-joint-committees-draft-statutory-guidance.pdf>

‘on the most sustainable and accessible locations, address congestion, reduce car-based commuting and improve air quality’³⁸.

- 2.40 ‘Regional Growth Areas’ reflect a new land use planning policy objective. The North Region includes ‘*Regional Growth Areas*’ for: Holyhead; Caernarfon and Bangor; Llandudno and Colwyn Bay and, Rhyl and Prestatyn as set out in the NDF plan.
- 2.41 NDF Policy 21 is specific to the Regional Growth Area of the North Wales Coastal Settlements. ‘*The Welsh Government supports sustainable growth and regeneration in regionally important towns along the northern Coast. Holyhead, Caernarfon, Bangor, Llandudno, Colwyn Bay, Rhyl and Prestatyn will be a focus for managed growth and they have an important sub-regional role complementing the National Growth Area of Wrexham and Deeside*’.³⁹

³⁸ NDF Page 110

³⁹ NDF Page 115

2.42 NDF Policy 23 relates to the ‘North Wales Metro’ and identifies a dedicated North East Wales facility⁴⁰. A copy of the North Wales Regional Strategic Plan⁴¹ is provided in Figure 2.

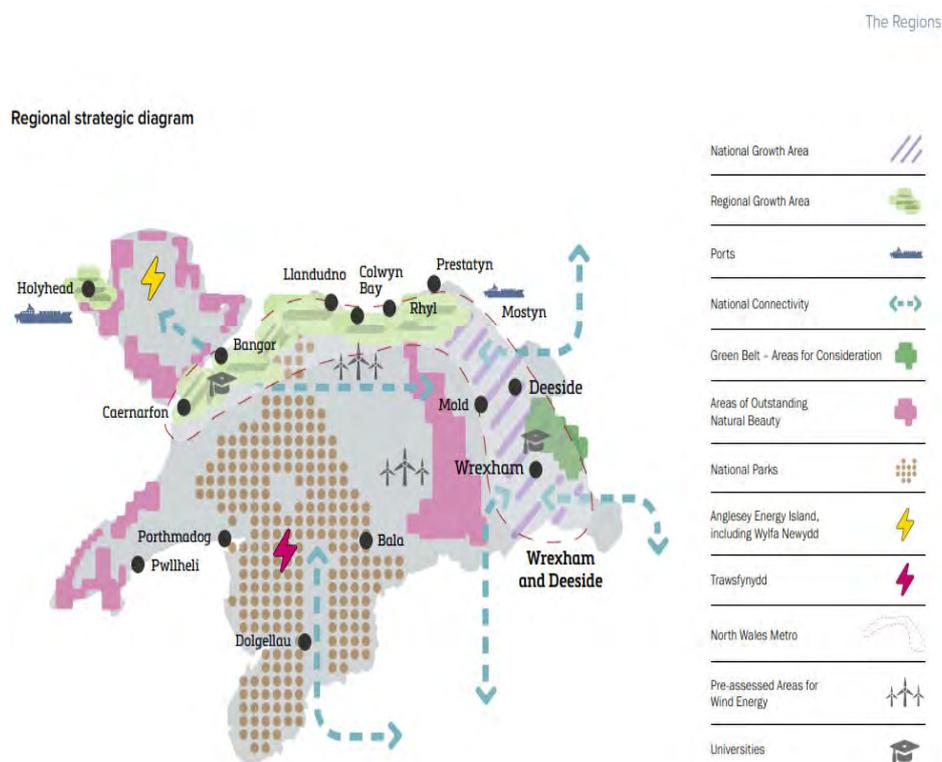


Figure 2: North Wales Regional Strategic Plan (refer to Appendix A for full-sized version)

Planning Policy Wales Edition (PPW 11) March 2021⁴²

2.43 ‘The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the

⁴⁰ Growth 360/Metro North Wales Metro is a WG programme which aims to create an integrated transport network across the region to “connect people, communities and businesses to jobs, facilities and services and maximise the economic opportunities of connectivity across Wales and our borders.” It is based on the work of the North East Wales Integrated Task Force, established by WG in 2013 which developed a vision for a Metro for North East Wales’. The scope expanded to cover the whole region, officially called ‘North Wales and North East Wales Metro The focus of the programme is public transport and access to it (not roads). **(extract from CCBC LDP Review Topic Paper 8.** See latest update on Growth 360 Metro in: <https://www.growthtrack360.com/home/about/>

⁴¹ NCP Page 111.

⁴²Planning Policy Wales Edition 11 (PPW11) 2021 https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf (Document Reference WG 4.01.51)

social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, and the goals of the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well functioning planning system is fundamental for sustainable development and achieving sustainable places.’⁴³ It reinforces a ‘placemaking’⁴⁴ focus for plan making, planning policy and decisions.

- 2.44 PPW outlines policies on all the key land use matters⁴⁵ and is the relevant principal and authoritative source of national planning policy, under which local planning authorities prepare their Local Development Plans (LDP’s). Decisions on planning applications must be taken in accordance with the development plan. *‘Planning Policy Wales is not part of the development plan, but as the principal statement of national planning policy it has substantial weight in the planning process. Development plans must be consistent with national policy, and if a development plan is absent or has lapsed, these national policies assume significant weight in the planning decision-making process; this means Planning Policy Wales is a ‘material consideration’. Development plans are tested to ensure they are consistent with Planning Policy Wales.’⁴⁶*
- 2.45 PPW 11 replaces the previous, December PPW 2018 Edition 10 version⁴⁷ but (as with earlier editions of PPW) the principles of sustainable development remain central to planning policy and development matters. The document reflects a re-worked version of Edition 10, (which established the concept of ‘placemaking’) and takes account of the Well-being of Future Generations (Wales) Act 2015 (Document Reference WG 4.01.04).
- 2.46 The re-worked PPW 11 highlights that the integration of land use planning and development of transport infrastructure has a key role to play in addressing the environmental aspects of sustainable development, climate change and the outcomes identified in the Assembly Government’s Environment Strategy. Both PPW 11 and the Wales Transport Strategy⁴⁸ aim

⁴³ PPW 11 Paragraph 1.2

⁴⁴ As defined in Page 14, PPW 11

⁴⁵ Supported by Technical Advice Notes, Circulars and Policy Clarification Letters

⁴⁶ NDF Page 17

⁴⁷ ES Paragraphs 2.6.12 highlights the encouragement of PPW towards wider, sustainable problem solving, and 5.14.9 (Document Reference 3.01.01)

⁴⁸ ‘Llwybr Newydd’ The Wales Transport Strategy 2021 (Document Reference 4.01.21)

to secure the provision of transport infrastructure and services, which improve accessibility, build a stronger economy, improve road safety and foster more sustainable communities.

- 2.47 PPW 11 identifies that the planning system can and must improve to achieve the requirements of the Planning Act and the Well-being of Future Generations Act. *‘Good placemaking is the key to the delivery of sustainable development and achieving improvements in the well-being of communities.’*⁴⁹
- 2.48 Aligning with the publication of the NDF, PPW 11 is structured around four themes: Strategic and Spatial Choices; Active and Social Places; Productive and Enterprising Places; and Distinctive and Natural Places. The document highlights 5 key planning principles as part of all development plans and placemaking:
- a) Growing our economy in a sustainable manner
 - b) Making best use of resources
 - c) Facilitating accessible and healthy environments
 - d) Creating and sustaining communities
 - e) Maximising environmental protection and limiting environmental impact
- 2.49 PPW continues with the planning principles to form national sustainable placemaking ‘outcomes’ *‘to inform the preparation of development plans and the assessment of development proposals. The outcomes provide a framework which contains those factors which are the optimal outcome of development plans and individual developments. These outcomes, whilst highlighting the sustainable features of the place development plans and decisions help create, should be the starting point for plan makers and decision takers and be considered at the earliest possible opportunity’.*⁵⁰
- 2.50 PPW11 points out that *‘Not every development or policy proposal will be able to demonstrate they can meet all of these outcomes, neither can it necessarily be proved at the application or policy stage that an attribute of a proposal will necessarily lead to a specific outcome. However, this does not mean that they should not be considered in the development management process to see if a proposal can be improved or enhanced to promote wider well-being. It is for*

⁴⁹ PPW 11 Paragraph 2.10

⁵⁰ PPW 11 Annex B sets out the national sustainable placemaking outcomes and their relationship to PPW Themes and Well-being Goals.

