Julie James AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning

Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: qA1855999

Mr James Cook
Sirius Planning Limited
4245 Park Approach
Thorpe Park
Leeds
LS15 8GB

E-mail: James.Cook@thesiriusgroup.com

23 May 2024

Dear Mr Cook

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 62D
THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (WALES) REGULATIONS 2016
APPLICATION BY SIRIUS RENEWABLE ENERGY LIMITED FOR A PROPOSED DEVELOPMENT OF A GROUND MOUNTED PHOTO VOLTAIC SOLAR FARM AND BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED EQUIPMENT, INFRASTRUCTURE, GRID CONNECTION AND ANCILLARY WORK. AT LAND OFF FIVE MILE LANE, BONVILSTON, VALE OF GLAMORGAN
APPLICATION REF: DNS/3245503

1. Consideration has been given to the report of the Inspectors who examined the Development of National Significance ("DNS") planning application.

2. In accordance with section 62D of the Town and Country Planning Act 1990 and Regulation 3 of The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, the application was made to the Welsh Ministers for determination.

3. The Inspectors made a site visit on 3 January 2024. A copy of the Inspectors' report ("IR") is enclosed. All references to paragraph numbers, unless otherwise stated, relate to the IR.

4. Edition 12 of Planning Policy Wales (PPW) was published on 7 February. As it was published following receipt of the IR, I have considered any potential impact on this specific application and am satisfied there is no need to seek any further information, particularly as the update to Chapter 6 of PPW was previously published in October 2023 and has been addressed in the IR.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Main Considerations

5. I agree with the Inspectors that the main considerations are the effect of the proposed development on:

    - The character and appearance of the area.
    - Historic heritage.
    - Ecology.

Character and appearance

6. The application site comprises 3 Development Areas, parcels of agricultural land either side of the A4226. Parts of the site are located in the Nant Llancarfan and Dyffryn Basin and Ridge Slopes Special Landscape Areas (SLAs). Development Area 1 and the majority of Development Area 3 are in a local search area for solar energy, as designated by Policy MG30 "Local Search Areas for Solar Energy" of the Vale of Glamorgan Local Development Plan. The Inspectors note the Local Planning Authority acknowledge, by virtue of Policy MG30, changes to the landscape through the introduction of solar farms are acceptable in principle in SLAs. (IR 89)

7. The Inspectors are satisfied, subject to additional planting, the proposed development would not have an unacceptable impact on the character and appearance of the area and complies with policies 17 and 18 in Future Wales (FW) and relevant policies in the Vale of Glamorgan Local Development Plan 2011 – 2026 (LDP). (IR 90 – 93)

Cumulative Impact

8. The Inspectors note the proposed solar farm is one of 3 currently under examination in this part of the Vale of Glamorgan. The Inspectors have considered any potential cumulative impact arising from a number of viewpoints and are satisfied views would retain the overriding sense of looking over a rural landscape. (IR 94 – 97)

Historic environment

9. The Inspectors agree with Cadw that the proposal would not have a significant impact on historic assets and their settings. (IR 98-100)

Ecology

10. There are no designated habitats within the site. However, Sites of Importance for Nature Conservation (SINC) adjoin the perimeter and the Nant Whitton Woodlands SSSI is nearby.

11. The Inspectors are satisfied the proposal avoids protected habitats and areas with the potential to accommodate or support protected species and complies with the stepwise approach set out in PPW. They are also content measures to protect and enhance biodiversity are included in the scheme. (IR 101 – 103)

Other considerations

Highway Safety

12. The Highways Authority has no objection to the proposal, subject to conditions. Whilst there would be a temporary increase in traffic movements during construction and

decommissioning phases the Inspectors are satisfied there would be no unacceptable impacts on highway safety or highway congestion. (IR 105)

Living conditions

13. The Inspectors are satisfied the proposal would not result in unacceptable impacts on residential amenity due to noise, vibration, odour or light. (IR 106)

Glint and Glare – Highways and Aviation

14. The Inspectors have no reason to disagree with the Glint and Glare Assessment which states that reflected light from the panels would not present a hazard to drivers on local roads or to aircraft. (IR 107 – 108)

Flood Risk

15. Whilst a small part of the site is located in zone C2, as defined on Natural Resources Wales' Development Advice Map (DAM), the Inspectors note this area is peripheral and would remain free from built development. The Inspectors note the Flood Consequences Assessment demonstrates there would be no net loss in flood storage capacity or increased risk of flooding elsewhere. The Inspectors are content the scheme accords with the general policy requirement in Technical Advice Note 15: Development and Flood Risk and LDP Policy MD7 "Environmental Protection" to avoid unacceptable impacts arising from flood risk. (IR 109 - 111)

Agricultural Land Quality

16. The Inspectors are satisfied the proposal would not negatively impact on the supply of Best and Most Versatile Agricultural (BMV) land. (IR 112)

Other Matters

17. The Inspectors consider there would not be negative effects on tourism and are satisfied the proposal would not result in harm in relation to health and safety. (IR 113 – 114)

Conditions

18. The Inspector's consideration of planning conditions is set out in IR 115 – 118. I am satisfied the recommended conditions meet the relevant tests set out in Welsh Government Circular 016/2014 "The use of planning conditions for development management".

Inspectors' Overall Conclusion

19. Overall the Inspectors consider that the relatively localised and temporary harms that would arise would not result in unacceptable impacts and that the proposal would comply with the relevant policies within Future Wales and the LDP. In addition, there would be significant benefits in relation to renewable energy generation. (IR 119 – 122)

Inspectors' Recommendation

20. The Inspectors recommend planning permission is granted, subject to recommended conditions. (IR 123 -124)

Decision

21. I agree with the Inspectors' appraisal of the main considerations, the conclusions of the IR and the reasoning behind them, and I accept the recommendation. Therefore, I hereby grant planning permission for DNS/3245503, subject to the conditions in the Annex to this decision letter.

Well-being of Future Generations (Wales) Act 2015 (WFG Act)

22. The Welsh Ministers must, in accordance with the WFG Act, carry out sustainable development. This includes taking all reasonable steps to meet their well-being objectives.

23. I have considered the extent to which granting planning permission meets the Welsh Government's well-being objectives. I recognise there will be some temporary negative environmental effects during construction and decommissioning phases. Although these impacts would be mitigated through the Construction Environment Management Plan (CEMP) they would have a limited negative effect on the objective of making our cities, towns and villages even better places in which to live and work.

24. However, overall the decision would have a positive effect on the objectives to "Build an economy based on the principles of fair work, sustainability and the industries and services of the future", "Build a stronger, greener economy as we make maximum progress towards decarbonisation" and "Embed our response to the climate and nature emergency in everything we do". The effect of this decision on the other objectives is neutral.

25. In reaching my decision on the application, I have taken into account the ways of working set out at section 5(2) of the WFG Act and 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the WFG Act'.

Looking to the long-term

26. The decision takes account of the long-term objective and commitment of Welsh Government's target to generate 70% of consumed electricity by renewable means by 2030 to combat the climate emergency.

Involving people/Collaborating with others

27. Within the framework of a statutory decision-making process, which is governed by prescribed procedures, the application was subject to publicity and consultation, providing the opportunity for public and stakeholder engagement. Representations received through these procedures have been considered and taken into account in making a decision on this application.

Taking an integrated approach

28. The decision has taken account of the development plan and its integration of economic, social and environmental strands across spatial scales. It has also taken account of the objectives of those public sector organisations involved in the consultation process which are pursuing their own well-being objectives under the WFG Act such as NRW.

Prevention

29. The decision takes account of the need to increase renewable energy production and combat the climate emergency, as well as increasing energy security.

Reasonable steps

30. I have considered whether, having regard to the Welsh Ministers' wellbeing duty, it would be reasonable to take a different decision. I note the alternative decision would be to refuse planning permission for the development. This would negatively impact on the objective to "Build an economy based on the principles of fair work, sustainability and the industries and services of the future", "Build a stronger, greener economy as we make maximum progress towards decarbonisation" and "Embed our response to the climate and nature emergency in everything we do". The effect of this alternative decision on the other objectives would be neutral. Consequently, I consider the decision to grant planning permission subject to conditions is a reasonable step in meeting the Welsh Ministers' well-being objectives.

Environmental Information

31. I have taken the Environmental Statement and all other environmental information provided into account in the consideration of this application, as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.

Yours sincerely



Julie James AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning

Annex

Conditions – DNS/3245503

1. The development shall begin no later than five years from the date of this decision.

   Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following plans:

   Site Location Plan: SRE1113/02/01/1

   Planning Application Boundary: SRE1113/02/02/1

   Site Layout: SRE1113/02/03 revision 2

   Sub Station and BESS Compound Arrangement: SRE1113/02/04/1

   PV Panel Details (Pile and Sleeper): SRE1113/02/05

   DNO Substation Detail: SRE1113/02/06

   Solar and BESS Switchgear Cabin Details: SRE1113/02/07

   Solar Transformer Station Details: SRE1113/02/08

   Spares Cabin Details: SRE1113/02/09

   Container Details: SRE1113/02/10

   Battery Module Details: SRE1113/02/11/1

   Battery Transformer Inverter Details: SRE1113/02/12

   Battery Firewall Details: SRE1113/02/13

   Point of Connection Details: SRE1113/02/14/1

   Section Through Substation and BESS Compound: SRE1113/02/15/1

   Fencing and Security Details: SRE1113/02/16 revision 2

   Internal Access Tracks Construction Details: SRE1113/02/17

   Landscape Masterplan: SRE1113/02/18/R2 revision 3

   Palisade Fencing Details: SRE1113/02/19

   Deer Mesh Fencing Details: SRE1113/02/20

   Acoustic Fence Details: SRE1113/02/21

   Site Access Details: SRE1113/02/22/1

   Site Access Construction Details: SRE1113/02/23

   Temporary Site Set Down Area Details: SRE1113/02/24/1

   Indicative 132kv Substation Details: SRE1113/02/25

   Site Setting: SRE1113/02/26/1

Reason: To ensure that the development is carried out in accordance with the approved plans, drawings and documents submitted with the application.

3. The permission hereby granted shall expire 40 years from the date when electrical power is first exported ('first export date') to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

   Reason: In the interests of the character and appearance of the area in accordance with LDP Policy MG17.

4. No decommissioning works shall take place until an ecological impact assessment has been carried out, the method and details of which shall have been submitted to and approved in writing by the local planning authority. The results of the assessment shall inform the Decommissioning Scheme required by condition 5 below.

   Reason: In the interests of the character and appearance of the area and to ensure biodiversity impacts are mitigated in accordance with LDP Policies MD9 and MD17.

5. No later than 12 months before the end of the 40-year operating period (or within 6 months of the permanent cessation of electricity production) a decommissioning and site restoration scheme ('Decommissioning Scheme') shall be submitted to the local planning authority in writing for approval. The Decommissioning Scheme shall include:

   i) a method statement detailing the process and extent of removal of surface elements of the photovoltaic solar farm and associated development and any foundations, anchor systems, trackways and subsurface cabling and associated works and

   ii) site restoration measures following all decommissioning operations. Works shall be carried out in accordance with the approved Decommissioning Scheme.

   Reason: In the interests of the character and appearance of the area and to ensure biodiversity impacts are mitigated in accordance with LDP Policies MD9 and MD17.

6. No development shall commence, (including any site clearance works and / or demolition), until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

   - The parking of vehicles of site operatives and visitors;
   - Loading and unloading of plant and materials;
   - Storage of plant and materials and vehicle maintenance areas;
   - Security hoardings;
   - Wheel washing facilities;
   - Measures to control and mitigate the emission of odour, dust, smoke, other airborne pollutants and dirt;
   - A scheme for recycling/disposing of waste resulting from demolition and construction works;
   - Hours of work;
   - Lighting;
   - Management, control and mitigation of noise and vibration;
   - Diesel and oil tank storage areas and bunds;
   - Measures to control the spread of any invasive / alien plant species that may be recorded on site;

- Biosecurity Safe Systems of Work, where applicable, including for working in / near water, or dealing with diseased plants;
- Surface water run off;
- Details of topsoil strip, storage and amelioration for re-use, measures to prevent soil run off and suspended solid pollution;
- Details of construction drainage, including areas with prevalent runoff where drainage is to be actively managed;
- Species and habitat protection and mitigation measures;
  Details of emergency spill procedures and incident response plan.

Reason: In the interests of the protection of living conditions of nearby residents and the environment in accordance with LDP Policy MD7.

7. No development or site clearance shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include:

   - A hedgerow management strategy;
   - A grassland management strategy;
   - Location of wildlife passes in fencing to ensure permeability for protect species;
   - Integration of arable plant species into green infrastructure;
   - Details of new planting.

