

# Town & Country Planning Act 1990 Section 77 Anglesey County Council Planning Application by Anglesey Boat Company Ltd.

Gallows Point Marina Report L6805/  
X/00/513782

## 7. Impact upon Landscape and Planning Policies

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- 7.1.1 The evidence concerns the landscape character of the site and surroundings, and the likely impact of the proposed marina development on the landscape and visual amenity of the study area. The Environmental Statement identifies a zone of visual influence (ZVI) of the marina development of 6-7 km, including views from Bangor Mountain and sea views from the Strait at low and high water. The landscape features of the site are shown in documents ABC 2.1 and 2.3.
- 7.1.2 The site is well contained by the woodland, which rises steeply to the north, and by the triangular shape of Gallows Point, rising to the east. The Point, which is topped by windpruned scrub and an ash tree, separates the site from Beaumaris Bay. At low tide, views extend across the large area of mud flat, which comprises the marina site, to the hills and mountains of Snowdonia in the distance. The A545 main road provides filtered and occasional views of the site through the wooded areas, as illustrated in document ABC 2.4. The boatyard, petrol filling station and a collection of boat sheds and workshops occupy the majority of Gallows Point on the eastern side.

- 7.1.3 The site lies within the Area of Outstanding Natural Beauty on the eastern side of Anglesey. Taken as a whole this area merits its designation as being outstanding landscape quality, but it does not follow that every part is of such quality. In accordance with the "Guidelines for Landscape and Visual Impact Assessment", published in 1995 by the Landscape Institute and Institute of Environmental Assessment, the majority of the landscape of the site is assessed as being of "good quality" - "pleasing form and scale, with attractive views, varied and well balanced, generally in character with the area".
- 7.1.4 The site fails to meet two higher categories of landscape quality in the guidelines of "very attractive" or "highest quality", because some of the characteristics justifying these categories are not considered to be present in the site. The important landscape features of the site are considered to be the dynamic character of the changing tidal scene, the screening vegetation along the A545 and the landform and vegetation of Gallows Point.
- 7.1.5 The assessment of the zone of visual influence (document ABC 2.2) shows that visibility of the site is limited by woodland and other vegetation. On the landward side there are only very limited views from the A545, and interrupted views from Beaumaris and higher land to the north. The site is insignificant in low level open views from more than 2 km away at Lavan Sands, Llanfairfechan and Bangor. Photographs of these views are in documents ABC 2.5-2.8.
- 7.1.6 The photomontage in document ABC 2.7 indicates the appearance of the breakwaters from Bangor Pier at high and low tides. The breakwaters would be the principal features in these views. Their colour would be that of the local rock from Penmon Quarry. They would have shallow sloping rock faces on the seaward sides, similar in appearance to the slopes of the existing shingle beach. Their shallow faces would help the transition into the exposed mudflats at low tide, in order to reduce the visual prominence of the marina structures.
- 7.1.7 The proposed development would include landscape treatment to mitigate adverse effects and to enhance the area, including:

- woodland and scrub planting along the road boundary of the site, to screen and absorb the car-park areas, especially when viewed from the road approaches;
- planting of low scrub or shrub species with individual trees to the widened additional road and at the site entrance. The extent of this planting would be governed by the sight-line requirements of the new road layout, but would provide screening of open views from the road, while providing an entrance feature to the marina;
- hedges within the car park/winter boat storage area, to soften the appearance of the expanse of hard surface, provide some shelter, and reduce the visual impact of cars parked during summer and boats stored during winter;
- ornamental shrub planting near the facilities building, which itself has been the subject of design studies by Bill Davies, Architect, with the aim of selecting appropriate materials and finishes;
- scrub planting to reinforce the existing vegetation on Gallows Point itself;
- design of lighting for the site would be carefully considered in order to control and reduce the possibility of light pollution;
- additional measures to control Japanese Knotweed, a recognised environmental detractant, which is gaining a foothold on Gallows Point.

7.1.8 The site is set against a wooded slope, which rises steeply from its north-western boundary, and Gallows Point itself contains it to the north, screening the view from Beaumaris. To the south-west, the A545 is separated from the coast by woodland on its seaward side. On this side settlement is scattered along the vegetated coast edge, out of view of the site. The steep slope, the curve of the point and the variation in the coastline make it a well-contained site, ideally suited to accommodate the proposed marina.

7.1.9 The zone of visual influence is limited by the landform to the west and north-west, and views from the east and south are either from the southern coast of the Menai Strait (Bangor to Llanfairfechan), or from boats on the water of the strait itself. Because of the distances or the low level of the viewpoints available, the site is not a significant feature in the views. The addition of the proposed marina would not result in great change in the views.