*developers and planning authorities to identify these opportunities and act upon them*⁵¹.

- 2.51 PPW emphasises that agricultural land of Grades 1, 2 and 3a of the Agricultural Land Classification system is the best and most versatile and should be conserved as a finite resource for the future.⁵²

PPW and Technical Advice Notes (TAN's)

- 2.52 ES Chapter 5 (Document Reference WG 3.01.01) sets out the role of Technical Advice Notes (TAN's) and ES table 5.5 sets out the relevant TAN's and are not repeated here. Evidence presented at this public inquiry will set out matters that relate to the listed TANs.
- 2.53 TAN 18 Transport (Welsh Assembly Government) 2007 (Document Reference WG 4.01.28). This provides technical highway and traffic guidance to implement PPW. It encourages an efficient and sustainable transport system and, that to achieve a more sustainable pattern of development, it is necessary to understand the interactions and linkages between land use and transport and devise integrated strategies, objectives, and policies at the national, regional, and local levels. The new Wales Transport Strategy confirms that TAN 18 is to be reviewed.⁵³

A Local Development Plan (LDP) and Development Management (DM) Matters

- 2.54 *'The development plan sets out a vision for the LPA area of how land uses will be distributed, to achieve sustainable development and support the goals set out in the Well Being of Future Generations (Wales) Act 2015. It is the role of (the detailed process of) DM (Development Management) to deliver that vision; guiding public and private investment to suitable locations using national and local policies to provide the jobs, homes and infrastructure that we require to meet the needs of citizens of Wales both now and in generations to come*⁵⁴.

⁵¹ PPW11 Paragraph 2.20

⁵² PPW11 Paragraph 3.54

⁵³ Email dated 20/07/2021 from Jon Fudge, Planning Policy Branch, Planning Directorate, Welsh Government to Shân Wyn Jones, Richards, Moorehead and Laing Ltd confirms no fixed date for a review of TAN 18 set out, to date. For correspondence see Appendix A.

⁵⁴Development Management Manual - Revision 2 - May 2017 (Document Reference WG 4.01.128) <https://gov.wales/sites/default/files/publications/2018-10/development-management-manual.pdf> Paragraph 1.1.2

2.55 Welsh Government document and guidance sets out the role and function of DM and describes the minimum requirements set out in law. Section 38(6) of the Planning and Compulsory Purchase Act 2004⁵⁵ requires that *'if regard is to be had to the development plan for the purposes 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... Material considerations could include current circumstances, policies in an emerging development plan, and planning policies of the Welsh Government. All applications should be considered in relation to up to date policies'.⁵⁶*

2.56 Up to date government policy which is consulted and published is a material planning consideration and will override out of date development plans.

The Relevant Local Development Plan and Development Context for the Scheme

2.57 The Scheme ES⁵⁷ identifies the relevant, existing local plan context, at the time of the preparation of the Scheme ES, and that these included the Conwy County Borough Local Development Plan (CCBC LDP) 2000- 2015⁵⁸ and in part, the Snowdonia National Park Authority Eryri Local Development Plan (2016 to 2031)⁵⁹, supported by accompanying planning guidance notes.⁶⁰

2.58 The CCBC LDP, at the time of preparation of this proof, is progressing towards the completion of the later stages of a review process.⁶¹ The revised Eryri Local Development Plan (2016-2031) was adopted by Snowdonia National Park Authority on 6th February 2019.

⁵⁵ [Planning and Compulsory Purchase Act 2004 c. 38 \(legislation.gov.uk\)](#)

⁵⁶ 9.4.1, Development Management Manual

⁵⁷ Paragraph 5.1.3 (Document Reference WG 3.01.01)

⁵⁸ Conwy CBC Local Development Plan (Document Reference WG 4.01.34 4.01.130 and 4.01.131) <https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Strategic-Planning-Policy/Adopted-Local-Development-Plan-LDP/Assets-written-proposals-maps/Conwy-Local-Development-Plan-2007-2022.pdf>

⁵⁹ Snowdonia (Eryri) Local Development Plan (Document Reference 4.01.111 and 4.01.129) <https://www.snowdonia.gov.wales/planning/planning-policy/local-development-plan-ldp>

⁶⁰ Supplementary Planning Guidance LDP8 (Document Reference WG 4.01.139) and LDP09 (Document Reference WG 4.0.140)

⁶¹ As at 15/072021 <https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Replacement-LDP/Replacement-Local-Development-Plan.aspx>.

- 2.59 When relevant to do so, this proof focuses on the current CCBC LDP policies.
- 2.60 The Scheme ES sets out the relevant local development plan policies and developments⁶². The current LDP covers the period of 2007 to 2022 and a period of one year remains in place as an adopted plan.
- 2.61 Part of the Scheme includes land within the defined, adopted development plan boundary for the settlements of Dwygyfylchi and Penmaenmawr.. **Appendix B** illustrates the extent of the Scheme to the relevant adopted LDP and identifies an area safeguarded for hard and rock reserves at each end of the Scheme; an area safeguarded for sand and gravel along the northerly, coastal edge of the Scheme; an employment contingency site to north of Dwygyfylchi, adjoining the existing Puffin Garage Service Station, south west of Junction 16A. Further along to the west, the Scheme's land take includes a housing allocation site and a '*green wedge*' which continues southwest, beyond J16, towards the development boundary with Penmaenmawr. The Scheme also includes part of a separate housing contingency allocation site⁶³.
- 2.62 ES Table 5.7 sets out the local planning policy detail relevant to the location of the Scheme.
- 2.63 The LDP acknowledges the importance of the A55 and rail corridors as a strategic route corridor connecting settlements along the North Wales Coast; that the focus of future development should be in highly accessible areas predominantly along the A55 and railway network and on the edge of the '*Urban Development Strategy Areas*' within the coastal belt, and an '*Overarching Strategic Approach*' defines the framework for the location of development overall.
- 2.64 The LDP Strategic Policy STR/1 '*Sustainable Transport, Development and Accessibility*' focuses support towards '*development where the need to travel can be minimised. Infrastructure such as cycle routes, footways and public transport and the improved accessibility of services should be provided to encourage change of travel behaviour to using these modes of travel for local journeys*'. This will be achieved by focussing '*future development in the Plan Area in highly accessible locations, predominantly*

⁶² Paragraphs 2.6.14, Point g) and 5.16.1 (Document Reference WG 3.01.01)

⁶³ At the time of preparation of the ES, several planning permission references related to this locality. Ch19 appendices provided further details for these.

*along the A55 and railway network within and on the edge of the Urban Development Strategy Area within the coastal belt’.*⁶⁴

- 2.65 Development close to the Scheme footprint is limited to within and on the fringe of urban areas including Penmaenmawr and main villages such as Dwygyfylchi (part of which lies within Snowdonia National Park)
- 2.66 The ES sets out the details and descriptions of the ‘*in combination impacts*’ of ‘*other developments*’ geographically limited to the extent of the Scheme⁶⁵; these are;
- a) Land on the north-westerly edge of Dwygyfylchi. As mentioned earlier, the Scheme will take a portion of this land allocation.
 - b) Orme View Filling Station. This site is directly affected by the link road of the A55.
 - c) Land at Conwy Road.
 - d) The A55 Junction 15 improvements. The Scheme’s ‘sister’ application.
- 2.67 Additionally, the ES considers a potential future, new development, not yet ‘defined’ and which could arise within the Scheme locality. This includes either combining the existing junior schools or the provision of a new purpose-built school.⁶⁶ Further correspondence with CCBC at the time of the preparation of this evidence, confirms that no firm decision has been made⁶⁷ on a new school facility.
- 2.68 Detailed and topic specific local planning policies, which includes protecting Conservation Areas and separately, Historic Parks and Gardens, and the implications of the Scheme are covered separately in the proofs provided by Jon Stoddard (Document Reference WG 1.07.02) and Andrew Sumner (Document Reference WG 1.06.02).

