PLAS POWER SOLAR AND ENERGY STORAGE PROJECT

DEVELOPMENT OF NATIONAL SIGNIFICANCE APPLICATION

WREXHAM COUNTY BOROUGH COUNCIL

LOCAL IMPACT REPORT

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Date:	10 March 2025
Agreed by:	Officer Response: Delegated Powers approved on 3rd June 2024 by Planning Committee
Signed off by:	Matthew Phillips
Position:	Head of Service, Development Management, Wrexham County Borough Council
Date:	21 March 2025

Town and Country Planning Act 1990 (as amended) ('The 1990 Act')

The Developments of National Significance (Wales) Regulations 2016 (as amended) ('The DNS Regulations')

The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended) ('The DNS Procedure Order')

PEDW Reference: DNS/3253253

Local Planning Authority Reference: P/2024/1237

Applicant: Lightsource SPV 192 Limited

Site Address: Land at the Plas Power Estate, north and south of Ruthin Road, Wrexham

Description of Development: The construction and operation and maintenance of a solar photovoltaic electricity generating station, a Battery Energy Storage System ("BESS"), inverters, transformers, cabling, substations, access tracks, landscaping, ecological enhancement areas and associated ancillary development.

Proposed Secondary Consent(s):

Consent under section 2(3) of the Ancient Monuments and Archaeological Areas Act 1979 (control of works affecting scheduled monuments).

Consent for the underground routing of cables, in proximity to Offa's Dyke Scheduled Monument, linking the proposed solar farm to the Legacy primary substation Authorisation under section 247(1) of the 1990 Act (order authorising stopping up or diversion of highway). Consent to divert public footpath #1178 BERSHAM 1 and footpath #1159 BERSHAM 8.

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PREFACE

On 3rd June 2024, Wrexham County Borough Council's Planning Committee agreed to delegated authority for the Chief Officer Economy and Planning to prepare and submit a Local Impact Report following consultation with the Chair, Vice Chair and the Local Members for the Coedpoeth, Esclusham, Ponciau and Rhos wards.

It was agreed that officers of the council would prepare the LIR and Councillors would be given an opportunity to comment on and within the submitted LIR. These comments are submitted separate to the officer report / opinion at the request of PEDW.

This Local Impact Report also incorporates comments/observations received from:

- The council's Public Protection Officer
- The council's Ecologist

Comments from the council's Contaminated Land Officer and Highway Authority were received after this LIR was drafted and are therefore included as an appendix (4&5).

PART A: BACKGROUND AND CONTEXT

1. INTRODUCTION

1.1 Lightsource SPV 192 Limited (hereinafter referred to as “the Applicant”) is applying to Welsh Ministers for permission for the construction and operation and maintenance of a solar photovoltaic electricity generating station, a Battery Energy Storage System (“BESS”), inverters, transformers, cabling, substations, access tracks, landscaping, ecological enhancement areas and associated ancillary development on Land at the Plas Power Estate, north and south of Ruthin Road, Wrexham.

1.2 An application for a Solar and Energy Storage Project at on Land at the Plas Power Estate was submitted to the Welsh Ministers by the applicant on 7 June 2024 for consideration under the Developments of National Significance (Wales) Regulations 2016 (hereto referred to as the Plas Power Solar and Energy Storage Project). The application was accepted as a valid application and deemed valid by Planning Environment Decisions Wales (PEDW) on 17 February 2025.

1.3 The Local Impact Report (LIR) below is an assessment of the likely local impacts of the DNS development from the perspective of Wrexham County Borough Council as the Local Planning Authority (LPA), including comments from the council’s Ecologist, Public Protection Officer, Contaminated Land Officer (Appendix 5) and Highway Authority (Appendix 4).

1.4 The LIR intends to provide the Examining Authority (ExA) with the Council’s understanding of the application site, surrounding area, relevant local issues, planning policies and how the scheme positively and adversely impacts this context.

2. DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE AND SURROUNDINGS

2.1 Though the applicant has provided extensive detail regarding the proposed development site, a summary is set out below.

2.2 The site is located entirely within the administrative boundary of Wrexham County Borough Council and is approximately 2.5km west of the centre of Wrexham. The total area of the application site is c.136 hectares comprising of agricultural land which generally slopes from 180m AOD in the north-western extents of the site to 100m AOD in the south-eastern extents.

2.3 The application site comprises two main areas bisected by the A525. The area of the site south of the A525 is bordered by the A525 to the north, to the east by the A483, to the south by Plas Power Woods and to the west by agricultural fields. The area to the north of the A525 is bound by the A525 to the south, agricultural fields and woodland / hedgerow boundaries to the north (which lie south of Tanllan Lane) and Coedpeth to the west.

2.4 The application also includes proposals for cable routes from the solar farm, battery energy storage system [BESS] and associated infrastructure system to the existing substation located 1.2km south-west of the site, north of the B5426. There are four options for the route, the preferred route would pass north of Cadwgan Hall. Option 1 would pass south of Cadwgan Hall, Option 2 and 3 would provide a short alternative route to connect from Plas Buckley Road.

2.5 The surrounding area is characterised by a combination of agricultural and residential uses. Residential areas / residences within close proximity include:

- Properties on Tanllan Lane and Higher Berse Road
- Properties in eastern Coedpoeth
- Properties on A525

- Properties in northern Bersham
- Properties accessed off the Access Road into Plan Power Estate
- Properties on Rhos Berse Road

2.6 Other notable elements of the site and its surroundings include:

- Public Right of Way BER/1 (Footpath) runs through the southern area of the application site.
- Public Right of Way BER/8 runs through the northern area of the site.
- Local Designated Sites of Nature Conservation and Geological Importance
- Coal and Development High Risk Area
- Scheduled Ancient Monuments
- Listed Buildings
- Conservation Area

2.7 The site lies in open countryside in planning terms and is not located within any settlement boundary identified within the Adopted Wrexham Local Development Plan (WDLP). The plans showing the Adopted WLDP designations with respect to the Development site are included at Appendix 3.

2.8 The site is located within a minerals safeguarding area and a Welsh Language Sensitive Area.

2.9 The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB / National Landscape), is located 2km to the west (at its nearest point) of the site.

3. DESCRIPTION OF THE PROPOSED DEVELOPMENT

3.1 Though the applicant has provided extensive detail regarding the proposed development, a summary is set out below.

3.2 The proposed development is for a solar array (with a 57 MWac (Megawatts Alternating Current) export capacity of power), battery energy storage system [BESS] (with an installed capacity of 57MWac) and associated development for a temporary period of 40 years. The proposed development includes a 33kV cable which would connect the proposed solar arrays, battery energy storage system and associated infrastructure to a substation located circa 1.2km south-west of the site, north of the B5426.

3.3 The proposed solar farm development comprises the following:

- Solar photo-voltaic (PV) panels mounted onto frames (up to a height of circa 3.2m, angled between 15-25° from the horizontal), there would be circa 1m of ground clearance from the bottom of panels to enable maintenance and also continued sheep grazing. The panels would be laid running east-west across the site with gaps between rows measuring circa 2.5m. The proposed development splits the site into
- String Inverters mounted onto the solar panel frames
- 26 Central Inverters (circa 8.2m x 2.3m x 2.8m [LWH])
- 26 Transformers (circa 5.5m x 4.5m x 3.2m [LWH])
- 14 ‘Switchgear’ Substations (circa 4.2m x 2.6m x 3.15m [LWH])
- Cabling
- 1 Auxiliary Transformer providing low voltage electricity supply to the site (circa 3.6m x 3.8m x 3.2m [LWH])
- ‘PV Intake Substation’ (circa 10.5m x 2.5m x 3.1 [LWH])
- ‘BESS Intake Substation’ (circa 15.70m x 3m x 3.6 [LWH])
- ‘Customer Substation’ (circa 10.3m x 5m x 3.9m [LWH])
- Glass Reinforced Plastic Substation (circa 3m x 3m x 2.55 [LWH])

- Solar Monitoring House (3.9m x 3.2m and 3.3 [LWH])
- Spares Container (12.4m x 2.6m x 2.9m [LWH])
- Battery Energy Storage System
    - 14 4xBESS Enclosures (16.62m x 3.88m x 3m [LWH])
    - 14 x Battery Interface Cabinet (2.2m x 1.1m x 2.3m [LWH])
    - 7x Twin Medium Voltage Skid (13.37m x 6.9m x 3.96m [LWH])
    - 1x BESS Backup Generator (6.3m x 2.64m x 2.89m [LWH])
    - 1x BESS Spares Container (6.4m x 2.64m x 2.9m [LWH])
    - BESS Intake Substation (15.7m x 3m x 3.6m [LWH])
    - BESS Monitoring House (3.86m x 3.2m x 3.3m [LWH])
- Security Fencing and Gates: Deer Fencing of height 2m with small mammal gates
- CCTV and Infra-red Lighting (CCTV mounted on posts circa 3m in height)
- Composting Toilet (for staff during operation and maintenance) (2.4m x 2.5m x 3m [LWH])
- Cabling (laid underground in trenches circa 1m deep 50cm wide)
- New accesses and improvements to existing accesses including:
    - New Access (1) constructed to the east along the A525, west of Heritage Way, serving as the main construction access point
    - Access (2) to the northern parcel of the site through the existing farm access
    - Access (3) temporary access during construction set up / establishment off the A525
    - A staff or emergency access (4) to be used in exceptional circumstances to the south along Rhos Berse
- SUDs Infrastructure (Including planting, attenuation basins and swales)
- Diversion of Rights of Way
- Soft Landscaping
- Emergency lighting (height circa 3.84m)
- Temporary construction infrastructure

3.4 The LPA note that there is an option raised by the applicant whereby the BESS is replaced by solar panels. It is acknowledged that assessments have been completed in the context where the BESS is built out.

4. RELEVANT PLANNING HISTORY

4.1 There relevant planning history for the site is set out below:

Within Site Boundary

Address	App Ref:	Description of Development
Caravan Site, Ruthin Road, Coedpoeth, Wrexham	P/2004/0992	Golf Course with ancillary facilities
Caravan Site, Ruthin Road, Coedpoeth, Wrexham	CB02112	Outline: 2 Golf Courses with related ancillary facilities
Caravan Site, Ruthin Road, Coedpoeth, Wrexham	P/2001/0539	Renewal of outline CB2112, 2 Golf Course

N.B. It is not apparent that the above permissions for the golf course have been implemented.

Outside Site Boundary (Neighbouring Development)

Address	App Ref:	Description of Development
Little Berse Farm, ruthin, Road, Coedpoeth, Wrexham	P/2006/0344	Steel Portal Frame Livestock building
PLAS POWER HOME FARM BUILDINGS RUTHIN ROAD COEDPOETH WREXHAM LL11 3BP	P/2013/0093	Change of use of the Farm buildings to 8 dwellings with association with Garaging (RENEWAL OF P/2007/1189)
PLAS POWER HOME FARM BUILDINGS RUTHIN ROAD COEDPOETH WREXHAM LL11 3BP	P/2016/1003	Application For Non-Material amendment to P/2013/0093 to seek amendment to Internal Layout
PLAS POWER HOME FARM BUILDINGS RUTHIN	P/2018/1024	Plot 5 - Amendments Layout, Design and Materials of Barn

ROAD COEDPOETH WREXHAM LL11 3BP		Conversion Previously Granted Under P/2013/0093
PLAS POWER HOME FARM BUILDINGS RUTHIN ROAD COEDPOETH WREXHAM LL11 3BP	P/2018/1054	Plot 7 - Extension and Amendments of Barn Conversion Previously Granted Under P/2013/0093
The Coach House, Plas Power Estate, Ruthin Road, Coedpoeth, Wrexham	P/2017/0705	Conversion and Extension of Barn to Form Dwelling (Amendment to Previous Scheme)
The Coach House, Plas Power Estate, Ruthin Road, Coedpoeth, Wrexham	P/2017/1014	Conversion and Extension of Barn to Form Dwelling (Amendment to Previous Scheme)
Land to the North of National Grid, Legacy Substation, Bronwylfa, Wrexham	P/2024/0155	Installation and Operation of Battery Storage Facility and Ancillary Development
Land to the North of National Grid, Legacy Substation, Bronwylfa, Wrexham	P/2023/0175	Installation and Operation of Battery Storage Facility and Ancillary Development
Land to the North of National Grid, Legacy Substation, Bronwylfa, Wrexham	P/2021/0441	Erection of a Battery Storage Facility and Ancillary Development

PART B: RELEVANT PLANNING POLICIES AND GUIDANCE

5. NATIONAL PLANNING POLICY, GUIDANCE AND LEGISLIATION

5.1 The following UK and Welsh Government policy and legislation are relevant.

Legislation

5.2 The following instruments are considered to be of particular relevance to this application:

- The Environment (Wales) Act 2016
- The Environment (Wales) Act 2016 (Amendment of 2050 Emissions Target) Regulations 2021 which set an amended target of reducing carbon emissions in Wales to net zero by 2050.
- Equality Act 2010
- Wellbeing of Future Generations (Wales) Act 2015

Planning Policy Wales (PPW) (Edition 12)

5.3 The following chapters and sections are considered to be of particular relevance to this application:

- Chapter 2 - People and Places: Achieving Well-being Through Placemaking

Including section 'Maximising well-being and sustainable places through placemaking'

- Chapter 3 - Strategic and Spatial Choices

Including sections 'Good Design Making Better Places', 'Sustainable Management of Natural Resources', 'Placemaking in Rural Areas', 'The Best and Most Versatile Agricultural Land', 'Development in the Countryside' and 'Supporting Infrastructure'

- Chapter 5 - Productive and Enterprising Places

Including paragraphs 5.7.1 - 5.7.7, 5.7.9, 5.7.14 -5.7.15, 5.9.1 and Chapter 6, as updated.

- Chapter 6 - Distinctive and Natural Places

Including sections ‘Recognising the Special Characteristics of Places’ and ‘Recognising the Environmental Qualities of Places’.

5.4 PPW is supplemented by Technical Advice Notes (TANs) which provide additional detail on a variety of topics. Of particular relevance to this case are:

- Technical Advice Note (TAN) 5 - Nature Conservation and Planning (2009)
- Technical Advice Note (TAN) 6 - Planning for Sustainable Rural Communities
- Technical Advice Note (TAN) 8 - Renewable Energy
- Technical Advice Note (TAN) 11 – Noise (1997)
- Technical Advice Note (TAN) 12 – Design (2016)
- Technical Advice Note (TAN) 15 – Development and Flood Risk (2004)
- Technical Advice Note (TAN) 15 – Development and Flood Risk (2021)
- Technical Advice Note (TAN) 18 – Transport (2007)
- Technical Advice Note (TAN) 23 – Economic Development (2014)
- Technical Advice Note (TAN) 24 – The Historic Environment (2017)

5.5 Future Wales: The National Plan 2040 forms part of the adopted development plan for the County. The Welsh Government recognises that it is vital that we reduce greenhouse gas emissions to combat against climate change, identifying energy as contributing 29% of emissions. Future Wales, together with PPW will ensure the planning system focuses on delivering a decarbonised and resilient Wales through the creation of places, the energy we generate, the natural resources and materials we use and how people live and travel. The following chapters and policies are of relevance in the assessment of this planning application:

5.6 Chapter 3: Setting and achieving our ambitions; 11 Future Wales’ outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

5.7 Chapter 4: Strategic and Spatial Choices: Future Wales’ Spatial Strategy; Guiding framework for where large-scale change and nationally important developments

will be focussed over the next 20 years. Strategy builds on existing strengths and advantages and encourages sustainable and efficient patterns of development.

5.8 Policies 9, 17 and 18.

5.9 Welsh Government Practice Guidance, including: Planning Implications of Renewable Energy and Low Carbon Energy (February 2011) & Planning for Renewable and Low Carbon Energy – A Toolkit for Planners (September 2015)

6. LOCAL PLANNING POLICY

Current Status of the Local Development Plan

6.1 The Court of Appeal judgement handed down on the 20th of December 2024 concluded that the Planning and Compulsory Purchase Act 2004 (the 2004 Act) does not impose a duty on a Local Planning Authority to adopt a Local Development Plan. It has the effect of overturning the High Court judgement of 29 November 2003, which had concluded to the contrary.

6.2 The Wrexham Local Development Plan (2013-2028) (WLDP) was adopted by Full Council on 20th December 2023. The judgement of the 20th December 2024 does not, by itself, alter the status of the WLDP as 'the development plan', as defined in section 38(4)(c) of the 2004 Act. In accordance with section 38(6) of the 2004 Act, any planning applications or appeals must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.3 The WLDP therefore remains adopted and therefore the starting point for the determination of planning applications until the Court orders to the contrary.

Status of the Local Development Plan

6.4 The adoption of the WLDP on 20th December 2023 is subject to a separate challenge brought under section 113 of the 2004 Act. In the event that the High

Court finds that the decision to adopt the WLDP was not lawful, the WLDP would then no longer be the development plan as defined in section 38(4)(c) of the 2004 Act and would be returned to the status of an 'unadopted' Local Development Plan.

6.5 Paragraph 9.4.8 of the Development Management Manual (DMM) advises that the weight to be attached to an unadopted WLDP will depend on the stage it has reached within the plan making process; with certainty regarding the content of the plan being achieved when an Inspector delivers a binding report.

6.6 The WLDP has been subject to Examination in Public, with the WLDP Inspectors concluding that the Wrexham Local Development Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the procedural requirements and tests of soundness.

6.7 In addition to a Local Development Plan, the National Development Framework for Wales also has the 'development plan' status, as defined by section 38(4)(a) of the 2004 Act. Future Wales: The National Plan 2024 (FW) was adopted on 24 February 2021, therefore alongside any adopted Local Development Plan, planning applications or appeals must be determined in accordance with the FW unless material considerations indicate otherwise. The WLDP Inspectors found that the WLDP is consistent with the main principles of FW, particularly Policy 20 – National Growth Area, which directs that Wrexham and Deeside will be the main focus for growth and investment in the North region.

6.8 Having regard to the above, whilst adopted, the WLDP remains the starting point for the determination of planning applications.

6.9 If the WLDP was to become unadopted, it would no longer be the starting point for determination of planning applications. If this situation came to pass, the WLDP would shift from being the starting point for decision making to being a

‘material consideration’ in the decision making process. As the WLDP has been through an Examination in Public and has been found to be sound by the appointed Inspectors, in these circumstances it would be correct to afford the WLDP ‘very significant weight’ as a material consideration.

Status of the UDP

6.10 Unless and until the challenge brought under s113 of the 2004 Act finds that the adoption of the WLDP was not lawful, the Wrexham Unitary Development Plan (2006-2011) has no status as development plan and therefore carries no weight in the determination of planning applications at this time.