- 7.1.10 The main source of impact would be the breakwaters, resulting in great change in the character of the site during the construction period. In the longer term, potential adverse landscape and visual impacts would be mitigated through design and the selection of materials. The buildings and breakwater would blend with the coast and its surroundings in time, as the rock of the breakwaters weathers to assume the colour of the coast. The breakwaters are designed to reflect the profile of the shingle beach of Gallows Point itself. Lighting design would ensure the minimum of light spill, in order to reduce visual prominence in night views.
- 7.1.11 As well as considering the overall layout and construction materials for the marina, the proposed planting is designed to enhance the amenity of the marina and screen views from the A545, especially over the car parking and winter layout areas. Part of the 400 space car park would be visible from the A545, but this would be diffused by the screening effect of existing and proposed planting.
- 7.1.12 It is accepted that the marina would initially appear raw, but it would weather to blend with the coast and become an integral and attractive part of the coast scenery in time. Although the submitted engineering design drawings indicate a fairly rigid, straight and linear form for the breakwaters and reclaimed areas, it would be possible to make these features relate to the coastline in a more natural appearance in later detailed design.
- 7.1.13 The visibility of the site is remarkably limited. The computer generated zone of visual influence (Doc ABC 2.2) shows that views of the site from within the AONB are restricted to the immediate vicinity of Gallows Point, rising ground to the north of Beaumaris, and from the edge of the Gazelle Hotel and jetty to the west. The main views of the site are from the coast and the Strait to the south and west of Gallows Point. Apart from one or two viewpoints, views from the A545 road are interrupted by trees and vegetation.
- 7.1.14 The facilities building at the entrance to the site would be an appropriate design by the same Architect as the award-winning Plas Menai complex. The design is intended to take into account its location at the entrance to the marina. Whilst the breakwaters would be 9.6m high in total, they would only be 5.8m AOD and not higher than the existing boatyard level. The scale of the breakwaters would not be prominent when viewed from Bangor Pier across the Strait (Docs ABC 2.6 and 2.7).

- 7.1.15 Visibility is not the correct measure of visual impact. The landscape has a natural absorptive capacity, and it is the sensitivity of the landscape to changes in views without causing unacceptable detrimental effects to its character that is important. The visual impact of the marina and the inevitable loss of inter-tidal mudflats would not be more than moderate. The seascape of the Menai Strait and distant views of Snowdonia provide a large-scale setting, which is capable of accommodating the proposed marina development without detrimental effects on its character.
- 7.1.16 The scale of the marina would be entirely appropriate for the location and the purpose for which it is designed. Visually, it would become in due course a compatible and attractive element in this large-scale landscape, and it would fit in with the existing development at Gallows Point.
- 7.1.17 The marina breakwaters and masts of boats inside it would not obscure the wooded hillside in views across the Strait, although it is acknowledged that such views would not be attainable for boat users close to, or inside the marina itself, particularly during low tide. Gallows Point itself does not contribute to a rural landscape, being occupied by the boatyard, petrol filling station and other undistinguished structures.
- 7.1.18 With regard to visual impact of the new highway junction on the A545, it is intended to introduce a 40 mph speed limit on the section of road from a point west of the access into the existing 30 mph limit of Beaumaris itself. This would not require highway lighting at the junction. The reduced speed limit would reduce the sight-line visibility splays necessary at the new junction and have less impact upon the existing vegetation. All other lighting of the development would be low-level and there would be no light spillage to affect distant views.
- 7.1.19 There are many artificial or engineered additions to the coastline, which once appeared new and raw, but are now accepted as integral parts of the scene. Some are regarded as places of beauty, such as the harbour breakwaters at Tenby and Holyhead port, and the Plas Menai National Outdoor Pursuits Centre. Marina developments are agents of regeneration and add amenity to areas such as Y Felin Heli, Penarth, Conwy and Pwllheli.
- 7.1.20 It is not accepted that the site could be described as being within the open countryside, because it is a coastal site, land that is largely covered at high tide. It is situated within the coastal strip from Menai Bridge to Penmon, which is developed to a varying degree, throughout the wooded area.

7.1.21 At least half a dozen other alternative sites for a marina were examined, but not for a marina of a smaller size. None of the other sites, including the eastern side of Gallows Point (Beaumaris Bay), were found to be acceptable. The proposals would not impinge on the designated areas of the MNR or the character of the town conservation area, and Beaumaris Bay would stay the same as now. The application site on the west side of Gallows Point is more appropriate.

