Solar Farm, Land at Pentre Bach Farm

Planning, Design and Access Statement

On behalf of **Elgin Energy EsCo Ltd**

Project Ref: 333100902 | Rev: AA | Date: August 2024

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For and on behalf of Stantec UK Limited				

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AA	16/07/2024	Client draft	LHT	ED	JL
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1 Introduction

1.1.1 This Planning, Design and Access Statement ('PDAS') has been prepared by Stantec on behalf of Elgin Energy EsCo Ltd ('the Applicant') to accompany a planning application for a Development of National Significance comprising a ground mounted photo voltaic solar farm and Battery Energy Storage System (BESS), together with associated equipment and ancillary works (hereafter referred to as 'the Proposed Development') on Land at Pentre Bach Farm (hereafter referred to as 'the Site'). A Site Location Plan is appended to this statement (**Appendix A**).

1.1.2 The description of Development is as follows:

'Ground mounted photovoltaic solar farm and Battery Energy Storage System (BESS), together with associated equipment, infrastructure and ancillary works'

1.1.3 As the Proposed Development comprises an electrical generation station with an installed generating capacity of between 10 and 350 megawatts (MW), it falls within the definition of a 'Development of National Significance' (DNS) under Regulation 4(1) of the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended), for the purposes of s62(D) of Town and Country Planning Act 1990 (as amended by the Planning (Wales) Act 2015, which inserts Section 62D (and subsequent Sections up to 62L) into the 1990 Act).

1.1.4 Section 62(D) of the Wales Act states that:

(3) "*Development is of national significance for this purpose if it meets criteria specified regulations made by the Welsh Ministers for the purposes of this section*"

1.1.5 Taking the above into account, the application is therefore made to the Welsh Ministers, instead of the local planning authority, which in this case is Torfaen County Borough Council ('TCBC').

1.1.6 This PDAS provides a background to the proposals together with a description of the Site and surroundings and presents an assessment of the proposals having regard to relevant national and local planning policy and other material considerations. This version of the PDAS (AA) is written for the purposes of statutory Pre-Application Consultation and will be updated prior to formal submission of the DNS application.

1.1.7 This PDAS comprises the following sections:

- **Section 1: Introduction** introduces the Applicant, the basic principles of the Development and the structure of this PDAS;
- **Section 2: Project description** describes the proposals in more detail, explaining what is included within the planning application, and includes consideration of design and access;

- **Section 3: Site and context analysis** describes the characteristics of the Site in detail, as well as describing the immediate environment surrounding the Site;
- **Section 4: Planning history** identifies the relevant planning history of the Site;
- **Section 5: Pre-application dialogue –** this section describes pre – application dialogue with the Planning Inspectorate (PINs) (renamed Planning and Environment Decisions Wales (PEDW)), TCBC and other relevant consultees. In addition, this section provides details with regard to the Environmental Impact Assessment Screening Direction issued by PINs in January 2021;
- **Section 6: Planning policy context** sets out the planning policy context, including guidance that is applicable to the Development;
- **Section 7: Assessment of the Proposed Development** assesses the Development against the planning policy framework highlighted in section 6, concluding that the Development complies with Future Wales (National Plan for Wales) (February 2021), Planning Policy Wales (Edition 12), the Development Plan and other material considerations;
- **Section 8: Conclusion** concludes and summarises the preceding sections.

1.1.8 The Proposed Development complies with local and national planning policy. It:

- Integrates green infrastructure;
- Minimises adverse effects and demonstrates positive environmental impacts;
- Does not lead to significant detrimental impact on local amenity;
- Respects and protects the natural environment; and
- Protects the character and integrity of sites and landscapes of historical merit and their setting.

1.1.9 This PDAS is accompanied by a number of technical documents which will be cross referred to in this Statement. Table 1 outlines these below.