   The approved details shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

   Reason: To ensure biodiversity impacts are mitigated and appropriate enhancement and management is secured, in accordance with LDP Policy MD9.

8. No development approved by the permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully completed as defined in the approved details.

   Reason: In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the stie is satisfied and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

9. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of proposed routes for heavy construction vehicles, areas within the site for turning and passing to allow vehicles to leave the site in a forward gear. Development shall be carried out in accordance with the approved details.

   Reason: In the interests of highway safety in accordance with LDP Policy MD7.

10. Any aggregate (other than virgin quarry stone or stone from a certified source) or recycled aggregate material to be imported shall be assessed for chemical or other

potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the local planning authority in advance of its importation. Only approved material shall be imported.

Reason: To ensure that any unacceptable risks from land contamination are minimised in accordance with LDP Policy MD7.

11. Prior to the first export date, the acoustic fence shall be erected around the substation and battery storage compound as shown on drawing no. SRE1113/02/21/0 and shall be retained for as long as the development hereby permitted remains in existence.

    Reason: In the interests of the protection of living conditions of nearby residents and the environment in accordance with LDP Policy MD7.

12. No development or site clearance shall take place until a Great Crested Newt (GCN) Conservation Plan for the construction and operation of the development hereby permitted has been submitted to and approved in writing by the local planning authority. The GCN Conservation Plan shall include:

    a. The results of surveys undertaken at on- and off-site waterbodies;
    b. An assessment of the impacts of the scheme on GCN aquatic and terrestrial habitats, detailing areas of the site to be impacted, habitat lost, habitat to be retained, enhanced, and any habitat to be created;
    c. Details of licensable avoidance measures within 250m of pond P7, including fence, trap and clear methods to remove GCN from the work site;
    d. Barrier fence design and location;
    e. Details of means of access across barrier fence lines;
    f. Measures to ensure working areas are clear of newts prior to the commencement of construction and related works;
    g. Measures for removal or displacement of individuals from working areas;
    h. GCN/amphibian fence monitoring and maintenance requirements;
    i. Measures for removal of barrier fences;
    j. Avoidance measures to minimise impacts on GCN and their terrestrial habitat within 250m of GCN ponds P1, P2, P4, P5, P9 and P10, to include:
        - Monitoring of habitats for GCN using carpet tiles prior to commencement of works,
        - Ecological Clerk of Works to be present during works,
        - Fingertip searches of working areas,
        - Working above 8°C
    k. Method of work for small-scale habitat clearance of suitable habitat over 250m from a pond, such as hedgerow and scrub ‘punch-throughs’ for access tracks;
    l. Actions to be taken if newts are found during works and measures to prevent or reduce incidental capture or killing;
    m. Details of timing, phasing and duration of construction activities and conservation measures, compliance and reporting requirements;
    n. Measures for cleaning panels;
    o. Details of retained and compensation areas, to include:
        - Design of new ponds on site,
        - Management of new and existing habitat to benefit GCN
    p. A reporting schedule;
    q. Measures to ensure biosecurity.

    The GCN Conservation Plan shall be carried out in accordance with the approved details.

Reason: To ensure biodiversity impacts are mitigated and appropriate enhancement and management is secured, in accordance with LDP Policy MD9.

13. Notwithstanding the details shown on the approved plans, no development shall commence until details of CCTV and supporting structures have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    Reason: In the interests of the character and appearance of the area in accordance with LDP Policy MG17

Notification of initiation of development and display of notice

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include the following:

Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out development must ensure the notice is:

a) firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
b) legible and easily visible to the public without having to enter the site; and
c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

Julie James AS/MS
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Ein cyf/Our ref: qA1855999

Mr James Cook
Sirius Planning Limited
4245 Park Approach
Thorpe Park
Leeds
LS15 8GB

E-bost: James.Cook@thesiriusgroup.com

23 of Fai 2024

Annwyl Mr Cook

DEDDF CYNLLUNIO GWLAD A THREF 1990 – ADRAN 62D
RHEOLIADAU DATBLYGIADAU O ARWYDDOCÂD CENEDLAETHOL (CYMRU) 2016
CAIS GAN SIRIUS RENEWABLE ENERGY LIMITED AR GYFER DATBLYGIAD ARFAETHEDIG FFERM SOLAR FFOTOFOLTÄIG AR Y TIR A SYSTEM BATRIS STORIO YNNI GYDAG OFFER CYSYLLTIEDIG, SEILWAITH, CYSYLLTIAD Â'R GRID A GWAITH ATODOL. AR DIR ODDI AR FIVE MILE LANE, TRESIMWN, BRO MORGANNWG
CYFEIRNOD Y CAIS: DNS/3245503

1. Rhoddwyd ystyriaeth i adroddiad yr Arolygwyr a archwiliodd y cais cynllunio Datblygiad o Arwyddocâd Cenedlaethol (DNS).

2. Yn unol ag adran 62D Deddf Cynllunio Gwlad a Thref 1990 a Rheoliad 3 Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Meini Prawf Penodedig a Chydsyniadau Eilaidd Rhagnodedig) (Cymru) 2016, cyflwynwyd y cais i Weinidogion Cymru ar gyfer penderfyniad.

3. Cynhaliodd yr Arolygwyr ymweliad safle ar 3 Ionawr 2024. Mae copi o adroddiad yr Arolygwyr (IR) wedi'i amgáu. Mae'r holl gyfeiriadau at rifau paragraffau yn ymwneud ag adroddiad yr Arolygwyr, oni nodir yn wahanol.

4. Cyhoeddwyd Argraffiad 12 Polisi Cynllunio Cymru (PPW) ar 7 Chwefror. Oherwydd y'i cyhoeddwyd ar ôl derbyn adroddiad yr Arolygydd, rwyf wedi ystyried unrhyw effaith bosibl ar y cais penodol hwn ac yn fodlon nad oes angen ceisio unrhyw wybodaeth ychwanegol, yn enwedig gan fod y diweddariad i Bennod 6 PPW wedi cael ei

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

gyhoeddi'n flaenorol ym mis Hydref 2023 ac wedi derbyn sylw yn adroddiad yr Arolygwyr.

Y Prif Ystyriaethau

5. Cytunaf â'r Arolygwyr mai'r prif ystyriaethau yw effaith y datblygiad arfaethedig ar:

- Gymeriad a golwg yr ardal.
- Treftadaeth hanesyddol.
- Ecoleg.

Cymeriad a golwg

6. Mae safle'r cais yn cynnwys 3 Ardal Ddatblygu, sef lleiniau o dir amaethyddol ar bob ochr i'r A4226. Mae rhannau o'r safle wedi'u lleoli yn Ardaloedd Tirwedd Arbennig (SLAau) Nant Llancarfan a Basn a Llethrau Cefn Dyffryn. Mae Ardal Ddatblygu 1 a mwyafrif Ardal Ddatblygu 3 mewn ardal chwilio leol ar gyfer ynni solar, fel y dynodir gan Bolisi MG30 "Ardaloedd Chwilio Lleol ar gyfer Ynni Solar" yng Nghynllun Datblygu Lleol Bro Morgannwg. Mae'r Arolygwyr yn nodi bod yr Awdurdod Cynllunio Lleol yn cydnabod, trwy gyfrwng Polisi MG30, bod newidiadau i'r dirwedd trwy gyflwyno ffermydd solar yn dderbyniol mewn egwyddor mewn SLAau. (IR 89)

7. Mae'r Arolygwyr yn fodlon, yn amodol ar blannu ychwanegol, na fyddai'r datblygiad arfaethedig yn cael effaith annerbyniol ar gymeriad a golwg yr ardal a'i fod yn cydymffurfio â pholisïau 17 a 18 Cymru'r Dyfodol a pholisïau perthnasol yng Nghynllun Datblygu Lleol (CDLl) Bro Morgannwg 2011 – 2026. (IR 90 – 93)

Effaith Gronnol

8. Mae'r Arolygwyr yn nodi bod y fferm solar arfaethedig yn un o 3 sy'n cael eu harchwilio ar hyn o bryd yn y rhan hon o Fro Morgannwg. Mae'r Arolygwyr wedi ystyried unrhyw effaith gronnol bosibl o nifer o olygfannau ac yn fodlon y byddai golygfeydd yn cadw'r ymdeimlad cyffredinol o edrych dros dirwedd wledig. (IR 94 – 97)

Yr amgylchedd hanesyddol

9. Mae'r Arolygwyr yn cytuno â Cadw na fyddai'r cynnig yn cael effaith arwyddocaol ar asedau hanesyddol a'u lleoliadau. (IR 98-100)

Ecoleg

10. Nid oes unrhyw gynefinoedd dynodedig o fewn y safle. Fodd bynnag, mae Safleoedd o Bwysigrwydd Cadwraeth Natur (SINC) am y ffin â'r perimedr ac mae Safle o Ddiddordeb Gwyddonol Arbennig (SoDdGA) Coetir Nant Whitton gerllaw.

11. Mae'r Arolygwyr yn fodlon bod y cynnig yn osgoi cynefinoedd a warchodir ac ardaloedd a allai gynnal neu gefnogi rhywogaethau a warchodir, a'i fod yn cydymffurfio â'r ymagwedd fesul cam a amlinellir yn PPW. Maen nhw hefyd yn fodlon bod mesurau i warchod a gwella bioamrywiaeth wedi'u cynnwys yn y cynllun. (IR 101 – 103)

Ystyriaethau eraill

Diogelwch ar y Priffyrdd

12. Nid yw'r Awdurdod Priffyrdd yn gwrthwynebu'r cynnig, yn ddarostyngedig i amodau. Er y byddai symudiadau traffig yn cynyddu dros dro yn ystod y camau adeiladu a datgomisiynu, mae'r Arolygwyr yn fodlon na fyddai unrhyw effeithiau annerbyniol ar ddiogelwch ar y priffyrdd neu dagfeydd ar y priffyrdd. (IR 105)

Amodau byw

13. Mae'r Arolygwyr yn fodlon na fyddai'r cynnig yn arwain at effeithiau annerbyniol ar amwynder preswyl o ganlyniad i sŵn, dirgryniad, arogleuon neu olau. (IR 106)

Fflachiau a Llacharedd – Priffyrdd a Hedfanaeth

14. Nid oes gan yr Arolygwyr reswm i anghytuno â'r Asesiad Fflachiau a Llacharedd sy'n datgan na fyddai golau adlewyrchedig o'r paneli yn achosi perygl i yrwyr ar ffyrdd lleol nac i awyrennau. (IR 107 – 108)

Perygl Llifogydd

15. Er bod rhan fach o'r safle wedi'i lleoli ym mharth C2, fel y'i diffinnir ar Fap Cyngor Datblygu (DAM) Cyfoeth Naturiol Cymru (CNC), mae'r Arolygwyr yn nodi bod yr ardal hon yn ymylol ac y byddai'n aros yn rhydd rhag datblygiad adeiledig. Mae'r Arolygwyr yn nodi bod yr Asesiad o Ganlyniadau Llifogydd yn dangos na fyddai colled net mewn capasiti storio llifogydd na pherygl uwch o lifogydd mewn mannau eraill. Mae'r Arolygwyr yn fodlon bod y cynllun yn cyd-fynd â'r gofyniad polisi cyffredinol yn Nodyn Cyngor Technegol 15: Datblygu a Pherygl o Lifogydd a Pholisi MD7 y CDLl "Diogelu'r Amgylchedd" i osgoi effeithiau annerbyniol o berygl llifogydd. (IR 109 - 111)

Ansawdd Tir Amaethyddol

16. Mae'r Arolygwyr yn fodlon na fyddai'r cynnig yn cael effaith negyddol ar y cyflenwad o dir amaethyddol Gorau a Mwyaf Amlbwrpas (BMV). (IR 112)

Materion Eraill

17. Mae'r Arolygwyr o'r farn na fyddai effeithiau negyddol ar dwristiaeth ac maen nhw'n fodlon na fyddai'r cynnig yn achosi niwed mewn perthynas ag iechyd a diogelwch. (IR 113 – 114)

Amodau

18. Amlinellir ystyriaeth yr Arolygwyr o amodau cynllunio yn IR 115 – 118. Rwyf yn fodlon bod yr amodau argymelledig yn bodloni'r profion perthnasol a amlinellir yng Nghylchlythyr 016/2014 Llywodraeth Cymru "Defnyddio amodau cynllunio i reoli datblygu".