## 7.2 Case for the Local Planning Authority

- 7.2.1 The central theme of the Council's strategy in the Ynys Môn Local Plan (Doc CD5) is to safeguard and strengthen communities by promoting policies to help to improve the local economy. This however, does not devalue the importance of environmental issues, which are seen as being fundamental to the area's economic development. These linked economic and environmental objectives also drive the emerging Unitary Development Plan (Doc CD6). Ynys Môn has serious economic problems and planned economic revival is at the heart of national and European policies and initiatives, including the utilisation of funding under Objective One designation of the area.
- 7.2.2 Structure Plan Policy D5 and Local Plan Policy 36 presume against development proposals in undeveloped areas, which would harm the character of the coast. Stretches of Anglesey's coast have been designated as Heritage Coast, but the section of coastline in which the application site falls has not been included. The presumption against development in previously undeveloped coastal areas may be set aside in appropriate circumstances. Although the site lies outside the confines of Beaumaris, part of it, and the adjoining land, has been developed for a variety of uses for a considerable period of time, and has had recent consents for further development. The site therefore falls within a developed coast, in that it is not an isolated site on the coastline, or separated from other development.
- 7.2.3 Policy 36 sets out the main criteria to be taken into account in considering development proposals on the undeveloped coastline: the need for a coastal location; the effects on features of landscape significance, nature conservation or historic value, tourism, recreation or general amenity value; any potential effects on the marine environment; and the risk, including flooding, erosion and land stability. These do not amount to a blanket restriction on development. Clearly, the proposed marina development requires a coastal location and there do not appear to be any risks of flooding, erosion or stability. Therefore the main considerations are landscape, amenity and nature conservation issues.

- 7.2.4 The special landscape qualities of the AONB are fully reflected in the Structure Plan and Local Plan Policies. The overall quality of the landscape within the AONB and the rest of the island has been evaluated in the emerging UDP through the LANDMAP process, resulting in draft Supplementary Planning Guidance on the Visual and Sensory Landscape (Doc CD7). The proposed development site is not located within an area that is considered to be of national importance in the LANDMAP assessment.
- 7.2.5 The inclusion of the site within the AONB designation, whilst a material consideration, is not in itself a basis for refusal of permission. Paragraph 5.3.8 of Planning Guidance (Wales) - Planning Policy sets out the tests for the consideration of major commercial development proposals within the AONB. These are:
- i. the need for the development, in terms of national considerations, and the impact of permitting it or refusing it upon the local economy;
  - ii. the cost and scope for developing elsewhere outside the area or meeting the need for it in some other way;
  - iii. any detrimental effect on the environment and the landscape, and the extent to which it could be moderated.
- 7.2.6 The Council believes that the impact of the development on the AONB could be satisfactorily resolved by the use of suitable conditions, and if necessary a section 106 Agreement. It is acceptable to locate the development next to Gallows Point, which already has commercial uses associated with boating. Thus the development would not be introducing an alien new use into the area. A well laid-out marina in this setting could well prove to be an attractive feature in its own right, which would complement the maritime character of this coastal landscape.
- 7.2.7 With regard to nature conservation interests, the site is within a proposed Marine Nature Reserve and the Menai Strait Oyster and Mussel Fishing Order area. It is close to 3 SSSI's (Fryar's Road Shore, Baron Hill Park and Menai Strait Shore) and the Lavan Sands SPA and Local Nature Reserve. The site also includes a Regionally Important Geological Site (RIGS). Structure Plan Policy D10 and Local Plan Policies 33, 34 and 35 aim to protect these areas from inappropriate or harmful development. There are no development plan policies relating to mussel farming, beyond the reference in Local Plan Policy 34 to the need to protect fisheries in general from damaging development.

- 7.2.8 The key impacts of the proposed development in terms of loss of habitat during and after construction, and the possible effects on the Lavan Sands, have been examined in detail in the submitted ES and the Supplementary Report (Docs CD9 & 10), and the Council has commissioned its own advice on these matters (CD 11 & 12). The Council is satisfied that the development would not adversely affect the environmentally sensitive areas and their features, provided that appropriate conditions apply. The effect on the mussel fishery is not considered to be an environmental or nature conservation issue.
- 7.2.9 The marina site lies adjacent to the Lavan Sands Special Protection Area (SPA). Regulation 48(1) of the Conservation (Natural Habitats) Regulations 1994 require an "appropriate assessment" to be carried out in respect of a project which would be likely to have a significant effect on the SPA. That work has been done, and the information contained within the ES (Docs CD9 & CD10), and the work undertaken by Envirospine Aspinwall (Docs CD 11 & CD 12) has confirmed the purely localised effect of the proposed marina. The Council concludes that the assessments already undertaken provide sufficient confidence that there would be no significant effect on the SPA. There would be a predicted effect during the construction and operation of the marina, due to the loss of habitat caused by the development of the inter-tidal area, but the assessment indicates that no harm would be caused to nature conservation interests.
- 7.2.10 The Countryside Council for Wales has also expressed satisfaction with the information on nature conservation and, in finding the proposals acceptable subject to conditions, is prepared to offer the Council advice on how to discharge its obligations under the European Union Habitats Directive, to undertake an appropriate assessment of the impact of the proposed development on the Lavan Sands SPA for birds. No objections have been received from the Lavan Sands Joint Management Committee.
- 7.2.11 The detailed effect of the development on the RIGS site would be assessed further in conjunction with the RIGS Group and appropriate mitigation measures would be agreed for implementation. Suitable conditions and agreement would entitle the Gwynedd Archaeological Trust to have access to the site during construction to record any finds.
- 7.2.12 The Gwynedd Structure Plan identifies a strategic need for a new marina development in the eastern Menai Strait. Alternative sites for a marina have been investigated, but these proved not to be technically feasible in the case of Hirael Bay and Fryars Bay, or undesirable on conservation grounds in the case of Beaumaris Bay, situated between the town and Gallows Point.