Scheme Design Refinements and Specialist Matters

- 2.69 Following the preparation of the initial Scheme ES, further design (both built and natural environment) refinements have taken place and these are

⁶⁴ CCBC Local Plan STR/1 Criteria a)

⁶⁵ Appendix C provide a copy of the ES Chapter 19 ‘in -combination’ assessment matrices

⁶⁶ ES Paragraph 2.3.10 (Document Reference WG 3.01.01)

⁶⁷ Email 12/07/2021 from Rochane D Vye, Property Manager, Conwy County Borough Council to RML and Ramboll. For correspondence with Conwy County Borough Council see Appendix A.

explained in detail in the public inquiry proofs provided by Jon Stoddard, Andrew Sumner and Donna Hall (Document Reference WG 1.08.02).

Implications of the New 2021 Land Use Planning Policies and ‘Material Considerations ‘Matters

- 2.70 The March 2021 PPW 11 and the NDF publication sets out how the planning system at a national, regional, and local level can assist in delivering the well – being of Wales through development plans. *‘The Welsh Government by producing Future Wales contributes the national tier of the development plan. This is the highest tier of development plan. Strategic Development Plans cover regional and sub-regional scales and Local Development Plans consider issues at the local scale. The three tiers of the development plan should be aligned and complement each other. Strategic Development Plans, which have not yet been prepared in any region, are required to be in conformity with Future Wales. Similarly, Local Development Plans must be in conformity with Future Wales and the Strategic Development Plan for their area. Strategic and Local Development Plans must be kept up to date to ensure they and Future Wales work together effectively. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.’*⁶⁸
- 2.71 The NDF and PPW represent recent and up to date government planning policies. These are key material planning considerations and take precedence over the interpretation of the adopted CCBC LDP. The National Assembly for Wales confirmed in 2019: *‘Unlike its predecessor, the Wales Spatial Plan, the NDF will have development plan status, meaning it can be a material consideration in planning decisions and that all Strategic Development Plans (SDPs) and LDPs must be in conformity with it.’*⁶⁹ This means that a CCBC LDP review will need to consider the objectives of both the NDF and SDP for North Wales.

⁶⁸ NDF Introduction

⁶⁹ <https://senedd.wales/media/mplnmbod/19-0011-eng-web.pdf>

3. The Scheme

3.1 The ES sets out a detailed description of the Scheme, including construction, of the problems and opportunities associated with the existing situation, and these will not be repeated in detail here, but to highlight that, in land use planning matters, that:

- a) Existing environmental issues include the impact of the construction of the A555 expressway, leading to the separation of the town promenade and rural hinterland.
- b) Decline of the seaside resort due to traffic noise and physical barriers.
- c) Limited links between north A55 and communities to the south.
- d) Indications of increasing pressure for land allocations to the south of the A55 for residential.
- e) An under provision of public open space.
- f) The impacts of 'peak' seasonal, tourism use in the locality, with poor connections towards the north.

3.2 Several measures to improve the current situation is set out in the Scheme ES⁷⁰ as well as mitigation measures. A detailed assessment on each specialist topic aspect is clearly described, with the greatest land use impact directed towards the land allocations and viability matters, in particular for housing; the planned, new sports pitch; the potential for flood events and, the potential cumulative impacts with inter-relationships between several receptors and 'other' developments, especially the Junction 15 Scheme.

3.3 In his proof of evidence James Healey (Document Reference WG 1.01.02) explains the Scheme and the potential impacts and sets out alignment with the wider policy context. A description of the detailed context, measures and highways design proposals for the Scheme is covered in the proof of evidence of Jonathan Bayliss (Document Reference WG 1.05.02), with general environmental matters set out in the proof of Andrew Sumner (Document Reference WG 1.06.02).

3.4 Where appropriate, the ES topic chapters highlight the relevance of the PPW and guidance at the time of the preparation of the ES. Any changes which would affect these outcomes are in the evidence presented at the Public Inquiry. There is no need to repeat these in this proof. I have concentrated my

⁷⁰ ES Paragraph 21.3.3 (Document Reference 3.01.01).

evidence on the potential implications of the new NDF and PPW 11, as these are published after the preparation of the ES.

Scheme Specific Considerations with the 2021 NDF and PPW Documents

- 3.5 The Scheme EIA highlights the strategic significance of the A55 route and the international ‘gateway’ at Holyhead⁷¹ and references ‘*A Growth Deal for North Wales*’ as an economic initiative seeking investment, with 16 projects planned⁷². Similar to the replaced WSP objectives, the NDF reinforces Holyhead Ports’ importance to Anglesey and the region and as a ‘*major national asset and an important international gateway*’.⁷³
- 3.6 The NDF reinforces the strategic significance of the A55 Trunk Road as a major transport route through several North Wales Local Planning Authorities and significantly, the need for the North Wales SDP to ‘*be informed by and, facilitate the delivery of the North Wales Growth Deal*’⁷⁴ and ensure support for a smart, resilient and connected region. The SDP is intended to provide a framework to take the strategic locational decisions and to support the long-term ambitions of the Growth Deal in relation to housing, economic growth, key services and essential infrastructure.’⁷⁵
- 3.7 Several of the ‘Growth Deal’ priorities relate to the benefits and impacts of transport infrastructure upgrades and improvements and relies on commitments by the Welsh Government to deliver the forward work programme for Trunk Roads (£600m)⁷⁶ and this includes the Scheme, the

⁷¹ Chapter 5, Paragraph 5.14.6-8 (Document Reference 3.01.01)

⁷² At the time, the A55 was not included within the project list

⁷³ NDF Page 82

⁷⁴ See <https://northwaleseab.co.uk/resources/north-wales-growth-deal>

⁷⁵ ‘Future proof the Holyhead Port by providing new deep-water heavy loading and cruise facilities, improved vehicular access, guaranteeing the future of the breakwater and providing for the demands of regional energy projects.’ Welsh Government (WG) have commissioned an Economic Impact Assessment on the benefit of the Port to region/Wales/UK – due by end of March 2021. See <https://democracy.gwynedd.llyw.cymru/documents/s28340/ITEM%2007%20-%20APPENDIX%2001%20-%20NWGD%20Portfolio%20Highlight%20Report%20-%20February%202021.pdf>.

⁷⁶ As identified in the Welsh Government ‘Moving North Wales Forward’ vision for North Wales and the North East Metro. (2017) (Document Reference WG 4.01.135) <https://gov.wales/sites/default/files/publications/2017-09/north-east-wales-metro-moving-north-wales-forward.pdf>

proposed A55 Junctions 15 and 16 improvements⁷⁷, with work indicated to have started in 2019.

- 3.8 The NDF highlight that both SDPs and local plans⁷⁸ ‘*must support the North Wales Metro. Planning authorities should plan growth and regeneration to maximise the opportunities with improved regional and cross border connectivity, including identifying opportunities for higher density, mixed-use and car-free development around new and improved metro stations*’.
- 3.9 The Statement of Case (Part A and Part B - Document References WG 1.01.01 and 1.01.02 respectively) and the Scheme Sustainable Development Report (Document Reference WG 4.03.03) set out several problems associated with the existing situation and the potential of likely beneficial and adverse impacts, with appropriate mitigation measures included. James Healey in his proof (1.01.02) summarises the eleven objectives sought by the Scheme to address the existing environmental, social, safety, delays (economic), poor network resilience and sustainable travel difficulties associated with the trunk road. I do not propose to go through these details as part of this proof but note that proposed mitigation has been developed in collaboration with the statutory environmental bodies, landowners and other key stakeholders and is recorded in the Register of Environmental Actions and Commitments (REAC)’.

PPW Sustainable Placemaking Outcomes

- 3.10 The Scheme would address several of the Sustainable Placemaking Outcomes defined in PPW11. PPW defines specific themes aimed towards the delivery of the national sustainable placemaking outcomes.