6.11 In the event that the High Court finds that the decision to adopt the WLDP was not lawful, the Unitary Development Plan would be returned to the status of the ‘adopted development plan’, albeit under Chapter 1, section 27A of the Town and Country Planning Act 1990 (the 1990 Act). Section 27A was inserted by section 20 of the Local Government (Wales) Act 1994.

6.12 Section 27A of the 1990 Act was repealed in Wales on 15 October 2005, subject to provisions set out in The Planning and Compulsory Purchase Act 2004 (Commencement No.6, Transitional Provisions and Savings) Order 2005. This provided for a transitional period between 15 October 2005 and the date an WLDP was adopted whereby a UDP would be development plan for the area for the purposes of Section 38(4)(c) of the 2004 Act.

6.13 A High Court finding that the decision to adopt the WLDP was not lawful would restore the ‘development plan’ status of the UDP. It would then become the starting point for determining planning applications once again.

6.14 However, the UDP was formally adopted in February 2005, its plan period expired in 2011 and it is underpinned by an evidence base that is over 20 years old. On this basis, where significant conflict exists between UDP and the WLDP policies or Planning Policy Wales (Edition 12) and any relevant Technical Advice

Notes, it is the latter documents that should be afforded greater weight than UDP policies in the overall planning balance because they are more up to date.

Relevant Policies of The Wrexham Local Development Plan (WLDP) (2013-2028)

Strategic Policies

- SP5: Planning Obligations
- SP14: Natural Environment
- SP15: Historic and Cultural Environment
- SP16: Mineral Supply and Safeguarding
- SP18: Climate Change
- SP19: Green Infrastructure

Topic, Criteria and Area Based Policies

- DM1: Development Management Considerations
- NE2: Local Designations for Nature Conservation and Geological Importance
- NE3: Trees, Woodlands and Hedgerows
- NE4: Area of Outstanding Natural Beauty
- MW1: Minerals Safeguarding
- MW2: Mineral Buffer Zones
- RE2: Renewable Energy Schemes
- T1: Managing Transport Impacts

7. OTHER MATERIAL CONSIDERATIONS

7.1 The Council consider the following two technical and guidance documents are material planning considerations:

- Welsh Government LANDMAP: the all-Wales Geographical Information (GIS) based resource for assessing landscape character and quality. LANDMAP is the formally adopted methodology for landscape

assessment in Wales and informs planning related uses and landscape baseline conditions at both local and landscape scale.

- Cadw guidance document 'Setting of Historic Assets in Wales Guidance' (CADW, May 2017).

PART C: ASSESSMENT OF IMPACTS

8. NEED FOR THE RENEWABLE ENERGY AND THE IMPACT OF CLIMATE CHANGE

8.1 The Environment (Wales) Act 2016 (Amendment of 2050 Emissions Target) Regulations 2021 has set an amended target of reducing carbon emissions in Wales to net zero by 2050.

8.2 Planning Policy Wales provides strategic policy support for renewable energy developments of all scales. At 5.7.14 it states the Welsh Government has set targets for the generation of renewable energy, which includes a target of 70% of electricity consumption in Wales to be generated from renewable energy by 2030.

8.3 Future Wales, the National Plan 2040 forms part of the adopted development plan for the County. Future Wales Policy 17 sets out strong support to the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs. It states that, in determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and the Welsh Government target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency.

8.4 Future Wales Policy 18 states proposals for renewable and low carbon energy projects (including repowering) qualifying as Developments of National Significance will be permitted, subject to compliance with the policy criteria. These

criteria are far ranging and are covered in the body of this LIR even without specific reference.

8.5 Policy RE2 of the WLDP states proposals to generate energy from renewable and low carbon sources will be supported. The policy provides direction to the siting of solar farms of <10MW to local search areas (LSAs). Of relevance to this proposal the policy advises that development outside of LSAs for solar will be supported in appropriate locations.

8.6 Policy RE2 then provides a framework for assessing applications noting consideration should be given to the impacts of the development on the landscape, the number, scale, size, design and siting of renewable installations and associated infrastructure, alone, cumulatively and in combination.

8.7 The assessment of whether the site would be in an appropriate location and as such benefit from support from policy RE2 relies upon the assessment of the proposal against a number of criteria which will form the basis of the planning judgement.

8.8 The proposal would have strategic benefits in terms of increased renewable energy generation, contribute to the de-carbonisation of the energy supply network and towards combating the climate emergency. The applicant advises the export capacity of circa 57MWac would be enough to power approximately 700 homes per year and offset 15,800 tonnes of CO2.

8.9 With regards to the proposed BESS, paragraph 5.7.2 of PPW identifies a need to “integrate renewable generation with storage and other flexibility services, in order to minimise the need for new generation and grid system reinforcement”. It is considered that the proposal helps support the transition to a low carbon grid which is supported by national and local policy.

8.10 Having regard to the above, the principle of a solar energy farm park of the scale proposed is considered to be in general accord with national and local planning policies.

8.11 Section 3 of the submitted ES detailed the site selection process and the consideration of alternatives. Aside from the 'do nothing' scenario the section details the difficulty sourcing sites to accommodate a large-scale ground mounted solar farm in or close to settlements and explains why large-scale solar farms are typically located in the open countryside.

8.12 Section 3 of the ES sets out how the applicant has assessed a number of parcels of land in proximity to the legacy substation against 4 main criteria (technical suitability of the site, grid connection feasibility, planning constraints and site availability). Assessment for the location of the BESS and also the cabling routing is also included. The approach to site selection as set out within the addendum to the ES is considered to be reasonable.

8.13 Conclusion on assessment of the need for the development and the impact of climate change:

- Construction Phase: **NEUTRAL**
- Operational Phase: **POSITIVE**
- Decommissioning Phase: **NEUTRAL**

9. VISUAL AMENITY AND LANDSCAPE CHARACTER

9.1 The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a material consideration.

9.2 PPW 12 Section 6.3.3 states *'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'*

9.3 Policy SP14 of the WDLP states development will only be permitted where it seeks to protect, conserve and enhance the natural environment including (of relevance to this section):

- The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty
- Special Landscape Areas;
- Natural landscape features and Green Infrastructure such as trees, hedges and woodland which contribute to the quality and diversity of the natural environment and play an important role in mitigating the impact of climate change;

9.4 Policy NE4 of the WDLP advises that development proposals that are outside, but closely interlinked with the AONB, must not have an adverse impact on the natural beauty of the AONB.

9.5 Policy NE3 of the WDLP advises development will only be permitted where it does not cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value or those that provide important ecosystem services.

9.6 The proposed solar farm and BESS is significant in scale extending over 136ha within the administrative area of Wrexham County Borough Council. The proposal has significant potential for adverse impacts upon the rural landscape particularly given variance in topography of the site surroundings.

9.7 The ES accompanying the application considers landscape and visual impacts. The ES is supported by a number of technical appendices including a Landscape and Visual Impact Assessment (LVIA), Residential Visual Amenity Assessment, Viewpoint Images and Zone of Theoretical Visibility models.

9.8 In terms of landscape designations, the site is not within a landscape designation i.e. within an Area of Outstanding Beauty. The submissions made by the applicant summarise the vegetation in and around the application site as well as the topography. The site is located within National Landscape Character Area 13: Deeside and Wrexham. The applicant also aptly summarises the detailed information the LANDMAP provides in relation to the site.

9.9 The site is described agricultural in nature with its landscape character having been influenced its current agricultural land use and historical associations derived from its former uses that include coal extraction, the Plas Power Estate and the former iron works at Bersham. Further, the urban development on the periphery of Wrexham and the A-Class roads influence the site character.

9.10 A Zone of Theoretical Visibility (ZTV) was produced with representative viewpoints selected at publicly accessible locations within the ZTV. Photos were taken during winter months and were taken as a worst-case scenario for visibility.

9.11 An illustrative landscape plan has been submitted with the application which is developed in collaboration with an ecologist to identify opportunities to minimise potential impacts and maximise enhancement opportunities. The landscaping measures include hedgerow reinforcement, woodland edge scrub planting, woodland planting and grassland sowing.

9.12 The ES assesses the potential landscape and visual impacts for the construction, operational and decommissioning phases. It also provides an assessment of potential cumulative effects.

9.13 Table 5.12 of the ES sets out the summary of likely environmental effects on landscape resource. During construction minor adverse effects are expected at viewpoints at PRoW BER/1, BER/3, BER/10, BER/11, ESC/16, ESC/17A, and ESC/31. The impacts are tempered by the temporary aspect of construction.

9.14 With regards to the operational phase, the impacts are described as temporary but landscape and visual impacts that last a period of 40 years or more would be considered long-term or even permanent effects, as this time period broadly exceeds a generation, which is commonly considered to be around 25-30 years. The Guidelines for Landscape and Visual Impacts Assessment (third edition, 2013) suggests a period of 10-25 years might be considered long-term (para. 5.51), though this is not fixed definition.

9.15 The council consider that despite the potential for mitigation measures to help minimise impacts from the proposed development the nature of the development will result in significant adverse impacts upon landscape. The development would be a prominent and distinctive urbanising feature in the landscape. The development is located on lower ground within a rural setting and the development would contribute to the urban sprawl of Wrexham.

9.16 In general the council find that the conclusions of the LVIA and thus the ES chapter broadly underplay the level of impact upon both landscape character at a local and district level, and visual impacts for the operational phase.

9.17 Specifically with regards to landscape character, the council consider that the impacts at a site level would result in major adverse impacts at a site level at year one likely reducing to moderate adverse at year 15.

9.18 With regards to visual impacts, it is considered that the level of impacts upon viewpoints VP1 and VP2 on BER/1 are underestimated especially for year 1. Even at year 15, the enclosure of the route within a corridor of planting would in itself cause an adverse effect.

9.19 The council broadly concur with the conclusions regarding the impact on the AONB.

9.20 The Residential Visual Impact Assessment progressively assessed potential receptors to identify those properties which may receive an impact of such nature or magnitude that it affects residential amenity. The assessment concludes that no properties cross that threshold. Similar to previous section relating to landscape and visual impacts, the council find that the conclusions broadly underplay the level of impact.

9.21 Should a decision be forthcoming in favour of the scheme a comprehensive planning condition should be imposed which secures a more detailed version of the outline landscape and ecology management plan to be submitted and approved in writing, that is effective during the construction, operational and decommissioning phases of the Proposed Development.

9.22 It is noted that within the Programme for Government (2021-2026), Welsh Government sets out its intention to designate a new National Park in Wales based on the existing Clwydian Range and Dee Valley Area of Outstanding Natural Beauty or AONB. The implication of the proposals are not considered to impact the judgement significantly unless the designation were to occur prior to a decision being made. Ultimately the existing AONB benefits from significant policy protection akin to that of a National Park.

9.23 Conclusion on assessment of landscape and visual impact:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEGATIVE**
- Decommissioning Phase: **NEGATIVE**

10. ARBORICULTURE

10.1 Policy SP14 of the WDLP states development will only be permitted where it seeks to protect, conserve and enhance the natural environment including (of relevance to this section):

- Natural landscape features and Green Infrastructure such as trees, hedges and woodland which contribute to the quality and diversity of the natural environment and play an important role in mitigating the impact of climate change;

10.2 Policy NE3 of the WDLP advises development will only be permitted where it does not cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value or those that provide important ecosystem services.

10.3 Policy NE3 adds that development affecting all existing and new proposed woodlands should:

i. Support proposals which assist in the respectful and appropriate use and protection of woodlands and boundary edges;
ii. Promote sustainable management to deliver multiple benefits; and
iii. Support the relevant aims and objectives of the Wrexham Tree & Woodland Strategy 2016-2026 and all subsequent amendments.

10.4 In support of the application a Tree Survey and Arboricultural Impact Assessment Report was submitted. The reports indicate vegetation protection measures to be implemented during construction operations. The proposals include vegetation removal to facilitate the development.

10.5 It is anticipated that 4 trees (Category U, C and B) would be removed to facilitate access to the site. There would also be some removal of scrub sections (Category C). Mitigation measures should be secured via condition.

10.6 Conclusion on assessment of impact of the proposal on arboriculture:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEUTRAL**
- Decommissioning Phase: **NEUTRAL**

11. HYDROLOGY AND HYDROGEOLOGY

Fluvial Flood Risk

11.1 An ES chapter has been produced covering hydrology and hydrogeology supported by a Flood Consequence Assessment and Conceptual Drainage Strategy.

11.2 In terms of the present TAN15 in force, the site lies within a Flood Zone 1 which is classified as an area at 'low risk' of flooding. With regards to the Flood Map for Planning, the site is located within Flood Zone 1.

11.3 The Council have not assessed the FCA, or considered the suitability of the proposed mitigation measures against the proposed development. However, the Council would defer to comments from Natural Resources Wales (NRW) on the mitigation measures proposed in the FCA, as the statutory body for fluvial flood risk, on matters relating to flood risk.

11.4 Conclusion on assessment of impact of the proposal on flood risk:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEGATIVE**
- Decommissioning Phase: **NEUTRAL**

Surface Water

11.5 The development proposed would be subject to Schedule 3 of the Flood and Water Management Act 2010, and the DNS application does not include an application for secondary consent under this legislation.

11.6 As such, separate, formal approval from the Sustainable Drainage Systems (SuDS) Approval Body (SAB) is therefore required in relation to the surface water drainage and SuDS features.

11.7 As the planning process should not duplicate other legislative controls, the Council does not wish to make any observations on the Outline Strategy as set out in the FCA, but would request advisory notes are applied to any grant of consent to remind the applicant of the legal requirement to obtain separate SAB approval prior to the commencement of any development on site.

11.8 Conclusion on assessment of impact of the proposal on surface water drainage:

- Construction Phase: **NEUTRAL**
- Operational Phase: **NEUTRAL**
- Decommissioning Phase: **NEUTRAL**

Pollution

11.9 Mitigation measures have been identified for all phases to avoid pollution of the water environment. Subject to these measures being secured by condition the following conclusion is made.

11.10 Conclusion on assessment of impact of the proposal on surface water drainage:

- Construction Phase: **NEUTRAL**
- Operational Phase: **NEUTRAL**
- Decommissioning Phase: **NEUTRAL**

12. SOILS AND BEST AND MOST VERSATILE AGRICULTURAL LAND

12.1 Paragraphs 3.58 and 3.59 of PPW sets out that agricultural land of grades 1, 2 and 3a should be conserved as a finite resource for the future with considerable weight to be given to protecting such land from development because of its importance.

12.2 The ALC Report submitted with the application states that the site comprises 1.6ha (6.4%) Grade 3a agricultural land, with the rest of the site being Grade 3b or lower. The areas of the site the Welsh Government Predictive Agricultural Land Classification Map indicated to be grade 3b have not been surveyed.

12.3 On 1 March 2022 the Minister for Climate Change issued a 'Dear Chief Planning Officers' letter on the issue of solar farms and BMV. The letter states '*The purpose of this letter is to clarify that in accordance with Welsh Government policy outlined above, where BMV land is identified within a proposed solar PV array development, considerable weight should be given to protecting such land from development, because of its special importance, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission."*

12.4 The letter goes on to state advise that any loss of BMV land may be a material consideration in the determination of planning applications.

12.5 Policy SP14 of the WDLP states development will only be permitted where it seeks to protect conserve and enhance the natural environment including the quality of soils.

12.6 In support of the application the applicant has produces an outline Soil Resource Management Plan. This document provides details regarding soil management requirements for selected aspects of the proposed development including the timing of works, storage/management requirement and guidance for avoiding compaction. The document also advises that the design of the development seeks

to avoid any built development atop of the areas surveyed to be BMV agricultural land.

12.7 The Environmental Statement considers the impact of the proposal and finds the proposal would not result in any significant effects on soils or agricultural land. The application acknowledges there would be minor adverse impacts upon agricultural land quality during construction.

12.8 The Council consider that the loss / impacts upon soils / agricultural land would be minimised via the application of a condition securing a detailed Soil Resource Management Plan.

12.9 Conclusion on assessment of impact on agricultural land:

- Construction Phase: **NEUTRAL**
- Operational Phase: **NEUTRAL**

13. ECOLOGY AND BIODIVERSITY

13.1 Planning Policy Wales (Edition 12, 2024) sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non-native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems” (Section 6.4.5).

13.2 Planning Policy Wales (Edition 12, 2024) also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important

that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

13.3 Future Wales – The National Plan 2040 (2021) Policy 9 advises that 'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment'.

13.4 Policy SP19 of the WDLP requires protection conservation and enhancement of natural heritage networks need to be balanced with the benefits of the development. Developments are required to maintain the extent quality and connectivity of green infrastructure on or near a site and where appropriate enhance it.

13.5 Policy SP14 requires development protects conserves and enhances the natural environment including local, national and internally designated biodiversity sites as well as important habitats and species.

13.6 Policy NE1 requires that development likely to significant affect an international site shall be subject to a Habitats Regulations Assessment. The policy also adds that development likely to impact internationally designated, nationally designated sites and protected species will only be permitted subject to specific requirements being met.

13.7 A biodiversity chapter is included within the ES and includes technical appendices such as a preliminary ecological appraisal and various species surveys. The ES establishes an appropriate study area. There are three SACs, one Ramsar within 10km of the site (Johnstown Newt Sites SAC, Berwyn and South Clywd Mountains SAC, Midlands Meres & Mosses Phase 2 Ramsar and River Dee and Bala Lake SAC). Three SSSIs lie within 2km of the site with Gatewen marsh being circa 1.1km from the site.

13.8 The ES then identifies proximal non-statutory sites, protected habitats and species before setting out the potential impacts as a result of the development. In summary, the ES finds there is low potential for impacts upon statutory designated sites due to the nature of the proposals and the distance to receptors. For non-statutory sites the ES finds there is no potential for impacts due to the nature of the development and mitigation measures including a 25m stand-off from 'Big Wood'. With regards to protected habitats the ES finds the proposal would result in a permanent beneficial effect upgrading habitats from low value arable farmland. With regards to protected species it is stated the design of the site minimises the loss of habitats suitable for GCNs, reptiles, dormice and nesting birds. It is acknowledged that ground nesting birds may be displaced onto adjoining arable land.

13.9 The application includes landscape protection and enhancement measures detailed within the application documents. Measures include hedgerow reinforcement, scrub planting and grassland sowing.

13.10 The application documents set out how the proposals would take into account the step-wise approach retaining habitats where possible to minimise loss and providing enhancement to offset any loss.

13.11 The ES summarises that overall the proposed development would develop higher value biodiversity than the existing site resulting in a minor positive effect of significance.

13.12 The council's ecologist reviewed the submissions and found that the Environmental Statement utilises the English approach to Biodiversity Net Gain with an emphasis on scores and metrics rather than the Welsh approach which has a greater emphasis on proactive consideration of biodiversity and wider ecosystem benefits within a placemaking and wider landscape context. The application of the Welsh approach and the use of the 'Building with Nature Standards; would put more emphasis on the protection and enhancement of existing corridors to give greater resilience to biodiversity on the site.