Table 1.1 - Planning Application Documents and Plans

Reference	Document	Revision
A1	Application Form	To be completed after PAC for submission
A2	Site Location Plan	Rev F
A3	Agricultural Land Classification Survey	Rev. 1
A4	Cultural Heritage Statement	V. 1
A5	Flood Consequence Assessment and Drainage Strategy	V. 1
A6	Statement of Community Involvement	To be completed during / after PAC
A7	Statement of Common Ground	To be completed during / after PAC
A8	Tree Survey & Arboricultural Impact Assessment	Rev. A

Reference	Document	Revision
A9	Archaeological Impact Assessment	V 1.2
A10	Noise Assessment Report	V 2.1
A11	Solar Voltaic Glint and Glare Assessment	10651A
A12	Ecological Appraisal	P19-510
A13	Landscape Visual Impact Assessment	V. 4
A14	Photomontages: Methodology and Supporting Evidence	n/a
A15	General Fence Detail	-
A16	Panel Sections	-
A17	General Access Tracks	Rev B

2 Project description

2.1 Overview

2.1.1 The Applicant is seeking planning permission for a solar farm and BESS. As the Proposed Development comprises an electrical generation station with an installed generating capacity of between 10 and 350 megawatts (MW), it falls within the definition of a 'Development of National Significance' (DNS) under Regulation 4(1) of the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended), for the purposes of s62(D) of Town and Country Planning Act 1990 (as amended by the Planning (Wales) Act 2015, which inserts Section 62D (and subsequent Sections up to 62L) into the 1990 Act).

2.1.2 The Indicative Layout Plan illustrates an indicative arrangement for the Proposed Development. The layout presented is a worst-case scenario and has been prepared to enable a comprehensive assessment of the impacts of the development, following the 'Rochdale Envelope' principles. It has been carefully considered to ensure any potential significant effects are minimised. A Detailed Layout Plan would be submitted to discharge a planning condition for full details of the final location, design, and construction methods for the panel arrays, substations, inverters, fencing, access tracks and CCTV cameras.

2.1.3 The Proposed Development comprises the following:

- 10 units in the BESS compound, each unit being 12.2m in length x 2.4m in width and 2.6m in height along with associated infrastructure;
- Applicant Substation – Up to 20m in length x 35m in width;
- 16 power conversion units. Each unit would typically measure 7m (L) x 2.5m (W) x 3m (H);
- Photovoltaic panels on a simple metal framework ('frame');
- Each photovoltaic panel within the frame would typically measure 2m (L) x 1m (W) x 0.05m (D);
- The frame would be supported by piles driven into the ground, avoiding the need for substantive foundations;
- Gravel access roads (minimum of 3.5m in width) connecting inverter / transformer units.
- Post and wire security fencing (or deer fencing) will surround each field parcel in keeping with the countryside (height circa 2.45m);
- CCTV cameras, facing inwards on circa 3m high columns;
- A Distribution Network Operator (DNO) substation;
- A temporary construction compound, including access tracks and turning circles;
- Associated electrical infrastructure including cabling and electrical systems.

2.2 Layout

2.2.1 The location of the Development is shown on the Site Location Plan (**Document A2**) and the Indicative Layout Plan for the associated infrastructure and works are shown in **Appendix A** (Reference: Rev G) and **Appendix B** (Reference: Rev J), respectively.

2.2.2 The Indicative Layout Plan is indicative because it is likely that technology will change prior to the implementation of the Proposed Development. The final layout and design will therefore need to reflect the most appropriate and efficient technology available at the time of construction. This is particularly relevant to the photovoltaic panels, which for this reason must be procured as close to installation as possible.

2.3 Landscaping

2.3.1 The Proposed Development will require the removal of small section of existing hedgerow (approximately 42m in length) to facilitate access and fencing requirements. This compares to over 1000m of retained hedgerow and over 900m of reinforced hedgerow.

2.3.2 The proposed landscape mitigation measures include:

- Where possible, retaining and managing existing structural vegetation and grassland to encourage biodiversity and strengthen existing habitats;
- Offsetting proposed panels, a minimum of 15m from PRoW crossing the Site, to limit the potential for close range views and reduce the impact on long distance views;
- Retention of existing hedgerows, except for limited removals of approximately 42m where access is required;
- Implementation of a comprehensive site-wide hedgerow improvement strategy through gapping up, reinforcement and enhanced management, including letting up to a height of 2.5-3m;
- The Proposed Development has a restricted height, with the panels no higher than approximately 3m above ground level and fences no higher than 2.4m above ground level (ground level would be unaltered).
- Refurbish/replace the existing interpretation boards in the south-east of the Site, and provide an area of new native species rich grassland to improve the experience for users of the route; and
- Continued grazing of the Site by livestock, where possible.