Casgliad Cyffredinol yr Arolygwyr

19. At ei gilydd, mae'r Arolygwyr o'r farn na fyddai'r niweidiau cymharol leol a dros dro a fyddai'n codi yn arwain at effeithiau annerbyniol ac y byddai'r cynnig yn cydymffurfio

â'r polisïau perthnasol yng Nghymru'r Dyfodol a'r CDLl. Yn ogystal, byddai buddion sylweddol o ran cynhyrchu ynni adnewyddadwy. (IR 119 – 122)

Argymhelliad yr Arolygwyr

20. Rhoddir y caniatâd cynllunio a argymhellwyd gan yr Arolygwyr, yn ddarostyngedig i amodau argymelledig. (IR 123 -124)

Penderfyniad

21. Cytunaf ag arfarniad yr Arolygwyr o'r prif ystyriaethau, casgliadau'r IR a'r rhesymeg sy'n sail iddynt, a derbyniaf yr argymhelliad. Felly, rhoddaf ganiatâd cynllunio drwy hyn ar gyfer DNS/3245503, yn ddarostyngedig i'r amodau yn yr Atodiad i'r llythyr penderfyniad hwn.

Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 (y Ddeddf WFG)

22. Mae'n rhaid i Weinidogion Cymru, yn unol â'r Ddeddf WFG, gynnal datblygu cynaliadwy. Mae hyn yn cynnwys cymryd pob cam rhesymol i fodloni eu hamcanion llesiant.

23. Rwyf wedi ystyried i ba raddau y mae rhoi caniatâd cynllunio yn bodloni amcanion llesiant Llywodraeth Cymru. Cydnabyddaf y bydd rhai effeithiau negyddol dros dro ar yr amgylchedd yn ystod y camau adeiladu a datgomisiynu. Er y byddai'r effeithiau hyn yn cael eu lliniaru trwy'r Cynllun Rheoli Amgylchedd Adeiladu (CEMP), byddent yn cael effaith negyddol gyfyngedig ar yr amcan o wneud ein dinasoedd, ein trefi a'n pentrefi yn lleoedd gwell fyth i fyw a gweithio ynddynt.

24. Fodd bynnag, at ei gilydd, byddai'r penderfyniad yn cael effaith gadarnhaol ar yr amcanion i "Adeiladu economi ar sail egwyddorion gwaith teg, cynaliadwyedd a diwydiannau a gwasanaethau'r dyfodol", "Adeiladu economi gryfach a gwyrddach wrth i ni ddatgarboneiddio cymaint â phosibl" ac "Ymgorffori ein hymateb i'r argyfwng hinsawdd a natur ym mhopeth a wnawn". Mae effaith y penderfyniad hwn ar yr amcanion eraill yn niwtral.

25. Wrth wneud fy mhenderfyniad ar y cais, rwyf wedi ystyried y ffyrdd o weithio a amlinellir yn adran 5(2) y Ddeddf WFG ac 'SPSF1: Canllawiau Craidd, Rhannu Pwrpas: Rhannu Dyfodol – Canllawiau Statudol ar y Ddeddf WFG'.

Edrych tuag at yr hirdymor

26. Mae'r penderfyniad yn ystyried amcan ac ymrwymiad tymor hir targed Llywodraeth Cymru o gynhyrchu 70% o'r trydan a ddefnyddir trwy ddulliau adnewyddadwy erbyn 2030 er mwyn mynd i'r afael â'r argyfwng hinsawdd.

Cynnwys pobl/Cydweithio ag eraill

27. O fewn fframwaith proses benderfynu statudol, a lywodraethir gan weithdrefnau rhagnodedig, roedd y cais yn destun cyhoeddusrwydd ac ymgynghori, a roddodd gyfle i ymgysylltu â'r cyhoedd a rhanddeiliaid. Mae sylwadau a dderbyniwyd trwy'r gweithdrefnau hyn wedi cael eu hystyried wrth benderfynu ar y cais hwn.

Defnyddio ymagwedd integredig

28. Mae'r penderfyniad wedi ystyried y cynllun datblygu a'r ffordd y mae'n integreiddio meysydd economaidd, cymdeithasol ac amgylcheddol ar draws graddfeydd gofodol. Mae hefyd wedi ystyried amcanion y sefydliadau sector cyhoeddus hynny a fu'n ymwneud â'r broses ymgynghori sy'n dilyn eu hamcanion llesiant eu hunain o dan y Ddeddf WFG, fel CNC.

Atal

29. Mae'r penderfyniad yn ystyried yr angen i gynhyrchu mwy o ynni adnewyddadwy a mynd i'r afael â'r argyfwng hinsawdd, yn ogystal â chynyddu diogeledd ynni.

Camau rhesymol

30. Rwyf wedi ystyried p'un a fyddai'n rhesymol gwneud penderfyniad gwahanol, o ystyried dyletswydd llesiant Gweinidogion Cymru. Nodaf mai'r penderfyniad arall fyddai gwrthod rhoi caniatâd cynllunio i'r datblygiad. Byddai hyn yn cael effaith negyddol ar yr amcanion i "Adeiladu economi ar sail egwyddorion gwaith teg, cynaliadwyedd a diwydiannau a gwasanaethau'r dyfodol", "Adeiladu economi gryfach a gwyrddach wrth i ni ddatgarboneiddio cymaint â phosibl" ac "Ymgorffori ein hymateb i'r argyfwng hinsawdd a natur ym mhopeth a wnawn". Byddai effaith y penderfyniad arall hwn ar yr amcanion eraill yn niwtral. O ganlyniad, ystyriaf fod y penderfyniad i roi caniatâd cynllunio yn ddarostyngedig i amodau yn gam rhesymol tuag at gyflawni amcanion llesiant Gweinidogion Cymru.

Gwybodaeth Amgylcheddol

31. Rwyf wedi ystyried y Datganiad Amgylcheddol a'r holl wybodaeth amgylcheddol arall a ddarparwyd wrth bwyso a mesur y cais hwn, fel sy'n ofynnol gan Reoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru a Lloegr) 2017.

Yn gywir



Julie James AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning

Atodiad

Amodau – DNS/3245503

1. Bydd y datblygiad yn dechrau cyn pen pum mlynedd o ddyddiad y penderfyniad hwn.

   Rheswm: I gydymffurfio â gofynion Adran 91 Deddf Cynllunio Gwlad a Thref 1990.

2. Bydd y datblygiad a ganiateir drwy hyn yn cael ei gynnal yn unol â'r cynlluniau canlynol:

   Cynllun Lleoliad Safle: SRE1113/02/01/1

   Ffin y Cais Cynllunio: SRE1113/02/02/1

   Gosodiad y Safle: SRE1113/02/03 diwygiad 2

   Trefniant Is-orsaf a Chyfadeilad BESS: SRE1113/02/04/1

   Manylion Paneli Ffotofoltäig (Seilbyst a Thrawstiau Sylfaen): SRE1113/02/05

   Manylion yr Is-orsaf DNO: SRE1113/02/06

   Manylion Caban Offer Switshis Solar a BESS: SRE1113/02/07

   Manylion Gorsaf Newidyddion Solar: SRE1113/02/08

   Manylion Caban Rhannau Sbâr: SRE1113/02/09

   Manylion Cynwysyddion: SRE1113/02/10

   Manylion Modiwl Batri: SRE1113/02/11/1

   Manylion Gwrthdröydd Newidydd Batri: SRE1113/02/12

   Manylion Wal Dân Batri: SRE1113/02/13

   Manylion Pwynt Cysylltu: SRE1113/02/14/1

   Trychiad trwy'r Is-orsaf a'r Cyfadeilad BESS: SRE1113/02/15/1

   Manylion Ffensys a Diogelwch: SRE1113/02/16 diwygiad 2

   Manylion Adeiladu Traciau Mynediad Mewnol: SRE1113/02/17

   Uwchgynllun Tirwedd: SRE1113/02/18/R2 revision 3

   Manylion Ffens Balisâd: SRE1113/02/19

   Manylion Ffens Rhwyll Ceirw: SRE1113/02/20

   Manylion Ffens Acwstig: SRE1113/02/21

   Manylion Mynedfa'r Safle: SRE1113/02/22/1

   Manylion Adeiladu Mynedfa'r Safle: SRE1113/02/23

   Manylion Ardal Storio Dros Dro ar y Safle: SRE1113/02/24/1

   Manylion Dangosol Is-orsaf 132kv: SRE1113/02/25

   Lleoliad y Safle: SRE1113/02/26/1

   Rheswm: I sicrhau bod y datblygiad yn cael ei gynnal yn unol â'r cynlluniau, y lluniadau a'r dogfennau cymeradwy a gyflwynwyd gyda'r cais.

3. Bydd y caniatâd a roddir drwy hyn yn dod i ben 40 mlynedd o'r dyddiad pan fydd pŵer trydanol yn cael ei allforio gyntaf ('y dyddiad allforio cyntaf') i'r rhwydwaith grid trydan, ac eithrio trydan sy'n cael ei allforio yn ystod profi a chomisiynu cychwynnol. Bydd cadarnhad ysgrifenedig o'r dyddiad allforio cyntaf yn cael ei roi i'r Awdurdod Cynllunio Lleol un mis calendr ar ôl y digwyddiad fan bellaf.

   Rheswm: Er mwyn cymeriad a golwg yr ardal yn unol â Pholisi MG17 y CDLl.

4. Ni chaiff unrhyw waith datgomisiynu ddigwydd hyd nes bod asesiad o'r effaith ecolegol wedi cael ei gynnal, y bydd ei ddull a'i fanylion wedi cael eu cyflwyno i'r awdurdod cynllunio lleol a'u cymeradwyo ganddo'n ysgrifenedig. Bydd canlyniadau'r asesiad yn llywio'r Cynllun Datgomisiynu sy'n ofynnol gan amod 5 isod.

   Rheswm: Er mwyn cymeriad a golwg yr ardal ac i sicrhau bod effeithiau ar fioamrywiaeth yn cael eu lliniaru yn unol â Pholisïau MD9 ac MD17 y CDLl.

5. Deuddeg mis cyn diwedd y cyfnod gweithredu 40 mlynedd fan bellaf (neu o fewn 6 mis o roi'r gorau i gynhyrchu trydan yn barhaol), bydd cynllun datgomisiynu ac adfer safle ('Cynllun Datgomisiynu') yn cael ei gyflwyno i'r awdurdod cynllunio lleol yn ysgrifenedig ar gyfer ei gymeradwyo. Bydd y Cynllun Datgomisiynu'n cynnwys:

   i) datganiad dull sy'n manylu ar broses a graddau symud ymaith elfennau'r fferm solar ffotofoltäig a datblygiad cysylltiedig ar yr wyneb ac unrhyw sylfeini a systemau angori, traciau a cheblau o dan yr wyneb a gwaith cysylltiedig a

   ii) mesurau adfer safle yn dilyn yr holl weithrediadau datgomisiynu. Bydd y gwaith yn cael ei gynnal yn unol â'r Cynllun Datgomisiynu cymeradwy.

   Rheswm: Er mwyn cymeriad a golwg yr ardal ac i sicrhau bod effeithiau ar fioamrywiaeth yn cael eu lliniaru yn unol â Pholisïau MD9 ac MD17 y CDLl.

6. Ni chaiff unrhyw ddatblygiad ddechrau (gan gynnwys unrhyw waith clirio safle a / neu ddymchwel) hyd nes bod Cynllun Rheoli Amgylcheddol Adeiladu (CEMP) wedi cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y CEMP yn cynnwys y manylion canlynol:

   - Parcio cerbydau gweithwyr y safle ac ymwelwyr;
   - Llwytho a dadlwytho peiriannau a deunyddiau;
   - Storio peiriannau a deunyddiau ac ardaloedd cynnal a chadw cerbydau;
   - Palisau diogelwch;
   - Cyfleusterau golchi olwynion;
   - Mesurau i reoli a lliniaru allyriadau arogleuon, llwch, mwg, llygryddion eraill yn yr awyr a baw;
   - Cynllun ar gyfer ailgylchu/gwaredu gwastraff sy'n deillio o waith dymchwel ac adeiladu;
   - Oriau gwaith;
   - Goleuadau;
   - Rheoli a lliniaru sŵn a dirgryniad;
   - Ardaloedd storio a byndiau tanciau diesel ac olew;
   - Mesurau i reoli lledaeniad unrhyw rywogaethau planhigion goresgynnol / estron a allai gael eu cofnodi ar y safle;
   - Systemau Gwaith Diogel Bioddiogelwch, lle y bo'n berthnasol, gan gynnwys ar gyfer gweithio mewn / ger dŵr, neu ddelio â phlanhigion afiach;
   - Dŵr ffo wyneb;

- Manylion tynnu uwchbridd, ei storio a'i wella er mwyn ei ailddefnyddio, mesurau i atal dŵr ffo wyneb a llygredd solidau crog;
- Manylion draenio'r safle adeiladu, gan gynnwys ardaloedd lle mae dŵr ffo'n gyffredin lle y bydd draenio'n cael ei reoli'n weithredol;
- Mesurau gwarchod a lliniaru rhywogaethau a chynefinoedd;
- Mesurau i warchod y coed a'r gwrychoedd sydd i'w cadw;
- Manylion gweithdrefnau argyfwng gollyngiadau a chynllun ymateb i ddigwyddiad.