13.13 The council's ecologist advises that any long-term mitigation must be manged in perpetuity (including the strict control and monitoring of stocking densities and timings to improve biodiversity and encourage more use by pollinators and ground nesting birds).

13.14 The council's ecologist considers the project does not provide sufficient and long-term enhancement. Greater consideration is required, with exact methods of management and security developed.

13.15 The ecologist also notes that the surveys, whilst completed to an acceptable standard on the whole, have failed to pick up the presence of a breeding barn owl within the application site. The ecologist advises that there is a natural barn owl nest site at the junction of H12/21 which has been in intermittent use for over 15 years. As this area is proposed to be subject to tree and hedgerow removal the council's ecologist strongly objects. The ecologist advises that breeding barn owls are incredibly uncommon for the region and this natural site is locally valuable. Nearby boxes have not had prolonged usage in comparison to this natural site. This highlights the need to move the development away from this habitat to avoid this conflict.

13.16 It is suggested the development is amended to avoid harm to the protect species. It is also suggested a s106 obligation is set securing the management of ecological features in perpetuity.

13.17 Conclusion on assessment of impact on nature conservation/biodiversity interests:

- Construction Phase: **NEGATIVE**
- Operational Phase: **POSITIVE (subject to enhancement measures being secured by condition and suitable s106 obligation.)**
- Decommissioning Phase: **NEUTRAL**

14. RESIDENTIAL AND PUBLIC AMENITY

14.1 The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

14.2 Policy DM1 of the WDLP sets out development proposals must safeguard the environment from the adverse effects (of relevance to this proposal) of noise, air pollution and light arising from the development.

14.3 Impacts of the proposed development on residential amenity could arise from construction disturbance, construction and operational noise, glint and glare and construction and operational lighting.

Noise and Vibration

Construction Phase

14.4 The proposed development has potential to generate noise throughout the construction, operation and decommissioning phases. The Noise Impact Assessment has scoped out construction noise from the assessment as best practice measures secured as part of a CEMP would minimise impacts.

14.5 No mention was made of any decommissioning noise. Regardless, the impacts are likely similar to those associated with construction.

14.6 It is recommended that construction/decommissioning noise management is incorporated into the CEMP and duly secured by condition.

Operational Phase

14.7 The Noise Impact Assessment collated baseline noise level measurements taken at 6 locations around the site. The assessment then provided noise source data for noise generating equipment at the site before modelling the impact upon noise sensitive receptors. The modelling indicated that the rating level at the nearest noise sensitive receptors during the operation would be below representative background level at every receptor resulting in a 'low impact' per the relevant British Standard document. The assessment then advises how the absolute level of sound, character of sounds and the sensitivity of receptors should be considered.

14.8 The assessment concluded that adopting measures including acoustic enclosure would mean noise levels are reduced to levels so as to avoid significant adverse impacts.

14.9 The council's Environmental Health Officer was consulted on the LIR and noted that noise is not assigned a specific chapter within the ES. They identify specific sources of noise associated with the development including inverters, transformers and substations. They also advise noise from construction should be assessed with appropriate construction working hours applied to guard against harm to amenity.

14.10 It is recommended that an operational noise management plan and construction hours of operation are secured by condition.

Glint and Glare

14.11 A glint and glare assessment has been provided with the application and includes an assessment of the impacts on residential properties, roads and selected ZTV viewpoints. For each receptor it was found that no significant impacts were predicted with no mitigation required.

14.12 The Council does not dispute the conclusion of the assessment and acknowledges that existing vegetation/ hedgerows and proposed landscaping would obscure any glint/glare.

Air Quality/Dust

14.13 Air quality was scoped out of the ES. The proposals only have a material likelihood of impacts during construction / operation. Subject to best practice methods to manage emissions and fugitive dust being secured within the Construction / Decommissioning Environmental Management Plan the potential impacts would be satisfactorily managed.

Lighting

14.14 The applicant advises that temporary task lighting may be required during operation during winter-months and poor-light. This is acceptable subject to construction hours of operation being controlled.

14.15 The applicant states there would be no permanent artificial lighting during operation with use cases relating to sporadic cases of emergency works taking place in the dark. This is acceptable subject to being secured by condition.

Conclusion

14.16 Conclusion on assessment of impact, with particular reference to construction noise and vibration:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEGATIVE**
- Decommissioning Phase: **NEGATIVE**

15. ARCHAEOLOGY AND CULTURAL/BUILT HERITAGE

15.1 PPW 12 Chapter 6 'Distinctive and Natural Places' states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting and Section 6.1.10 indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

15.2 Policy SP15 of the WDLP advises that development will only be supported where it protects, preserves or enhances:

i. Listed Buildings
ii. Conservation Areas
iii. Pontcysyllte Aqueduct and Canal World Heritage Site
iv. Registered Historic Parks, Gardens and Landscapes
v. Scheduled Monuments and Archaeological Remains

15.3 TAN24 at 1.23 states "Planning Policy Wales identifies how local planning authorities must treat World Heritage Sites, scheduled monuments, unscheduled nationally important archaeological remains, listed buildings, conservation areas and registered historic parks and gardens in Wales in their consideration of planning applications and producing development plans. This includes the impact of proposed developments within the settings of these historic assets." Impact on setting is therefore a material consideration to be afforded weight.

15.4 The ES has a dedicated chapter for Cultural Heritage and is supported by technical reports including an Archaeological Desk Based Assessment, Trial Trenching Reports, and a Built Heritage Desk Assessment.

15.5 There are no designated archaeological or built heritage assets within the main body of the site (aside from Hedgerows). However, the southern grid connection route crosses the Scheduled Ancient Monument Offa's Dyke. The northern connection route crosses at a area where the dyke is crossed by a road.

15.6 The ES confirms that utilising the zone of theoretical visibility that 10 Scheduled Monuments, 11 Listed Buildings and One Conservation Area (inc Listed Buildings) are potential receptors. With regards to archaeology, trial trenching in combination with geophysical surveys have been used to identify potential features. Potential archaeological receptors include an example of ridge and furrow and some agricultural features.

15.7 To mitigate the impacts of the proposal upon Offa's Dyke the cabling would be either routed via the road to utilise an existing break in the feature or the cabling will be buried at a depth using horizontal directional drilling so as to not disturb the feature.

15.8 The iterative design of the development also sought to avoid / reduce impacts upon features by avoiding potential features identified during the design process. Also, additional screening planting has been provided to reduce impacts.

15.9 The assessments found that the construction operations would result in a low magnitude impact upon archaeological features (negligible significance) and a medium magnitude impact upon historic hedgerows (minor adverse). With regards to the impacts upon settings of identified assets, the worst impact predicted by the applicant is deemed to be negligible.

15.10 With regards to operational effects, these primarily relate to visual impact on the settings of assets. The ES and supporting assessments found that the impacts upon heritage assets would result in impacts of no greater than minor adverse significance.

15.11 With regards to decommissioning, for archaeological impacts any works would involve the areas previously disturbed during construction and so are unlikely to cause further harm. With relation to setting, impacts can be assumed to be similar to the construction phase.

15.12 With regards to cumulative impacts, the ES concludes there is negligible potential for cumulative operational effects relating to setting.

15.13 Conclusion on assessment of impact on built heritage, with particular reference to archaeology:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEGATIVE**
- Decommissioning Phase: **NEUTRAL**

16. ACCESS, TRAFFIC AND TRANSPORT

16.1 In accordance with paragraph 9.4.3 of the Development Management Manual it is considered that highway impacts of development should be regarded as a potential material consideration.

16.2 Policy T1 of the WDLP advises proposals for new development will be supported where they (summarised):

- Facilitate the sustainable transport hierarchy
- Mitigate any significant adverse effects of the development upon the transport network
- Do not compromise the safe, effective and efficient use of the highway network and do not have an adverse impact on highway safety or create unacceptable levels of traffic generation
- Provide suitable parking provision and ensure safe access and manoeuvring space

- Make provision for those with restricted mobility including those defined by the Equality Act 2010

16.3 The policy also requires development that would generate significant amounts of movement to be accompanied by a Transport Assessment and Travel Plan.

16.4 There is no specific chapter within the ES for Transport matters nor is there a Transport Assessment and Travel Plan completed in support of the application. The applicant has however provided Transport Statement and an outline Construction Traffic Management Plan (CTMP).

16.5 Construction working hours are stated to be 0700-1900 Monday to Friday and 0700-1300 Saturday. Estimating the works to take 12 months and requiring up to 1200 HGV movements a peak of 30 HGV movements per day with 12 LGV movements per day was identified. Further, approximately 75 construction workers would be on staff at any one time. The CTMP identifies routing and access points as well as mitigation measures. Parking is to be provided within construction compounds for the operational phase. Site access improvements are proposed to ensure safe access with suitable visibility splays.

16.6 Sole access to the site for construction traffic would be via the A525 to avoid other routes which would be unsuitable for HGVs.

16.7 With reference to local policy the CTMP commits to a Travel plan being utilised. Also, the level of HGV movements is not considered significant enough so as to warrant a separate Transport Assessment.

16.8 The council are unaware of any specific parking provision to be made in the operational phase but assume due to the sporadic nature of maintenance visits and the creation of internal tracks that sufficient parking is available within the site.

16.9 Traffic generation associated with the proposed development would be greatest during the construction and decommissioning phases, with limited traffic

associated with the operational phase due to the proposed development being monitored remotely, with visits required for maintenance purposes.

16.10 The council consider that the CTMP should be secured by condition alongside a decommissioning transport management plan.

16.11 Conclusion on assessment of impact on traffic and transportation:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEUTRAL**
- Decommissioning Phase: **NEGATIVE**

17. PUBLIC RIGHTS OF WAY

17.1 Policy SP19 of the WDLP requires protection conservation and enhancement of natural heritage networks need to be balanced with the benefits of the development. Developments are required to maintain the extent quality and connectivity of green infrastructure on or near a site and where appropriate enhance it.

17.2 Public Right of Way BER/1 runs north to south through the southern parcel of the site and BER/8 runs north to south through the northern parcel of the site. The proposal seeks to realign the rights of way. There is no extinguishment proposed of any routes and hedgerow planting is proposed along the 5m wide corridor afforded to the RoW.

17.3 Assessment of impacts upon viewpoints is set out within the landscape chapter. It is considered the realignment itself would not cause a negative impact. It is understood the proposals would require temporary closure of Footpath ESCLUSHAM/ABOVE/3.

17.4 Conclusion on assessment of impact on public rights of way:

- Construction Phase: **NEGATIVE**
- Operational Phase: **NEUTRAL**

18. SOCIO-ECONOMIC

18.1 The application would have a temporary effect on employment provision through the creation of construction jobs. The operational phase of the proposed development will not require permanent on site employment.

18.2 Conclusion on assessment of impact on socio-economic benefits:

- Construction Phase: **POSITIVE**
- Operational Phase: **NEUTRAL**
- Decommissioning Phase: **POSITIVE**

19. MINERAL SAFEGUARDING

19.1 Policy SP16 of the WDLP states minerals will be sustainably managed through the protection of minerals from unnecessary sterilisation by directing new development away from areas underlain by mineral of importance or where this is not possible, through the requirement to extract mineral prior to the non-mineral development in accordance with the requirements of Policy MW1

19.2 The application is supported by a Mineral Resource Assessment which concludes that the viability of extraction of potential mineral underlying the site to be low. It is also stated that the temporary nature of the development means any mineral resource is not permanently sterilised.

19.3 Conclusion on assessment of impact on mineral resources:

- Construction Phase: **NEUTRAL**
- Operational Phase: **NEUTRAL**
- Decommissioning Phase: **NEUTRAL**

PART D: CONDITIONS AND OBLIGATIONS

20. CONDITIONS AND OBLIGATIONS

20.1 The Council has suggested that the applicant enter into a legal agreement to secure the management of ecological features in perpetuity. The cost of visits by council ecologists to verify maintenance measures should be covered within the obligation.

20.2 A suite of conditions will be necessary to ensure the impacts of the proposal are adequately managed and mitigated should planning permission be granted.

COUNCIL'S SUGGESTED LIST OF CONDITIONS

20.3 Having regard to the commentary above, and the issues raised in the 'Part C: Assessment of Impacts' section above, the Council would suggest the following conditions are imposed, should planning permission be granted. The Council considers the suggested conditions below are both reasonable and necessary to ensure impacts on the local area are adequately managed and mitigated, and are provided without prejudice.

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:

   - APPLICATION DOCUMENTS

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

3. Notwithstanding the plans hereby approved in Condition 2, no development shall take place until full details of the final locations, alignment, design, finishes and materials including details of non-chrome, non-reflective material to be used for the panel arrays, inverters, substation control building, substations, transformers,

CCTV cameras, BESS Facility, fencing any other structure required for the operation of the site as solar farm shall be submitted to and approved in writing by the local planning authority. The plans approved in Condition 3 represent the maximum parameters of the proposal. Subsequently the development shall be carried out in accordance with the approved details.

REASON: To ensure the development is carried out in a manner which minimises the visual impact of the proposal.

4. 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: To ensure the development hereby approved is carried out within the stipulated timeframe, for the avoidance of doubt, and to estbalish the duraction of this permission.

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 and approved by the local planning authority in writing. The Decommissioning Scheme shall include

   - 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
   - site restoration and aftercare measures following all decommissioning operations including:
     - Provide an outline strategy for the restoration of the site and a five year aftercare period;
     - Outline the steps to be carried out in the aftercare period and their timing of the overall programme;

   The Decommissioning Scheme, as approved in writing by the local planning authority, shall be carried out in accordance with the approved details and timescales.

   REASON: To ensure development is removed in a sympathetic manner upon expiry of this permission hereby granted, in the interests of the character and appearance of the area.

REASON: For the avoidance of doubt, in the interests of the protection of soil resources on site and in the interest of the restoration of the site.

6. Construction works shall not take place outside the hours of 08.00 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays and at no time on Sundays or Public Holidays.

   Reason: In the interests of residential amenity.

7. Notwithstanding the provisions of the Town and Country planning (General Permitted development) Order 1995 (as amended) no fixed plant or machinery, cabling (over ground), buildings structures and erections, fences or private ways shall be erected, extended, installed or rearranged without prior permission from the Local Planning Authority.

   REASON: In the opinion of the Local Planning Authority, it is appropriate to maintain control of development proposals that may have an impact on visual amenities or landscape.

8. All temporary construction yards and temporary access tracks required to provide temporary storage of materials, parking and access in conjunction with the development shall be removed within three months of the completion of the construction works of the development hereby approved. All temporary access tracks required to provide temporary storage of materials, parking and access in conjunction with the decommissioning of the site shall be removed and the land shall be restored to its former condition within three months of the cessation of the scheme.

   REASON: To protect the character, appearance and quality of the countryside in which the development is positioned.

9. No site clearance or construction works shall be permitted to commence until a Construction and Decommissioning Environment Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved Construction and Decommissioning Environment Management Plan shall provide:

   a) A construction/decommissioning site layout plan which details the location and general arrangements of site construction/demolition compounds area, storage areas and temporary access tracks, and measures to reinstate the land following completion of the construction, the arrangements for parking of vehicles of site operatives and visitors, the location of areas designated for the loading, unloading, and storage of plant and materials;
   b) The hours of site construction/decommissioning works and deliveries to avoid periods such as school arrival/leaving times;

c) Copies of site notices informing construction workers and other site operatives of agreed working hours/hours of deliveries;
d) Contact names and numbers of personnel responsible for adherence and monitoring the approved Construction Method Statement;
e) Contact name(s)/number(s) for site enquiries, including out of hours times;
f) Anticipated duration of the works
g) the proposals for security fencing or hoardings around the site;
h) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses;
i) The disposal of surface and foul water;
j) Measures to minimise noise and disturbance to neighbouring residential properties /properties in the vicinity of the site;
k) Wheel washing facilities and measures to avoid depositing mud, dust or other debris onto the highway;
l) A scheme for recycling/disposing of waste resulting from excavation, construction works and decommissioning;
m) any proposed external lighting;
n) direction drilling / piling methods and measures to mitigate noise and vibration;
o) the recording of the existing condition of site, to provide baseline for future restoration of site.
p) Communications protocol setting out procedures for communicating with the local community throughout the construction and decommissioning phases and the management of complaints.
q) Species and habitat protection and mitigation measures

The development shall be carried out strictly in accordance with the approved elements of the Construction Method Statement throughout the construction period and decommissioning period.

Reason: In the interests of protecting public and residential amenity, and pollution prevention and control,

10. No site clearance or construction works shall be permitted to commence until a Construction / Decomissioning Traffic Management Plan which provides details of:-
    i. Traffic Management;
    ii. The proposed routing of HGV and delivery vehicles;
    iii. Areas within the site for turning and passing
    iv. Management of junctions detailing and siting of bilingual directional signing along public roads where necessary;
    v. The access and egress route with appropriate traffic monitoring in order to control traffic movements;

The development shall be carried out strictly in accordance with the approved elements of the Construction Method Statement throughout the construction period and decommissioning period.

Reason: To ensure the formation of safe and satisfactory means of access to the site, in the interests of maintaining highways safety.

11. No site clearance or construction works shall be permitted to commence until a Soil Resources Management Plan been submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail:

    - soil stripping programme
    - soil handing techniques and procedure
    - size, location, construction and management of soil storage dumps
    - proposed after use and restoration programme

    The development shall be carried out strictly in accordance with the approved scheme thereafter.

    Reason: In the interest of soil resources and preserving agricultural land quality.

12. Prior to commencement a Battery Safety Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out strictly in accordance with the approved scheme thereafter.

    Reason: In the interests of the safe operation of the development.

13. No development shall commence until a noise management plan has been submitted to the Local Planning Authority and approved in writing. This plan shall include details of:

    - good operational practices including noise mitigation
    - measures and management controls;
    - All reasonable measures are taken to reduce noise emissions from the site;
    - Procedures for receipt and management of complaints be received or excessive noise is generated.

    The approved plan shall be implemented in full.

    Reason: In the interests of amenity.

14. No development shall take place until full and final details of proposed hard and soft landscaping, including a Landscape and Ecology Management Plan (based upon the design set out in Outline Landscape and Ecology Management Plan Ref: ECO02166/JSL3436 dated June 2024 have been submitted to and approved in writing by the local planning authority. The proposals for hard and soft landscaping shall include the following:

a) A planting plan, including identification of existing hedgerow gaps and details of proposed infill / replacement planting, to include mixed, native hedgerow and tree species.
b) Written specifications (including cultivation and other operations associated with plant and grass establishment)
c) Schedule of plants noting species, plant supply sizes and proposed numbers / densities and location where appropriate.
d) Implementation programme (including phasing of work where relevant).