2.3.3 The proposed landscape scheme provides an appropriate level of mitigation for the Proposed Development by reducing visual impact, improving the experience of users of the PRoW network, and making improvements to the structure and quality of the fabric of the landscape.

2.3.4 The design of the Proposed Development has evolved iteratively guided by input from the landscape and ecology specialists. This layout includes comprehensive landscape strategy with over 500 native trees, with more than 900m of new native hedgerow and improvements to fencing. These enhancements have been informed by landscape character guidance and designed to mitigate, as far as possible, the visual impact of the Proposed Development, as well as negative effects on the character of the landscape resulting from reversible, renewable energy infrastructure.

2.3.5 By Year 15, as a result of the comprehensive mitigation strategy, the landscape effects are anticipated to reduce in significance such that they are either neutral, or of minor/negligible adverse significance, with one receptor anticipated to be subject to a beneficial effect of minor significance as a result of extensive new planting.

2.3.6 The Proposed Development is temporary but some of its benefits are permanent. It will be completely reversible after a period of 40 years, by which time the proposed mitigation planting will have reached maturity and will contribute to the character and value of the area in landscape and biodiversity terms. It also has the potential to absorb carbon dioxide over the lifetime of the Proposed Development and will therefore serve as a carbon sink.

2.3.7 The Site has the capacity to accommodate the Proposed Development without long-term adverse effects on landscape character and visual amenity, whilst the proposed mitigation strategy will provide long term beneficial effects.

2.4 Scale and appearance

2.4.1 The Site covers 46.72 hectares (ha) and the Applicant has a commercial agreement with the DNO for energy export. The panels will be south facing, inclined up to 25 degrees, and screened by new planting (where required to mitigate any potential effects) and existing established hedgerows.

2.4.2 The solar panels form the bulk of structures proposed at the Site, though additional equipment will be required to be installed. This includes the energy storage units and compound, a DNO Substation and Applicant Substation to be installed to the south west of the Site, inverters, and CCTV cameras (facing into the Site).

2.5 Access

2.5.1 Construction and operational vehicular access to the Site will be via Pentre Lane. The access track will be circa 180m long with a minimum width of circa 4m. Vehicles will be able to utilise a dedicated turning area to enter and exit the Site. There will be a compound at the end of the access track which will also contain sufficient turning space for heavy goods vehicles (HGVs), loading and storage areas, staff parking and welfare facilities.

2.5.2 Adequate visibility splays will be provided at the access given the access position on the outside of the bend and hedgerows off set from the carriageway edge. Visibility splays of 2.4m x 33m are achievable in both directions which is appropriate for a design speed of up to 25mph (Manual for Streets 2).

2.5.3 The traffic survey identified 85th percentile speeds of 24.6mph and 24.3mph for each direction. Therefore, the visibility splays are more than adequate to facilitate safe access to the Site.

2.6 Vehicle movement

2.6.1 As already stated, the vehicular access to the Site will be taken from Pentre Lane in which all construction traffic will utilise, this is circa 180m long with a minimum width of circa 4m. Vehicles will be able to utilise a dedicated turning area to enter and exit the Site in forward gear. There will be a compound at the end of the access track which will also contain sufficient turning space for heavy goods vehicles (HGVs), loading and storage areas, staff parking and welfare facilities. It will then serve as an operational access for maintenance vehicles at the end of the construction phase.

2.6.2 It is important to point that there are no requirements for regular vehicles to visit the Site, other than for delivery, installation and decommissioning of the panels and ancillary equipment. As such, the Development does not require any amendments to the local highway network for either access or maintenance. Similarly, no additional traffic will be generated, except for the construction period, which is expected to last 4-6 months.

2.7 Traffic management

2.7.1 The access is a circa 180m long private track which routes from Pentre Lane and into the Site. The track is circa 4m wide and can accommodate large HGV access to the Site. Although there are no provisions for two-way passing at the access, any deliveries will be restricted and managed with banksmen to prevent any opposing vehicles meeting.