Strategic and Spatial Choices

- 3.11 PPW Chapter 3 ‘Strategic and spatial choices’ focuses on ‘*Placemaking in Action*’ and ‘*Strategic Placemaking*’.
- ‘*PPW’s Placemaking in Action*’
- 3.12 ‘*Placemaking in action*’ includes: Good design, Promoting Healthier Places; The Welsh Language; Climate Change, Decarbonisation and the Sustainable Management of Natural Resources and Placemaking in Rural Areas. PPW recognises that ‘*For most rural areas the opportunities for reducing car use*

⁷⁷ Moving North Wales Forward, Project number 3, Page 8

⁷⁸ See ES Paragraph 5.1.3 (Document Reference WG 3.01.01) for existing local plan context at the time of the preparation of the Scheme ES; these included the Conwy County Borough Local Development Plan and the Snowdonia National Parc Local Development Plan.

and increasing walking, cycling and use of public transport are more limited than in urban areas'.⁷⁹

- 3.13 PPW's 'Good design' focuses on five key, long term design principles; Access and Inclusivity, Environmental Sustainability, Character, Community Safety, and Movement.
- 3.14 The current adopted LDP aligns with the general aims for sustainable strategic considerations. As part of the LDP strategy⁸⁰ 'a review was undertaken of the social, economic and environmental information available for issues affecting the Plan Area.' 'Sustaining economic growth' and 'encouraging sustainable transport' reflect two of the seventeen priority LDP issues highlighted.
- 3.15 The LDP's Spatial objective SO9 emphasises the need 'To encourage efficient patterns of movement and to recognise the strategic role that the A55 and rail corridors will play in meeting the development needs of the Plan Area, and to give particular attention to development locations that are convenient for pedestrians, walking and cycling in Conwy to aid the reduction of transport CO2 emissions.' This continues to be a focus of the LDP review evidence Topic Paper 8 Transport, which highlights, that 'It is clear that significant contextual changes have taken place in respect of regional transport ambitions since the adoption of the LDP and several changes are foreseen for the LDP'.⁸¹
- 3.16 The CCBC LDP⁸² strategy is a 'hybrid' strategy which provides development in locations that contribute to meeting local needs whilst promoting sustainable growth. This is achieved by targeting development in the priority accessible urban strategic hub locations and in areas of decline and in need of regeneration, but at the same time ensuring that 'rural communities are fostered through the provision of sustainable levels of local accessible jobs and services'.⁸³ It is an essential element of the strategy that the level of development reflects the roles and functions of individual settlements. The

⁷⁹ PPW11 Paragraph 3.39

⁸⁰ LDP 1.10.1

⁸¹ Conwy Replacement Local Development Plan - 2018-2033 - Topic Paper 8 - Transport - September 2018 (Document Reference WG 4.01.136)
<https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Replacement-LDP/Stage-4-Development-of-Evidence-Base/assets/documents-transport/Topic-Paper-8-Transport.pdf>

⁸² LDP 3.1 Spatial Strategy Summary Statement 3.1.1

⁸³ LDP Paragraph 2.2.1

Spatial Strategy is formed on several key component parts shaped from the priority issues, vision and objectives and further underpins the policies in the LDP.

- 3.17 The LDP strategy relies on a compendium of background evidence reports⁸⁴ *‘Llanfairfechan and Penmaenmawr are identified as smaller urban settlements which are self-contained with a range of essential facilities and services. Over the Plan period approximately 317 dwellings (5% of the housing need) will be accommodated in these locations, predominantly to meet the affordable housing requirement.’*⁸⁵
- 3.18 The ES⁸⁶ highlights the relevance of key strategic local planning policies: Strategic Policies (DP/1’ Sustainable Development Principles, DP/2 ‘Overarching Strategic Approach and STR/1 Sustainable Transport, development and accessibility.) to ensure developments are assessed to achieve maximum sustainability credentials.
- 3.19 The significance of strategic Policy STR/1 is of key relevance as criterion a) highlights: *‘Focus future development in the Plan Area in highly accessible locations, predominantly along the A55 and railway network within and on the edge of the Urban Development Strategy Area within the coastal belt in line with Policy DP/2 – ‘Overarching Strategic Approach’. All development proposals will be assessed against the Council’s Parking Standards as set out in Policy STR/2 – ‘Parking Standards’, mitigate travel in line with Policy STR/3 – ‘Mitigating Travel Impact’ and promote sustainable modes in line with Policy STR/4 – ‘Non-Motorised Travel’.*⁸⁷
- 3.20 The Sustainable Development Report (Document Reference WG 4.03.03) shows how accessibility was considered throughout the Scheme design decision making process. The Scheme was reviewed by the Design Commission for Wales (DCfW)⁸⁸ and the observation and conclusions taken into consideration. Andrew Sumner (Document Reference WG 1.06.02) in his proof describes that design was a relevant consideration for the Scheme, and

⁸⁴ LDP Paragraph 3.2.4

⁸⁵ LDP Paragraph 3.9.12

⁸⁶ ES Chapter 5 (Document Reference WG 3.01.01)

⁸⁷ LDP Page 230

⁸⁸ Copy of the Design Commission for Wales (DCfW) Report June 2019 (Document Reference WG 4.02.03) can be accessed online at : <http://dcfw.org/wp-content/uploads/2020/02/201-A55-Junctions1516-Improvements-DR-Report.pdf>

that this included several consultation stages and several mitigation measures⁸⁹.

- 3.21 PPW 11 reinforces several, inter-related factors to sustain the Welsh language, with land use planning to take account of essential conditions towards the Welsh language and in so doing contribute to its use.⁹⁰
- 3.22 ES Chapter 10 considers the impact of the proposed Scheme on the cultural heritage assets, including buried archaeological features, historic buildings, ancient monuments, parks and gardens, historic landscapes and Conservation Areas and Registered Parks and Gardens.⁹¹ The ES notes the extent of the designated Penmaenmawr Conservation area nearby and the extent of the North Arllechwedd Historic Landscape. The focus for sensitive design measures and potential impacts on alterations in noise and noise levels impacts is considered for all designations
- 3.23 LDP Policies CHT/1, CTH/2 and CTH/3, with the accompanying planning guidance⁹², sets out detailed assessment criterion for considerations on impacts on cultural aspects. Jon Stoddard (Document Reference WG 1.07.02) provides further evidence at the public inquiry of the character, extent and impact on how the Scheme takes these into consideration. A potential for further mitigation recording of the two properties proposed for demolition (No 8 and 9 Penmaen View) are identified in the ES.
- 1.18 'Healthier places' in PPW is dependent on the '*way places work and operate can have an impact on the choices people make in their everyday lives, including their travel and recreational choices and how easy it may be to socialise with others*'. Significantly, '*disadvantaged and deprived communities*

⁸⁹ Document Reference WG 1.06.02 Paragraph 8.7

⁹⁰ The overarching targets for this strategy is:

- The number of Welsh speakers to reach 1 million by 2050.
- The percentage of the population that speak Welsh daily, and can speak more than just a few words of Welsh, to increase from 10% (in 2013–2015) to 20% by 2050.

<https://gov.wales/sites/default/files/publications/2018-12/cymraeg-2050-welsh-language-strategy.pdf> (Document Reference WG 4.01.138)

⁹¹ Under the Historic Environment (Wales) Act 2016 (Document Reference WG 4.01.02) these designations will receive statutory protection later this year, 2021.

⁹² See <https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Conservation-and-Regeneration/Guidance/Supplementary-Planning-Guidance/Assets/Documents/LDP8-Buildings-and-Structures-of-Local-Importance.pdf> and [conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Conservation-and-Regeneration/Guidance/Supplementary-Planning-Guidance/Design.aspx](https://www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/Conservation-and-Regeneration/Guidance/Supplementary-Planning-Guidance/Design.aspx)

tend to be disproportionately affected by health problems’. (Document Reference WG 4.01.51)

