



Your ref:

Our ref: [REDACTED]

09 March 2017

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Dear Sir or Madam

**REPRESENTATIONS TO THE ANGLESEY AND GWYNEDD JOINT LOCAL DEVELOPMENT PLAN:  
MATTERS ARISING CHANGES CONSULTATION (JANUARY 2017)**

These representations have been prepared by HOW Planning on behalf of Land & Lakes (Anglesey) Ltd ("Land & Lakes") in response to the consultation on the Anglesey and Gwynedd Joint Local Development Plan Matters Arising Changes document (January 2017).

The Matters Arising Schedule provides details of the relevant changes that have emerged from the Public Examination into the Local Plan. We understand that comments made at this stage can only address and relate to the 'Matters Arising Changes' as detailed in the Schedule. We also understand that all comments made (by the closing date) will be forwarded by Anglesey and Gwynedd Councils ("the Councils") to the Inspector and that the Councils will prepare a report responding to the comments.

We respectfully request that these representations are considered by the Councils in the preparation of their report responding to the consultation comments and the Inspector in assessing the Local Plan. We would also like to request to speak at a hearing session at the Public Examination about the representations set out in this letter. At the hearing session I wish to be heard in English.

**BACKGROUND**

Isle of Anglesey County Council ("IoACC") has prepared a range of policy statements relating to construction workers' accommodation associated with Wylfa Nuclear New Build. The policy statements establish IoACC's objectives for various accommodation solutions for construction workers including purpose built permanent accommodation situated in accessible locations and which will deliver future and legacy uses.

The Wylfa Nuclear New Build Construction Workers Accommodation Position Statement (March 2011) sets out IoACC's objectives for the provision of accommodation through an equal mix of purpose built accommodation, private rented (new and existing) and tourist accommodation (new and existing).

Planning and Environmental Advisers

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At paragraph 2.3, in reference to Stakeholder aspirations, the Position Statement states:

*“There is significant concern over the impact temporary accommodation demand could have on the tourism sector, particularly in the north of the Island where it is least developed. There is therefore a need for the Council and other parties to ensure potential negative impacts are mitigated against.”*

The Position Statement states at paragraph 4.13 that the preferred option will be to “ensure that legacy is sustainable” and “promote local legacy benefits”. Paragraph 4.34, in relation to the option of creating further tourism legacy use in appropriate locations, states:

*“Any proposals will need to be carefully reviewed to ensure that the proposed site(s) is appropriate in terms of its location, proximity to existing communities, the environmental implication, the traffic implications, its long term viability and its ability to support further investments such as new facilities on the island that will attract more day and staying visitors”*

IoACC’s objective to deliver purpose built permanent accommodation which will be located in accessible locations and deliver legacy uses for the area is also supported within the Nuclear New Build at Wylfa Supplementary Planning Document (“SPD”) (July 2014). SPD Policy GP10 (Construction Worker Housing in Anglesey Housing Market) states that the following measures should be taken to account:

- *“Deliver a legacy use by promoting permanent new accommodation that addresses local needs.... beyond the construction period”*; and
- *“Ensure that construction worker accommodation is located so as to minimise the need to travel and promotes the provision and use of sustainable transport modes”*.

SPD Policy GP12 (Tourism and Accommodation) refers to the measures that will be taken when accommodating one third of the construction workforce within the tourist accommodation sector. Such measures include ensuring that the take up of accommodation by construction workers does not generate adverse impacts on the tourism sector in the long term, and that accommodation is located “so as to ensure ease of access by sustainable means of travel to relevant tourism facilities and attractions, community services and facilities and the main NNB site”.

In accordance with the objectives of these two policy statements, IoACC granted planning permission (LPA ref 46C427K/TR/EIA/ECON) on 19 April 2016 for Land and Lakes' proposals for a leisure village and temporary construction worker accommodation with future and legacy tourism and residential uses at Holyhead. The approved development comprises:

- A leisure village at Penrhos Coastal Park, Holyhead, comprising up to 500 new leisure units and associated leisure development;
- The erection of leisure village accommodation and facilities comprising up to 315 lodges at Land at Cae Glas to be used initially as temporary construction workers' accommodation and to be subsequently converted into an extension of the Penrhos Coastal Park; and,
- The construction of up to 320 new houses at Land at Kingsland, to be used initially as temporary construction workers' accommodation and subsequently converted into a residential development.