2.7.2 The HGV access to and from the Site will be managed through the use of banksmen at two separate points along Pentre Lane and one further located within the site construction compound. As such, no highway improvements are proposed and traffic m[management of Pentre Lane is deemed an appropriate solution. This is because there is a single-track section of approximately 420m long along Pentre Lane and consequently no such highways improvements are possible.

2.7.3 It is proposed to provide banksmen at three separate locations along the route. The three locations are indicated below:

- Location 1: Trawsmawr Lane / Pentre Lane junction. This will control all HGV and background traffic access onto Pentre Lane. All westbound traffic will be held when a HGV has left the site compound.
- Location 2: Site Access / Pentre Lane junction. This will control all HGV access to and from the site onto Pentre Lane. Furthermore, any traffic associated with the row of existing dwellings just east of the site access junction will also be managed by the banksmen at this location.
- Location 3: Site compound. This will control all HGV traffic from the site compound area to the site access junction with Pentre Lane.

2.7.4 There will also be two smaller accesses which will be formed directly off Pentre Lane and will serve maintenance vehicles only when the Development is in operation. The vehicles will not be larger than light goods vehicles ('LGV') during this phase.

2.8 Community safety

2.8.1 The operation of the solar farm will not present any risks in terms of hazardous materials, pollution, emissions or any other operational hazards. The Development is static in nature and does not involve the use of any hazardous substances, and as such there are no immediate risks to public safety beyond the Site. In addition, a number of CCTV cameras (facing into the site) and security fencing will be installed as part of the Development.

2.8.2 In respect of the Energy Storage facility proposed, an Outline Battery Safety Management Plan will be developed to support the submission.

2.8.3 The Development could also provide local educational opportunities, leading to a wider awareness of renewable energy and an increased interest in environmental issues.

2.9 Environmental sustainability

2.9.1 As briefly discussed in this Statement, the Development seeks to install a solar photovoltaic farm and energy storage facility, which will provide a substantial source of low carbon/renewable energy. There are clear and substantial benefits presented by the Development, primarily through the opportunity to provide a renewable source of clean energy.

2.9.2 There is a strong local, national and international policy steer towards delivering ambitious reductions in carbon emissions through growth of renewable energy generation, including the emerging Local Area Energy Plan by TCBC which is being designed to make Torfaen net-zero by 2050. Given the potential export capacity, the Development would make a substantial contribution towards these targets.

2.10 Construction methodology

2.10.1 It is anticipated the construction phase of the Development would take between 15 and 18 weeks. The number of vehicles travelling to and from the Site during the construction phase will vary. The peak construction week will contain approximately 13 vehicle trips per day (63 trips over the peak week).

2.10.2 Following the peak of the construction phase, numbers will reduce to approximately 9 trips a day for the following eight weeks. During the operational phase of the Development, there will be negligible trips to and from the Site, only required for maintenance purposes.

2.10.3 It is anticipated that a Construction Environmental Management Plan (CEMP) and a Construction Traffic Management Plan (CTMP) will be required by conditions attached to any planning permission granted. The CTMP will include the following:

- A letter drop to local residents and farmers, informing the local people about how the HGV construction traffic will be managed within the local highway network and how the expected impact will be minimised.
- A condition survey will also take place to identify any damage to the local highway network infrastructure caused as part of the construction phases of the development.
- All construction traffic will have to follow a specific route to access the Site. This will prevent any large HGVs from routing down narrow and highly residential roads which may create safety concerns from a highways perspective. All vehicles will access the Site from the A4042 and onto Newport Road before turning onto Pentre Lane.
- Deliveries will be restricted to between 9am and 5pm so that no HGVs will be travelling to the Site out of normal working hours.
- Deliveries will arrive and depart in 30-minute time slots to stagger and control the number of HGVs at the site at one time.
- Banksmen will be implemented at three separate locations at all times when construction traffic is accessing the Site.
- Wheel washing facilities to keep the local highway network clean during the construction phase.
- Dedicated staff parking and compound areas.

3 Site and context analysis

3.1.1 The Site is located within the administrative boundary of TCBC and is situated on Land at Pentre Bach Farm adjacent to Pentre Lane. The Site (as shown in **Appendix A**) is approximately 46.72 Ha. It comprises agricultural land with woodland and intervening hedgerows on all field boundaries.