- 3.24 LDP policies STR/3, DP/1, DP/3 and CFS/11 include criterion for enhancing and achieving healthier environments, and these include the priorities for open spaces, community facilities and recreational needs. These policies also relate to land use planning matters of environmental sustainability, character, community safety and movement. Other additional LDP policies are topic specific: strategic policy NTE//1 ‘The Natural Environment’; policy NTE/3 ‘Biodiversity’; policy NTE/5 ‘The coastal zone’; policy NTE/8 ‘Sustainable drainage systems’ and, policy NTE/9 ‘Foul drainage.’
- 3.25 The ES identified the local communities of Llanfairfechan, Penmaenmawr and Dwygyfylchi with *‘an older population and higher rates of unemployment (compared with the Welsh average), in addition to the associated health issues. This means that vulnerable groups such as children are disproportionately adversely impacted.’* (Document Reference WG 3.01.01)
- 3.26 The related Scheme Health Impact Assessment (HIA) identified the closest sensitive receptors and these included the residential properties along the A55, Conwy Road, Ysguborwen Road and Glan yr Afon Road. The HIA concluded that there would be some adverse effects during construction caused by noise and driver stress, when the Scheme is completed there would be no adverse effects. An assessment of air quality following completion of the Scheme and during operation has been undertaken that indicates that there would be a reduction in vehicle emissions and airborne pollution. At the time of preparing this proof, additional air quality assessments are being considered and the evidence of Graham Harker (Document Reference WG.1.10.02) will set out these details at the Public Inquiry.
- 3.27 The proof of evidence provided by Craig Barson (Document Reference WG.1.09.02) details the measures taken to mitigate against noise impacts. This is set against the WG’s requirement to carry out strategic noise mapping under the Environmental Noise (Wales) Regulations 2006⁹³ (Document Reference WG 4.01.141) which leads to the identification of Priority Areas and subsequently Action Plans to reduce the related noise levels and

⁹³ The Environmental Noise (Wales) Regulations 2006, SI 2006/2629

specifically for places near major roads.⁹⁴ The study areas for this Scheme includes Noise Action Plan Priority Areas.⁹⁵

- 3.28 The Scheme is focused on improvements for an existing trunk road and includes several objectives and outcomes to improve accessibility and a healthier environment over the operational stage. These include safety improvements to an existing trunk road section with several inherent problems, as described in James Healey's evidence at this inquiry (Document References WG.1.01.01 and 1.01.02).
- 3.29 The Scheme is unlikely to lead to an overall reduction in car and transport journeys, but on achieving, long term quality improvements including existing pollution levels. It does not focus on minimising the creation of additional car-based developments but considerations given to maximising opportunities for sustainable and healthy travel choices for daily journeys and utilising and maximising existing infrastructure and maximise accessibility by sustainable non-car modes and beyond the Scheme boundary.
- 3.30 The Scheme incorporates active travel measures and improved public open space. It includes:
- a) improvements to the existing National Cycle Network (NCN) Route 5; improved and safer facilities to cross the A55;
 - b) improved cycleway/footways;
 - c) Green infrastructure; and
 - d) New overbridge.
- 3.31 The separate evidence provided by Jonathon Bayliss (Document Reference WG 1.05.02) sets out the considerations of positive community safety and movement measures as part of the Scheme.
- 3.32 The Welsh Government's Covid 19 land use planning recovery actions mentioned earlier in this evidence summarises the relevance of Climate Change and decarbonisation and land use planning. It highlights that '*a strategic role for the planning system is to direct growth to sustainable*

⁹⁴ 'Major roads' identified in 2016 as having more than 3 million vehicle passages per year. See <https://gov.wales/sites/default/files/publications/2019-04/review-of-strategic-noise-maps-in-wales.pdf>.

⁹⁵ See Lle accessed online at: <http://lle.gov.wales/catalogue/item/EnvironmentalNoiseMapping2017/?lang=en> –

*locations and prevent the creation of car- dependent developments’.*⁹⁶ It emphasises that a key contributor towards this is to *‘build on the positive transport modal shift we are currently experiencing.’*⁹⁷

- 3.33 The current CCBC LDP recognises the vulnerability of climate change impacts on the county. The evidence base presented as part of the CCBC LDP review highlights setting *‘out policies, proposals and guidance which responds to predicted climate change impacts and allows communities and businesses in the CCBC area to adapt to the changing climate’.*⁹⁸
- 3.34 The ES sets out a carbon footprint assessment of the Scheme. In February 2021 Welsh Government set out its legal commitment to achieve net zero emissions by 2050 and this quickly followed with the NDF, PPW 11 and *‘Llwybr Newydd’* publications in March 2021. Climate Change represents a central theme in these recently published documents and improvements to existing infrastructure provision (this includes transport) is not discouraged.
- 3.35 Simon Price’s proof (Document Reference WG 1.02.02) at this inquiry sets out the relevant context, challenges and considerations and future achievements of the Scheme towards Climate Change as well as greenhouse gas emissions. The ES assessment shows that construction of the Scheme will produce a total estimated emission of approximately of 11,600 carbon dioxide.
- 3.36 The management of environmental resources for the Scheme is set out in the ES Chapter 20. The approach and measures detailed in Andrew Sumner’s proof (Document Reference WG 1.06.02) aligns with the PPW’s approach towards sustainable Management of Natural Resources. He sets out the pre-construction, design and post construction and operational stage of the Scheme to mitigate environmental impacts and have an environmental management plan in place to reduce any unforeseen environmental impact.
- PPW 11’s ‘Strategic Placemaking’*
- 3.37 Successful strategic placemaking is a key land use planning objective. PPW highlights several contributory factors towards successful *‘Strategic*

⁹⁶ Building Better Places - The Planning System Delivering Resilient And Brighter Futures - Placemaking and The Covid-19 Recovery -July 2020 (Document Reference WG 4.01.122) <https://gov.wales/sites/default/files/publications/2020-07/building-better-places-the-planning-system-delivering-resilient-and-brighter-futures.pdf>

⁹⁷ Welsh Governments’ Cov 19 land use planning

⁹⁸ Conwy Replacement Local Development Plan - 2018-2033 - Topic Paper 8 - Transport - September 2018

Placemaking'. Some of these are directly relevant to transport infrastructure improvements, but others will be indirectly associated. I will focus on those of direct relevance and to other proofs will include further details when necessary to do so.

- 3.38 PPW stresses '*Spatial strategies should be informed by the development of an integrated planning and transport strategy*'. This includes all '*placemaking*' transport and infrastructure considerations. The A55 trunk road represents a significant strategic transport route for several north Wales authorities. Significantly, it reflects the heart of the new NDF Strategic Development Plan for North Wales and the Wrexham -Deeside National Growth area and the related, new Regional Growth Areas for the North Wales coastal settlements and beyond.
- 3.39 I have mentioned the reliance of the existing local development plan and the evidence towards the replacement local development plan on the key, strategic importance of the A55 as a strategic route and role for development growth. Further emphasis will be required to align the new NDF obligations and the future North Wales Spatial Plan.
- 3.40 The Scheme ES design stage, as described in the proofs of Jonathan Bayliss takes opportunities to protect community assets, businesses and open spaces. The construction site compound is proposed directly next to the existing A55 route, to the west of the existing Junction 16A, would be taken form the duration of construction and fully restored on completion to the original greenfield condition for agricultural use.⁹⁹
- 3.41 ES Chapter 11 acknowledges that the presence of a community asset identified as one of the main design constraints for the Scheme option, as is the impact on farmland. Additionally, the Scheme design process has consistently considered the potential for development of land allocated for housing; contingency housing and employment contingency.
- 3.42 ES Chapter 18 sets out the guidelines relating to the Best and Most Versatile Agricultural Land (BMVAL). LDP policy criteria DP/4 sets out the focus in avoiding the use of this finite resource. The Scheme is unlikely to affect land of best and most versatile agricultural land.
- 3.43 PPW 11 recognises that 'transport' supports infrastructure is seen as pivotal for economic, social and environmental sustainability, '*It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working.*

⁹⁹ See ES Paragraph 2.9.3

Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.’ (Document Reference WG 4.01.51) The current LDP strategic policies emphasis these interlinkages with social and environmental sustainability.