Rheswm: Er mwyn gwarchod amodau byw preswylwyr cyfagos a'r amgylchedd yn unol â Pholisi MD7 y CDLl.

7. Ni chaiff unrhyw ddatblygiad na gwaith clirio safle ddigwydd hyd nes bod Cynllun Rheoli Tirwedd ac Ecolegol (LEMP) wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd yr LEMP yn cynnwys:

    - Strategaeth rheoli gwrychoedd;
    - Strategaeth rheoli glaswelltir;
    - Lleoliad tramwyfeydd bywyd gwyllt mewn ffensys er mwyn sicrhau athreiddedd i rywogaethau a warchodir;
    - Integreiddio rhywogaethau planhigion ar i seilwaith gwyrdd;
    - Manylion plannu newydd.

    Bydd y manylion cymeradwy'n cael eu cynnal yn ystod y tymhorau plannu a hau cyntaf ar ôl i'r datblygiad gael ei gwblhau, a bydd unrhyw goed neu blanhigion sy'n marw, yn cael eu symud ymaith neu'n cael eu difrodi'n ddifrifol neu'n mynd yn ddifrifol afiach o fewn 5 mlynedd o gwblhau'r datblygiad yn cael eu hamnewid â rhai eraill o faint tebyg a rhywogaeth debyg yn ystod y tymor plannu nesaf.

    Rheswm: I sicrhau bod effeithiau ar fioamrywiaeth yn cael eu lliniaru a bod mesurau gwella a rheoli priodol yn cael eu sicrhau, yn unol â Pholisi MD9 y CDLl.

8. Ni chaiff unrhyw ddatblygiad a gymeradwyir gan y caniatâd ddechrau hyd nes bod yr ymgeisydd, neu ei asiantiaid neu ei olynwyr mewn teitl, wedi sicrhau bod rhaglen o waith archaeolegol yn cael ei gweithredu yn unol â chynllun ymchwilio ysgrifenedig a fydd yn cael ei gyflwyno gan yr ymgeisydd a'i gymeradwyo gan yr Awdurdod Cynllunio Lleol yn ysgrifenedig. Bydd y rhaglen a'r cynllun yn cael eu cwblhau'n llawn fel y diffinnir yn y manylion cymeradwy.

    Rheswm: Fel bod gweithrediadau archaeolegol yn cael eu cynnal i safon dderbyniol a bod buddiant archaeolegol dilys yn y safle yn cael ei fodloni ac i sicrhau y cydymffurfir â Pholisïau SP1 (Cyflawni'r Strategaeth), SP10 (Yr Amgylchedd Adeiledig a Naturiol) ac MD8 (Yr Amgylchedd Hanesyddol) y Cynllun Datblygu Lleol.

9. Ni chaiff unrhyw ddatblygiad ddigwydd hyd nes bod Cynllun Rheoli Traffig Adeiladu (CTMP) wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y CTMP yn cynnwys manylion llwybrau arfaethedig ar gyfer cerbydau adeiladu trwm, ac ardaloedd o fewn y safle ar gyfer troi a mynd heibio i ganiatáu i gerbydau adael y safle mewn gêr ymlaen. Bydd y datblygiad yn cael ei gynnal yn unol â'r manylion cymeradwy.

    Rheswm: Er mwyn diogelwch ar y priffyrdd yn unol â Pholisi MD7 y CDLl.

10. Bydd unrhyw agregau (heblaw am gerrig chwarel crai neu gerrig o ffynhonnell ardystiedig) neu agregau wedi'u hailgylchu sydd i'w mewnforio yn cael eu hasesu am halogyddion cemegol neu halogyddion eraill posibl yn unol â chynllun ymchwilio a fydd

yn cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig cyn iddynt gael eu mewnforio. Dim ond deunyddiau cymeradwy y ceir eu mewnforio.

Rheswm: I sicrhau bod unrhyw risgiau annerbyniol o halogiad tir yn cael eu lleihau i'r eithaf yn unol â Pholisi MD7 y CDLl.

11. Cyn y dyddiad allforio cyntaf, bydd y ffens acwstig yn cael ei chodi o amgylch yr is-orsaf a'r cyfadeilad batris storio, fel y dangosir ar luniad rhif SRE1113/02/21/0, ac fe'i cedwir am gyn hired ag y bydd y datblygiad a ganiateir drwy hyn yn bodoli.

Rheswm: Er mwyn gwarchod amodau byw preswylwyr cyfagos a'r amgylchedd yn unol â Pholisi MD7 y CDLl.

12. Ni chaiff unrhyw ddatblygiad na gwaith clirio safle ddigwydd hyd nes bod Cynllun Cadwraeth Madfallod Dŵr Cribog (GCN) ar gyfer adeiladu a gweithredu'r datblygiad a ganiateir drwy hyn wedi cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo'n ysgrifenedig. Bydd y Cynllun Cadwraeth GCN yn cynnwys:

    a. Canlyniadau arolygon a gynhaliwyd wrth gyrff dŵr ar y safle ac oddi ar y safle;
    b. Asesiad o effeithiau'r cynllun ar gynefinoedd dyfrol a daearol GCN, gan fanylu ar yr ardaloedd o'r safle yr effeithir arnynt, y cynefin a gollir, y cynefin sydd i'w gadw, ei wella, ac unrhyw gynefin sydd i'w greu;
    c. Manylion mesurau osgoi trwyddedadwy o fewn 250m o bwll P7, gan gynnwys ffens, magl a dulliau clirio i symud GCN ymaith o'r safle gweithio;
    ch. Dyluniad a lleoliad ffens rwystr;
    d. Manylion mynedfeydd ar draws llinellau ffens rwystr;
    dd. Mesurau i sicrhau bod ardaloedd gweithio'n glir o fadfallod cyn dechrau adeiladu a gwaith cysylltiedig;
    e. Mesurau i symud unigolion ymaith neu eu dadleoli o ardaloedd gweithio;
    f. Gofynion monitro a chynnal a chadw ffens GCN/amffibiaid;
    ff. Mesurau i symud ffensys rhwystr ymaith;
    g. Mesurau osgoi i leihau effeithiau ar GCN a'u cynefin daearol i'r eithaf o fewn 250m o byllau GCN P1, P2, P4, P5, P9 a P10, gan gynnwys:
        - Monitro cynefinoedd ar gyfer GCN gan ddefnyddio teils carped cyn dechrau gwaith,
        - Clerc Gwaith Ecolegol i fod yn bresennol yn ystod gwaith,
        - Chwilio ardaloedd gweithio â llaw,
        - Gweithio uwchlaw 8°C
    ng. Dull gweithio i glirio cynefin ar raddfa fach ar gyfer cynefin addas dros 250m oddi wrth bwll, fel 'tyllu trwy' wrychoedd a phrysgwydd ar gyfer traciau mynediad;
    h. Camau i'w cymryd os canfyddir madfallod yn ystod gwaith a mesurau i atal neu leihau eu dal neu eu lladd yn ddamweiniol;
    i. Manylion amseriad, camau a hyd gweithgareddau adeiladu a mesurau cadwraeth, gofynion cydymffurfio ac adrodd;
    j. Mesurau ar gyfer glanhau paneli;
    l. Manylion ardaloedd sydd i'w cadw ac ardaloedd digolledu, gan gynnwys:
        - Dyluniad pyllau newydd ar y safle,
        - Rheoli cynefin newydd a phresennol er budd GCN
    ll. Amserlen adrodd;
    m. Mesurau i sicrhau bioddiogelwch.

    Bydd y Cynllun Cadwraeth GCN yn cael ei gynnal yn unol â'r manylion cymeradwy.

    Rheswm: I sicrhau bod effeithiau ar fioamrywiaeth yn cael eu lliniaru a bod mesurau gwella a rheoli priodol yn cael eu sicrhau, yn unol â Pholisi MD9 y CDLl.

13. Er gwaethaf y manylion a ddangosir ar y cynlluniau cymeradwy, ni chaiff unrhyw ddatblygiad ddechrau hyd nes bod manylion teledu cylch cyfyng (CCTV) a strwythurau cynhaliol wedi cael eu cyflwyno i'r awdurdod cynllunio lleol a'u cymeradwyo ganddo'n ysgrifenedig. Bydd y datblygiad yn cael ei gynnal yn unol â'r manylion cymeradwy.

Rheswm: Er mwyn cymeriad a golwg yr ardal yn unol â Pholisi MG17 y CDLl.

Hysbysiad am ddechrau datblygiad ac arddangos hysbysiad

Mae'n rhaid i chi gydymffurfio â'ch dyletswyddau yn adran 71ZB (hysbysiad am ddechrau datblygiad ac arddangos hysbysiad: Cymru) Deddf Cynllunio Gwlad a Thref 1990. Mae'r dyletswyddau'n cynnwys y canlynol:

<u>Hysbysiad am ddechrau datblygiad</u>

Cyn dechrau unrhyw ddatblygiad y mae'r caniatâd cynllunio hwn yn ymwneud ag ef, mae'n rhaid hysbysu'r awdurdod cynllunio lleol ar y ffurf a amlinellir yn Atodlen 5A Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 neu ar ffurf sylweddol debyg. Mae'r ffurf yn amlinellu'r manylion y mae'n rhaid eu rhoi i'r awdurdod cynllunio lleol er mwyn cydymffurfio â'r ddyletswydd hon.

<u>Arddangos hysbysiad</u>

Mae'n rhaid i'r sawl sy'n cynnal datblygiad y mae'r caniatâd cynllunio hwn yn ymwneud ag ef arddangos, yn y man lle mae'r datblygiad yn cael ei gynnal neu'n agos iddo, bob amser tra'i fod yn cael ei gynnal, hysbysiad o'r caniatâd cynllunio hwn ar y ffurf a amlinellir yn Atodlen 5B Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 neu ar ffurf sylweddol debyg. Mae'r ffurf yn amlinellu'r manylion y mae'n rhaid i'r sawl sy'n cynnal y datblygiad eu harddangos i gydymffurfio â'r ddyletswydd hon.

Mae'n rhaid i'r sawl sy'n cynnal y datblygiad sicrhau bod yr hysbysiad:

a) yn cael ei osod yn sownd a'i arddangos mewn man amlwg yn y man lle mae'r datblygiad yn cael ei gynnal neu'n agos iddo;
b) yn ddarllenadwy ac yn hawdd i'r cyhoedd ei weld heb orfod mynd i mewn i'r safle; ac
c) yn cael ei argraffu ar ddeunydd gwydn. Dylai'r sawl sy'n cynnal y datblygiad gymryd camau rhesymol i ddiogelu'r hysbysiad (rhag cael ei symud ymaith, ei guddio neu ei ddifwyno) ac, os bydd angen, ei amnewid.

Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Report

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by Mr A Thickett BA (Hons) BTP Dip RSA MRTPI and

C MacFarlane BSc(Hons) MSc MRTPI

Inspectors appointed by the Welsh Ministers

Report date: 01.02.2024

TOWN AND COUNTRY PLANNING ACT 1990

SECTIONS 62D & 62F

The Developments of National Significance (Wales) Regulations 2016

Applicant: Sirius Renewable Energy Ltd

The application dated 28 April 2023, was made under section 62D of the Town and Country Planning Act 1990 (as amended by the Planning (Wales) Act 2015).

The application was confirmed as valid on 15 June 2023.

The proposed development is a ground mounted photo voltaic solar farm and battery energy storage system with associated equipment, infrastructure, grid connection and ancillary work.

At land off Five Mile Lane, Bonvilston, Vale of Glamorgan.

Ref: DNS/3245503

A Hearing was held on 13 December 2023.

A site visit was made on 3 January 2024.

Summary of Recommendation: That planning permission be granted subject to conditions.

Procedural Matters

1. The examination was suspended from 3 August to 19 October 2023 to enable the applicant to submit further information regarding landscape impact and ecology matters, and to allow for consultation on the new information. As part of this, an amended site layout plan was submitted to take account of the further information.
2. The proposed development is one of 3 applications for solar farms in this part of the Vale of Glamorgan currently under examination. In order to explore cumulative landscape impact the applicants for the proposed solar farms at land south of the A48 and to the east of Dyffryn Lane (Parc Dyffryn; Ref DNS/3267575) and land to the east of Dyffryn (Parc Worlton; Ref CAS-02112-T2N0G8) were invited to participate at the Hearing.
3. Amendments to Welsh Government Planning Policy Wales Edition 11 (PPW) were published on 11 October 2023. The parties were invited to provide comments on the implications of the amendments, which have been considered in our assessment of the application.