3.1.2 The road network in the vicinity of the Site is limited, with the only road providing access to the Site being Pentre Lane, which runs along the southern boundary in an east to west direction. In terms of land uses within the surrounding area, there are residential dwellings and farms located off Pentre Lane. Overall, the surrounding context is rural but is influenced by energy-related development in the form of overhead lines and pylons.

3.1.3 According to the Welsh Government's Predictive Agricultural Land Classification (ALC) Map, the Site is predicted to be Grade 3b. Soil Environment Services Ltd completed an Agricultural Land Classification Survey and confirmed that the Site is pre–dominantly Grade 3b (95.4%) with the rest of the site comprising Grade 4 (2.2%) and non-agricultural land (2.4%). The ALC Survey accompanies the planning application, please refer to **Document A3.**

3.1.4 There are no statutory Heritage designations within the Site. However, adjacent to the southern boundary of the Site is the Grade II Listed Pentre Bach farmhouse and barn. (record number: 3126). The farmhouse and attached barn dates to the late 16th century and has historic associations with Llantarnam Abbey. The Site forms part of the agricultural land in the historic ownership of the farmstead and therefore shares a historic functional association.

3.1.5 In proximity to the Site to the east are two further Grade II Listed structures, including Lime Kiln to N of Pentre Bach (Cwmbran Central) (Record Number: 81869) and Lime Kiln N of Pentre Bach (Llantarnam Community) (Record Number: 82036). Furthermore, within 1.5km of the Site: the following listed structures are found:

- Ty-coch Farmhouse (Record Number: 3137).
- Lime kiln on S side of Garth Road (Record Number: 82034).
- Glan-y-nant Farm (Record Number: 26986).
- Zoar Baptist Chapel (Record Number: 20183).
- Malpas Court (Record Number: 18285).

3.1.6 The Monmouthshire and Brecon Canal Conservation Area is located some distance to the east (approximately 700m at the closest part). It is a linear feature, the significance of which relates to the historic interest of the canal itself and associated structures. Within a 1.5km study area there are 12 bridges, locks and aqueducts along the length of the canal that are listed

individually at Grade II and included within its boundary. A Heritage Statement accompanies the planning application, please refer to **Document A4**.

3.1.7 In addition to the above, the following information has been derived from the Historic Environment Record (HER) held by Glamorgan Gwent Archaeologist trust and a number of documentary sources. These assets have been assessed in compliance with the Standard and Guidance for Desk – based Assessment issued by the Chartered Institute for Archaeologists (CiFa 2020).

- The Site appears to contain a single non-designated asset of medieval date that encompasses much of the northern half of the Site. This is described as an extensive area of coppice woodland surrounding a large oval enclosure north of Cefn-mynach grange farm divided into allotments (GGAT Reference: GGAT12208g).
- Cefn-mynach Grange is the former name for Pentre Bach Farm (GGAT Reference: GGAT08324g) and represents a former grange farm associated with Llantarnam Abbey, a Cistercian foundation established in 1175 or 1179 as a daughter house of Strata Florida Abbey. It has been suggested that Pentre Bach may have comprised the original Site of the Abbey.
- A number of other archaeological features are recorded on the HER, including the Heol-y-forest Track (GGAT Reference: GGAT12234g) which comprised a road from Llantarnam Abbey to the common uplands at Mynydd Henllys and Llanderfel via Pentre Bach and Henllys, illustrated on a survey of Magna Porta manor in 1634 but likely to have much earlier origins.
- The Nant-y-milwr Boundary Stream (GGAT Reference: GGAT12242g) is located approximately 690m to the west of the Site boundary.
- Groes-mawr farmstead (GGAT Reference: GGAT12209g), possibly another grange belonging to the Abbey, is located at Trawsmawr Farm approximately 960m to the southeast of the Site boundary.
- The Clements Stream boundary (GGAT Reference: GGAT12216g) is located approximately 1.4km to the southeast and formed a boundary to Magna Porta manor; it may also have been associated with the boundaries to the abbey estate.
- A post-medieval hollow way (GGAT Reference: GGAT07166g) is located in woodland approximately 850m to the southwest of the Site boundary.
- A number of stray finds of medieval and post-medieval date are also recorded from within the general vicinity of the Site area.
- A number of other records are included on the HER including Ty Coch farmhouse (GGAT Reference: GGAT00148g), which was formerly a manor known as Redcastle; the manor house or castle (GGAT Reference: GGAT04515g) may have stood on the same Site as the existing house. Also noted are a now destroyed clay pit (GGAT11402g), a possible medieval farmstead at Meyrick-moel (GGAT12238g) and further coppice wood at Meyrick-

moel Wood (GGAT12239g) and a Roman tombstone is recorded as built into the great chimney of the hall of Pentre Bach (GGAT Reference: GGAT02856g).