- 3.44 A key NDF outcome for the North Wales SDP is that *‘Development should be located so that it can be well serviced by existing or planned infrastructure. In general, this will involve maximising the use of existing infrastructure or considering how the provision of infrastructure can be effectively co-ordinated to support development plans. Infrastructure choices should support decarbonisation, socially and economically connected places and the sustainable use of natural resources.’*¹⁰⁰

Active and Social Places

- 3.45 PPW Chapter 4 covers the *‘Active and Social Places’* components of Placemaking. It includes transport, housing, retail and commercial development, community facilities and recreational spaces and PPW recognise these as promoting our social, economic, environmental, and cultural well-being by providing well connected cohesive communities. The aims of Wales Transport Strategy are included and the benefits to be achieved for the environment and for education, health, social inclusion and wealth creation.
- 3.46 PPW11 emphasises that:
- a) An integrated planning and transport strategy must inform the spatial strategy and overarching strategy of the development plan.
 - b) Development plan strategies and policies need to be consistent and integrated with the strategies and policies.
 - c) Development plans should also take into account other plans and reports with transport implications.
- 3.47 The evidence of James Healey (Document Reference WG 1.01.02) sets out how the Scheme fits into the context of transport documents.
- 3.48 I have described earlier in this proof the related local planning guidance and the changes identified as part of the review of the LDP, with integration of new policies and plans a key and significant component.
- 3.49 The Statement of Case and the proof provided by Nigel Roberts (Document Reference WG 1.03.02) at this public inquiry sets out the issues surrounding the development of the Scheme not least for the economy of North Wales, but

¹⁰⁰ NDF Paragraph 3.63

that Junction 16 is one of two existing at-grade roundabout located on the A55 and both Junction 15 and Junction 14 (at Madryn approximately 2.8 km to the west,) are the only vehicular access points to the town of Llanfairfechan and surrounding area. The Scheme is beneficial to the accessibility of North Wales, the Regional Growth Areas, and the locality will benefit from additional active travel measures and opportunities for sustainable, future growth.

- 3.50 The A55 Junctions 15 and 16 Improvements Stage 3 Economic Assessment Report (Document Reference WG 4.05.04) presents a summary of five years accident data (2014 to 2018) for the study area split between accident severities; fatal, serious and slight. Accident results for the study area due to the construction of the improvement works for both preferred schemes are also detailed and identify a decrease.
- 3.51 The Scheme would impact on some/all of three, separate development land areas:
1. Most of the housing allocation at Maes y Llan.
 2. The whole of the employment contingency site which adjoins the easterly boundary of the existing Puffin Café.
 3. A strip of land along the length of the Conway Road Housing Contingency site.
- 3.52 The ES highlights¹⁰¹ that although the proposed timescale for the construction of the Scheme is known, the timescale over which the potential impacts from ‘other developments’ cannot be determined with certainty. The information provided in ES Appendix 19 and attached to this evidence sets out indicative timescales but the potential for overlapping of effects, or changes to developments approved, particularly those arising from construction activity, is therefore unpredictable.
- 3.53 The ES confirms¹⁰² that the Scheme would impact on the viability of the allocated housing land at Maes y Llan and that of the employment contingency site near Puffin Garage.
- 3.54 At the time of preparing this ES, no planning permission was secured for these ‘development land’ sites. Planning permission¹⁰³ has since been issued in April 2020 for 14 dwellings at the housing contingency site at Conway Road, with planning condition details recently secured¹⁰⁴ for the site

¹⁰¹ ES Paragraph 19.8.3

¹⁰² ES Paragraph 11.3.21

¹⁰³ Planning permission code 0/46556 CCBC

¹⁰⁴ Application reference code 0/47828 and 0/48127 CCBC

- commencement to take place. Several pre- occupancy planning conditions would need to be secured and these sound attenuation measures and the provision of 120 m visibility splay, in each direction, for the development.
- 3.55 The ES identifies that improvements to provide a new cycle way along Conway Road is proposed within the southerly boundaries of this site and, a limited part of the adjoining development site to the west with planning permission for 33 apartments.¹⁰⁵
- 3.56 The ES cumulative assessment considerations highlighted the potential for an in combination impact and the site were to be developed there could be additional stress on ecosystems via pollution incidences during construction and operation including air quality and drainage, highways and all travellers. Mitigation measures in the ES Construction and Environmental Management Plan includes liaising with the owner of the site, so as provide a comprehensive approach for the current ecological receptors at the site.
- 3.57 On the basis of the site securing planning permission for the housing contingency site, then the ES assessment of impact of the Scheme on this site is revised to 'large adverse'.¹⁰⁶
- 3.58 Both formal and informal green spaces are identified as protected from development in PPW¹⁰⁷ *'particularly in urban areas where they fulfil multiple purposes. As well as enhancing quality of life, they contribute to biodiversity, the conservation of the historic environment, nature and landscape, better air quality, the protection of groundwater and as places of tranquillity. Open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce the effects of urban heat islands. Many parks and gardens are historically significant and are listed in the Historic Parks and Gardens in Wales Register¹⁰⁸.*
- 3.59 PPW Paragraph 4.5.4 highlights that *'All playing fields whether owned by public, private or voluntary organisations, should be protected from development except specific justification merits are achieved: facilities can best be retained and enhanced through the redevelopment of a small part of*

¹⁰⁵ ES Paragraph 11.3.17, Point c)

¹⁰⁶ In line with the approach set out in ES Table 11.5: Magnitude of Impact Assessment Criteria Assessment Descriptions

¹⁰⁷ PPW11 Paragraph 4.4.3

¹⁰⁸ See <https://cadw.gov.wales/advice-support/placemaking/legislation-guidance/registered-historic-parks-and-gardens>

the site; alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or there is an excess of such provision in the area’.

- 3.60 The Local planning policies encourages the retention and enhancement of open spaces.
- 3.61 The Scheme identifies the importance and functions of local businesses, community facilities and recreational spaces. The ES sets out the considerations of effects on assets and land¹⁰⁹ and notes the relevant DMRB guidelines (at the time) on where a proposed scheme impacts on a community asset.
- 3.62 The ES identifies the impact of the Scheme’s use of *a community facility as a ‘temporary moderate adverse at the construction stage, reaching beneficial at the permanent, operational stage.’*¹¹⁰
- 3.63 ES Chapter 11 and ES Chapter 18 concludes that of the four separate open space ‘assets identified (ES figure 11.1) one would be temporarily lost during the land take and construction of the Scheme, but the potential exists for an overall beneficial effect, together with accessibility improvements, for the area identified as the Maes y Llan sports and playing field. The Scheme would not include a severance but does include the northern portion of this established sports field and public open space to the east of Maes Y Llan ‘*and so a new pitch will be set out on the remaining land and an area of replacement public open space provided to the south of the Puffin Café.*’¹¹¹
- 3.64 The Scheme does not directly introduce a new, land use and is concerned with creating a suitably designed solution towards a long standing transport problem. However, the Scheme would achieve several beneficial place making outcomes. It improves and facilitates the provision of transport infrastructure and necessary sustainable transport improvements¹¹² alongside some of the principles of sustainable transport hierarchy with integrated measures towards walking, cycling and public transport.

¹⁰⁹ ES Paragraphs 11.6.9-14

¹¹⁰ ES Table 11.8

¹¹¹ ES Paragraph 21.3.3

¹¹² Corporate Joint Committees, to be established by the Local Government and Elections (Wales) Act 2020, will need to ensure that emerging Strategic Development Plans and Joint Local Transport Plans are integrated and developed together to plan for strategic land use and transport issues at the regional level. PPW11 4.1.8

- 3.65 The Scheme includes highway safety advantages and accessibility measures for the local community and existing open space provision.
- 3.66 The Scheme accords with the active and social places placemaking outcomes.

Productive and Enterprising Places

- 3.67 PPW's '*Productive and Enterprising Places*' are those '*which promote our economic, social, environmental, and cultural well-being by providing well-connected employment and sustainable economic development. These places are designed and sited to promote healthy lifestyles and tackle the climate emergency. This is done by making them: easy to walk and cycle to and around; accessible by public transport; minimising the use of non-renewable resources; and using renewable and low carbon energy sources*'.¹¹³
- 3.68 '*Productive and Enterprising Places*' highlights '*the potential of new/improved transportation infrastructure to create new or renew hubs of economic activity should be realised with careful master-planning around sustainable transport nodes and interchanges to create places which can be easily accessed by sustainable transport and which capitalise on their location and the opportunities which this presents*'.¹¹⁴
- 3.69 Poor infrastructure is recognised by PPW as both a disincentive to investment and growth. '*The provision of sustainable transport infrastructure is essential in order to build prosperity, tackle the climate emergency, reduce airborne pollution and to improve the social, economic, environmental and cultural well-being of Wales. The planning system should facilitate the delivery, decarbonisation and improvement of transport infrastructure in a way which reduces the need to travel, particularly by private vehicles, and facilitates and increases the use of active and sustainable transport*'.¹¹⁵ The proof of evidence provided by Nigel Roberts (Document Reference WG 1.03) highlights the importance for an effective and resilient A55 transport route for the Region and further afield.
- 3.70 PPW emphasises the role of development plans to develop transport infrastructure and related services and where possible, areas safeguarded for