### 7.3 Case for the Countryside Council for Wales



- 7.3.1 The CCW is a statutory consultee on the conservation of AONBs under section 88 of the National Parks and Access to the Countryside Act 1949. Concerns about the marina proposal are expressed on a number of grounds regarding the adverse impact upon the landscape, coastline, scenery and views of acknowledged importance. The development would change the existing open shoreline and inter-tidal flats into a non-tidal dependant, 24-hour access, recreational marina complex.
- 7.3.2 The Anglesey AONB was designated in 1966 and comprises some 215 sq km (83 sq miles) of the coastline. It has a variety of fine coastal landscapes, consisting of rugged cliffs, sandy bays, marshes, dunes, the sheltered shores of Menai Strait and the windswept slopes of Holyhead and Bodafon Mountains. The Anglesey Landscape Strategy 1999 confirms the high landscape quality of this area, and the draft Planning Design Guidance of May 2000 identifies the eastern Menai Strait (Landscape Character Area 8) as an area where the visual impact of development is becoming more marked.
- 7.3.3 The Coed Parc woodlands to the north of the A545 and the site are classified as ancient woodland by the Nature Conservancy Council 1989 on the basis of historical information. The NCC and its successors regard these woods as most important for conservation. There is also a Tree Preservation Order (No 34) on the strip of woodland between the road and the field to the north of the A545 at Gallows Point.
- 7.3.4 In the terms of scenic quality, as set out in the CCW's Seascapes Project on the quality of the coastline in this part of Wales (Doc CCW2.3J), this part of the Strait is considered to be one of the most visually prominent and most frequently observed coastal areas, from viewpoints of acknowledged importance. This study and the AONB designation indicates the quality of the coastal landscape to be over and above the inland areas within Anglesey. The proposed marina site can be seen from the important designated areas of the AONB and the Snowdonia National Park.

- 7.3.5 From the lay-by on the seaward side of the A545, travellers can stop and gain a most significant view, an uninterrupted panorama across the Strait to the mountains of Snowdonia. This view is closed to the south-west by woodland and partially closed to the east by the rising land and embankment on Gallows Point itself. This important and dramatic view across the south-facing Gallows Point Bay would be entirely changed by the proposed development. No longer would the curve of the beach and the seascape of the bay be visible and no longer would the dramatic coastline of the mainland, rising up to the mountains of Snowdonia, be visible from this viewpoint, as the development would interject into the foreground. The proposed landscape planting would obscure the horizon and the only view then gained from the A545 would be down the access road into the marina to the rear of the facilities building.
- 7.3.6 Important views are also gained from Menai Bridge, from The Garth, from Bangor and from the nature reserve at Aber Ogwen. It is clear that existing small-scale coastal and harbour works of this general vicinity can fit in to the much greater context of the natural coastline, cliffs, hills and woods. The critical point comes when the natural absorptive capacity of the landscape is exceeded and where developments and installations become eye-catching because of their scale, extent and colour of the materials used when contrasted with the natural forms, tones and colours of the landscape and coast.
- 7.3.7 Given the prominence of Gallows Point, its importance as a navigation mark, its projection out from the general run of the coastline and therefore its open visibility and its position marking the boundary between open coastline and the more urban setting of Beaumaris, it is a distinctive, sensitive and important location in defining a change in the landscape of the coast between Beaumaris and Menai Bridge.
- 7.3.8 In assessing the scale of the proposed Gallows Point marina, the scale of other marinas in the vicinity has been examined. A survey of these sites confirms that the proposals at Beaumaris are large in scale when compared with Holyhead, Deganwy, Conwy, Y Felin Heli and Caernarfon. It is also noteworthy that the proposals at Beaumaris are new large scale engineering works whereas almost all the others are developments from established harbours or old harbours. Conwy is the one departure from this but is the result of converting the A55 roadworks casting basin into a marina, and it is interesting to note that this marina suffers considerably from silting, and radical measures to reduce this have had to be undertaken.