3.1.8 Based on Natural Resources Wales (NRW) Development Advice Map, the entire Site falls within Flood Zone A, which is considered to be at little or no risk of fluvial or coastal tidal flooding. A Flood Risk Assessment and Drainage Strategy prepared by Wardell-Armstrong accompanies the planning application, please refer to **Document A5**.

3.1.9 According to the DataMap Wales online resource, the Site is not located within any designated landscape or ecological areas. Henllys Bog, which is a Site of Special Scientific Interest is located roughly 1.7km west of the Site, and Llwyn Celyn Local Nature Reserve is situated 0.87km to the north of the Site.

3.1.10 There are public rights of ways (PRoW) which transect the Site. PRoW (416/40/1) runs through the centre of the Site and another PRoW (416/39/1) runs to the north of the Site. PRoW (416/40/1) will be temporarily stopped up during the construction period and re-opened once the Proposed Development is operational. The section of PRoW which passes through the construction compound will also be temporarily stopped up and re-instated once the construction phase is complete. Part of the footpath is proposed to be diverted around the solar panels within the central field parcel of the site as shown on the Indicative Layout Plan.

3.1.11 Based on the Coal Authority's online map, the Site does not lie in a Coal Mining Reporting Area.

3.2 Site Selection

3.2.1 Following a review of the Site circumstances and appraisal for opportunities and constraints, it was determined that the Site offers potential for the generation of renewable energy. The Development is considered to be the most appropriate and effective means by which to achieve this. A site selection exercise was undertaken to assess the environmental and policy constraints of locally available sites. The Site was chosen because it has a readily available point of connection, a landowner with an aspiration to diversify their land and promote renewable energy, and crucially, is free from national and local environmental statutory designations and does not comprise Best and Most Versatile (BMV) Agricultural Land.

4 Planning history

4.1.1 TCBC confirmed the Site's planning history in its pre application response (dated 28th April 2020. None of it is relevant to the determination of this application.

Environmental Impact Assessment Screening Direction (January 2021)

4.1.2 On behalf of the Applicant, we submitted an Environmental Impact Assessment (EIA) Screening Request to PINs on the 21st of December 2020. In order to determine whether the proposed development is 'EIA development', regard must be had to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 ('the EIA Regulations').

4.1.3 PINs issued its EIA Screening Direction on the 21st of January 2021, and confirmed that the Proposed Development falls within the description at paragraph 3(a) in column 1 of the table in Schedule 2 of the EIA Regulations. The Direction noted that the proposal is a potential DNS application, and therefore taking into account the selection criteria in Schedule 3 of the EIA Regulations and the advice in Welsh Office Circular 11/99: Environmental Impact Assessment on establishing whether EIA is required, PINs assessment concluded that:

"*the proposed development of a circa 30MW solar farm with associated infrastructure would inevitably result in a number of effects, most notably in terms of the physical change to the site itself, landscape and visual impact and effects on the historic environment. However, whilst these will likely be important considerations for the decision maker and will be subject to further assessment, the type of development proposed, coupled with the context of the site and the localised nature of the impacts, are such that significant environmental effects are unlikely. I therefore conclude that EIA is not required in this instance*".

4.1.4 Therefore, the Welsh Ministers directed that the development subject of this application is not EIA development within the meaning of the EIA Regulations. Please refer to **Appendix E** to view PINs Screening Direction and Screening Assessment.

5 Pre-application dialogue

5.1 Introduction

5.1.1 This section of the PDAS provides an overview of the pre – application dialogue with TCBC and other stakeholders, including PINS prior to the submission of the application. A full account of the stakeholder and public consultation undertaken will be provided within a Statement of Community Involvement ('SCI'), which will be submitted in support of the DNS application following statutory Pre-Application Consultation. In addition to the SCI, Statements of Common Ground (SoCG) and a Consultation Report will be prepared (**Document A7**).