## LAND & LAKES' REPRESENTATIONS

Land & Lakes' representations relate to the changes proposed to policies PS 9, PS 9A, CY 1, CY 4 and TAI 3. Each policy is considered in turn below.

### Policy PS 9

Paragraph 7.3.17a is a new paragraph with reference NMC 137. Land & Lakes has comments on the wording of the part of the paragraph which with the proposed changes states:

*...“The construction workforce should be accommodated via various means, including the existing housing stock (to buy or rent), holiday accommodation and new purpose built permanent or modular accommodation provided by Horizon or through a third party. Where appropriate, the Councils require the Project to deliver legacy benefits to local communities during the Plan period or beyond the construction period”...*

In principle, Land & Lakes supports the requirement for construction workers to be accommodated via various means as this reflects the policies established by the IoACC since 2011. However, the paragraph as drafted does not give sufficient weight to the requirement for permanent accommodation solutions which will deliver important future or legacy benefits. The paragraph as drafted provides too much flexibility by adopting the following wording (with HOW emphasis in **bold**): “new purpose built permanent or modular accommodation” and “**Where appropriate**...”.

It is Land & Lakes understanding, having reviewed the textual changes proposed to paragraph 7.3.18 of the Local Development Plan under reference NMC138, that temporary accommodation which will have no future or legacy use will only be considered by the Council if a future or legacy use is not feasible. Therefore, greater weight should be given to new purpose built permanent accommodation rather than temporary accommodation in buildings which will be removed at the end of the temporary use. To address this, Land & Lakes request that paragraph 7.3.17a is amended as shown in red below:

*...“The construction workforce should be accommodated via various means, including the existing housing stock (to buy or rent), holiday accommodation and new purpose built permanent ~~or modular~~ accommodation provided by Horizon or through a third party”. ~~Where appropriate~~, The Councils require the Project to deliver legacy benefits to local communities during the Plan period or beyond the construction period”...*

Paragraph 7.3.18 is an existing paragraph which has been amended and with the proposed changes states:

*“In terms of location, the Councils position is that accommodation for temporary construction workers should as far as possible be provided within, adjacent to, or close to the development boundaries of the Centres and Service Villages identified in the Plans settlement hierarchy (depending on the scale of the development), and in locations that relate well to the main transport routes and transport modes, especially the railway. They should also contribute towards sustainable regeneration programmes and support the vitality and viability of town centres. Paragraph 7.3.17A refers to the various types of accommodation. Given the scale of the anticipated number of construction workers required during the construction phase, it is considered that modular development will be part of the supply of accommodation but will not be the first option except for necessary provision for essential workers on site. Project promoters should demonstrate that they have fully considered the re-use of existing buildings and / or the provision of permanent buildings capable of being adapted for permanent use following use by construction workers and proportionate use of the private rented sector before proposing modular accommodation in temporary buildings which will be removed at the end of the temporary use.”*

Overall, Land & Lakes is very supportive of paragraph 7.3.18 as amended because it re-enforces the objective of the re-use of existing buildings and / or the provision of permanent buildings capable of being used and adapted for future and legacy uses. Land & Lakes does object to the first part of the paragraph which allows accommodation for temporary construction workers to be provided close to development boundaries of the Centres and Service Villages. The reference to “close to” is not precise and is open to interpretation which could lead to development in locations which are not sustainable nor accessible. Land & Lakes requests that the paragraph is amended as shown in red below:

*“In terms of location, the Councils' position is that accommodation for temporary construction workers should as far as possible be provided within or adjacent to ~~or close to~~ the development boundaries of the Centres and Service Villages identified in the Plans settlement hierarchy (depending on the scale of the development), and in locations that relate well to the main transport routes and transport modes, especially the railway. They should also contribute towards sustainable regeneration programmes and support the vitality and viability of town centres. Paragraph 7.3.17A refers to the various types of accommodation. Given the scale of the anticipated number of construction workers required during the construction phase, it is considered that modular development will be part of the supply of accommodation but will not be the first option except for necessary provision for essential workers on site. Project promoters should demonstrate that they have fully considered the re-use of existing buildings and / or the provision of permanent buildings capable of being adapted for permanent use following use by construction workers and proportionate use of the private rented sector before proposing modular accommodation in temporary buildings which will be removed at the end of the temporary use.”*

In principle, Land & Lakes also supports the amendments proposed to Policy PS 9 (under reference NMC 143), and specifically to criteria 6 and 16 which relate to future or legacy use. The policy with the proposed changes states:

- (6) *“Where proposals are for a temporary period both the site selection and the proposal detail shall be informed by a consideration of legacy uses, so that investment in elements such as infrastructure, buildings, ecological and landscape works brings long term benefits. Where appropriate, delivery plans, for legacy uses will be required with planning applications to demonstrate how legacy use has informed the approach to the design and layout of the associated development sites, as well as contribute to the framing of a s106 and / or other agreements and CIL payments (if applicable).*
- (16) *if a future or legacy use for any temporary development is not feasible the Council shall require that temporary buildings are removed...”*

Land & Lakes is concerned however that the text set out at paragraph 7.3.18 which requires a consideration of re-using existing buildings and / or the provision of permanent buildings for future and legacy uses before proposing temporary buildings is not carried through into the policy wording. To ensure consistency and clarity, Land & Lakes request that Policy PS 9 is amended to include an additional criterion which could be inserted between criteria 5 and 6. This is necessary because the policy as currently drafted does not reflect the requirements of paragraph 7.3.18. To address this, it is suggested that the criterion could read:

*“Proposals for the re-use of existing buildings or the provision of permanent buildings capable of being adapted for permanent future and / or legacy use will be supported by the Council. Proposals for temporary buildings which will be removed at the end of the temporary use will only be allowed on the Wylfa Newydd site or on alternative sites within or adjacent to the development boundary of Centres or Service Villages identified within the Plans settlement hierarchy where it has been demonstrated through rigorous assessment that:*

- (i) There are no suitable and alternative sites available within or adjacent to the development boundary of Centres or Service Villages identified within the Plans*

*settlement hierarchy which can re-use existing buildings or deliver permanent buildings capable of being adapted for permanent future and / or legacy use; and.*

- (ii) *It is not feasible to deliver a future or legacy use for the temporary development on the proposed site”.*

### **Policy PS 9A**

Policy PS 9A is a new policy under reference NMC 143. In principle, Land & Lakes support the policy however minor changes are sought to ensure that the policy wording reflects paragraphs 7.3.18 and Policy PS 9. To achieve this, Land & Lakes propose the following changes to criteria 1 and 2 as shown in red below:

1. *“The site is located **within or adjacent** ~~or in close proximity~~ to the development boundary of a Centre **or Service Village** identified within the Plan’s Settlement Hierarchy, and is close to the main highway network where adequate access can be provided without significantly harming landscape characteristics and features; or*
2. *In exceptional circumstances, the site is located in the open countryside, provided that the applicant can demonstrate that there is no available site which meets the criteria set out in criterion 1 for the proposed use and that there is an essential and proven need for the amount and type of accommodation for temporary workers **in that location**; and...”*

### **Policy TAI 3**

Policy TAI 3 relates to small scale campus style accommodation for construction workers under reference NMC 188. For consistency, the changes proposed to policies PS 9 and PS 9A should be carried through into Policy TAI 3. In line with the representations set out above, Land & Lakes propose the following changes to the wording of Policy TAI 3 as shown in red below:

*“Proposals for small scale campus style accommodation (up to a maximum of 50 bed spaces) for construction workers will be permitted **where the proposal complies with Policy PS 9**, and ~~provided that they~~ forms part of the overall solution to providing temporary construction worker accommodation, and the following criteria are met...*

4. *...In exceptional circumstances, the site is located elsewhere provided:*
  - i. *the developer can demonstrate that there is an essential and proven need for the amount and type of accommodation **in that location** that cannot be met within or adjacent to development boundaries of Centres or Service Villages ~~in the locality~~ identified within the **Plan’s Settlement Hierarchy** through either existing accommodation or the re-use of an existing building **or the provision of new purpose built permanent accommodation**;*

In addition, Land & Lakes propose that an additional criterion is inserted between criteria 4 and 5 which should read:

*“Proposals for the re-use of existing buildings or the provision of permanent buildings capable of being adapted for permanent future and / or legacy use will be supported by the Council. Proposals for temporary buildings which will be removed at the end of the temporary use will only be allowed on the Wylfa Newydd site or on alternative sites within or adjacent to the development boundary of Centres or Service Villages identified within the Plans settlement hierarchy where it has been demonstrated through rigorous assessment that:*

- (iii) *There are no suitable and alternative sites available within or adjacent to the development boundary of Centres or Service Villages identified within the Plans*

*settlement hierarchy which can re-use existing buildings or deliver permanent buildings capable of being adapted for permanent future and / or legacy use; and.*

- (iv) *It is not feasible to deliver a future or legacy use for the temporary development on the proposed site”.*

## **Policy CYF 1**

Policy CYF1 safeguards, allocates and reserves land and units for employment use. In the policy, three tables are provided identifying the existing employment sites safeguarded for employment, land allocated for employment and reserve employment sites.