- 7.3.9 To accommodate a tidal range between high water springs and low water springs, while also retaining sufficient water within the marina, would mean dredging to some 6.5 metres below Ordnance Datum. The base of the dredged basin would therefore be some 11.5 metres below the crest of the breakwater and the large scale of the engineering works would be clearly apparent at mean low water springs. Expanses of exposed rock pitching would be the predominant visual characteristic of the basin when viewed from its perimeter and from within it. The scale of the breakwater would be very apparent and prominent at low tide from the adjoining shore, Bangor Pier and the adjacent navigable channel.
- 7.3.10 The large car park and boat storage areas would greatly exceed areas of hardstanding for visitor parking within Beaumaris itself. It even exceeds the extent of The Green in Beaumaris. This confirms the large scale of the development when compared with other urban development nearby. Once again, in terms of scale the marina basin itself would exceed the total area of the existing Gallows Point developed area and when the area of the breakwaters, car park and new boat storage parking are included, it represents over three times the coverage of today's Gallows Point, being the equivalent of 18 football pitches in size. Therefore, it is considered that in terms of scale, this proposal would be too large and inappropriate for the location.
- 7.3.11 CCW have responded in detail to the ES and Supplementary Report. With specific reference to landscape and visual amenity, CCW do not agree with the designation of the landscape of the site as being only of "good" quality. The CCW prefer the guidance offered by the Anglesey Landscape Strategy and the two draft Supplementary Planning Guidance notes (Does CD7 & CD8). Here the visual and sensory landscape of this area is described as "high" quality and the bio-diversity and landscape is described as being "outstanding". In the Planning Guidance the site lies within Aspect Area 26, which is described as *high quality*, and its preferred state as *conserved as existing*, with particular reference to the *tall wooded edge to the shore with high estate walls along road corridor, very green and enclosed with meshing canopy and wind shaped trees. Dominance of steep slopes and estate character. Rock outcrops and filtered views to the sea, enclosed, protected, secure.*

- 7.3.12 The draft Supplementary Guidance on Biodiversity & Landscape (May 2000) describes the woodland backdrop (Aspect Area 97) to the proposed development as being *outstanding* quality for its *extensive and continuous coastal and river valley semi-natural broadleaf woods*. The inter-tidal flats (Aspect Area 130) is described as *outstanding* for its *Menai Strait shore of cliffs, exposed rocks, intertidal sand mud and shingle, important marine invertebrate and algae .... intertidal feeding areas for waders/seabirds*. It recommends that these areas should be conserved as existing.
- 7.3.13 In terms of sensitivity of views of the site, the applicant chose to study 3 appraisal panoramas. These did not include the important view gained from the A545 across the southern-facing bay at Gallows Point to the Snowdonia National Park beyond. Whilst it is acknowledged that the CCW was consulted on the Scoping Report for the ES, which chose the important panoramas, this is nevertheless a serious omission.
- 7.3.14 In summary, therefore, the ES is considered by CCW as not having given adequate weight to the landscape quality and its designation and has not fairly predicted the visual impact of the development when viewed from the strait or from the A545 passing the site. Neither the ES nor the Supplementary Report appear to assess the significance of the views used. The visual assessment has excluded the impact caused by the loss of view of the Strait and the National Park from the landward side along the A545 and makes no reference to the impact of the marina itself on views gained from boats within it at low and half tide. As a recreational facility one only needs to visit Conwy marina to see how the breakwater encloses the moorings and excludes almost all views of the coastline and countryside beyond.
- 7.3.15 With regard to the likely impact on the landscape, the context of the proposals is that it is an Area of Outstanding Natural Beauty, prominently visible and of national importance, with little capacity to absorb the very large scale of development proposed within it.
- 7.3.16 The views across the south-facing bay of Gallows Point and the continuity of the tree-clad coastline down to Menai Bridge is an important part of open countryside and open part of Menai Strait. In contrast Beaumaris Bay, with its moorings and Beaumaris town and Castle, are clearly urban. Gallows Point is the transition between the east side, which is predominantly urban, and the predominantly rural western side.

- 7.3.17 The scale of the engineering containment would be larger than any other in the vicinity that could be described as being within open countryside. As at Conwy, 24-hour all-tide access would require major engineering works in terms of breakwater construction, dredging and land reclamation. The resulting size of the marina, its car park, boat park and Facilities Building would be of a large scale, taller than any of the existing buildings on Gallows Point. The marina proposals incorporate large-scale engineering works that constitute recreational development of a scale that cannot be justified within such a rural landscape context.
- 7.3.18 The proposed marina would be visible in views from the mainland coast between Bangor and Penmaenmawr, from the railway line between Bangor and Conwy, and from the A55. When viewed from the National Park at higher elevations, the white rendered walls of the facilities building and the mast cluster, car park and boat storage areas would be clearly identifiable as an intrusion between the open sea of the strait and the wooded coastal escarpment of this part of Anglesey.
- 7.3.19 The proposals would not improve the existing facilities at Gallows Point, as the new marina proposal would stand separate from the already developed area. Consequently, there are no significant planning gains that form part of this application.
- 7.3.20 CCW remains unconvinced about the lack of alternative sites for this development. Whilst Hirael Bay at Bangor would be a more preferable location, Beaumaris Bay may be also preferable in landscape and nature conservation terms to Gallows Point, taking all the constraints into account. There may also be other sites for marina developments in existing ports such as Bangor and Penrhyn.
- 7.3.20 It is concluded therefore, that in terms of an impact upon the existing landscape quality, the proposals would have a deleterious effect on this landscape of national importance and in terms of a departure from existing planning controls, and that there are no landscape gains that outweigh such a departure. It is upon this basis that the CCW, in its statutory capacity as adviser on the conservation of landscape and the environment, maintains concerns about the scale and location of the Gallows Point marina proposal within the Area of Outstanding Natural Beauty.