¹¹³ PPW11 Chapter 5, Page 72

¹¹⁴ PPW11 Chapter 5, Page 76

¹¹⁵ PPW11 Paragraph 5.3.1

improved/future transport infrastructure/ routes. *‘Blight¹¹⁶ should be kept to a minimum by including in development plans only schemes which are likely to commence within the plan period. When development plans are prepared or amended, existing transport proposals should be reviewed so as to remove any proposals that have previously been safeguarded, but are now abandoned, or any that are unlikely to commence during the plan period’.*¹¹⁷

- 3.71 PPW identifies consideration of the impact of proposing new transport infrastructure on the natural, historic and built environment and *‘on local communities, including on public health resulting from community severance and airborne pollution and the regard towards the Welsh Transport Appraisal Guidance’.*¹¹⁸ The Scheme’s Statement of case proof of evidence (Document References WG 1.01.01 and 1.01.02) summaries the role of WeITAG 2017 guidance and this Scheme design and the response from the DCfW is acknowledged. There is no need for me to go into further details other than to highlight the extensive range of consultations and options considered as part of the Scheme design, especially in an attempt to minimise the demolition and/or significant impact with existing residential properties.
- 3.72 Significantly PPW highlights that *‘where no other alternative routes or options are practicable, transport infrastructure schemes should provide mitigation measures to minimise the negative impacts and enhance the positive ones caused by their construction and operation, including reducing exposure to airborne pollution’.*¹¹⁹ This includes green infrastructure measures.
- 3.73 For *‘Strategic Road Network’*, PPW recognises that *‘trunk roads and motorways have a national and international role, providing a network of high quality roads carrying long distance traffic between major centres..... The process of designing new road schemes and road improvements should take into account the transport hierarchy, whereby active and sustainable transport is considered before private motor vehicles. This will help to minimise*

¹¹⁶ The Town and Country Planning Act 1990 (as amended) includes specific provisions to consider matters of ‘blight’ and development involving land use planning. [Part VI Rights of owners etc. to require purchase of interests](#)

¹¹⁷ PPW11 Paragraph 5.3.3

¹¹⁸ ES 3.3.2-5: Welsh Government adopted the Welsh Transport Planning and Appraisal Guidance (WeITAG) in 2008 as a suitable method of appraisal for assessing proposed strategies, plans and schemes. WeITAG is intended to provide information about significant economic, environmental and social impacts so that decision makers can judge the merits of proposals using a consistent approach.and <https://gov.wales/welsh-transport-appraisal-guidance-weltag>

¹¹⁹ PPW11 Paragraph 5.3.4

community severance from a scheme and its impacts on the safety, convenience and amenity of routes for journeys on foot, bicycle and public transport.¹²⁰ The Scheme is based on improvements to an existing trunk road.

3.74 The LDP Strategic Policy MWS/1 '*Minerals and Waste*' aims to ensure there is sufficient provision of mineral resources and waste management facilities, while safeguarding the natural and built environment.

3.75 I have mentioned the strategic relationship between the A55 and local development and that the Scheme seeks to address several objectives. These include safety and community integration. The nature of the improvement (to an existing transport infrastructure) means that the application of a transport hierarchy is of limited, direct application, but other Schemes design measures will provide benefits to other, non car modes of travelling.

3.76 The Scheme considers the Welsh Government's highest priority to reduce energy demand wherever possible and affordable, focusing on low carbon electricity as the future main source of energy in Wales and also, the choices on the use of material resources, in accordance with the waste management hierarchy, so as to prevent the depletion of non-renewable resources and prevent waste arising. ES Chapter 15 and 20 set out the approach towards materials and waste.

Distinctive and Natural Places

3.77 I refer to the proofs of evidence provided by Jon Stoddard (Document Reference WG 1.07.02), Donna Hall (Document Reference WG 1.08.02) and Steve Cox (Document Reference WG 1.011.02) to set out the relevant matters of detail and will refer where necessary.

3.78 PPW 11 Chapter 6 covers distinctive and natural places and focuses on the planning topics which reflect the environmental and cultural components of placemaking: historic environment, landscape, biodiversity and habitats, coastal characteristics, air quality, soundscape, water services, flooding and other environmental (surface and sub-surface) risks. In recognising and addressing the factors influencing landscape change, PPW identifies developments likely to influence landscape change by the planning system and this includes road improvements and measure to adapt to the effects of climate change.

¹²⁰ PPW11 Paragraph 5.3.9–5.3.13

- 3.79 PPW points towards enhanced biodiversity and resilience of the ‘ecosystems duty’ and this duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. PPW identifies several aspects to consider: the unique characteristic of coastal areas, the integration of SuDS; mitigating and avoiding flood risk; avoiding negative noise and light pollution. Clearly, the emphasis is to avoid unacceptable effects to amenity, health, and the environment but as a minimum to limit or constrain any effects that do occur.
- 3.80 Significantly, PPW 11 highlights¹²¹ *‘Where sensitive developments need to be located close to existing transportation infrastructure for sustainable movement and access they should be designed, as far as practicable, to limit harmful substances and noise levels within and around those developments both now and in the future. This may include employing the principles of good acoustic design and the inclusion of active travel or travel management measures as part of development proposals. Such development, however, should preferably be located away from existing sources of significant noise, which may include aircraft noise or roads, particularly new roads or those with programmed route improvements.’*
- 3.81 LDP Policies NTE/1,3 5, 8,9 and CHT1/2 demonstrate the need to consider the relevant potential negative effects on new developments and measures likely for mitigation. PPW 11 states that *‘the potential impacts of noise pollution arising from existing development, be this commercial, industrial, transport related or cultural venues (such as music venues, theatres or arts centres), must be fully considered to ensure the effects on new development can be adequately controlled to safeguard amenity and any necessary measures and controls should be incorporated as part of the proposed new development’.*¹²²

¹²¹ PPW11 Paragraph 6.7.20

¹²² PPW11 Paragraph 6.7.24

4. Objections

- 4.1 Objections have been made that raise matters that fall within the scope of my proof of evidence. I will address and where appropriate and will refer to the proofs of others. I deal here with those grounds of objection that relate to my evidence.

General and Site-specific Land Use Planning objection (various Objections) in respect to the replacement measures for the recreational football pitch.

- 4.2 The ES sets out the considerations of effects on assets and land and this includes recreational and playing fields¹²³. In the event that a road scheme entails the use of public open space, the DRMB¹²⁴ sets out the categories of land where exchange land may need to be provided and also recognises that ‘community land may have conservation, landscape or other heritage value’. Where this is the case, ‘the assessment of these aspects should be included in the schemes’ wider ecological, landscape or heritage assessment.’ It highlights that ‘if public open space is to be taken, identify whether there is land in the vicinity which could be offered as exchange land. If so, this should be assessed to ensure that is no smaller and is equally advantageous to users as that which would be required for the preferred route’.
- 4.3 Andrew Sumner’s proof¹²⁵ details the concerns on the Scheme’s proposal to take a proportion of the existing recreation area and the CPO exchange land to make good the loss of this asset and sets out two aspects of the replacement: an enlarged area and re-positioned playing field.
- 4.4 The enhancement, local provision and enlargement of a playing field, with no ‘net loss’ of open space satisfies the principle aims of PPW11 and protects them against permanent new development.¹²⁶ In detailed design of the Scheme, the replacement playing field will comply with the appropriate standards.