The Site and Surroundings

4. The site consists of three irregular-shaped parcels of agricultural land extending to approximately 109.7ha. Two of the parcels are located to the west, and one to the east, of the A4226 highway. The villages of Bonvilston and St Nicholas lie around 750m and 950m to the north and north-east respectively. The entirety of the site is outside any settlement boundary and formed of fields of varying size bounded by hedgerows, trees and areas of woodland.
5. The majority of the site to the west of the A4226 falls within a 'Local Search Area for Solar Energy' designation identified within the Vale of Glamorgan Local Development Plan 2011 – 2026, adopted 2017 (LDP). The site area to the west of the highway is within the Nant Llancarfan Special Landscape Area (SLA), and the area to the east within the Dyffryn Basin and Ridge Slopes SLA.
6. Immediately to the west of the site is the Llancarfan Registered Landscape of Outstanding Historic Interest. The nearest Listed Building is Ty Mawr (Grade II), which is approximately 850m to the north. A number of Scheduled Ancient Monuments (SAM) are close to the site, with Coed y Cwm Ringwork and Castle Ringwork being adjacent to the northern boundary. Dyffryn Gardens and Llantrithyd Place, which are included on the Historic Parks and Gardens Register, are located further to the east and west respectively. Conservation Areas and other Listed Buildings are present in the villages of Bonvilston, St Nicholas and Llantrithyd.
7. Several Sites of Importance for Nature Conservation (SINC) are adjacent to the site boundaries. Nant Whitton Woodlands is a Site of Special Scientific Interest (SSSI) and SINC near the site's southern boundary.
8. The site is within a mineral safeguarding area, due to its limestone resources, and sand and gravel deposits to the eastern edge. There are no Public Rights of Way (PROW) crossing the site, with the nearest being approximately 85m to the north. Overhead power lines cross the site, as does a high-pressure gas pipeline.

Proposed Development

9. The proposal is split across three 'Development Areas', each with a dedicated access point and internal roads from the A4226. The solar panels would be mounted on frames arranged in rows in an east-west alignment across most of the site, and be a maximum height of around 3m. A substation and battery storage compound surrounded by a 4m high acoustic fence would be located within Development Area 1. The site would be enclosed by 2m high stock fencing with pole-mounted CCTV cameras approximately 2.5-3m high positioned at intervals around the perimeter.

10. The solar farm would have an export capacity of around 50MW of electricity and the Battery Energy Storage System (BESS) would charge, store and export up to 50MVA of electricity to the local network. The scheme would be operational for 40 years, after which it would be decommissioned and all equipment removed from the site.

Planning Policy

The Development Plan

11. The development plan comprises Future Wales (FW) and the LDP. FW Policy 17 requires decision makers to give significant weight to meeting Wales' international commitments and the Government's target to generate 70% of consumed electricity by renewable means by 2030. Solar farms should demonstrate that they will not have an unacceptable adverse impact on the environment. Policy 18 is permissive of low carbon energy projects subject to Policy 17 and there being no unacceptable adverse impacts on, amongst other things, landscape, ecology, heritage assets and the living conditions of nearby residents.

12. Policy 9 requires biodiversity enhancement to be demonstrated as part of development proposals. The site lies in the Cardiff, Newport and the Valleys National Growth Area as designated by Policy 33.

13. The majority of Development Areas 1 and 3 lie within a local search area for solar energy, as designated by Policy MG30 of the LDP. This policy permits proposals for solar energy generation schemes up to 50MW within the identified areas, provided there are no unacceptable effects on amenity, heritage assets or the environment. Development Area 2 sits outside the local search area.

14. Policy MD19 is permissive of renewable energy generation subject to no unacceptable impact on, amongst other things, landscape, natural and cultural heritage, nature conservation and best and most versatile agricultural land (BMV). The policy also states in proposals, the cumulative impacts of renewable energy schemes will be an important consideration.

15. LDP Policies SP1 and SP10, amongst other things, seek to protect the natural and built environment. The site lies within two SLAs wherein, under Policy MG17 development will be permitted where it would not cause unacceptable harm to the landscape. Policy MG21 states that development likely to have an adverse impact on sites of importance for nature conservation will only be permitted where, amongst other things, appropriate and proportionate mitigation and compensation measures can be provided. Policy MD8 requires development to preserve or enhance the setting of listed buildings and conservation areas.

16. Other policies of relevance include:

Policy SP7	Transportation
Policy SP9	Minerals
Policy SP11	Tourism and Leisure
Policy MG16	Transport Proposals
Policy MG19	Sites and Species of European Importance
Policy MG20	Nationally Protected Sites and Species
Policy MG22	Development in Minerals Safeguarding Areas
Policy MD1	Location of New Development
Policy MD2	Design of New Development
Policy MD7	Environmental Protection
Policy MD8	Promoting Biodiversity
Policy MD13	Tourism and Leisure
Policy MD17	Rural Enterprise

17. The Council's Renewable Energy Supplementary Planning Guidance (SPG) supports the LDP and provides advice to assist and guide applicants in designing their proposals for renewable development.

National Policy

18. PPW states that low carbon electricity must become the main source of energy in Wales (5.7.1) and the planning system should secure an appropriate mix of energy provision whilst minimising potential environmental and social impacts (5.7.6). Outside areas identified in LDPs, planning applications for renewable and low carbon energy developments should be determined based on the merits of the individual proposal (5.9.15). In determining applications for renewable energy, decision makers should take into account the contribution a proposal will make to meeting identified Welsh, UK and European targets. Chapter 6 of PPW was updated in October 2023 to, amongst other things, reinforce the step-wise approach and avoiding development of designated sites where possible.

19. The following Technical Advice Notes (TANs) also contain relevant guidance:

TAN 5	Nature Conservation and Planning
TAN 6	Planning for Sustainable Rural Communities
TAN 8	Planning for Renewable Energy
TAN 11	Noise
TAN 12	Design
TAN 13	Tourism
TAN 15	Development and Flood Risk
TAN 18	Transport
TAN 23	Economic Development
TAN 24	The Historic Environment

The Case for Sirius Renewable Energy Ltd

20. The following is a summary of the main points by the applicant in support of the application. This reflects the most recent position, including further information and comments provided following submission of the application, and submissions at the Hearing.

Environmental Benefits

21. The solar farm would have an export capacity of circa 50MW of electricity. This is sufficient to power around 20,400 homes per year and offset over 20,200 tonnes of CO_2 annually, the equivalent of removing around 5,000 cars from the road. The BESS will have capacity to charge, store and export up to 50MVA of electricity to the local distribution network. The BESS will deliver significant environmental benefits, enabling technology for renewable generation, replacing the requirement for gas fired power generation and providing rapid response power to satisfy peak demand. This has the ability to reduce CO_2 emissions by over 20,600 tonnes annually whilst also providing electricity storage equivalent to supplying over 20,800 homes.

Site Selection and Alternatives

22. An extensive site search based on a number of technical, environmental and economic factors has been carried out. The coastal area of the Vale of Glamorgan receives some of the highest levels of solar irradiation in the UK, allowing for significantly greater electricity generation. The need for access to the local distribution network is a key consideration and the application site is one of the few available locations where renewable energy and storage schemes can connect effectively to the network. Proximity to nearby residential properties, site topography, field size and construction access also constrain site selection. Part of the site falls within the Local Search Area for Solar Energy identified in the LDP. The need to avoid the use of BMV agricultural land and directing development away from areas of flood risk have been considered, as have landscape and nature conservation designations. Commercial terms have been agreed with the landowners, which establishes the fundamental deliverability of the development.

23. In the absence of the development, the benefits of the scheme would not be realised. Alternatives forms of technology were investigated, however, the proximity to Cardiff airport, residential properties and bird populations are problematic. The site area and layout has been amended and informed through pre-application consultation and to minimise environmental effects. Applying the site selection criteria demonstrates that there are no suitable and available alternatives within a reasonable distance of the point of connection to the network.

Landscape and Visual Amenity

24. A Landscape and Visual Impact Assessment (LVIA) is included within the Environmental Statement (ES). Due to the limited vertical scale of the solar arrays, rolling landscape, hedgerow boundaries and woodland blocks nearby, the impact of the proposal on the SLA would be focussed on the site and its immediate setting. The landscape effects upon the setting of the SLA would reduce from moderate in Year 1 to moderate/minor in Year 10 as a result of hedgerows and tree planting, which would not be significant. Effects on historic features would be localised and historic field systems outside of the site would not be adversely affected, resulting in a minor, and not significant, effect on the setting of the Llancarfan Historic Landscape Area (HLA). Although not considered to be significant, adverse landscape effects are acknowledged and are an important consideration.

25. With regard to visual amenity, the main receptors within approximately 500m of the site have been assessed and none would experience effects to a significant level. A viewpoint assessment considering views from a range of publicly accessible locations has been undertaken. A single viewpoint, approximately 300m to the north of the site, is the only one considered to experience visual effects of a significant nature.

26. Predicted cumulative effects upon landscape character are focussed on the proposal in combination with the Parc Dyffryn and Parc Worlton proposals, which are located to the west of the site. There would be limited cumulative effects with Development Areas 1 and 3. Overall cumulative landscape and visual effects would occur from the proposal in combination with the Parc Dyffryn scheme, however, these would not be significant. Visual effects would be limited and from viewpoints between both proposals.

27. The updated cumulative assessment section of the ES provided as part of the further information includes more extensive consideration of these effects, particularly through the inclusion of the Pen Onn solar farm proposal. This demonstrates that, in combination with the Pen Onn proposal, landscape and visual effects would be minor and therefore not significant.

28. The potential loss of screening due to ash dieback is addressed in the Arboricultural Impact Assessment submitted as part of the further information. This concludes that due to ash not being the dominant species within any of the surveyed areas, the loss of trees due to this disease would not result in a significantly increased visual presence of the proposal. There has also been submitted an amended site layout with minor revisions to provide greater protection of existing trees and hedgerows. The updated information confirms that a small number of trees will be removed as part of the proposal. The amended site plan also incorporates a reduced number of CCTVs across the site.

29. The LVIA demonstrates that the proposal would be successfully integrated into the local landscape without causing significant harm to landscape character. The development would allow for opportunities for enhanced mitigation, the reinstatement of lost historic field structure and management of the unused areas of the site. Although one viewpoint would experience a significant visual effect, this is from a nearby PROW and relates to a specific location with the greatest open visibility. Whilst this may be a significant effect, it would not necessarily be considered unacceptable. The receptors experiencing major/moderate visual effects would be a limited number of residential properties and PROW users, which are close to the site. Extensive planting and management of existing perimeter vegetation is proposed and this will further filter views of the proposal over time and reduce the visual impact.

Hydrology and Flood Risk

30. The majority of the site is located within Zone A of the Development Advice Map supporting TAN 15, with a small proportion to the west and east within Zone B. The Flood Map for Planning (FMfP) shows a small area of the site as falling within Flood Zone 3 for flooding from surface water and/or small watercourses, which denotes a greater than 1% (1 in 100 year) chance of flooding. The proposed built development will be outside this area.

31. There would be no net loss of flood storage capacity or impact on the movement of flood water, and no increase of the impermeable area of the site. The FCA demonstrates compliance with the requirements of TAN 15.

Noise and Vibration

32. During the construction and decommissioning phases there would be a variety of noise sources at different time, with the highest levels likely to occur during site preparation and infrastructure activities. Mitigation measures are proposed to ensure noise is kept to acceptable levels. Noise levels would be low during the operational phase due to the inherent nature of the development and a 4m high acoustic screen around the battery compound will minimise impacts.

Historic Environment

33. A desk-based assessment and archaeological evaluation, comprising of a geophysical survey and excavation of trenches, has been carried out and a number of archaeological features identified. Features within Development Area 1 have been excluded from the developed area of the proposal. Panels in parts of Development Areas 2 and 3 would be ballast mounted due to the high archaeological potential in these locations. A watching brief will be applied to all ground penetrating works, not including the piling works, in order to mitigate the impact on unknown buried resources.

34. An Assessment of the Significance of the Impact of Development on the Historic Landscape (ASIDOHL) was carried out to determine the potential impact on the Registered Historic Landscape of Llancarfan. As a result of this assessment, and following pre-application consultation, the application site area was reduced and layout amended. A revised ASIDOHL concluded a moderate impact, which is considered to be not significant.

35. Amendments have also been made to provide buffer zones around the Castle Ringwork and Coed y Cwm Ringwork scheduled monuments. The presence of the existing tall pylons and overhead cables on the site already introduce modern elements and the proposal for solar panels would not adversely affect the setting of historic assets. Key views from these assets would not be towards the proposal and, in any case, the proposal would be reversible. The impact is regarded as not significant.