#### 7.4 The Case for Friends of the Earth

- 7.4.1 Planning Guidance (Wales) - Planning Policy states in paragraph 5.3.8 that within AONBs major industrial or commercial development should not be allowed and that only proven national interest or lack of alternative sites can justify an exception. The proposed marina development would not be of proven national interest, and insufficient attention has been given to alternative sites. There is no evidence to show that the Gallows Point site is the most suitable option. Hirael Bay or a smaller site on the Beaumaris Bay side of the Point would entail less environmental impact in terms of bird life and traffic problems.
- 7.4.2 Structure Plan Policies CH 13 and CH 15 identify four locations as being suitable for the development of major coastal boating facilities at Conwy, Bangor, Holyhead and Pwllheli. Therefore this proposal is a departure from the approved policy. Hirael Bay, Bangor remains a possible location, whereas Gallows Point, Beaumaris is not included in the Structure Plan policies, because it was not deemed to be a suitable location.
- 7.4.3 Local Plan Policy 36 states that development will not be permitted in the undeveloped areas on and adjoining the coast. Hence the Local Plan confirms Holyhead as the only acceptable site on Anglesey for major new coastal boating facilities, and opposes any development that would adversely affect the undeveloped coastline, such as the Gallows Point proposals.
- 7.4.4 With regard to the likely impact of the development on the landscape, this area of coastline is visually impressive. It is unique in the Strait for its lack of water level lighting and its woodland backdrop. The marina and its lighting would destroy the great beauty of the landscape on moonlit nights. During the day, light reflecting from parked cars would also detract from the landscape qualities of the area.
- 7.4.5 The "zone of visual influence" in the ES does not properly reflect some popular views of the Strait. The proposed marina would be visible from Beaumaris Town, particularly from the pier. The proposed breakwater would project beyond Gallows Point and would impair views along the Strait towards Bangor Mountain, Upper College, Bangor Pier and the Menai Bridge. In the opposite direction, views of Beaumaris and Puffin Island from the end of Bangor Pier would be obscured by the introduction of the unnatural breakwater features, which would obscure over half a kilometre of the varied foreshore.

## 7.5 The Case for Interested Parties/Persons

7.5.1 **Mr D Stephenson** is concerned about the impact of the proposed development on biodiversity and the landscape character of the AONB. If this site within the AONB, the proposed MNR and close to the SPA, SSSIs and proposed SAC was to be lost to development, a precedent would be set such that the Island could see any of its protected sites destroyed. The Council has relied too much on the developer's Environmental Statement. This proposal to build a 30 feet high structure within the AONB and the MNR should be refused. There are alternative sites for a marina development in the Beaumaris area.

7.5.2 At low spring tides, Mr Stephenson observed a steeply sloping edge of the deep channel, with a gradient of about 1 in 2. It is considered that if this slope drops steeply for some 3m (10 ft), severe structural problems would be likely to occur with the stability of the proposed breakwater during the construction and operational phases of the marina.

## 7.6 Written Representations

### 7.6.1 North Western & North Wales Sea Fisheries Committee

7.6.1.1 On landscape and planning policy matters, the NW&NWSFC is concerned that the proposed development would not comply with national guidance in Planning Guidance (Wales) - Planning Policy concerning the impact on the AONB, given the availability of alternative locations and the lack of national importance of the project. Gallows Point is part of an undeveloped stretch of coastline, where both Structure Plan and Local Plan policies are against new development. The NW&NWSFC detailed appraisals of planning policy are contained in their submitted documents SFC13, SFC17 & SFC18.

7.6.1.2 In terms of the development plan policies, the case in favour of the marina development is based only on Policy 36 of the Local Plan, but this is inappropriate bearing in mind the clear statement against such coastal developments in the Gwynedd Structure Plan Policies CH13 and CH15. These are reiterated at page 54 of the Local Plan, which states that large developments of recreational boating facilities in Holyhead are supported, whereas other sites are opposed. Apart from general statements in favour of economic development, most of the Local Plan policies are against the location of a marina at Gallows Point.

7.6.1.3 The Local Plan policies point to the ideal location for the construction of a marina lying outside the AONB (Policy 30), within a designated settlement area (Policy 2), outside the proposed MNR (Policy 33), not affecting the Lavan Sands SPA (Policies 33 and 35), not affecting fisheries (Policy 34) and fitting into the local landscape (Policy 31). Gallows Point does not meet any of these criteria and therefore the case for the marina is not consistent with section 54A of the Town and Country Planning Act 1990.

## 7.6.2 Paul Kay - Photographer

7.6.2.1 Whilst not opposed to marina developments, there are alternative sites available at Hirael Bay in Bangor, adjacent to Penrhyn Harbour, and the old harbour at Deganwy. County boundaries are not an obstacle to such development. Overnight quayside berthing facilities could be made available in Menai Bridge, Beaumaris and other areas of the Strait, as an alternative compromise. This would be a more imaginative approach, rather than building a full-blown marina development. It might provide more jobs and blend in with the AONB coastal scenery better.