123 Paragraphs 11.6.9-14

124 LA112 (Document Reference WG 4.01.158) replacing Design Manual for Roads and Bridges Volume 11 Section 3 Part 6 Land use Chapter 4, Paragraph 4.8 (Document Reference WG 4.01.158)

125 Document Reference WG.1.06, Paragraphs 9.30-31

126 PPW11 Paragraph 4.5.4

5. Land use Planning Review

- 5.1 NDF Wales and PPW 11, represent the relevant and up to date planning policy framework for Wales. The NDF represents the main strategic plan for Wales and the A55 is clearly recognised as an existing, key transport route for Wales and further afield. The reference in PPW towards '*Trunk roads and motorways have a national and international role, providing a network of high quality roads carrying long distance traffic between major centres*'¹²⁷ reflects a key objective of the planning policy process in Wales.
- 5.2 Based on the ES overall Scheme conclusions, together with measures taken to minimise a potential for the in- combination impacts. The Scheme would deliver several of the NDF and PPW 11 aims and outcomes. The Scheme design includes measures to avoid or mitigation environmental impacts; facilitating accessible and healthy environments; making best use of resources and helps to grow the economy in a sustainable manner and sustaining communities. The Scheme also considers the implications set against the existing local development plan policies.
- 5.3 I set out below in my opinion the Schemes considerations in relation to the PPW themes.
- 5.4 For strategic planning and '*active and social places*', I have set out the Scheme's strategic and significant role as part of the NDF and PPW national planning policies.
- 5.5 The Scheme would impact on allocated lands and development land, especially with the southerly frontage strip of the Conwy Road and the planning permission for 14 dwellings.
- 5.6 Mitigation measures could limit the potential for in – combination effects with the Conwy Road development and the Junction 15 Scheme.
- 5.7 The Scheme would provide benefits to existing air quality and traffic noise resulting in reduced emissions. Noise mitigation measures are proposed and are shown in the Environmental Masterplan included in ES Appendix 2.6.. There are no reduction in the area of open space and some enhancements are provided.
- 5.8 For '*productive and enterprising places*', there are several benefits for highway traffic and the economic context.
- 5.9 Evidence submitted at this inquiry concludes that estimated Scheme construction emissions are not considered significant and throughout the

¹²⁷ PPW11 Paragraph 5.3.9

further design of the scheme and construction, efforts made to minimise carbon emissions wherever possible and such measures will be outlined within the pre-construction environmental management plan.

- 5.10 In respect of *'distinctive and natural landscapes'*. The Scheme would minimise any adverse effects on the features identified and design measures sympathetically included.
- 5.11 The Scheme designers have sought to minimise encroachment onto farmland.
- 5.12 In respect of landscape matters. The landscape evidence presented at this inquiry confirms that:
- a) The new link road would include adverse effects on the existing landscape character, focused during the construction period with extensive amount of land within this area for the Scheme, which is also earmarked for a site compound, at fields west of Glan-yr-Afon Road.
 - b) To the south of the existing A55 route, the loss of remnant coastal plain and pastoral land would have a detrimental effect on the landscape character of the property 'Pendyffryn', but with over a period of 15 years no landscape character change would be defined.
 - c) No significant adverse effects on any designations.
 - d) The link road would substantially widen the existing A55 road 'corridor' between Junction 16 and Junction 16A but, as of a similar character to the baseline conditions, does not represent a significant change to the existing landscape character and encroaching south and towards Dwygyfylchi is considered not be a significant effect on the landscape character.
- 5.13 Turning to matters of visual amenity, the Scheme's:
- a) False cutting and extensive planting measures provide beneficial effects to residential receptors of high sensitivity on the outskirts of Dwygyfylchi, screening views of the A55 road corridor and link road while retaining seaward views and passing traffic at night would also be screened all year round.
 - b) Mitigation measures reduce the landscape and visual impact.
 - c) Ongoing consultation on the landscape mitigation at Maes-y-Llan with local residents who wish to retain views across the road corridor, to the north.
 - d) Planting for retaining and enhancing existing views, where possible, as well as providing biodiversity benefits.

- e) Visual impact during the site clearance and construction phase of the project would cause significant short-term disruption to landscape and general amenity of the area and nearby residential properties. This would be extremely difficult to mitigate against due to the elevated nature of the village and wider area with open views to the north.
- 5.14 Any adverse impacts on viewpoints and properties, despite extensive landscaping measures, are continuously evolving throughout the design process. Overall, the landscape and visual impact of the Scheme would not be significant, and the scenic qualities of the nearby designated Snowdonia National Park would remain intact. I therefore conclude that the overall landscape and visual impact of the Scheme aligns with the aims and objectives of PPW11.
- 5.15 I now turn to nature conservation matters. The Scheme SIAA¹²⁸ concluded that the potential for likely significant effects on qualifying features of the following European Sites: Liverpool Bay / Bae Lerpwl (Wales) SPA; Y Fenai a Bae Conwy / Menai Strait and Conwy Bay SAC. An Appropriate Assessment completed for this Scheme considered that it is unlikely that there will be significant effects on the following European Sites, therefore no further assessment is needed; Mwyngloddiau Fforest Gwydir/ Gwydir Forest Mines SAC; Coedydd Derw a Safleoedd Ystumod Meirion/ Meirionnydd Oakwoods and Bat Sites SAC.
- 5.16 The evidence at this inquiry confirms that the potential effects of the construction of the Scheme is assessed in the ES and the SIAA in the absence of mitigation measures. Residual effects were also identified following the inclusion of mitigation and compensation. The potential effects identified was a slight adverse effect to roost sites, which include high tide roost sites (currently used by Curlew and Oystercatcher).
- 5.17 Mitigation and long term resilience are included with the Scheme and are described in Donna Hall's evidence (Document Reference WG.1.08) at this inquiry. These include integral, secondary, and tertiary measures. Mitigation measures have continuously evolved throughout the design process and the Scheme has consistently reviewed for any concerns highlighted by NRW.
- 5.18 The implications of the Scheme on Afon Gyrrach river habitat is of particular sensitivity and In the absence of mitigation, effects upon this water course is identified as potentially 'major adverse'.

¹²⁸ <https://gov.wales/sites/default/files/publications/2021-03/a55-junctions-16-and-16a-statement-to-inform-appropriate-assessment.pdf>

- 5.19 The landscape measures provide for the protection of existing plantations and to provide native scrubs to embankments.
- 5.20 Mitigation measures would be implemented to ensure the project does not have the potential to adversely affect the species concerned. Within the wider context of the extent of available habitats, the proportion of habitat lost from land take from the Scheme is minimal and the species not heavily reliant on the areas to be affected by the Scheme and other suitable alternative habitat would be retained for continued use by these species.
- 5.21 At the time of the preparation of this proof, further refinements to limited ecological matters on the potential for contaminated land are near completion.
- 5.22 Based on the evidence presented at this inquiry, the Scheme meets the requirements of Section 6 of the Environment (Wales) Act 2016 (Document Reference WG 4.01.01) and the requirements of PPW11 by taking all reasonable steps to maintain and enhance biodiversity and promote the resilience of ecosystems.
- 5.23 I conclude that, with the relevant mitigation and biodiversity enhancements features, that the Scheme does align with the aims and objectives of PPW11. The limited landscape and biodiversity factors do not represent sufficient weight to withhold several benefits of the Scheme, not least the strategic role of the A55 in both the new NDF and in developing forward the North Wales SDP and the economy, but to overall highway safety, journey reliability and community connectivity, active travel locally, additional noise measures and air quality benefits in the longer term.
- 5.24 Based on the evidence of the social, economic, environmental and benefits resulting from this Scheme, then these could provide the essential justification for the merits of the Scheme and alignment with national planning policies of the NDF and PPW11.

6. Conclusion and Declaration

- 6.1 My proof of evidence includes facts which I regard as being relevant to the opinions which I have expressed, and the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion.
- 6.2 As a Chartered Town Planner I have responsibility for advising on land use planning matters and have sought, alongside the engineering and other environmental specialists in the team, to minimise impacts of the Scheme and to optimise the effectiveness of proposed mitigation.
- 6.3 In my opinion the Environmental Impact Assessment, has been carried out and published in accordance with legislation and professional guidance. At the time of preparing this evidence, I am aware that supplementary data and information is awaited on some of the specialist ES topic baseline. I will need to consider if these will impact on land use planning matters as set out in this proof.
- 6.4 In my opinion the development of measures to mitigate the adverse land use effects of the Scheme are effective, justifiable, and achievable. This includes the avoidance for in – combination impacts with the proposed housing development at Conway Road and the Junction 15 Scheme. I believe the facts I have stated in this proof of evidence are true and that the opinions expressed are correct.
- 6.5 I understand my duty to the Inquiry to assist it with matters within my expertise and believe that I have complied with that duty.