Ecology

36. There are no statutory or non-statutory wildlife designations on the site. Works are not anticipated to affect the Nant Whitton Woodlands SSSI directly or indirectly. Whilst there are SINCs adjacent to the site, these are designated for their woodland and semi-improved grassland habitats, which would not be directly or indirectly affected by the proposal.

37. A range of species surveys, Phase 1 Habitat Survey and further botanical surveys have been carried out. Most of the existing trees and hedges would be retained, with boundary features and trees having a buffer to the stock fence around the site. Hedgerow losses to accommodate access would amount to less than 10m in length. The proposal includes various ecological enhancement measures and management prescriptions for each of the Development Areas. There would be little or no impact directly or indirectly on identified habitats and therefore the magnitude of the effect would be negligible. Mitigation or compensation measures are not required to be implemented.

38. A Biodiversity Net Gain Assessment undertaken concludes there would be a potential net gain of 161.5%, to be secured via a condition requiring a detailed Landscape and Ecological Management Plan (LEMP). In addition, the ‘gapping up’ of existing hedgerows and planting of new hedgerows and trees would deliver 3.8% additional hedgerow units. The LEMP will also include specifications for the creation and enhancement of habitats, and their management and monitoring during the operational and post-decommissioning phases.

39. Existing habitats suitable for bats will be retained in their entirety with buffer zones, resulting in no alteration in terms of quality and connectivity. No lighting would be required during the operational phase of the development. Foraging and commuting bats are therefore not anticipated to be affected by the proposal. All habitats suitable for breeding birds will be retained and grassland areas enhanced through management measures. Enhanced buffer zones to retained habitats will improve the value of the site

to birds. Low numbers of breeding skylark have been recorded on part of the site to be utilised as a buffer zone. Along with the improved management of grassland, this would result in a negligible effect on the local skylark population. The suitability of other areas of the site is restricted due to the management regime of the fields. A skylark management strategy will be specified in the LEMP. No other ground-nesting bird species breeding at the site were recorded. Measures to protect ground-nesting birds will be included in a Construction Environmental Management Plan (CEMP), and the LEMP will also set out measures to create enhanced habitats for ground-nesting and vegetation-nesting species.

40. An outline CEMP has been submitted with the application, with the intention that a suitably worded condition be imposed to secure the agreement of a detailed CEMP at a later stage. The CEMP should include details to protect ecological receptors during site operations for the construction, operation and decommissioning phases.

41. The presence of dormice is considered highly likely, and the site is of country importance for the species. Due to minor losses of hedgerow and scrub, retention of most trees and enhancement measures, the habitat suitability and connectivity will be retained and enhanced. Measures specific to dormice will be included in the CEMP and LEMP.

42. Survey work for great crested newt (GCN) focussed on on-site ponds and was restricted due to ponds being dry and no eDNA surveys being possible. Solar panels will be installed at a low impact scale, with small teams installing one panel at a time. Impacts on the ground surrounding the installations would be very limited and the likelihood of GCN being affected during construction is extremely low. The proposals to enhance habitats across the site will significantly improve its value to GCN. A precautionary GCN Conservation Plan is submitted as part of the further information, which assumes the presence of GCN in several off-site ponds and sets out proposed measures. This should inform the content of the CEMP.

43. The site is of local importance for reptiles, with the habitats likely to support small, localised populations. The retention of these habitats and inclusion of buffer zones, grassland areas and enhancement measures would improve the habitat value of the grassland for reptiles. Otter are presumed to be present on site within the suitable streams and River Waycock. The watercourses within the site would not be directly affected and buffer zones will ensure no direct impacts.

44. The proposal would therefore have a negligible effect on the above species.

45. The arable fields on site do not contain any habitats or important plants listed in the Glamorgan Arable Priority Area action document. The proposals to create extensive areas of species-rich meadow will result in a significantly greater biodiversity benefit than managing some areas for arable. Some arable species could be included in the selected seed mix if required.

46. A tree survey and arboricultural impact assessment has been submitted as part of the further information. Herp hibernacula and ponds will be added into appropriate areas of the proposal connected to suitable habitat and specified within the LEMP. Site walkovers found no notable fungi and no presence recorded over the last 20 years. The extent and suitability of grassland fungi habitat will increase significantly post-construction.

47. The proposal accords with the step-wise approach set out in the recent amendments to PPW as statutory and non-statutory sites are avoided, there would be a negligible effect on protected species, habitats lost would be of low value, notable habitats on-site would be retained and protected and lost habitats would be replaced with those of significantly

higher ecological value. The significant improvement in terms of biodiversity net gain means off-site compensation is not required.

48. A Green Infrastructure plan has been submitted as part of the response to PPW amendments. This illustrates the site-wide and specific proposals for biodiversity and linkages with the wider area. The only trees identified for removal are four specimens in Development Area 3, the loss of which will be compensated through the additional tree planting proposed. A recently planted orchard will be relocated to land within the wider farm holding. Lengths of hedgerow to be removed will be replanted or off-set by new hedgerows proposed.

Soils, Geology and Agricultural Land

49. The site has been in agricultural use since the 1800s and land contamination is unlikely. The development would be temporary and reversible, with below ground cables at a depth of 1.2m. There are unlikely to be geological impacts. The Welsh Government Agricultural Land Survey (1990) classified Development Areas 1 and 2 as a mixture of grade 4 and sub-grade 3b land quality. An Agricultural Land Classification (ALC) Survey undertaken for Development Area 3, which classified this parcel also as a mixture of grade 4 and sub-grade 3b. The development therefore does not utilise 'best and most versatile' agricultural land and will have little impact on quality as the fields can be returned to agricultural use following decommissioning.

Traffic and Transport

50. Construction of the development is expected to last 6 months, during which approximately 1,480 two-way vehicles movements are expected to occur. At its peak, there is predicted to be an average of around one HGV movement per hour throughout the 6-day working week. The Construction Traffic Method Statement submitted as part of the Transport Statement outlines mitigation measures that could be implemented, relating to traffic management, vehicle routing, signage, parking and set down areas, and debris control measures, amongst others.

51. Once operational, the solar farm will be remotely managed, with sporadic visits to the site for maintenance and inspections. It is anticipated this would amount to no more than one visit every other day on average. There will be no public access to the site. Vehicle movements associated with decommissioning are expected to be a similar level to those generated in the construction phase, although accurate predictions are difficult due to the lifespan of the development. Additional information, including mitigation measures, will be submitted at that time.

52. There would be no discernible impact upon the adjacent highway network and surrounding area as a result of the development, with any impacts on sensitive receptors being at a minor/negligible level.

Climate Change

53. An assessment has been undertaken on the effects of the proposal on climate change, and vulnerability of the development to climate change. This concludes that the development would have embedded mitigation measures which will result in resilience to changes in temperature, extreme weather, changes in wind and habitats. Overall, there would be a significantly positive impact through the generation of renewable energy.

Air Quality

54. Impacts on local air quality may occur during construction and decommissioning due to plant and vehicular emissions, and dust. The duration of these phases will be limited and the method of construction of the solar panel frames, and excavation required as part of the proposal, is unlikely to generate excessive dust. The outline CEMP provided sets out proposed mitigation measures to control dust during construction. It is considered the development will not result in any adverse impacts on local air quality.

Glint and Glare

55. A Glint and Glare Assessment has been carried out, which concludes that any reflected sun rays would be caught by existing hedgerows around the site. There are no circumstances where the development would constitute a hazard to aircraft in the area. The development will not result in additional hazardous or troublesome reflections beyond those already existing.

Socio-economic

56. The proposal would contribute to meeting renewable energy targets, allow greater self-reliance and resilience, and contribute to balancing out power supply and future price spikes for consumers. Localised energy production will contribute greater benefits to local communities through skills, quality jobs and retention of economic value. It is anticipated the development will employ around 80 people during the 6-month construction phase, with around 6 operational and maintenance staff over the 40-year lifespan. The labour force employed during construction would likely increase spend in the local economy. Employment onsite would also support local businesses through expenditure.

57. The proposal would allow local businesses to operate on clean energy, thus providing an opportunity for low carbon marketing and increased attractiveness to investors, clients and tourism. There is the potential for collaboration with schools and colleges to increase energy sector awareness and knowledge. There will be benefits to the landowners of the site by diversifying their agricultural business, which will support the rural economy.

Major Accidents and/or Disasters

58. The nature of the development is such that the release of pollutants or hazardous, toxic or noxious substances is unlikely. A high-pressure gas pipeline and associated easement has been identified within Development Area 2, which has resulted in the removal of solar panels from this area. Measures and risk assessments will be agreed with Wales and West Utilities prior to commencement to protect the pipeline.

59. The risk associated with fire from electrical equipment is considered to be low as the systems will have cooling mechanisms and automatic shutdown features in the event of overheating. With regard to fire risk associated with the BESS, there have been significant safety improvements in technologies use and fire suppressant systems generally. A three-stage fire prevention and suppression system built into the design will ensure this risk is managed out. Housing the batteries in modular containers provides an additional layer of protection by reducing the risk of spread. Safety measures are presented in a Battery Fire Safety Statement.

Cumulative Impacts

60. Cumulative impacts of the individual effects identified, as well as in combination with those from other sites, have been considered. Predicted cumulative effects upon

landscape character and visual amenity are focussed on the proposal in conjunction with other nearby solar farms proposed at Parc Dyffryn and Parc Worlton. Overall cumulative effects are only noted as a result of the proposal and the Parc Dyffryn scheme, however, these are concluded to be not significant in nature. The potential for cumulative effects on ecological receptors is considered limited, given the distances between the proposal and other sites, and the benefits created for on-site biodiversity.

The Case for The Vale of Glamorgan Council

61. The following is a summary of the Council's comments provided in its Local Impact Report (LIR) and response to the further information submitted by the applicant, and submissions at the Hearing.

Drainage and Flood Risk

62. The FCA concludes the proposed development would be at minimal risk from flooding and would not increase flood risk elsewhere. Regarding surface water drainage, a SuDS application will be required. It is considered that the development would have a minor negative impact on existing drainage arrangements and flood risk.

Ecology and Biodiversity

63. It is considered that the proposal would be likely to have an initial moderate negative impact on ecology and biodiversity. A robust Ecological Enhancement, Mitigation and Management Plan would result in the potential for the proposal to have a minor positive impact on ecology and biodiversity over time. However, further survey work in relation to bats, otter, ponds, semi-improved grassland, arable fields and trees should be carried out. Consideration should also be given to the provision of opportunities for nesting birds as well as hibernacula and ponds/wetlands.

Visual and Landscape Impacts

64. The site comprises a large area of agricultural fields typical of the agricultural character of the Vale of Glamorgan. The solar arrays and the relatively large battery storage and substation compound would change the site from open fields to a developed and urban character. 40 years is a long time for this character to be changed, the impact exacerbated as the proposed development would spread over 109 hectares on both sides of Five Mile Lane appearing as sprawling across the countryside.

65. The adverse visual and landscape impacts could be exacerbated by the cumulative visual impact with proposed solar farms in close proximity to the site including Parc Dyffryn, Parc Worlton and Pen Onn. A greater level of urbanisation across the wider landscape and countryside would occur if multiple developments were constructed in this close proximity to each other.

66. The proposal would have major negative visual and landscape impact on the SLAs, both in itself and cumulatively with other proposals. Given the proximity of the proposed solar farms an analysis of the impact should be produced to enable a full assessment of the cumulative visual impacts. Further the LVIA should be revised to take account of ash dieback.

Historic Environment

67. The proposal is adjacent to the Llancarfan Registered Historic Landscape to the west. Castle Ringwork Scheduled Ancient Monument (SAM) is close to the north of the site. The site boundary appears to encroach on the boundary of the Coed Y Cwm Ringwork SAM. Coed y Cwm Chambered Cairn is to the north of the site and Tinkinswood Burial

Chamber to the west. It is considered that the proposal would have a moderate negative impact on the historic environment.

BMV

68. The ALC Report considers the land to comprise a mix of grades 3b (moderate quality) and 4 (poor quality) agricultural land. If it is concluded that the report is correct, the loss of the agricultural land would result in a neutral impact on the availability of the best and most versatile agricultural land.

Mineral Resources

69. The area is safeguarded for its mineral resources under LDP Policy MG22. It is acknowledged that due to the limited lifespan and that it is reversible, the proposed development would not have a significant long-term impact on mineral resources.

Traffic, Transport and Highway Safety

70. Access would be via two existing farm accesses to the west side of Five Mile Lane and a new access to the east of Five Mile Lane. The works to provide access could be carried out without a significant visual or landscape impact. Subject to the approval of a Construction Transport Management Plan (CTMP), the proposal would have a minor negative impact on highway safety and traffic during its operational phase with the greatest impact being a short-term one at construction stage.