7.6.2.2 The clay and peat seabed might not be stable enough in the turbulent currents of the Strait for the construction of the marina breakwaters. The engineers sometimes get things wrong, as at Conwy marina where renewed work on the entrance has been necessary. Building on the easily erodable material in strong currents in the Strait might be an unwise proposal.

7.6.2.3 The AONB area of the Menai Strait is an unspoilt landscape, a natural area. The visual impact of the development on the Strait would be immense, and it would have little beneficial effect on the beautiful town of Beaumaris.

## 7.7 Conclusions (The bracketed numbers refer to source material in the parties' cases and documents)



- 7.7.1 After having examined the wide zone of visual influence of the proposed marina site (7.1.1, Docs ABC2.2, 2.3), I conclude that it would only be fully visible from the open section of the A545 and Gallows Point in the immediate vicinity of the site, and from craft on the Strait itself. Other views from land across the Strait, from the Menai Suspension Bridge and from Beaumaris Pier are too distant to be of significant impact. From these long-range locations the relatively low-lying, linear form of the breakwaters would screen most of the marine activity, except for boat masts and the facilities building. With careful use of local materials, it seems likely that the rock-faced breakwaters, once weathered and vegetated, would be hardly distinguishable from the natural shoreline in distant views.
- 7.7.2 Thus the visual impact upon the landscape is limited, because the site is well-contained by the topography, the wooded coastline and the shoreline itself. Although the applicants classify the local landscape as good quality, rather than being "very attractive" or "of the highest quality" (7.1.3-4), I find it hard to visualise a more attractive scene than that which meets the eye from Gallows Point, the public highway, the lay-by and the pedestrian viewpoint on the nearby section of the A545. The significant attractive features of this coastal scene are the natural wooded and steep, rocky edge, the wide expanse of water across the Menai Strait, and the magnificent backdrop of the Snowdon Range. The broad natural sweep of the bay and Gallows Point are attractive features, although the marine buildings and commercial activity on the Point contribute little to the overall quality of the landscape.
- 7.7.3 There is little doubt that the proposals would have a major impact on the coastal landscape as seen from the road and Gallows Point. The foreground of the views from the A545 would be dominated by the car park and facilities building, sited on the reclaimed platform of land, and future views of the Strait would be across these facilities, the boat mooring pontoons and long breakwaters of substantial depth. Some additional tree planting is proposed alongside the highway (7.1.7, 7.1.11, Doc ABC2.11), which might soften the impact of the large car park, but views of the expanse of the marina would be likely to dominate the scene. I consider that the proposed development would be so large that it would not be absorbed into the natural landscape, but would rather dominate these important views.
- 7.7.4 It is also clear that the proposed new junction, and widening of the A545 to provide a right-turn facility, would have a considerable visual impact on the public perception of this part of the coastal landscape (7.1.18). The likely loss of roadside trees and stone walls for sight-lines at the entrance to the development would open up more views of the marina development in the foreground of the Strait, for which it would be difficult to compensate with new tree planting.

- 7.7.5 In terms of national guidance and the development plan landscape policies, the site lies in a very sensitive location. Within the Area of Outstanding Natural Beauty, the primary objective is the conservation and enhancement of the natural beauty of the area, although it is appropriate to also have regard to its economic and social well being. Planning Guidance (Wales) - Planning Policy points out that major developments within the AONB should not generally be allowed, except in circumstances of proven national interest or where there is a lack of alternative sites (7.2.5).
- 7.7.6 The Council and other interested parties make out a clear case that for employment, investment and tourism reasons, in this part of Wales, the development is in the national interest (7.2.1), and the suitability of other alternative sites has been assessed for marina development (7.1.20). As Friends of the Earth point out (7.4.2), Policies CHI 3 and CHI 5 of the Gwynedd Replacement County Structure Plan (Doc CD4) support the development of major coastal boating facilities at Conwy, Bangor, Holyhead and Pwllheli as part of the strategic provision of recreational facilities for tourism. Policy CH15 presumes against the development of major boating facilities at locations other than those referred to in CH13.
- 7.7.7 As explained by the applicants, the marina development at Hirael Bay, Bangor has not been undertaken due to problems of its economic feasibility, and is unlikely to proceed in the foreseeable future. It is appropriate therefore to consider Beaumaris as a nearby alternative to Bangor in the strategic planning policy for tourism and recreation in the area. This strategic planning policy for marina developments has already been revised in the emerging Ynys Môn Unitary Development Plan (Consultation Draft) (Doc CD6), where the latest tourism Policy T07 supports the development of a marina at Beaumaris.
- 7.7.8 The Structure Plan and Local Plan policies aim to protect undeveloped areas of the coastline where the nature or scale of development would harm the character of the coast (Policy 36 of the Ynys Mdn Local Plan and Policy EN5 of the UDP). However, in addition to the effects on landscape, nature conservation interests, tourism and the marine environment, the need for a coastal location is also considered under the policies. In this case there is a clear need for the facility to be in this particular location. The proposed marina is an integral part of the strategic planning policy for the Island and this region of Wales. By its very nature it requires a coastal location, and it is related to an existing centre of yachting and boating, which is clearly in need of investment and jobs.