In the event of any tree, shrub, hedge or plant so planted dying or being seriously damaged or destroyed throughout the duration of the development, a new tree, shrub, hedge or plant equivalent to the tree, shrub, hedge or plant shall be planted in the same location and properly maintained unless otherwise agreed in writing by the Local Planning Authority.

The Landscape and Ecology Management Plan shall include:

a) Details of long-term design principles and objectives
b) Details of Habitat Management
c) Management and review responsibilities
d) Programme for establishment of new planting
e) Summary plan detailing maintenance and management procedures
f) Replacement provisions for existing retained landscape features and any landscape to be implemented as part of the approved landscape scheme.
g) Species protection plans detailing additional mitigation measures as required (such as mammal access points/gaps under fencing);
h) Relevant Reasonable Avoidance Measures (RAMS) that address potential impacts of construction, decommissioning (and maintenance) works on protected species;
i) Protection measures to avoid disturbance of breeding birds during nesting
j) Construction to be undertaken during spring/summer to avoid impacts on wintering birds;
k) Good practice biodiversity measures;
l) General measures: site induction, habitat protection measures, exposed trenches and holes to be provided with mammal exit ramps overnight, security fencing to include access for mammals;
m) All vegetation clearance outside of the bird breeding season;

The development shall be carried out strictly in accordance with the approved scheme thereafter.

Reason: In the interests of the natural environment.

15. Within 3 months of commencement, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme

shall also include detail lighting installations and usage. No lighting shall be erected or operated other than in accordance with the approved scheme thereafter.

Reason: In the interests of nature conservation, visual, landscape character, and residential amenity.

PART E: PUBLICITY UNDERTAKEN BY THE LPA

21. ENTRY ON PLANNING REGISTER AND SITE NOTICE

21.1 In accordance with the Developments of National Significance (Wales) Regulations 2016 the local planning authority posted English and Welsh site notices to publicise the application and entered the application on the public register of applications under reference number: P/2024/1237. A copy of the application made to Welsh Ministers (including a copy of the notification of receipt of an application) and a copy of the notice of acceptance letter were all published this reference number on 25th February 2025.

21.2 Three sets of English and Welsh site notices were posted around the site in locations which would be publicly visible on 25th February 2025. A copy of the English and Welsh Notices, photographic evidence of their erection and maps showing their locations are attached at Appendix 2.

PART F: APPENDICES

LIR APPENDIX 1 – Constraints

LIR APPENDIX 2 – Site and Press Notice (English)

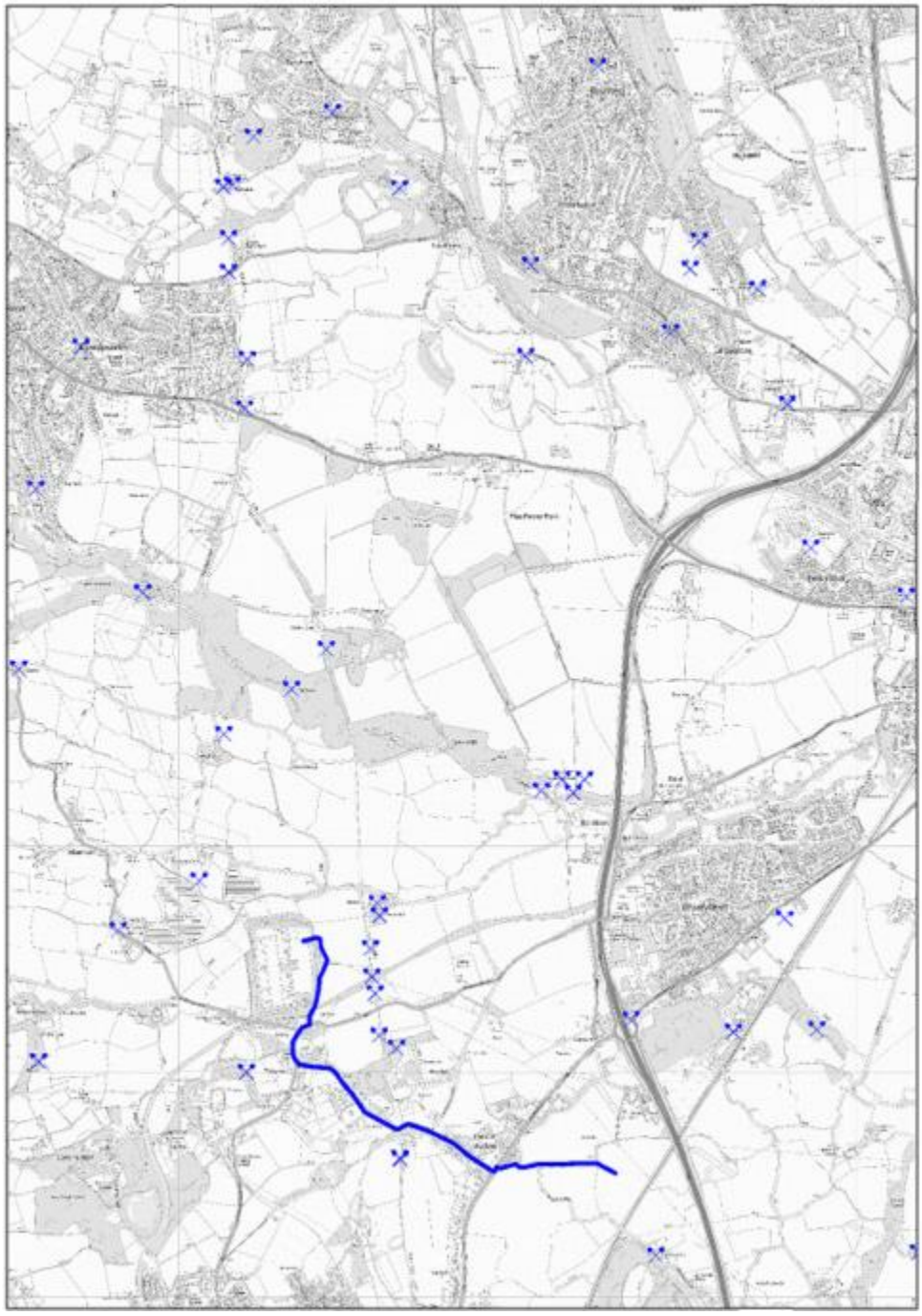
LIR APPENDIX 3 – WDLP Map Extracts

LIR APPENDIX 4 – Highway Authority Consultation Response

LIR APPENDIX 5 – Contaminated Land Officer Response

22. LIR APPENDIX 1 – Constraints

Archaeology WORS

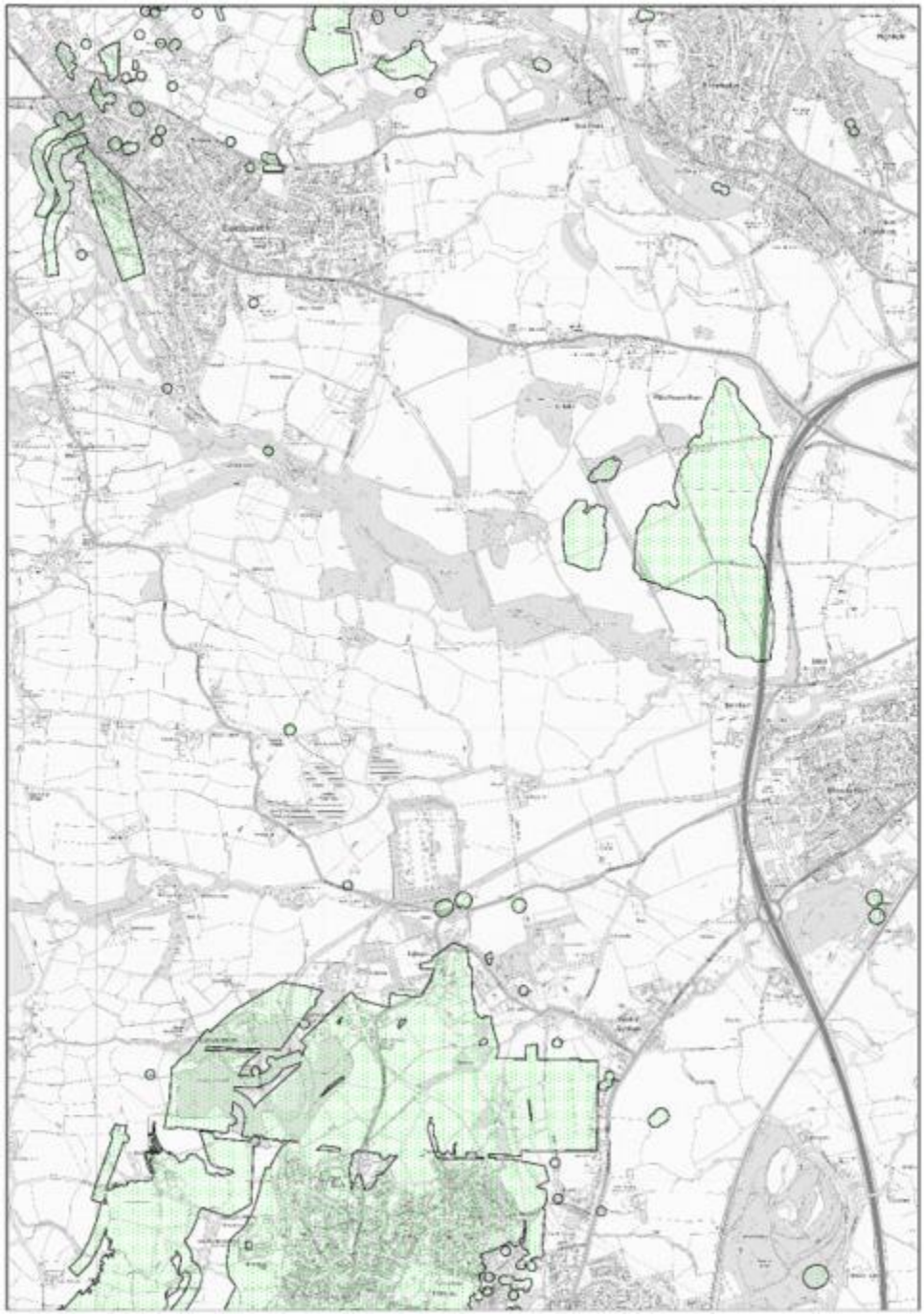


BGS Coal Mining Reporting Area



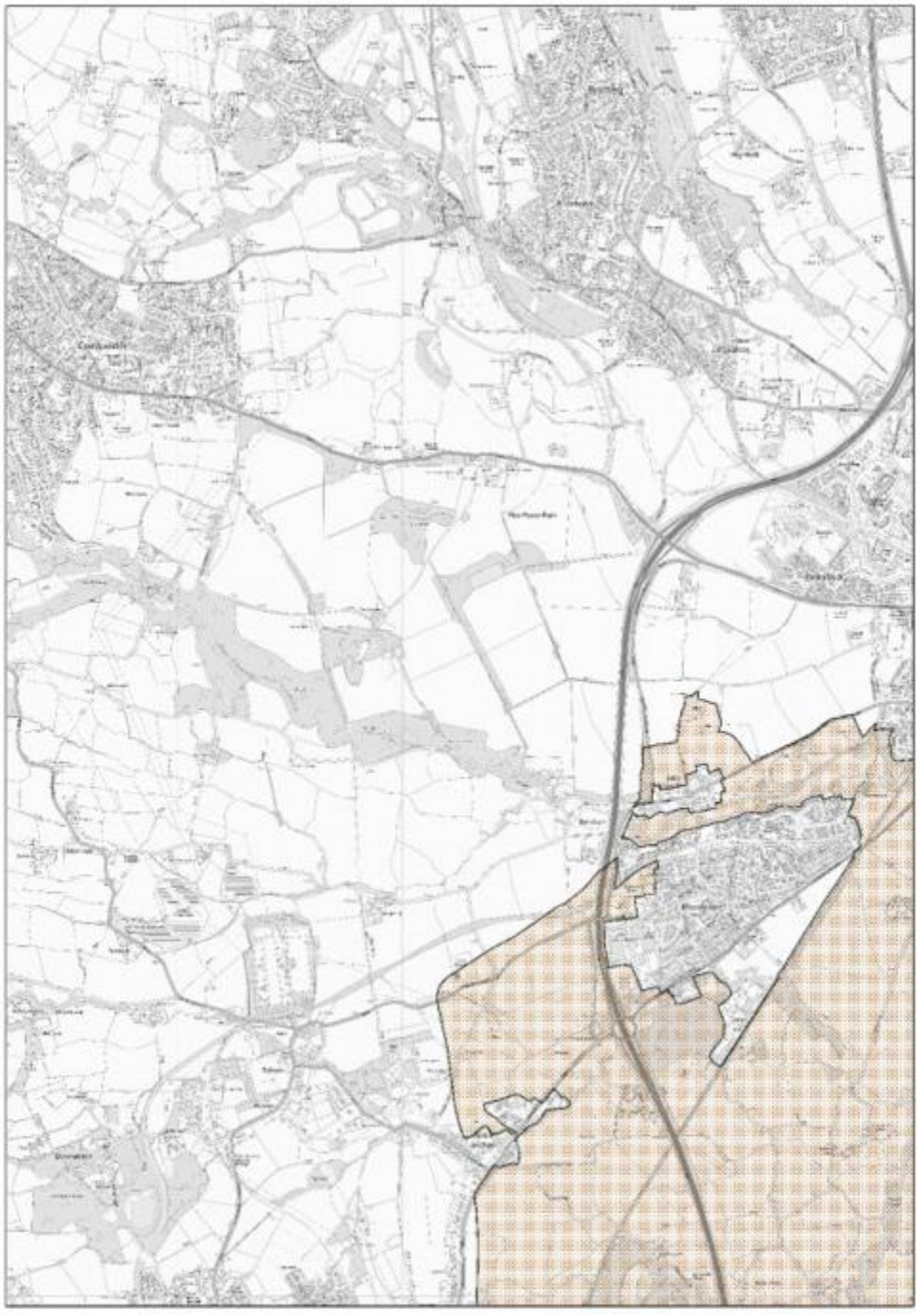
N.B. A decision should include Coal Authorities standing advice.

Coal Authority High Risk Areas

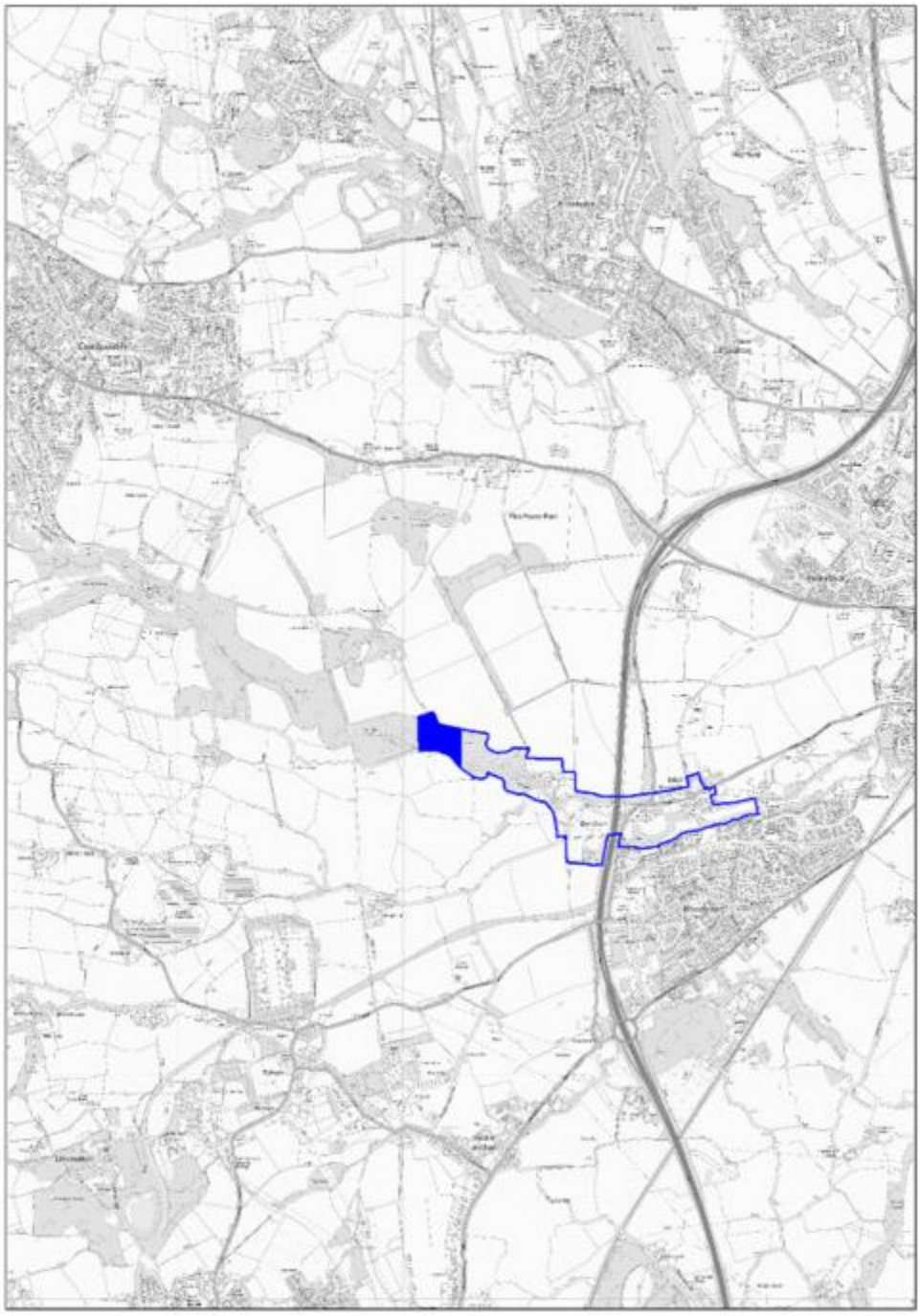


N.B. Solar arrays are exempt development from needing to produce a Coal Mining Risk Assessment