Residential Amenity

71. Noise and vibration assessments conclude no significant noise or vibration effects. The glint and glare assessment concludes that there would be no hazardous or troublesome reflections. The assessment includes aviation, roads and residential properties. The proposal would have a minor negative impact on residential amenity and a CEMP should be required.

Climate Change

72. The solar farm would generate electricity for around 20,400 homes per year and offset 20,000 tonnes of CO_2 per year. It is accepted that by the nature of the development it will have a positive effect in respect of climate change. However, the processes of manufacturing and construction and the emissions from these also have to be considered in assessing the impacts of the proposal on climate change.

Major Accidents and/or Disasters

73. A fire safety statement has been submitted as part of the application, which sets out monitoring and mitigation to minimise fire risk. Subject to appropriate safety procedures being followed during construction, operation and maintenance, it is not considered likely that this proposal will raise significant concerns in respect of this issue.

Socio-economic Effects

74. Eighty people could be employed during construction with two maintenance staff employed over the lifetime of the development. The expenditure of construction workers could have a positive impact on the local economy but the socio-economic benefit to the local area from this activity is likely to be minimal. The social benefit of the scheme would increase if a new PROW is provided across the site.

Consultation Responses

75. The following is a summary of the representations received, updated as appropriate in light of the consultation on the further information submitted by the applicant.

Welsh Government – Agricultural Land Use and Soil Policy Advisor

76. Considered the applicant's survey and is satisfied there is no best and most versatile agricultural land on the site.

Welsh Government - Transport

77. Should abnormal indivisible load deliveries be required the applicant must inform Welsh Government.

Wales & West Utilities

78. High pressure gas mains run close to the site and there should be no excavation within 10m of the mains without prior consultation.

Glamorgan and Gwent Archaeological Trust

79. Notes that there have been several phases of archaeological work to inform the design. No objection subject to a condition requiring an archaeological watching brief.

Cadw

80. The design of the proposed development has been amended to mitigate its impact on the historic assets. The proposed development would not have a significant impact on historic assets and their settings.

Natural Resources Wales (NRW)

81. The site is considered of county importance for dormice, and otter are assumed to be using the River Waycock, Nant Llancarfan and watercourses along the site boundaries. Bats are assumed to be foraging and commuting along hedgerows and woodland and otter are presumed to be present on site. Great crested newt are assumed to be present within ponds within 250m of the site.

82. Subject to the approval and implementation of a CEMP, a LEMP and a Great Crested Newt Conservation Plan, habitats and protected species on site would be protected and enhanced. Subject to a CEMP and LEMP the development should not pose a risk to the Nant Whitton Woodlands and Barry Woodlands SSSIs.

83. No built development will take place in the portion of the application site that is shown to be at risk of flooding.

St Nicholas with Bonvilston Community Council

84. Raise concerns with regard to:

- Adverse impact on the landscape including cumulatively with other proposed solar farms,
- Battery storage represents a fire risk,
- Loss of agricultural land,
- Historic hedges will not be replaced to screen the development from sight,
- Lack of long-term community benefits, only single lump sum of £150,000 offered.

Vale of Glamorgan – Highway Authority

85. No objection subject to conditions relating to the construction of the proposed access points and a highway condition survey.

Others

86. No objection from the Coal Authority, Dŵr Cymru or the Health & Safety Executive. The Fire Authority has no objection to the proposed development subject to the developer considering access for firefighting appliances and the provision of adequate water supplies on the site for firefighting purposes.

Local residents

87. Four local residents and a local councillor object on the following grounds:

- Unacceptable visual impact,
- Adverse impact on the landscape,
- Loss of view,
- Loss of property value,
- Noise,
- Loss of farmland and BMV,
- Over-proliferation of solar farms within a 5 mile radius,
- This sort of development should be on brownfield land,
- Adverse impact on tourism.

Appraisal

88. The main considerations are the effect of the proposed development on:

i. The character and appearance of the area,

ii. Historic heritage, and

iii. Ecology.

Character and appearance

89. The site consists of three irregular-shaped parcels of agricultural land on either side of the A4226 to the south of Bonvilston. Development Areas 1 and 3 lie to the west of the A4226 and Development Area 2 to the east. Parts of the site are within the Nant Llancarfan and Dyffryn Basin and Ridge Slopes SLAs. But Development Area 1 and the majority of Development 3 also lie within a local search area for solar energy designated by Policy MG30 of the LDP (Search Area 3). The Council accepted at the Hearing that, by virtue of Policy MG30, changes to the landscape through the introduction of solar farms, is accepted in principle in SLAs. Policy MG30 is permissive of solar energy generation schemes up to 50MW provided there are no unacceptable effects on amenity, heritage assets or the environment. Development Areas 1 and 3 lie within the designated search area and comprise less than 50MW.

90. The panels adjoining the road in Development Area 1 would be visible above the hedge forming the boundary with the A4226. The land rises for 100m or so before falling westwards meaning the majority of the arrays would not be visible from the road. The hedge lining the road would be allowed to grow up to 3m providing an effective all year-round screen. However, the panels would be visible above the hedge for some years and from the access for the life of the proposed development. The panels in Development Area 1 would, therefore, have a significant impact on views from the A4226, albeit fleeting as drivers pass.

91. Around half of Development Area 3 is bordered to the north, south and west by Coed Quinnet woodland. Views of Development Areas 1 and 3 from Bonvilston would be long distance and broken by features such as Langton Wood and the woodland at Coed yr Aber. The panels would be visible on rising ground from the footpath running alongside Langton Wood (Viewpoint 5) but would again be broken by existing screening and occupy only part of the vista.

92. Development Area 2 is separated from the A4226 by a field and views of the panels screened by Betty Lucas Wood and the existing strong hedge and trees on the western boundary of the Development Area. Part of the eastern boundary of Development Area 2 borders Brook Lane as it ends at a water treatment plant to the south of St Nicholas. Development Area 2 largely falls north to south to the River Waycock. It is formed by irregular shaped fields bounded by mature trees and hedges which, even before the hedges are allowed to grow, would screen the panels from short and long distant view.

93. The proposed layout of the solar farm respects the existing landscape structure, maintaining and strengthening field boundaries. The design also responds to the opportunities provided by topography and woodlands to integrate the arrays and associated infrastructure into this area of countryside. In the early years of the proposed development there would be a significant impact looking west from the site entrance on the A4226. However, this is an area where landscape change is accepted by LDP Policy MD30 and the existing hedgerow would mitigate the impact to some extent until the hedge reaches 3m. Subject to the proposals for additional planting we consider the proposed development would not have an unacceptable impact on the character and appearance of the area and complies with FW Policies 17 and 18 and LDP Policies MD19 and MD30.

Cumulative impact

94. The proposed solar farm is one of 3 currently under examination in this part of the Vale of Glamorgan. The Parc Dyffryn scheme lies to the east and covers around 96 ha of land between the A48 and Dyffryn Gardens. Parc Worlton covers 76ha to the east and south of Dyffryn. Another potential solar farm proposal, Pen Onn, has not been submitted for examination and is therefore outwith our assessment.

95. Due to the undulating topography and intervening woodland, at no location were we able to see all 3 sites in one view. Parc Dyffryn Viewpoint 7 lies on the Heritage Trail to the south of Bonvilston and is roughly halfway between Parc Dyffryn to the east and Development Area 2 to the west. From this point the panels at Parc Dyffryn would be seen on rising land but the panels on Development Area 2 would be screened by rising land and hedgerows to the west.

96. Occupiers of properties on Port Road East and Pleasant View on the northern edge of Barry may see parts of Parc Dyffryn and some parts of Parc Worlton but not the development subject to this application. From Dyffryn, Dog Lane rises as it approaches the A4226 and, looking east from the vicinity of Little Hamston Farm, one would see some of the arrays at Parc Dyffryn and Parc Worlton but the application site is some distance to the north and not visible from here.

97. Although cumulative impact would be most noticeable from Port Road East and Little Hamston Farm, both locations enjoy expansive views to the north and east respectively. Views of the proposed panels would be broken by woodland and strong field boundaries and would occupy a small part of the overall vista. The overriding sense would remain that of looking over a rural landscape dominated by woodland and pasture enclosed by mature hedgerows dotted with farms and small settlements.

Historic heritage

98. The westward extent of the panels was reduced pre application to respect the Llancarfan HLA. We were unable to reach Viewpoint 4 due to flooding but were able to assess potential views from further afield to the west and are satisfied the proposed development would not have an unacceptable impact on the historic landscape.

99. We agree with the findings of the ES that the distance between the site and the Conservation Areas at Bonvilston, Saint Nicholas and Llancarfan is such that the proposed development would not impact on their setting. For the same reasons the proposed development would not have an adverse impact on the setting of Dyffryn House and Gardens or the listed buildings at Ty Mawr, Bonvilston, St Nicholas and Llantrithyd.

100. Coed y Cwm Ringwork and Castle Ringwork SAMs are adjacent to the northern boundary. The setting of the SAMs is already affected by pylons and overhead cables and subject to the proposed mitigation, we agree with Cadw that the proposed development would not have a significant impact on historic assets and their settings. For the forgoing reasons, the proposal would accord with the requirements of LDP Policy MD8 and FW Policy 18, which seek to protect heritage assets.

Ecology

101. The site includes arable fields, improved grassland, marshy grassland, broadleaved woodland, wooded watercourse corridors, scrub and hedgerows. The existing woodland, scrub, hedgerows, ponds, watercourses and most trees would be retained. There are no designated habitats within the site but there are SINCs adjoining the perimeter and the Nant Whitton Woodlands SSSI is nearby.

102. Great crested newt were not found but are assumed to be present within ponds within 250m of the site. Dormice and otter are assumed to be using the River Waycock, Nant Llancarfan and watercourses on the site boundaries and bats likely to be foraging and commuting along hedgerows and woodland. Some trees would be lost and replaced but by avoiding protected habitats and areas with potential to accommodate or support protected species, the proposal complies with the stepwise approach set out in PPW.

103. The proposal has a number of biodiversity enhancements built in, including a conservation grazing and cutting regime, wildflower meadow seeding of buffer areas and around 60 bat and bird boxes. NRW's concerns were resolved at the Hearing with the applicant's agreement to a Great Crested Newt Conservation Plan. NRW is also satisfied that subject to the proposed CEMP and LEMP the development should not pose a risk to the Nant Whitton Woodlands and Barry Woodlands SSSIs. The proposal includes biodiversity enhancement and the safeguards contained in the proposed CEMP would protect ecological interests during construction. Measures to protect and enhance would be carried forward by the LEMP. On this basis we conclude that the proposed development complies with FW Policies, 9, 17 and 18 and LDP Policies MD9 and MG21.

Other considerations

104. In addition to the above main considerations, other matters have been raised and these are addressed below.

Highway safety

105. The Highway Authority raises no objection to the proposal subject to conditions to secure further details, which could be addressed through the CTMP. Whilst the

proposal would result in increased traffic movements during the construction and decommissioning phases, this would be temporary and, subject to the agreement of a CTMP to address, amongst other things, routing, signage and temporary traffic management, would not result in adverse impacts on highway safety. The proposal would therefore comply with LDP Policy MD2, which states that there should be no unacceptable impacts on highway safety nor exacerbation of existing congestion to an unacceptable degree.

Living conditions

106. Although there would be some disturbance from construction activity and associated traffic during the construction and decommissioning phases, this would be temporary, and the proposed CEMP would include measures controlling working hours, noise, dust and light in order to avoid unacceptable effects. Noise and vibration associated with the operational phase would be minimal, given the static nature of the development and limited vehicle movements anticipated. The submitted glint and glare assessment concludes that reflected light from the panels would be of low intensity and generally reflected upwards away from residential properties, such that there would be no additional detrimental effects on living conditions beyond those already experienced from existing glazing and structures in the area. The proposal would therefore comply with the LDP Policy MD7, as it would not result in unacceptable impacts on residential amenity due to noise, vibration, odour and light.

Glint and glare – highways & aviation

107. The glint and glare assessment states that reflected light from the panels would be of a low intensity and generally reflected upwards away from roads. Whilst rays may travel parallel to the ground during certain times of year, these would be captured by the hedgerows surrounding the site and, in any event, would not represent an additional hazard to drivers on local roads beyond that already in existence from other glazing in the area.

108. The assessment also considers potential impacts on aviation. The flight paths for aircraft approaching and leaving Cardiff and Bro Tathan airfields are shown to be some distance from the application site. Along with the previous lack of incidents reported from solar farms closer to the flight paths, it is concluded that there are no circumstances that exist where glint and glare from the proposal would represent a hazard to aircraft in the vicinity. Based on the evidence presented, we find no reason to disagree with the conclusions of the assessment and consider the proposal would therefore accord with the requirements of LDP Policy MD19.