- 7.7.9 Accordingly, I consider that this form of major tourism development would be justified as an exception to the normal restrictions on large-scale development within the AONB, provided that the benefits to the area are not outweighed by potential harm to its special landscape and nature conservation interests, and all alternative sites have been assessed to be less suitable, or equally harmful to the landscape and the environment.
- 7.7.10 CCW describes the proposed development as being in the open countryside (7.3.16-17), but it is necessary to take into account the existing Gallows Point development next to the site, comprising a boatyard, petrol filling station, large boathouses and many other sheds, buildings, boat parks and a car park. I accept the point of view however that the inter-tidal bay, the rocky foreshore and the wooded fringe are an integral part of the open countryside, but I recognise that the site also adjoins the existing development around the boatyard, to which the marina would be clearly related in terms of ownership and activities.
- 7.7.11 The initial assessment of potential marina sites looked at both sides of Gallows Point (4.14.3), and it should be borne in mind in determining this application that both alternatives scored equally highly on the selection criteria (section 3 of ES, Doc CD9). Whilst a development on the eastern side of the Point was not favoured by the applicants because of access difficulty from the existing boatyard and its proximity to the historic town, in my view it has significant advantages over the chosen location in terms of the impact on the AONB landscape and the mussel fishery.
- 7.7.12 Both sides of Gallows Point are within the AONB, and Beaumaris Bay is an attractive area with good views across the Strait, but the scenic quality of the coastal landscape increases significantly west of the Point. On the east side, Beaumaris Bay is more urban, as CCW points out (7.3.16), because it is enclosed by the highway wall, modern housing at Cae Mair and other buildings, leading all the way from the town to the small public car park on the Point, so that new development in this area would not directly impinge on the open countryside.
- 7.7.13 At present, the Anglesey Boat Co boatyard does not appear to have direct access to the east shoreline of the Point in Beaumaris Bay, because this side of the peninsula is used for public car parking and various boat sheds. This untidy and unattractive part of the coastline appears to be in County Council ownership however (2.6), and development on this side of the Point would provide an opportunity to improve its landscape appearance and layout. Beaumaris Bay is large in area with around 200 tidal moorings, some of which would need to be removed for a marina on this site, but some would remain, and the 450 superior all-tide moorings would replace those lost.

- 7.7.14 As proposed, the marina development on the west side of Gallows Point would create very large reclaimed landfill areas and breakwaters above the highest tide levels and a deep man-made marina set within the cove, which is a shoreline of considerable natural beauty. The visual impact from public highway and Gallows Point itself would be immense, and a large area of the natural coastal landscape would be lost forever. Although public access would be increased to the reclaimed foreshore, in the form of car parks, hardstandings and the facilities building, the RIGS site would be largely covered over and the natural shoreline of the AONB would be destroyed. Important views across the Strait and along the shoreline would be marred by the man-made marina and huge artificial breakwater structures. Moreover, the necessary highway improvements would be likely to require the removal of a swathe of trees and natural vegetation along the A545, to the detriment of the rural character of the AONB.
- 7.7.15 A new marina in this locality would clearly need to relate equally well to both the existing marine activities on Gallows Point and to the town of Beaumaris. The latter requirement is recognised by the County Council in their proposal for a wider pedestrian link to replace the narrow footway between the town and Gallows Point (8.2.11), should the development proceed. The proposed 1km walk would be shortened considerably were the marina to be sited on the town side of the Point. This would enhance the potential for the creation of jobs, trade and services in the town to meet the new demand from yachtsmen and marina visitors.
- 7.7.16 Clearly, a Gallows Point marina development in Beaumaris Bay would provide the ideal opportunity to extend a promenade westwards from the town, to link with a reclaimed foreshore area as part of the whole development and bring the development closer to the town centre in an extension of the urban form beyond the existing conservation area. Whilst this would be bound to have an impact on the setting of the historic town and conservation area, it need not necessarily be harmful if the challenge and opportunity is grasped, and the scheme carefully designed so as to enhance the character of Beaumaris.
- 7.7.17 With regard to the landscape issue therefore, I do not find the proposed marina location to be the most advantageous choice of the 2 practical alternatives. This large development would have a significantly harmful visual impact on the coastal landscape of the AONB. Such harm would be justifiable only if there is no other suitable location without such drawbacks. The overall effect of developing this site to the west of Gallows Point would be to push the developed area of Beaumaris out into the most sensitive of coastal landscape scenery in a most prominent manner. As I have already concluded, this would also have serious repercussions for the established mussel fishery and the RIGS site at this particular location.