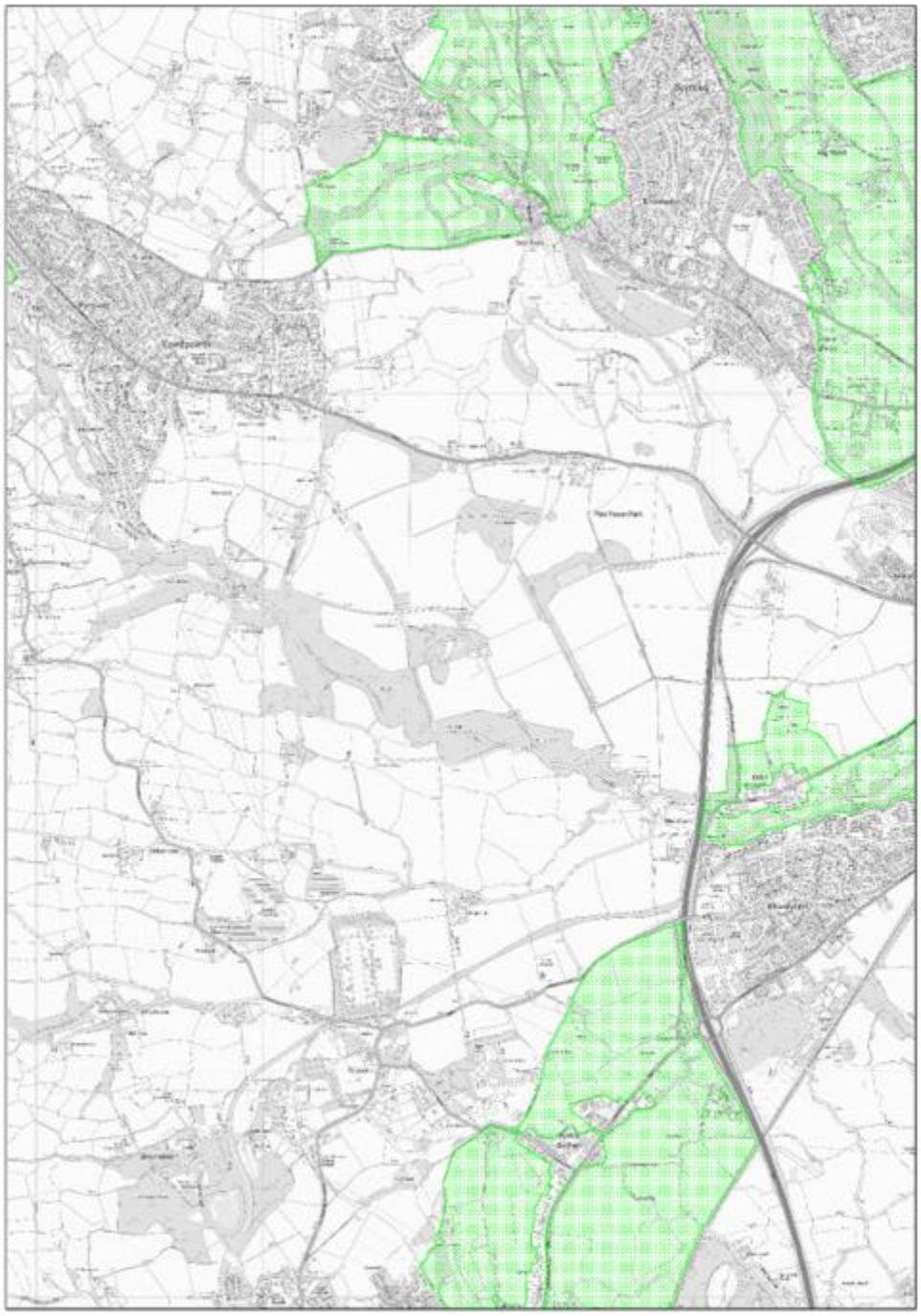
Clay Safeguarding Area



Conservation Areas



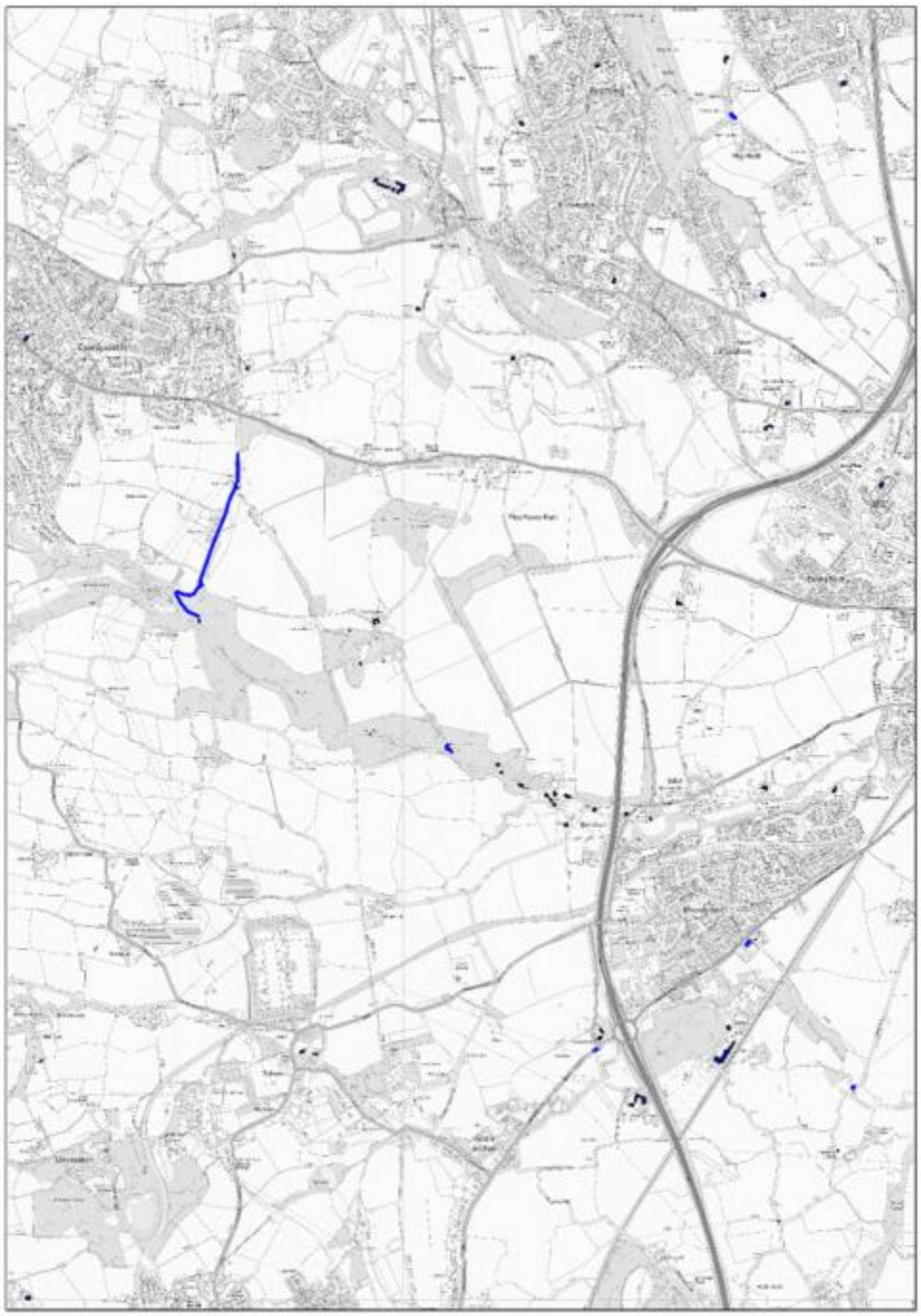
Green Wedge



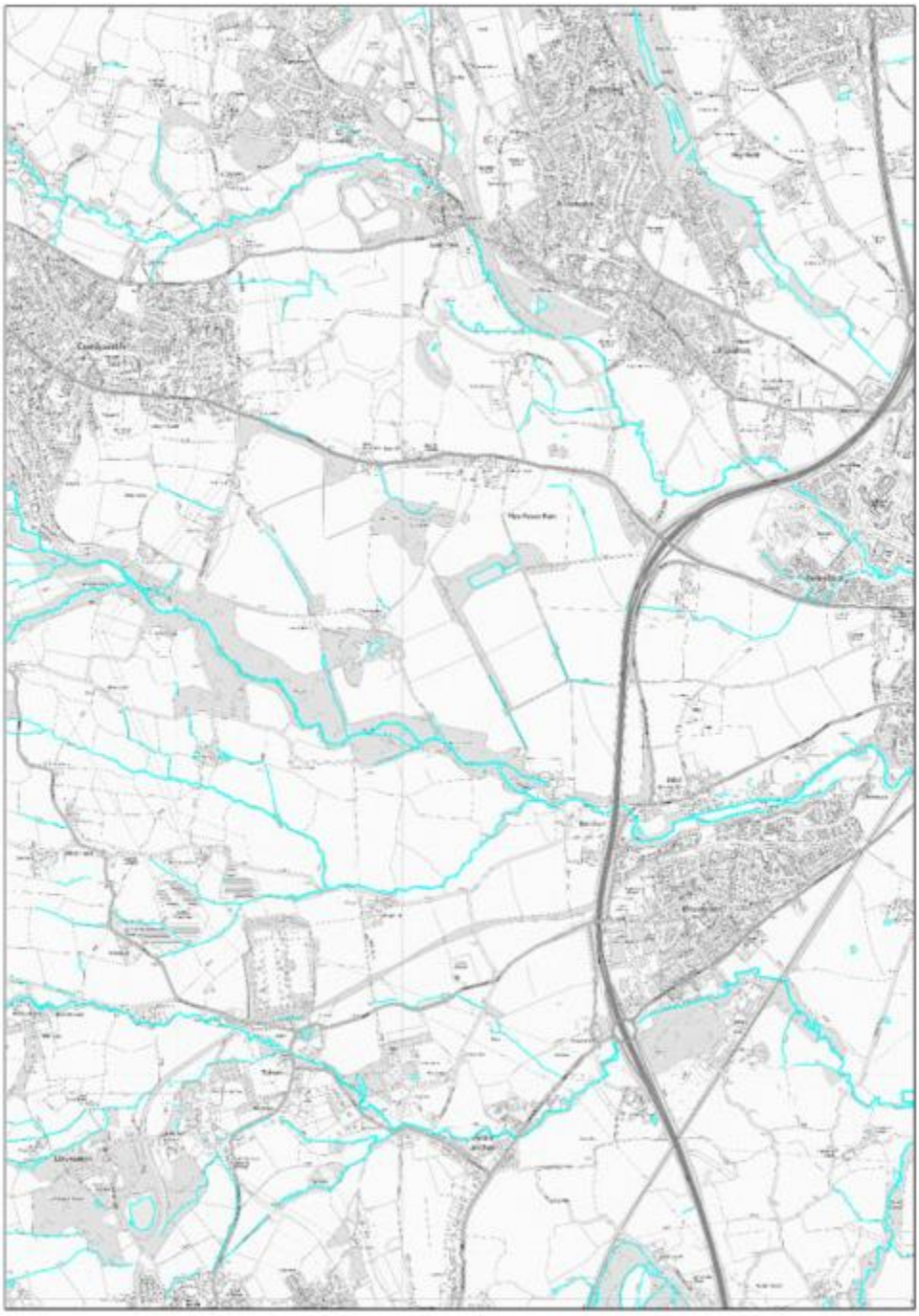
Settlement Boundaries (WDLP)