5.2 Pre–application with PINs (now PEDW) (September 2019)

5.2.1 On behalf of the Applicant, a formal request for pre–application advice from PINs was submitted on the 30th of August 2019. Subsequently, PINs issued their formal pre–application advice on the 27th of September 2019. PINs overall assessment of the proposal and a view of its merits is provided below.

"*the acceptability of the proposal will rest on the impact of the proposed development on the matters listed in this response, and its compatibility with relevant planning policy. These issues will ultimately turn on more detailed site-specific information*.

Nonetheless, from the documents submitted for the purposes of this request, there is nothing in the information currently available that suggests that the issues described above could not be satisfactorily addressed through appropriate consultation, survey work, mitigation measures (if and where appropriate) and the imposition of appropriate planning conditions. There is some potential benefit from the scheme in terms of its ability to support the wider delivery of renewable energy by providing additional capacity to the National Grid. Provided the Applicant is able to show through evidence that there would no unacceptable harm, it is considered that the scheme as proposed could be recommended for a grant of planning permission".

5.2.2 A copy of PINs pre–application advice can be found in **Appendix F**.

5.3 Pre–application with TCBC (February 2020)

5.3.1 On behalf of the Applicant, a formal request for pre–application advice from TCBC was submitted on the 14th of February 2020. The pre–application request was accompanied by several documents, including the pre–application enquiry form, relevant drawings, a detailed cover letter, Agricultural Land Classification Survey and DNS pre–application advice from PINs.

5.3.2 TCBC issued their formal pre–application advice on the 28th of April 2020, including copies of pre–application advice prepared by Officers on matters including landscape, biodiversity, transport, heritage / conservation and public rights of way. Following on from this, a pre–application meeting was held with TCBC and the Applicant on the 14th of July 2020. This

provided the Applicant an opportunity to discuss the Council's pre–application advice and to provide the Council with an update on the application and technical assessments.

5.3.3 On behalf of the Applicant, a number of plans, drawings and photographs (forming the Landscape and Visual Impact Assessment Methodology) were submitted to TCBC on the 19th of August 2020. This methodology was subsequently agreed in October 2020.

5.3.4 A further meeting was held with TCBC (particularly highways team) on the 18th of November 2020 to discuss the latest transport design and proposed solution for traffic signals.

5.3.5 Taking the pre–application responses and discussions with TCBC into account, the following measures were incorporated into the Development:

- **Heritage –** TCBC's view at the pre–application stage was that the proposed development will have a 'significant detrimental impact on the setting of listed buildings and would fail to preserve the setting of the listed Pentre Bach Farm and associated buildings'. As a result of TCBC pre–application comments, the most southern eastern fields have been removed from the development boundary and photovoltaic panels will not be implemented on these fields. Consequently, this presents a natural boundary between the listed Pentre Bach Farm and associated buildings and the development.
- **Landscape –** TCBC's landscape officer confirmed that the site is within the Green Wedge and SLA, the urban area to the north of the site detracts from the observed landscape value. As such it has been proposed to retain the tall sward hay meadow which separates the two northern parcels thus breaking up the overall massing and views of the Proposed Development from the north in the local area. The path that runs adjacent to the parcel will provide views over the site for walkers.
- **Transport –** TCBC advised that the road network in the vicinity of the site (including Pentre Lane) is not suitable for heavy good vehicles. As part of the highway design, banksmen were determined to be the most suitable approach because they will not generate significant impacts on the local road network and will alleviate any potential congestion caused by the development.

5.4 Notification (November 2022)

5.4.1 The Applicant notified the Welsh Ministers (and TCBC) of the intention to submit a DNS application in November 2022. PINs provided formal notice of accepting the intention to submit the DNS application as proposed and therefore, the Applicant was given a period of 12 months (until 07/04/2022) to submit the full DNS application. Please refer to **Appendix G** to view PINs Notification Notice. The application was not submitted.