Under reference NMC 148, changes to the policy wording relating to reserve sites has been incorporated which with the proposed changes states:

*“The following sites are identified as ‘reserve employment sites’ not for local market demand for general industrial or business uses, but rather to accommodate business and employment uses that would initially cater specifically for the needs of Wylfa Newydd or other ‘Energy Island’ / ‘Enterprise Island’ development. Proposals for B1, B2 or B8 uses on these sites would need to demonstrate that there was no suitable safeguarded or allocated employment site or the supply is insufficient to meet the need”*

Land & Lakes understands following a meeting with Senior Officers at IoACC and the Joint Planning Policy Unit (JPPU) on 27 February 2017 that the following is IoACC’s intention with regards to the future use of the reserved sites:

- (i) The reserved sites are not for local market demand for general industrial or business uses;
- (ii) The reserved sites are for B1, B2 or B8 uses associated with the needs of Wylfa Newydd or other Energy Island / Enterprise Island development;
- (iii) Proposals on the reserved sites for B1, B2 or B8 uses associated with the needs of Wylfa Newydd or other Energy Island / Enterprise Island development would only be acceptable if it has been demonstrated that there was no suitable safeguarded or allocated employment site or the supply is insufficient to meet the need.

It is Land & Lakes view that the policy as drafted does not reflect the Councils' intention as set out above. The reserve site policy wording could allow a wide ranging interpretation allowing an initial phase of uses specifically for the needs of Wylfa Newydd or other Energy Island / Enterprise Island development. We understand that this is not the intention of IoACC and to address this, Land & Lakes propose amended wording as shown in red below:

*“The following sites are identified as ‘reserve employment sites’ not for local market demand for general industrial or business uses, but rather **for B1, B2 or B8 to accommodate business and employment** uses that would initially cater specifically for the needs of Wylfa Newydd or other ‘Energy Island’ / ‘Enterprise Island’ development. Proposals for B1, B2 or B8 uses on these sites **that would cater specifically for the needs of Wylfa Newydd or other ‘Energy Island’ / ‘Enterprise Island’ development** would need to demonstrate that there was no suitable safeguarded or allocated employment site or the supply is insufficient to meet the need”*

In addition to the changes set out above, a change would also be required to the reserve sites table in the policy which makes it clear that the use of the sites is for B1, B2 or B8 uses associated with the Wylfa Newydd or other Energy Island / Enterprise Island development.

Paragraph 7.3.25 defines the different strata within the hierarchy under reference NMC 149. In relation to reserve sites it states:

*Reserve Sites Sites that have the potential to meet the demand resulting from Wylfa Newydd as well as the rest of the Anglesey Energy Island Programme / Enterprise Island.*

To relate more closely to what we understand are the Councils intentions for the reserve sites, the following changes to the wording of this paragraph are proposed in red below:

*Reserve Sites Sites that have the potential to meet the **B1, B2 or B8** demand resulting from Wylfa Newydd as well as the rest of the Anglesey Energy Island Programme / Enterprise Island.*

#### **Policy CYF 4**

Policy CYF 4 states that *“Proposals to release employment land on existing employment sites safeguarded for Use Classes B1, B2 or B8 in accordance with Policy CYF1 for alternative uses will be granted only in special circumstances, provided they conform to one or more of the following criteria...”*

It is also understood following the meeting with Senior Officers at IoACC and the JPPU on 27 February 2017 that it is IoACC;s intention that proposals for alternative uses on existing employment sites safeguarded for Use Classes B1, B2 or B8 and only those sites in accordance with Policy CYF1 will be assessed against this policy. The existing employment sites safeguarded for Use Classes B1, B2 or B8 are identified in the first table in Policy CYF1. Confirmation on this matter from the IoACC is sought by Land & Lakes and specifically that proposals for alternative uses on reserve employment sites in accordance with Policy CYF1 will not be assessed against this policy.

We would be grateful if you could confirm safe receipt of this letter and we respectfully request that these representations are considered by the Councils in preparing its report responding to the consultation comments and by the Inspector in assessing the Local Plan.

Should you require further information or wish to discuss then please don't hesitate to contact me.

Yours faithfully

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