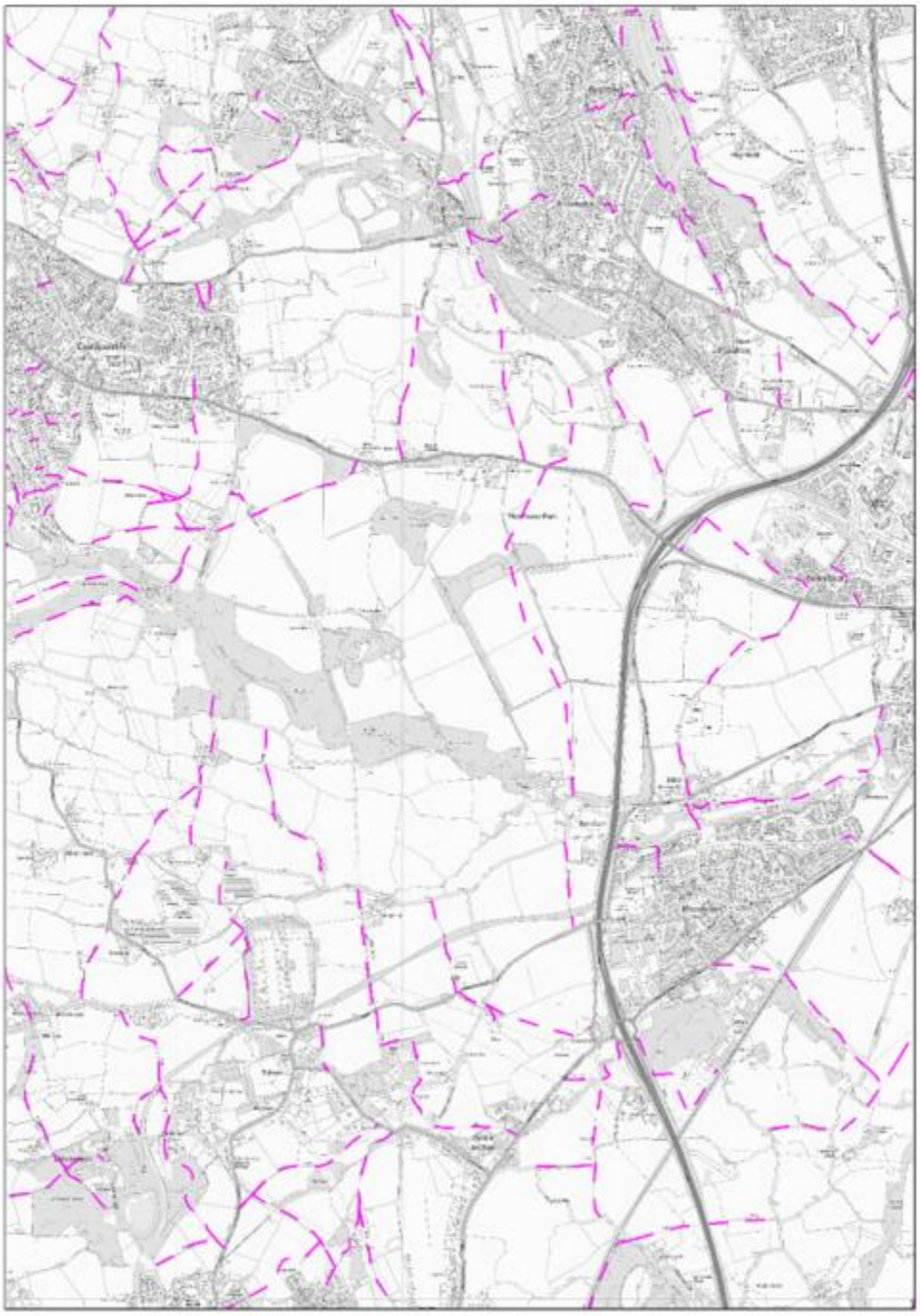
Listed Heritage Assets



Surface Water Bodies



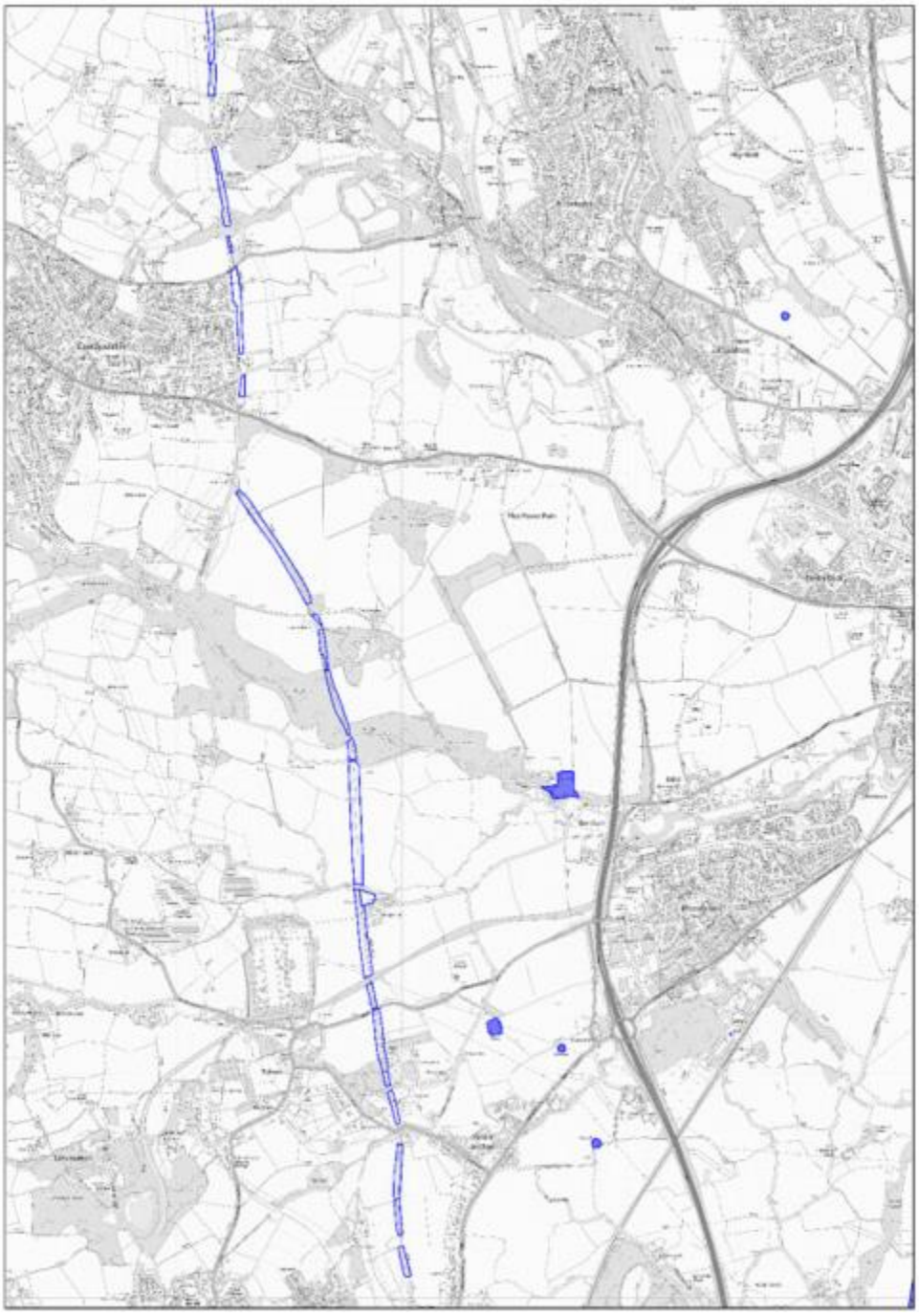
Public Footpaths



Sand and Gravel Safeguarding

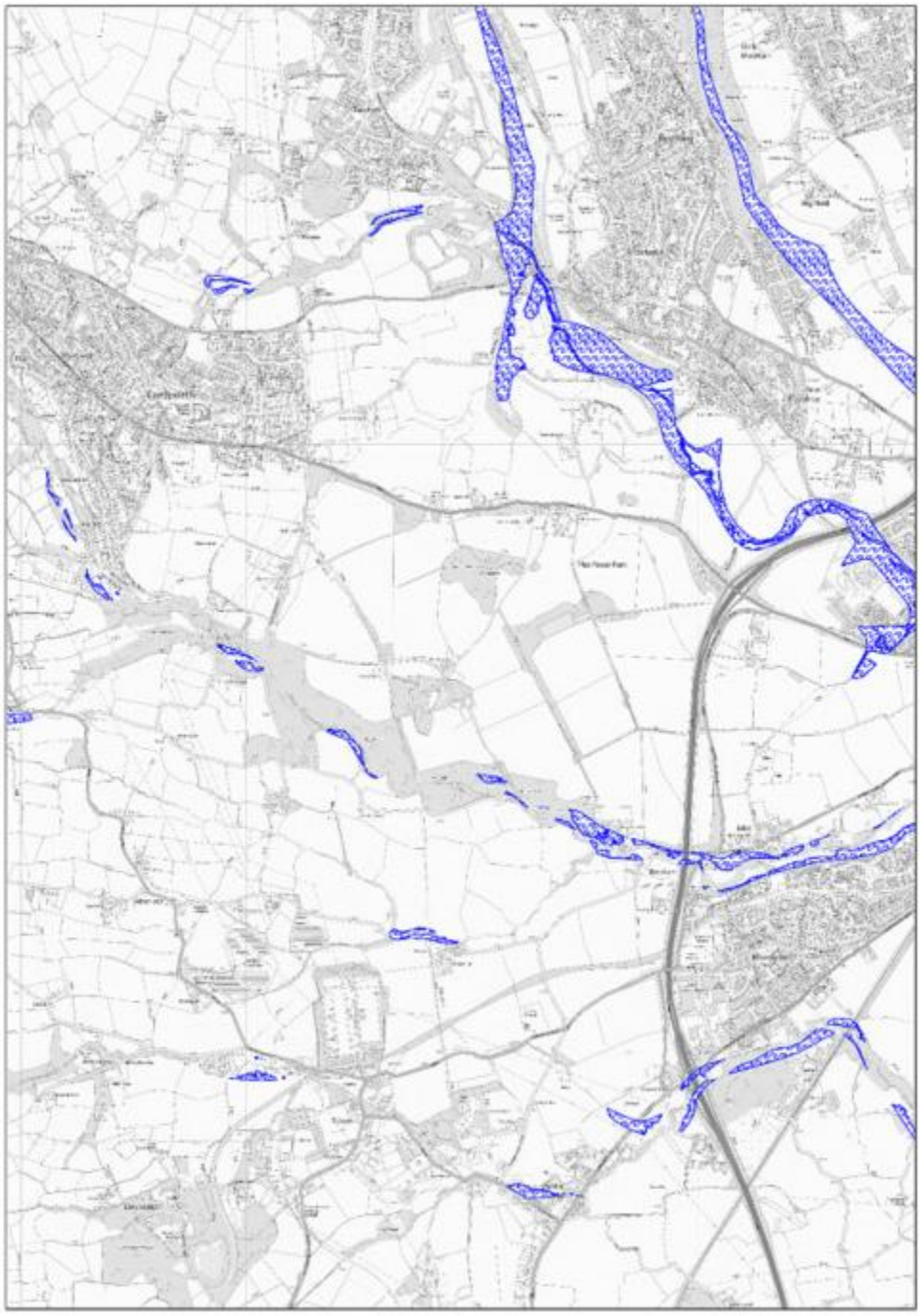


Scheduled Ancient Monument

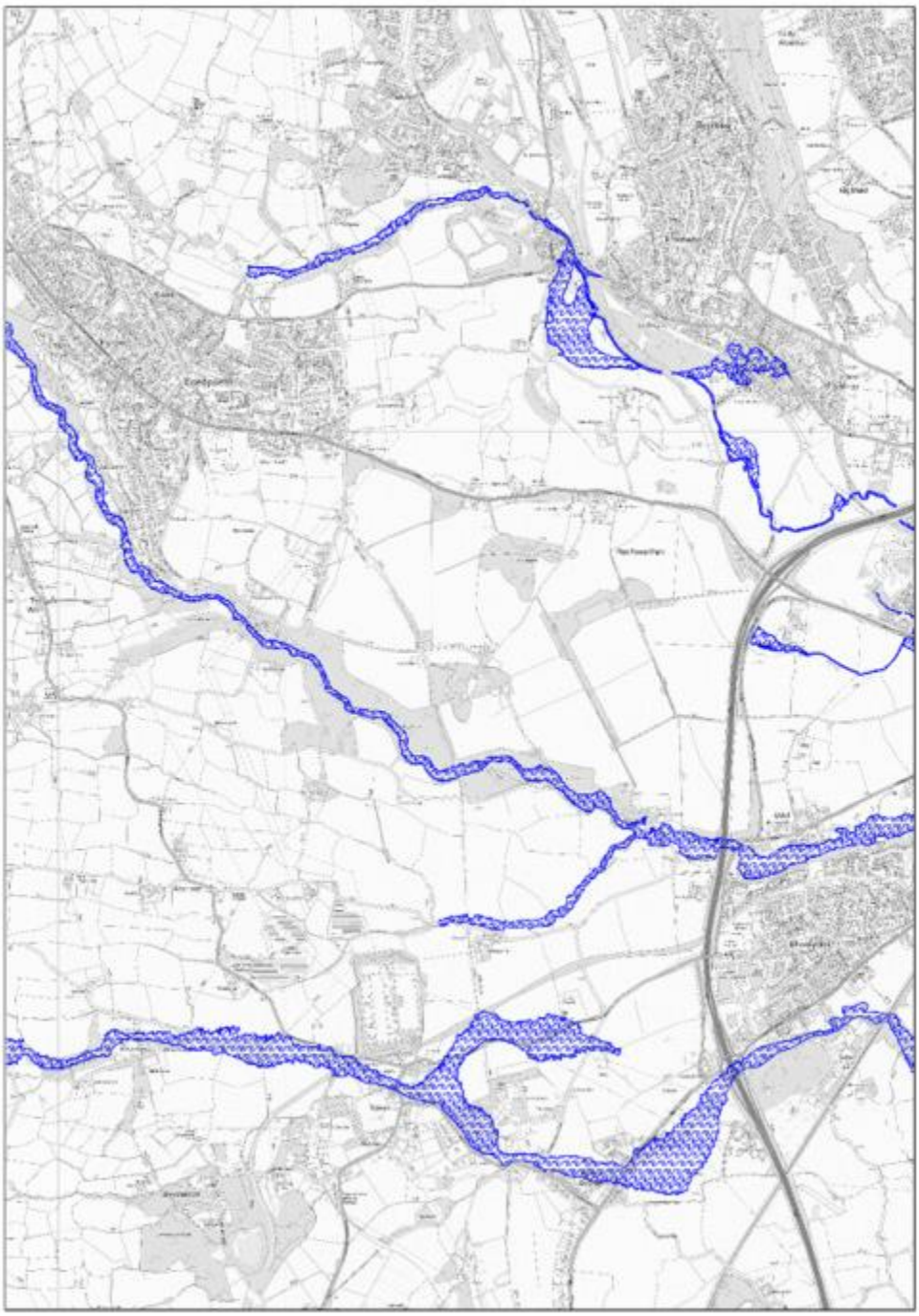


TAN 15 Maps

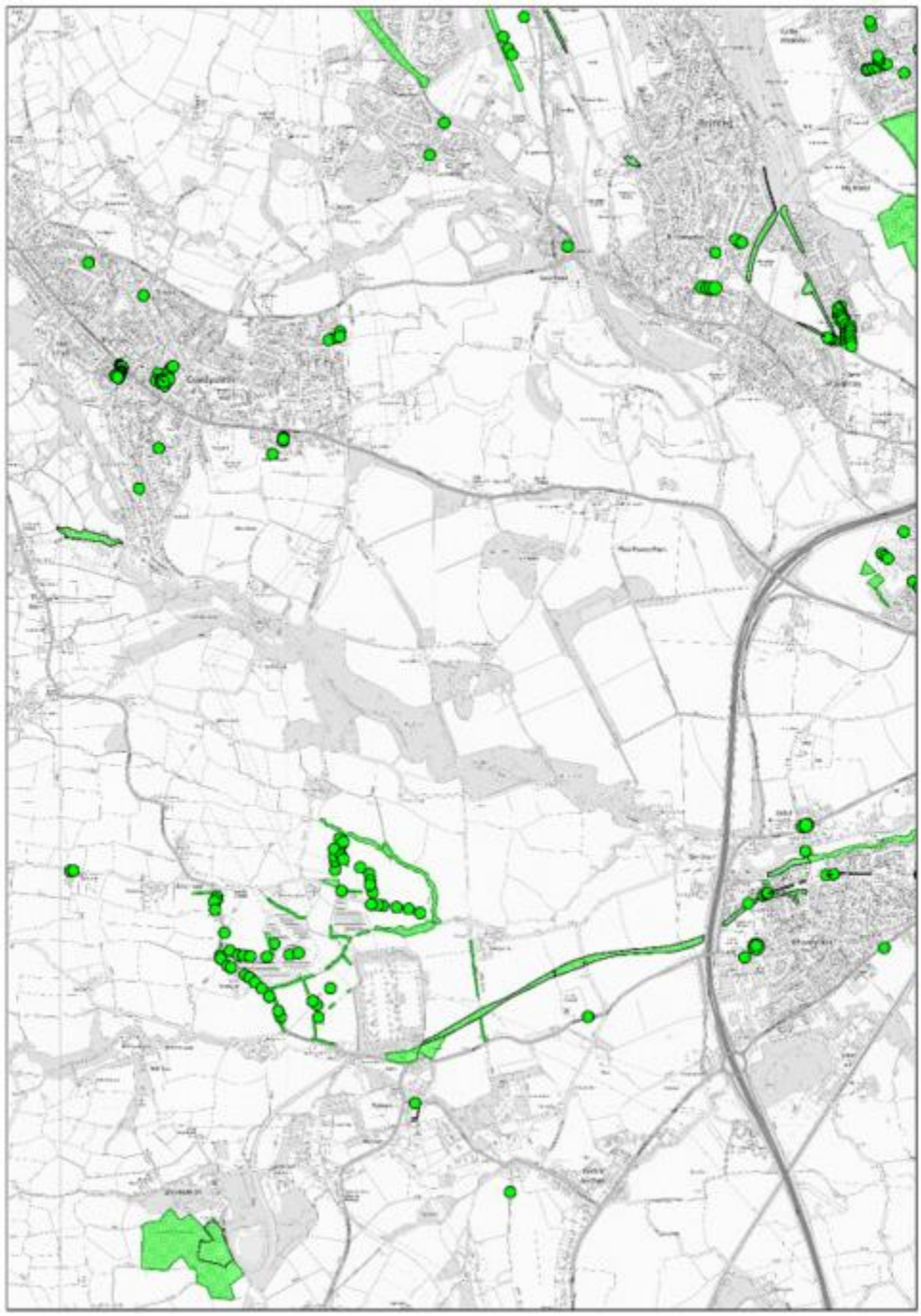
Zone B



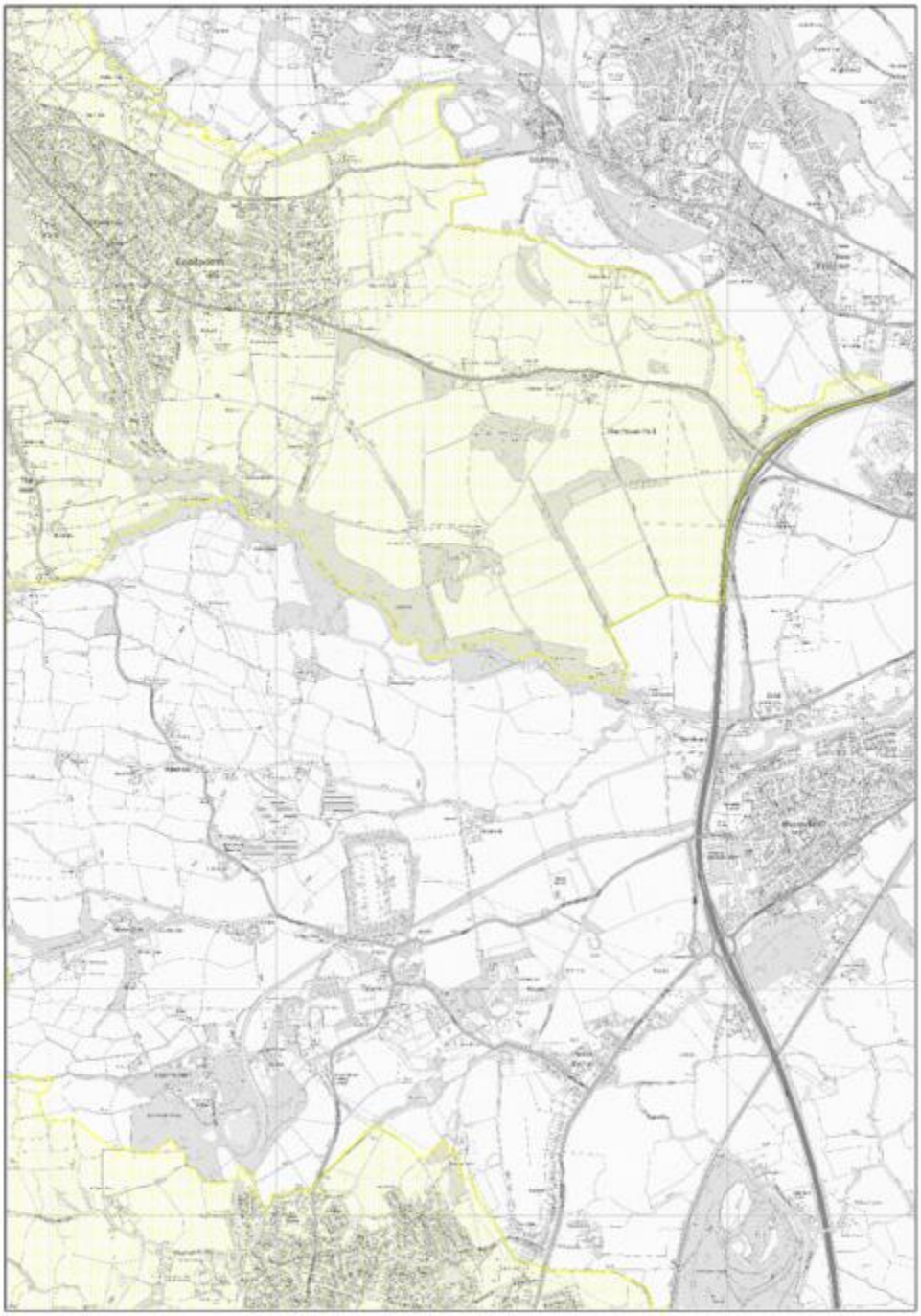
Zone C2



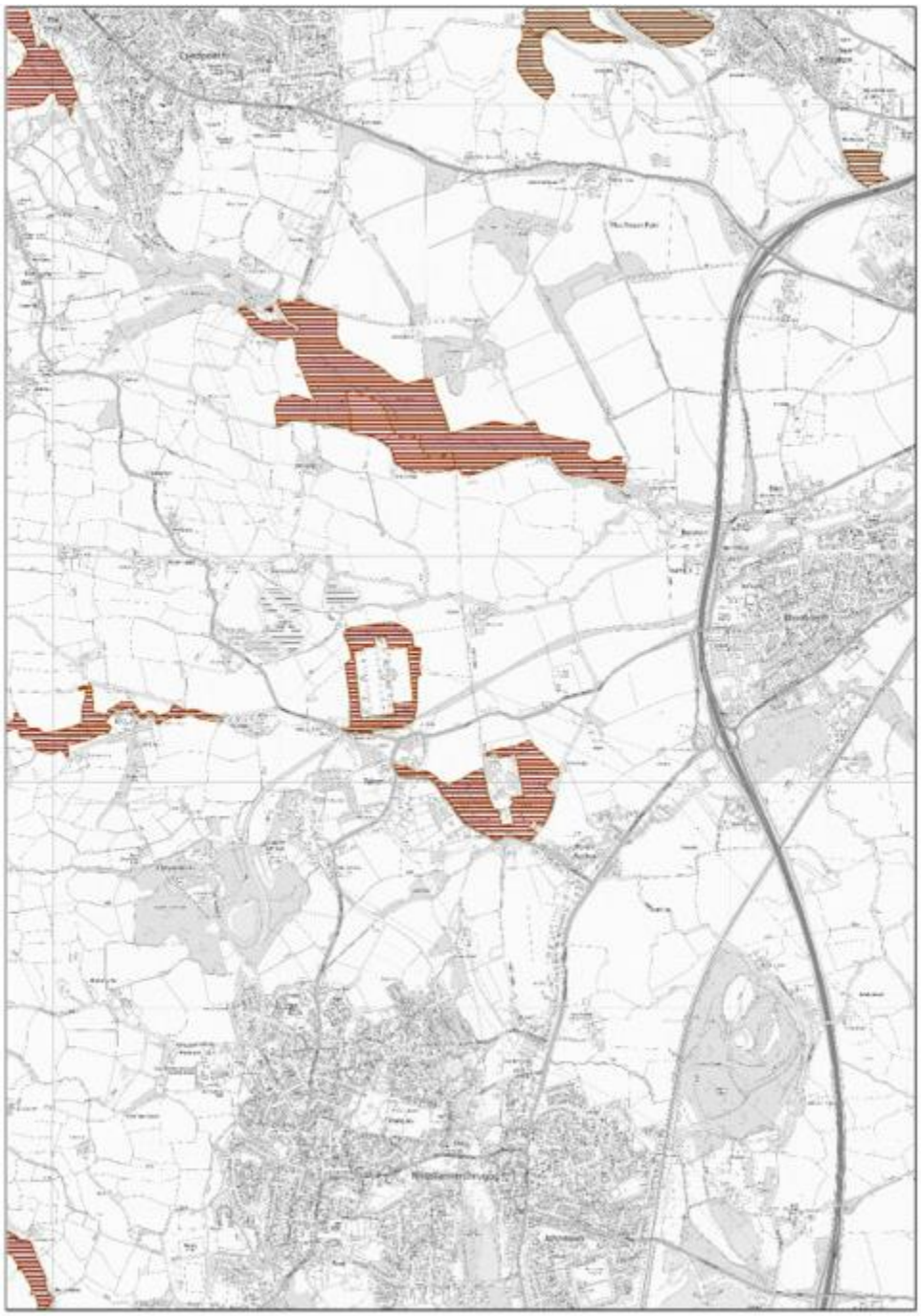
Tree Preservation Orders



Welsh Language Sensitive Areas



Wildlife Sites



SAC Phosperous Freshwater Catchment Area



23. LIR APPENDIX 2 – Site and Press Notice Evidence

HYSBYSIAD STATUDOL

I gael copi print bras o'r Hysbysiad hwn ffoniwch: 0300 123 1590 neu E-Bostiwch: PEDW.Seilwaith@llyw.cymru

STATUTORY NOTICE

For a large print copy of this Notice phone: 0300 123 1590 or E-Mail: PEDW.infrastructure@gov.wales

PCAC PEDW
Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Deddf Cynllunio Gwlad a Thref 1990 (Fel y'i Diwygiwyd)
Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016 (Fel y'i Diwygiwyd)

HYSBYSIAD O DAN ERTHYGL 18 O GAIS AM GANIATÂD CYNLLUNIO MEWN PERTHYNAS Â DATBLYGIAD O ARWYDDOCÂD CENEDLAETHOL

Datblygiad a gynigir yn: Tir yn Ystâd Pwer y Plas, i'r gogledd ac i'r de o Ruthun Road, Wrecsam.