Flood risk

109. The majority of the site is located within Flood Zone A, with a small area of Zone B around the boundary of Development Area 2, and a lesser area of Zone C2 encroaching on the boundary in the same general location. The Flood Map for Planning (FMfP) identifies a small proportion of the site as being within Flood Zone 3 for surface water and/or small watercourses, and Flood Zones 2 and 3 for rivers.

110. Although a small area of the site would be located within Zone C2, this area is minimal and peripheral, and would remain free from built development. Similarly, the proposed layout avoids development within the areas of Zone B around the boundary, and Zones 2 and 3. The FCA also demonstrates there would be no net loss in flood storage capacity or impact on the movement of floodwater resulting in increased risk elsewhere.

111. Given the very marginal site area which falls within Zone C and the lack of development proposed, as well as the evidence provided within the FCA, we consider that the usual

justification tests need not apply in this instance, and that the flooding consequences would be acceptable. The proposal would therefore accord with the general policy requirement of TAN 15 and LDP Policy MD7 to avoid unacceptable impacts arising from flood risk.

Agricultural land quality

112. Whilst concerns have been raised regarding the accuracy of the survey work, the response from WG Agricultural Land Use & Soil Policy Advisor confirms that this is acceptable as an accurate reflection of the agricultural land quality on site. In the absence of any competing survey information, we see no reason to conclude differently in respect of the adequacy of the applicant's assessment. The proposal would not negatively impact on the supply of BMV agricultural land and would therefore comply with Policy MD1.

Other Matters

113. Comments have been made suggesting the proposal would result in negative effects on tourism in the area. However, given our findings that there would be no unacceptable impact on the character and appearance of the area, we do not consider there would be a significant effect on local tourism.

114. The layout of the proposal would avoid the high-pressure gas main crossing the site, and no public access to the facility would be permitted. The BESS design incorporates fire prevention and suppression measures, and installation would be required to comply with relevant safety standards. In addition, the Fire Authority raises no objection to the proposed development. We are therefore satisfied that the proposal would not result in harm in relation to health and safety.

Conditions

115. In the event Welsh Ministers decide to approve the application, we consider the conditions set out in the attached schedule to be reasonable and necessary and would satisfy the tests set out in Circular 16/14: The Use of Planning Conditions in Development Management. Given the proposed CEMP would control hours of work, noise and dust emissions, we see no need or planning purpose for details of how the applicant would accord with the Considerate Constructors Scheme. For the same reason, a system for the management of complaints from local residents is also unnecessary. We see no planning purpose for requiring details of public viewing facilities.

116. Tree and hedgerow protection is covered by the CEMP and a separate condition is unnecessary. In light of the measures for habitat protection in the CEMP, we see no need for details of staff briefings or toolbox talks. The contact details of those responsible for implementing and monitoring the CEMP may be desirable but they are not necessary. The provision of new planting would be secured through the LEMP and a separate condition relating to landscaping is unnecessary.

117. The whole site is in agricultural use. We have neither seen nor read anything to suggest the land may be put to any other use or that it may be contaminated. Consequently, we see no purpose in imposing a condition just in case there may be contaminants on the site. Fencing may be required as a means of stock control or to protect certain areas. Permitted development rights should only be removed in exceptional circumstances and we are not persuaded that it is necessary here in order to prevent a serious adverse impact on the environment.

118. Nothing is submitted to indicate the site access details shown on the submitted plans are not acceptable and the submission of further detail is unnecessary. Development should be carried out in accordance with the approved plans, it is not, therefore, necessary to require the developer to enter into a legal agreement to secure compliance with the approved details. Works within a highway are covered under other legislation, the Circular warns against duplication and there is no need to require engineering construction details.

Overall Conclusion

119. FW Policy 17 is clear that decision makers must give significant weight to the need to meet Wales' international commitments and to generate 70% of energy used from renewable sources by 2030. The proposed development would provide sufficient power for around 20,400 homes per year, which would be a meaningful contribution to WG targets and commitment to addressing the climate emergency. The proposal would also provide some socio-economic benefits through construction employment and expenditure, although this would be limited in extent given the temporary nature of the majority of jobs created.

120. Although there would be some negative visual impact affecting views close to the site, this would in part reduce over time due to the mitigation proposed, with residual impacts being of short duration as receptors pass the access to Development Area 1. We consider that this would not result in an unacceptable impact. Some disturbance would also be caused to nearby residents during the construction and decommissioning phases, but this would be temporary and could be adequately controlled through the recommended planning conditions.

121. We have found the proposed development would not result in adverse effects in respect of landscape character, historic heritage, ecology and the other considerations addressed in this report, as well as those raised by interested parties.

122. Overall, we consider that the relatively localised and temporary harms that would arise would not result in unacceptable impacts and that the proposal would comply with the relevant policies within Future Wales and the LDP. In addition, there would be significant benefits in relation to renewable energy generation.

Recommendation

123. That planning permission be granted for the development proposed, subject to the conditions set out in Appendix A.

124. In making this recommendation, we have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. We consider that this recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objectives of embedding our response to the climate and nature emergency in everything we do.

C MacFarlane *A Thickett*

INSPECTORS

APPENDIX A: Schedule of Recommended Planning Conditions

1. The development shall begin no later than five years from the date of this decision.

   Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following plans:

Site Location Plan	SRE1113/02/01/1
Planning Application Boundary	SRE1113/02/02/1
Site Layout	SRE1113/02/03 revision 2
Sub Station and BESS Compound Arrangement	SRE1113/02/04/1
PV Panel Details (Pile and Sleeper)	SRE1113/02/05
DNO Substation Detail	SRE1113/02/06
Solar and BESS Switchgear Cabin Details	SRE1113/02/07
Solar Transformer Station Details	SRE1113/02/08
Spares Cabin Details	SRE1113/02/09
Container Details	SRE1113/02/10
Battery Module Details	SRE1113/02/11/1
Battery Transformer Inverter Details	SRE1113/02/12
Battery Firewall Details	SRE1113/02/13
Point of Connection Details	SRE1113/02/14/1
Section Through Substation and BESS Compound	SRE1113/02/15/1
Fencing and Security Details	SRE1113/02/16 revision 2
Internal Access Tracks Construction Details	SRE1113/02/17
Landscape Masterplan	SRE1113/02/18/R2 revision 3
Palisade Fencing Details	SRE1113/02/19
Deer Mesh Fencing Details	SRE1113/02/20
Acoustic Fence Details	SRE1113/02/21
Site Access Details	SRE1113/02/22/1
Site Access Construction Details	SRE1113/02/23
Temporary Site Set Down Area Details	SRE1113/02/24/1
Indicative 132kv Substation Details	SRE1113/02/25

Site Setting	SRE1113/02/26/1

Reason: To ensure that the development is carried out in accordance with the approved plans, drawings and documents submitted with the application.

3. The permission hereby granted shall expire 40 years from the date when electrical power is first exported ('first export date') to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

   Reason: In the interests of the character and appearance of the area in accordance with LDP Policy MG17.

4. No decommissioning works shall take place until an ecological impact assessment has been carried out, the method and details of which shall have been submitted to and approved in writing by the local planning authority. The results of the assessment shall inform the Decommissioning Scheme required by condition 5 below.

   Reason: In the interests of the character and appearance of the area and to ensure biodiversity impacts are mitigated in accordance with LDP Policies MD9 and MD17.

5. No later than 12 months before the end of the 40-year operating period (or within 6 months of the permanent cessation of electricity production) a decommissioning and site restoration scheme ('Decommissioning Scheme') shall be submitted to the local planning authority in writing for approval. The Decommissioning Scheme shall include:

   i) a method statement detailing the process and extent of removal of surface elements of the photovoltaic solar farm and associated development and any foundations, anchor systems, trackways and subsurface cabling and associated works and

   ii) site restoration measures following all decommissioning operations.

   Works shall be carried out in accordance with the approved Decommissioning Scheme.

   Reason: In the interests of the character and appearance of the area and to ensure biodiversity impacts are mitigated in accordance with LDP Policies MD9 and MD17.

6. No development shall commence, (including any site clearance works and / or demolition), until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

   - The parking of vehicles of site operatives and visitors;
   - Loading and unloading of plant and materials;
   - Storage of plant and materials and vehicle maintenance areas;
   - Security hoardings;
   - Wheel washing facilities;
   - Measures to control and mitigate the emission of odour, dust, smoke, other airborne pollutants and dirt;
   - A scheme for recycling/disposing of waste resulting from demolition and construction works.
   - Hours of work;
   - Lighting;
   - Management, control and mitigation of noise and vibration;

- Diesel and oil tank storage areas and bunds;
- Measures to control the spread of any invasive / alien plant species that may be recorded on site;
- Biosecurity Safe Systems of Work, where applicable, including for working in / near water, or dealing with diseased plants;
- Surface water run off;
- Details of topsoil strip, storage and amelioration for re-use, measures to prevent soil run off and suspended solid pollution;
- Details of construction drainage, including areas with prevalent runoff where drainage is to be actively managed;
- Species and habitat protection and mitigation measures;
- Measures to protect the trees and hedgerows to be retained;
- Details of emergency spill procedures and incident response plan.

Reason: In the interests of the protection of living conditions of nearby residents and the environment in accordance with LDP Policy MD7.

7. No development or site clearance shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include:

   - A hedgerow management strategy;
   - A grassland management strategy;
   - Location of wildlife passes in fencing to ensure permeability for protect species;
   - Integration of arable plant species into green infrastructure;
   - Details of new planting.

   The approved details shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

   Reason: To ensure biodiversity impacts are mitigated and appropriate enhancement and management is secured, in accordance with LDP Policy MD9.

8. No development approved by the permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully completed as defined in the approved details.

   Reason: In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the stie is satisfied and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

9. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of proposed routes for heavy construction vehicles, areas within the site for turning and passing to allow vehicles to leave the site in a forward gear. Development shall be carried out in accordance with the approved details.

   Reason: In the interests of highway safety in accordance with LDP Policy MD7.

10. Any aggregate (other than virgin quarry stone or stone from a certified source) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the local planning authority in advance of its importation. Only approved material shall be imported.

    Reason: To ensure that any unacceptable risks from land contamination are minimised in accordance with LDP Policy MD7.

11. Prior to the first export date, the acoustic fence shall be erected around the substation and battery storage compound as shown on drawing no. SRE1113/02/21/0 and shall be retained for as long as the development hereby permitted remains in existence.

    Reason: In the interests of the protection of living conditions of nearby residents and the environment in accordance with LDP Policy MD7.

12. No development or site clearance shall take place until a Great Crested Newt (GCN) Conservation Plan for the construction and operation of the development hereby permitted has been submitted to and approved in writing by the local planning authority. The GCN Conservation Plan shall include:

    a. The results of surveys undertaken at on- and off-site waterbodies,
    b. An assessment of the impacts of the scheme on GCN aquatic and terrestrial habitats, detailing areas of site to be impacted, habitat lost, habitat to be retained, enhanced, and any habitat to be created,
    c. Details of licensable avoidance measures within 250m of pond P7, including fence, trap and clear methods to remove GCN from the work site;
    d. Barrier fence design and location;
    e. Details of means of access across barrier fence lines;
    f. Measures to ensure working areas are clear of newts prior to the commencement of construction and related works;
    g. Measures for removal or displacement of individuals from working areas;
    h. GCN/amphibian fence monitoring and maintenance requirements;
    i. Measures for removal of barrier fences;
    j. Avoidance measures to minimise impacts on GCN and their terrestrial habitat within 250m of GCN ponds P1, P2, P4, P5, P9 and P10, to include:
        - Monitoring of habitats for GCN using carpet tiles prior to commencement of works,
        - Ecological Clerk of Works to be present during works,
        - Fingertip searches of working areas,
        - Working above 8°C
    k. Method of work for small-scale habitat clearance of suitable habitat over 250m from a pond, such as hedgerow and scrub ‘punch-throughs’ for access tracks;
    l. Actions to be taken if newts are found during works and measures to prevent or reduce incidental capture or killing;
    m. Details of timing, phasing and duration of construction activities and conservation measures, compliance and reporting requirements;
    n. Measures for cleaning panels;
    o. Details of retained and compensation areas, to include:
        - Design of new ponds on site,
        - Management of new and existing habitat to benefit GCN
    p. A reporting schedule;
    q. Measures to ensure biosecurity.

The GCN Conservation Plan shall be carried out in accordance with the approved details.

Reason: To ensure biodiversity impacts are mitigated and appropriate enhancement and management is secured, in accordance with LDP Policy MD9.

13. Notwithstanding the details shown on the approved plans, no development shall commence until details of CCTV and supporting structures have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area in accordance with LDP Policy MG17.