Rwyf yn hysbysu bod: Lightsource SPV 192 Limited

yn gwneud cais i Weinidogion Cymru am ganiatâd cynllunio mewn perthynas â Datblygiad o Arwyddocâd Cenedlaethol (DAC), sef:

Fferm solar foltäig llun wedi'i gosod ar y ddaear arfaethedig, gan gynnwys system storio ynni batri, ynghyd ag offer cysylltiedig, seilwaith a gwaith ategol.

Gyda'r cais cynllunio DAC mae cais am Ganiatâd Eilaidd ar gyfer:

Cydsyniad o dan adran 2(3) o Ddeddf Henebion ac Ardaloedd Archaeolegol 1979

- Ar gyfer llwybro ceblau tanddaearol, yn agos at Heneb Gofrestredig Clawdd Offa, gan gysylltu'r fferm solar arfaethedig â'r is-orsaf gynradd Etifeddiaeth.

Cais am Gorchymyn o dan Adran 247 (Cau Priffyrdd) Deddf Cynllunio Gwlad a Thref 1990 (fel y'i diwygiwyd).

- dargyfeirio llwybr cyhoeddus #1178 BERSHAM 1 a llwybr troed #1159 BERSHAM 8.

Gall aelodau'r cyhoedd archwilio copïau:

- o'r cais;
- y cynlluniau, a
- dogfennau eraill sy'n gysylltiedig â'r cais

yn: Wrexham County Borough Council, Contact Centre, Wrexham Library and Arts Centre, Rhosddu Road, Wrexham LL111AU

yn ystod unrhyw oriau rhesymol hyd at 24/03/2025, ac ar-lein yn https://planningcasework.service.gov.wales/cy - a chwiliwch am 3253253

CYFLWYNIR DATGANIAD AMGYLCHEDDOL GYDA'R CAIS

Gall aelodau'r cyhoedd dderbyn copïau o'r Datganiad Amgylcheddol gan:

RPS
2 Callaghan Square
Cardiff
CF10 5AZ

cyhyd â bod copïau ar gael.

Os oes unrhyw un yn dymuno cyflwyno sylwadau ar y cais hwn, rhaid iddynt ysgrifennu at Weinidogion Cymru (mae'r manylion isod) erbyn y 24/03/2025. Bydd yr holl sylwadau a dderbynnir yn cael eu cyhoeddi ar-lein wedi i'r terfyn amser fynd heibio.

Penderfyniadau Cynllunio ac Amgylchedd Cymru
Gwaith Achos Datblygiadau o Arwyddocâd Cenedlaethol
Adeilad y Goron, Parc Cathays, Caerdydd CF10 3NQ

Ffôn: 0300 123 1590
E-Bost: PEDW.Seilwaith@llyw.cymru

Mae rhagor o wybodaeth a chanllawiau ar y broses DAC ar gael ar-lein yn: https://www.llyw.cymru/datblygiadau-o-arwyddocad-cenedlaethol-dns-canllawiau

Llofnodwyd: Isabel Nethell, Pennaeth Gweithrediadau
Dyddiad: 17/02/2025

Town and Country Planning Act 1990 (As Amended)
The Developments of National Significance (Procedure) (Wales) Order 2016 (As Amended)

NOTICE UNDER ARTICLE 18 OF APPLICATION FOR PLANNING PERMISSION IN RESPECT OF DEVELOPMENT OF NATIONAL SIGNIFICANCE

Proposed development at: Land at the Plas Power Estate, north and south of Ruthin Road, Wrexham.

I give notice that: Lightsource SPV 192 Limited

is applying to the Welsh Ministers for planning permission in respect of Development of National Significance (DNS) which is:

Proposed ground mounted photo voltaic solar farm, including battery energy storage system, together with associated equipment, infrastructure and ancillary works.

The DNS planning application is accompanied by a Secondary Consent application for:

Consent under section 2(3) of the Ancient Monuments and Archaeological Areas Act 1979

- For the underground routing of cables, in proximity to Offa's Dyke Scheduled Monument, linking the proposed solar farm to the Legacy primary substation.

Authorisation under section 247(1) of the 1990 Act (order authorising stopping up or diversion of highway).

- to divert public footpath #1178 BERSHAM 1 and footpath #1159 BERSHAM 8.

Members of the public may inspect copies of:

- the application;
- the plans; and
- other documents associated with it

at: Wrexham County Borough Council, Contact Centre, Wrexham Library and Arts Centre, Rhosddu Road, Wrexham LL111AU

during all reasonable hours until 24/03/2025 and, online at https://planningcasework.service.gov.wales/ - and search for 3253253

THE APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT

Members of the public may obtain copies of the Environmental Statement from:

RPS
2 Callaghan Square
Cardiff
CF10 5AZ

for a charge, so long as stocks last.

Anyone who wishes to make representations about this application must write to the Welsh Ministers (details below) by 24/03/2025. All representations received will be published online as soon as the deadline has passed.

Planning and Environment Decisions Wales
Developments of National Significance Casework
Crown Building, Cathays Park, Cardiff CF10 3NQ

Tel: 0300 123 1590
E-Mail: PEDW.Infrastructure@gov.wales

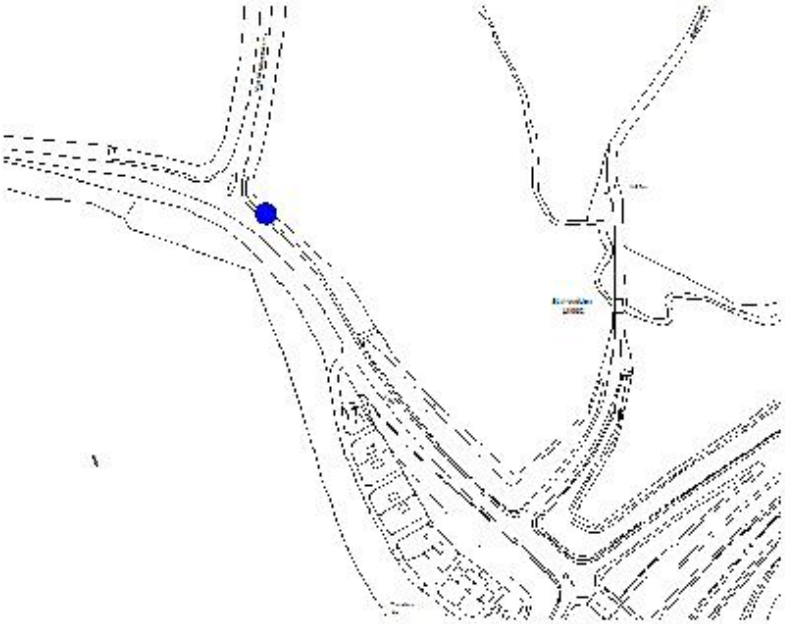
More information and guidance on the DNS process can be found online at: https://gov.wales/developments-national-significance-dns-guidance

Signed: Isabel Nethell, Head of Operations
Date: 17/02/2025

Site Notices

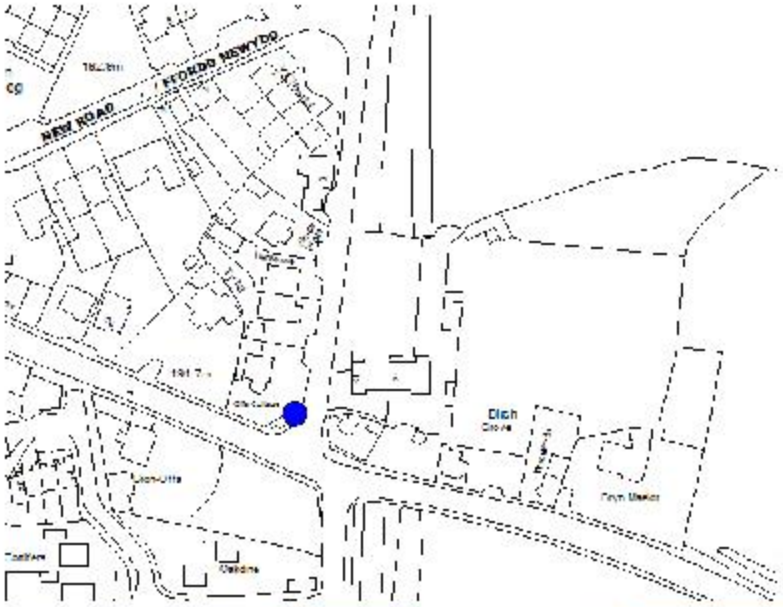
Posted 25/02/2024

Site Notice 1:



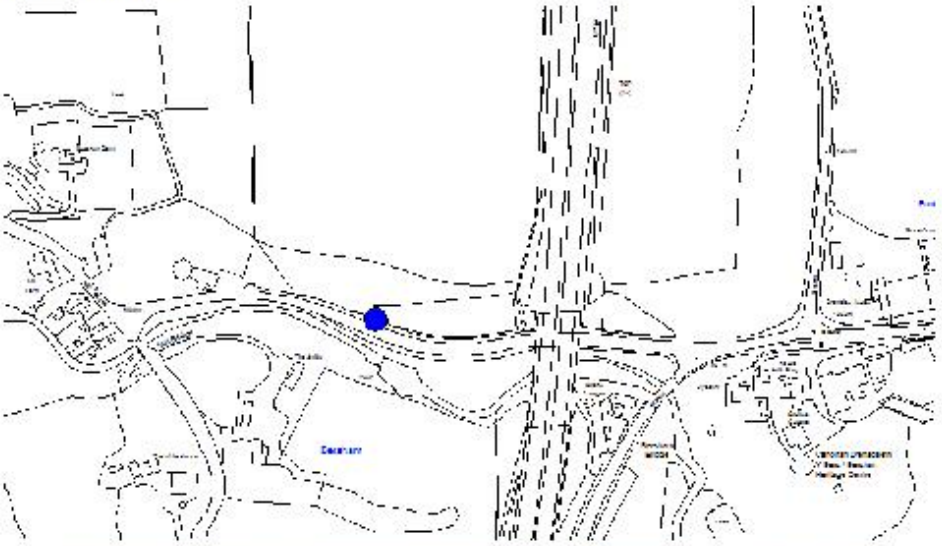


Site Notice 2



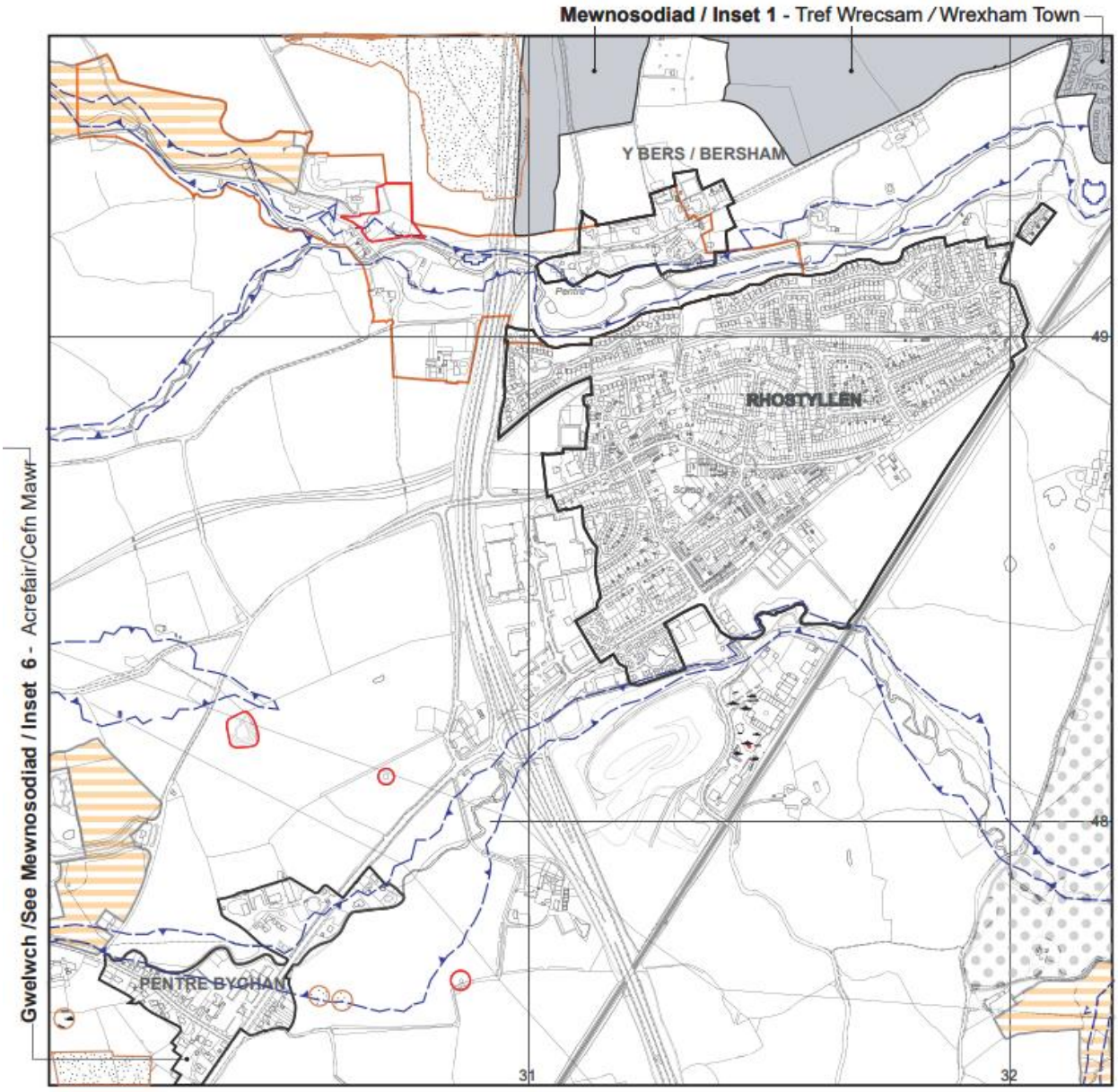


Site Notice 3:





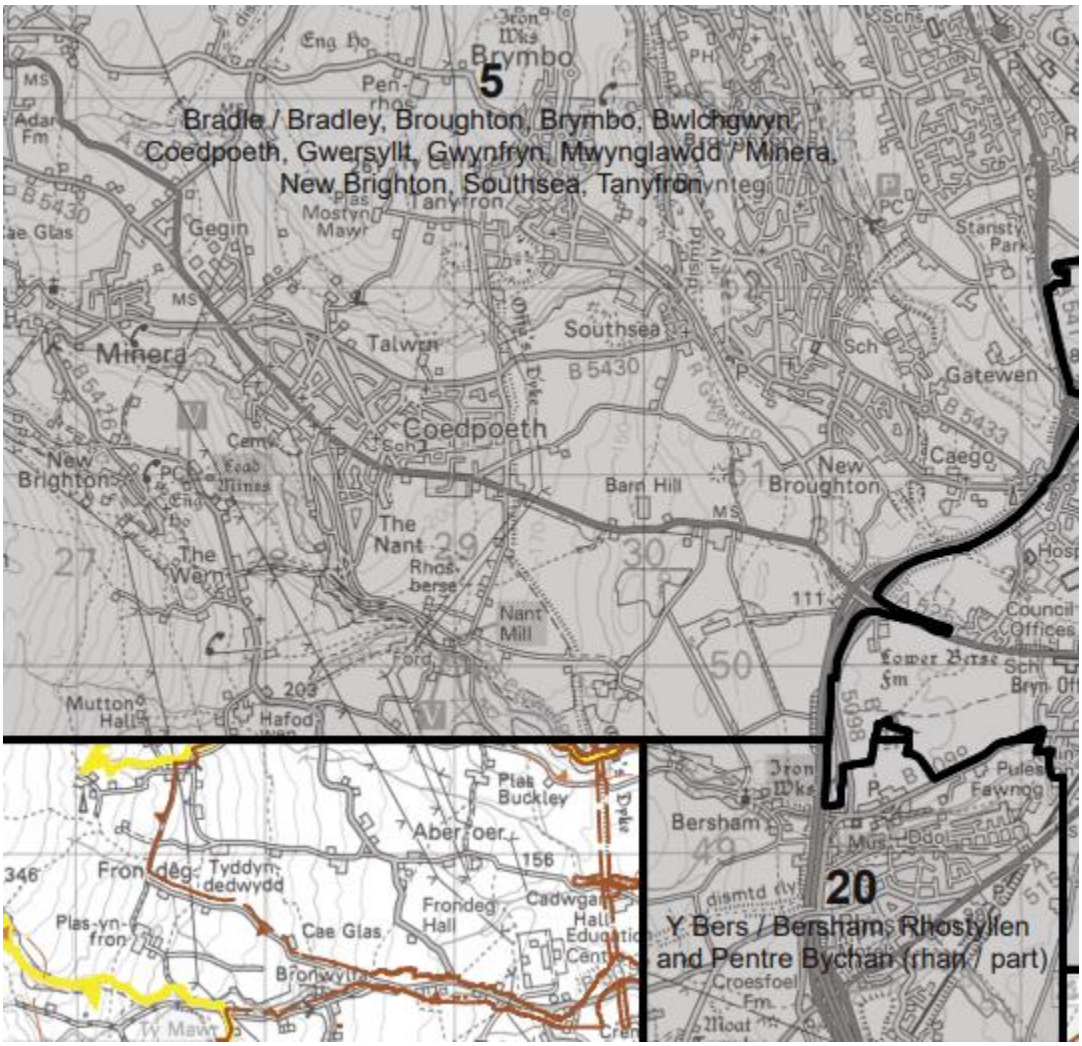
24. LIR APPENDIX 3 - WDLP Map Extracts

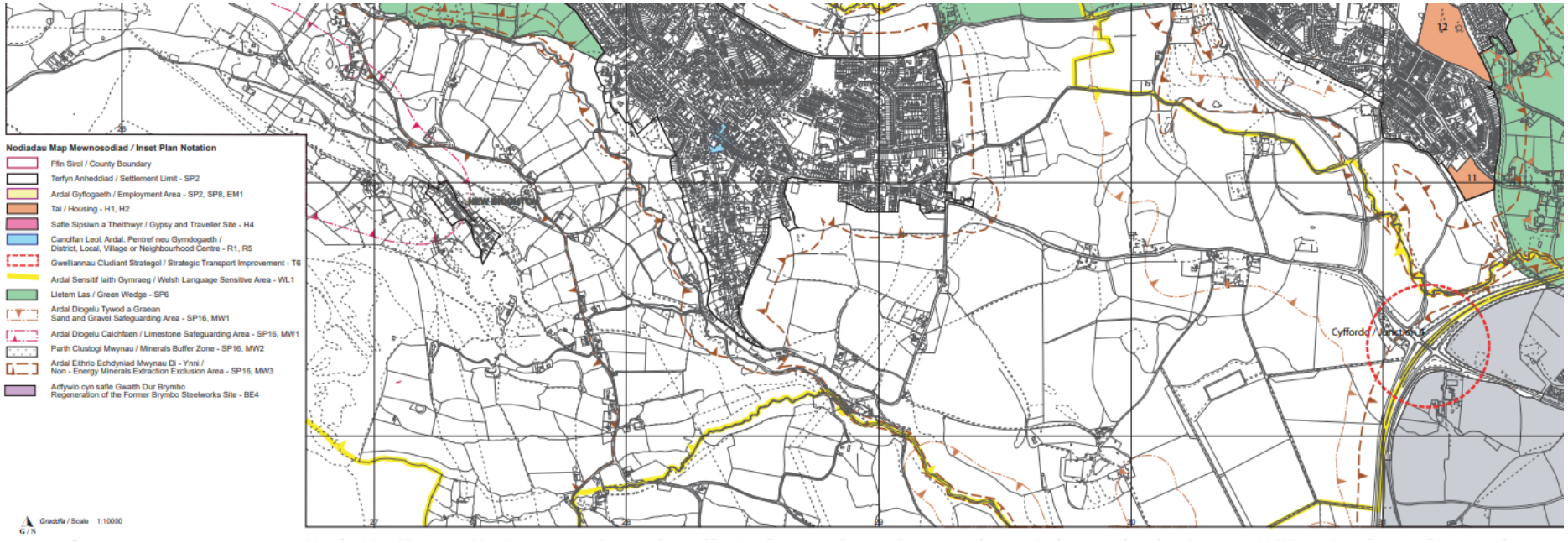


20. Y Bers / Bersham, Rhostyllen and Pentre Bychan (rhan/part)

Nodiadau Map Mewnosodiad / Inset Plan Notation

- Ffin Sirol / County Boundary
- Terfyn Anheddiad / Settlement Limit - SP2
- Safle Treftadaeth y Byd / World Heritage Site - SP15, BE1
- Safle Treftadaeth y Byd Pharth Clustogi / World Heritage Site Buffer - SP15, BE1
- Parc a Gerddi Hanesyddol Cofrestredig / Registered Historic Park and Garden - SP15
- Tirwedd Hanesyddol Gofrestredig / Registered Historic Landscape - SP15
- Heneb Gofrestredig / Scheduled Ancient Monument (SAM) - SP15
- Ardal Gadwraeth / Conservation Area - SP15
- Cyfarwyddiadau Erthygl 4 (2) / Article 4(2) Direction - SP15
- Ardal Cadwraeth Arbennig (ACA) / Special Area of Conservation (SAC) - SP15, NE1
- Safle o Ddiddordeb Gwyddonol Arbennig (SOdDGA) / Site of Special Scientific Interest (SSSI) - SP15, NE1
- Ardal o Harddwch Naturiol Eithriadol / Area of Outstanding Natural Beauty - SP14, NE4
- Safle Ramsar / Ramsar Site - SP15, NE1
- Ardal Risg Uchel Datblygu a Glo / Coal and Development High Risk - DM1
- Parthau Llifogydd TAN 15 (C2) / TAN15 Flood Zone (C2) - DM1
- Parthau Llifogydd TAN 15 (C1) / TAN15 Flood Zone (C1) - DM1
- Safleoedd Cadwraeth Natur Lleol Wedi'u Dynodi / Local Designated Sites of Nature Conservation and Geological Importance - NE2




Nodiadau Map Mewnosodiad / Inset Plan Notation
Ffin Sirol / County Boundary
Terfyn Anheddiad / Settlement Limit - SP2
Ardal Gyflogaeth / Employment Area - SP2, SP8, EM1
Tai / Housing - H1, H2
Safle Sipsiwn a Theithwyr / Gypsy and Traveller Site - H4
Canolfan Leol, Ardal, Pentref neu Gymdogaeth / District, Local, Village or Neighbourhood Centre - R1, R5
Gwelliannau Cludiant Strategol / Strategic Transport Improvement - T6
Ardal Sensitif Iaith Gymraeg / Welsh Language Sensitive Area - WL1
Lletem Las / Green Wedge - SP6
Ardal Diogelu Tywod a Graean / Sand and Gravel Safeguarding Area - SP16, MW1
Ardal Diogelu Calchfaen / Limestone Safeguarding Area - SP16, MW1
Parth Clustogi Mwynau / Minerals Buffer Zone - SP16, MW2
Ardal Eithrio Echdyniad Mwynau Di - Ynni / Non - Energy Minerals Extraction Exclusion Area - SP16, MW3
Adfywio cyn safle Gwaith Dur Brymbo / Regeneration of the Former Brymbo Steelworks Site - BE4
Graddfa / Scale 1:10000
Cyffordd / Junction 5
11
12

25. LIR APPENDIX 4 – Highway Authority Consultation Response

MEMORANDUM

wrexham COUNCIL CYNGOR wrecsam

From:	Chief Officer, Environment & Technical	**To:**	Chief Officer Economy & Planning
		FAO::	Matthew Phillips
Our Ref:	ET/DC/MZ/P/2024/1237	**Your Ref:**	P/2024/1237
Date:	17/03/2025		

TOWN AND COUNTRY PLANNING ACT 1990

DATBLYGIAD O ARWYDDOCÂD CENEDLAETHOL AR GYFER ADEILADU, GWEITHREDU A CHYNNAL A CHADW GORSAF CYNHYRCHU TRYDAN SOLAR FFOTOFOLTÄIG, SYSTEM STORIO YNNI BATRI ("BESS"), GWRTHDROYDDION, TRAWSNEWIDWYR, CEBLAU, IS-ORSAFOEDD, TRACIAU MYNEDIAD, TIRLUNIO, ARDALOEDD GWELLA ECOLEGOL A DATBLYGIAD ATODOL CYSYLLTIEDIG/DEVELOPMENT OF NATIONAL SIGNIFIANCE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SOLAR PHOTOVOLTAIC ELECTRICITY GENERATING STATION, A BATTERY ENERGY STORAGE SYSTEM ("BESS"), INVERTERS, TRANSFORMERS, CABLING, SUBSTATIONS, ACCESS TRACKS, LANDSCAPING, ECOOGICAL ENHANCEMENT AREAS AND ASSOCIATED ANCILLARY DEVELOPMENT

LAND NORTH AND SOUTH OF, RUTHIN ROAD, COEDPOETH, WREXHAM

I refer to your consultation / email dated 03/09/2024 in respect of the above.

It is the LHA's understanding that the site comprises several agricultural fields, bound by a mixture of mature woodland trees, hedgerows, fencing, agricultural tracks and roads.

The proposal is to provide a source of homegrown renewable energy, helping to reduce carbon emissions and strengthen energy security. There are two elements to the proposals, the solar photovoltaic electricity generating station and the battery energy storage system, the latter may not be delivered.

Access Arrangements

The updated proposals indicate four different accesses to the site from the A525, three to the south of the A525 including one new proposed access and an existing agricultural access to the north of the A525.

The proposed new access is the one located to the east of the site approximately 75-100m west of the Heritage Way / A525 junction. At this point on the A525 there are no footways along the frontage and a speed limit of 50 mph in place. There are also two signs located along this frontage, a speed camera sign and a direction sign. The new access is proposed to provide access for the construction phase and then be retained as a permanent main access for maintenance. The

proposed junction arrangement has 15m radius kerbs, with a 7m wide access and no footways along the frontage.

The western access on the south side is existing and is stated as being suitable for HGV's as it is currently used by large agricultural vehicles. The current use is to serve Home Farm and a number of residential properties. This is not proposed to be used as a construction access except in the initial site establishment phase whilst the new site access is under construction. Further detail states that turning movements could be restricted and this could be laid out the construction management plan.

The third access is an existing agricultural access to the north of the A525 which is stated to be used for maintenance access when the site is operational.

The fourth access is along Rhos Berse Road, the submission states that this is not proposed to be used during construction. It is stated that it may be needed in exceptional circumstances and that it will be limited to staff or emergency vehicle access only.

The submitted information states that advance signage to will need to be put in place to warn of construction vehicle movements and potentially a temporary speed reduction on the A525 via traffic management. The applicant will need to liaise with WCBC Traffic Manager Jamie Edge to agree the required Chapter 8 and/or highway arrangements required and the implications for these.

The LHA would advise that off-peak working or constructing the new access in the summer holidays may be advisable due to the high levels of traffic that currently use the A525 at peak times and the disturbance and congestion that could result from these works. The applicant would need to enter into a Section 278 agreement for the delivery of any on-highway works.

Traffic Surveys

It is noted that traffic surveys have been undertaken as part of the works, but the LHA are concerned that the surveys were undertaken in the summer months and appear to have been undertaken partially in the school holidays due to some damage to the equipment, which would invalidate the results from a highways perspective.

Speed surveys would also only be relevant if undertaken with a substantial element of free flow traffic speeds present. The A525 suffers from high levels of congestion at peak times which substantially reduces the speed vehicles can travel at.

The A525 is a 50mph road and therefore visibility splays of 2.4m x 160m are required in either direction for the new access and any access that the use will be intensified at. The submitted plans do not appear to meet the required visibility splays as set out in the DMRB and there is concern that this could compromise highway safety.

In the appendix of the CTMP there is a safety audit where the applicant has made reference to a relaxation of two steps of the visibility requirements for 85kph within CD 109 of the Design Manual for Roads and Bridges but has not clarified on what basis they are seeking a reduction from the SSD. The LHA remains of the view that 2.4m x 160m should be provided unless updated surveys are undertaken within free flow conditions within school term time clarifying 85th percentile speeds lower than the existing speed limit.

Any signs located within the visibility splays should be re-sited.

Furthermore, the LHA notes that a Road Safety Audit has been undertaken at proposed accesses 1 and 2 and has flagged up issues with visibility splays and swept paths, the LHA would agree that these issues should be addressed and that furthermore a swept path of a low loader is shown passing over the exit lane of access 1 which is not acceptable, should there be a vehicle waiting at the stop line to exit access 1, a vehicle intending to access the road would not be able to enter, this is required to be addressed.

Swept Paths

Swept paths for a 12m rigid and a 13.5m low loader have been undertaken but these are overlaid which makes it difficult to assess. Individual swept paths should be provided for access 2.

Internal access

It is noted the existing farm tracks will be used where possible but where required there may be a need for new access tracks to be formed using a layer of permeable crushed stone.

Public Rights Of Way

The Design & Access statement details that there will be buffers to the existing and proposed to be diverted public right of way and landscaping to reduce the visual impact of the proposals.

The information submitted states that Bersham Public Footpath I runs through the southern parcel of the site and PROW 8 runs through the northern parcel of the site. It is understood that the proposed diversion is just to reflect what is actually happening on the existing PROW rather needing to change as a result of the proposals.

The submission details that there will be a requirement to divert or close footpath ESCLUSHAM/ABOVE/3 as part of the proposals temporarily.

The LHA would advise that WCBC's PROW officer Sean Hanratty should be consulted and provide approval for these works.

Trip Generation

Construction

The construction works for the Solar Farm are proposed to take place over 12-18 months and the construction works for the BESS are proposed to take place over 6-9 months. The construction hours are Monday – Friday between 7am-7pm and Saturday between 7am and 1pm. With no Sunday and bank holiday working to be undertaken.

The proposals state that there are likely to be 100 construction staff, 75 on site at any one time and that there will be a temporary construction site compound in both the north and south areas of the site accessed via the access routes outlined. The south access will also host parking for construction staff, approximately 50 spaces are proposed to be provided, based on experiences at a similar site where 1/3 of construction staff were noted to car share, evidence should be supplied to ensure that overflow parking does not result on neighbouring roads. A shuttlebus to the local train station/bus station and provision for cyclists such as secure cycle parking storage and wash and changing/drying facilities should be provided too for staff.

The construction deliveries are proposed to be 1200 HGV deliveries which in the reports submitted states that this will average 8-10 movements per day, but it is clarified that there may be some peaks and troughs expected and that at peak times 15 HGVs or 4-6 LGV's will be expected. HGV traffic is only expected during construction and decommissioning.

The applicant goes on to say that they are predicting 15 HGV (30 movements) per day and 4-6 LGV (8-12 movements) daily for the solar farm at peak times and 6 HGV's (12 movements) and 4 LGV (8 movements) for the BESS.

Operation

The proposed site is due to operate for 40 years before decommissioning and the expected operational visits are relatively low, which is standard for this type of use with approximately 10-20 vehicle visits per year. The largest vehicle would be an HGV rigid to deliver a replacement solar

panel, should there be a problem with a panel, which is anticipated no more than 3-4 times a year. The vehicles most likely to visit the site would be a four wheel drive

The operation of the site will be monitored remotely and only maintenance for solar panel cleaning and occasional visits to the substation and BESS upkeep would be required at a number of 1-2 visits per month.

Cabling works

Details of the proposed cabling works have been included within the Construction Plan. The information states that these will be laid underground via surface dug trenches approximately 1m deep and 50cm wide and backfilled. The applicant states they will utilize existing access tracks and road options wherever possible, particularly where sensitive habitats or archaeology are present.

They have stated that the preferred cable route would route along the road past Cadwgyn Hall and that where practicable the cable routes are to be installed within the fields adjacent to the roads to reduce disruption. The CMTP states that the cable route options will be shown in Appendix B, but the LHA has not been able to locate a plan that demonstrates the locations and therefore requests that a plan is submitted for review and further comment.

Construction Management Plan

The applicant will need to liaise with WCBC Traffic Manager Jamie Edge to agree the required Chapter 8 and/or highway arrangements required and the implications for these.

The LHA would advise that off-peak working or constructing the new access in the summer holidays may be advisable due to the high levels of traffic that currently use the A525 at peak times and the disturbance and congestion that could result from these works.

The delivery schedule proposed advises that deliveries will be made out of peak times due to congestion and high levels of traffic on the network.

A framework construction worker travel plan is advisable and someone to manage the document and support staff. The applicant has clarified that this will be provided and managed. The document should include details of facilities for cyclists and those that wish to walk to work or travel by public transport.

The CMP states that staff will arrive between 7 and 8am prior to the A525 peak and will leave across the afternoon out of peak hours countering the direction to the predominant traffic flow direction.

A483 SCHEME

The site includes a small section of land to the east, adjacent to the A483 which was historically included in plans for a road improvement scheme at Junction 4 of the A483 as part of the Junction 3-6 improvements that were proposed. Whilst the applicant has clarified that this scheme is no longer proposed to be funded by the Welsh Government. However, the TR11 route protection currently remains in place and the LHA is aware that WCBC are continuing to discuss the feasibility of the delivery of this scheme with the Welsh Governnment and therefore the LHA would raise concerns over proposals on any of the land reserved and needed for the delivery of this scheme.

Summary

In light of the comments above, the LHA advises that:

- Whilst the provision of a new site access is acceptable in principle, the proposed visibility splay does not meet the required standards set out in DMRB, 2.4m x 160m are required in either direction, any signage should be relocated out of the visibility splay.

- The access arrangements should be updated to address the issues raised within the stage 1 Road Safety Audit
- The surveys undertaken were partially undertaken in school holidays and therefore cannot be accepted as robust to support any relaxations from the required standards.
- The applicant will need to liase with WCBC's traffic manager Jamie Edge over the required Chapter 8 requirements and any temporary traffic regulation orders that might be required for the installation of a new access off the public highway.
- Any diversions to the Public Right Of Way will need to be discussed and arranged with the WCBC PROW officer Sean Hanratty.
- The information submitted clearly states that construction deliveries and staff travel will be kept out of peak hours which the LHA feels is essential.
- Updated swept paths are required and amendments to Access 1 to ensure large vehicles do not have to swing in to opposing lanes of traffic.
- Plans of proposed cabling routes should be submitted for further assessment.
- The construction management plan and staff travel plan will be required and to be updated to accommodate sustainable travel facilities, this should be secured by condition.
- The applicant will be required to enter into a Section 278 agreement for any works on the highway.



on behalf of Chief Officer, Environment & Technical

26. LIR APPENDIX 5 – Contaminated Land Officer Response

MEMORANDUM

From:	Angela Roberts Contaminated Land Officer	**To:**	Matthew Phillips Head of Service - Development Management, Economy & Planning
Our Ref:	P/2024/1237	**Your Ref:**	P/2024/1237
Date:	12 March 2025	**No. of Pages:**	1

TOWN AND COUNTRY PLANNING ACT 1990

P/2024/1237 LAND NORTH AND SOUTH OF, RUTHIN ROAD, COEDPOETH, WREXHAM

DEVELOPMENT OF NATIONAL SIGNIFIANCE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SOLAR PHOTOVOLTAIC ELECTRICITY GENERATING STATION, A BATTERY ENERGY STORAGE SYSTEM ("BESS"), INVERTERS, TRANSFORMERS, CABLING, SUBSTATIONS, ACCESS TRACKS, LANDSCAPING, ECOOGICAL ENHANCEMENT AREAS AND ASSOCIATED ANCILLARY DEVELOPMENT

It is noted that the proposed development is located on an area of land that has been historically identified as forming part of an open cast mine (1964) and subsequently a non water fill (1976). As these former uses have the potential to cause residual contamination it will be necessary to condition any future consent to ensure that any potential contaminations issues are dealt with. Consequently I would recommend the following conditions are applied to the above application.

Conditions

EN01 008R PHASED INVESTIGATION - LAND CONTAMINATION
No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and

approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

EN03 008R VALIDATION REPORT - CONTAMINATED LAND
Each part of the site subject to the remediation under the scheme(s) approved as part of condition @@ shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

Informative

INF03 - SITE CONTAMINATION
Further advice on compliance with condition no. @@ may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 297773. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Contaminated Land Officer prior to commencement of works on site.

Should you have any queries regarding the above then please contact me on Ext. 8771.



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Angela Roberts
Contaminated Land Officer