5.5 Notification (February 2024)

5.5.1 The Applicant re-notified the Welsh Ministers (and TCBC) of the intention to submit a DNS application in February 2024. Please refer to **Appendix H** to view the PEDW Notification Notice. In accordance with Article 8 of the 2016 DNS Procedure Order, once submitted, the application will be publicised for a minimum period of 42 days following the Statutory Pre-Application Consultation (PAC) Period.

5.6 Conclusion

5.6.1 To conclude, the Applicant has engaged positively and regularly throughout the planning application period with TCBC, PINs (now PEDW) and non-statutory consultees. Further engagement will be undertaken with stakeholders and the public during statutory Pre-Application Consultation.

6 Planning policy context

6.1.1 The following section provides an overview of the national and local planning policies that are specifically relevant to the Proposed Development.

National policy on climate change, sustainability, and renewable energy

6.1.2 It is widely accepted that greenhouse gas emissions need to be significantly reduced and in 2005, the Kyoto Protocol came into effect providing the first ever framework for international action. Under the Protocol, the United Kingdom, together with 37 other industrialised countries (called "Annex I Countries"), committed themselves to reducing greenhouse gas emissions by 5.2% from 1990 levels by the year 2012. The Committee on Climate Change (CCC) published a report in May 2019, titled 'Net Zero – The UK's contribution to stopping global warming'. The report responded to a request from the Government to reassess the UK's long-term emissions targets and recommended a new emissions target for the UK: net zero greenhouse gases by 2050.

6.1.3 Chapter 6 of CCC's report refers to delivering a net zero emissions target for the UK. The chapter sets out a number of actions, including the transition to a net zero emissions economy and what is needed to underpin delivery of net zero emissions un the UK. 'Part b' sets out key near term actions to put the UK on track on net – zero greenhouse gases emissions by 2050 and recommends that more rapid electrification must be accompanied with greater build rates of low carbon generation capacity, accompanied by measures to enhance the flexibility of the electricity system to accommodate high proportions of inflexible generation. In addition, the report presents that development of new infrastructure will be important in opening new avenues for decarbonisation.

6.1.4 In June 2019, the UK Government declared a climate change emergency following the publication of the CCC report. The resultant legislation amended the Climate Change Act 2008 (c.27) and introduced a legally binding target to achieve 'net zero' by 2050. Paragraph 1 of the Climate Change Act (as amended) sets out the target to 2050 and states that:

"*it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline (which means the aggregate amount of net UK emissions of carbon dioxide for that year and net UK emissions of each of the other targeted greenhouse gases for the year that is the base year for that gas*)".

6.1.5 On 20th April 2021, the UK Government announced its commitment to reduce carbon emissions by 78% by 2035 compared to 1990 levels (including, for the first time, those from shipping and aviation). The new target was enshrined in law in June 2021.

- **Electricity supply.** Renewable electricity capacity increased in 2022, but not at the rate required to meet the Government's stretching targets, particularly for solar deployment. Given short lead-times, rapid deployment of onshore wind and solar could have helped to mitigate dependence on imported gas during the fossil fuel crisis.

6.1.6 In October 2021, the UK Government published its Net Zero Strategy: Build Back Greener, which in relation to solar development is further reiterated in the 2023 strategy Powering up Britain. The strategy states that the UK has huge potential to decarbonise the power sector and sets out an ambition for a fivefold increase in solar by 2035, up to 70GW, enough to power around 20 million homes. Ground-mounted solar is one of the cheapest forms of electricity generation and is readily deployable at scale. The Government seeks large scale solar deployment across the UK, looking for development mainly on brownfield, industrial and low/medium grade agricultural land such as this site.

6.1.7 In relation to these targets, the Climate Change Committee's 'Progress in reducing UK emissions 2023 Report to Parliament' states that while renewable electricity capacity increased in 2022, it was not deployed at the rate required to meet the Government's stretching targets, particularly for solar deployment. Given short lead-times, rapid deployment of onshore wind and solar could have helped to mitigate dependence on imported gas during the fossil fuel crisis. Specifically, the report states that the deployment of solar capacity is significantly off track to meet the Government's target of 70 GW by 2035. An average annual deployment rate of 4.3 GW is required to deliver 70 GW of solar by 2035. This is a useful to metric to demonstrate the significant contribution the proposed development would make to meeting Net Zero.

6.1.8 Furthermore, the new Labour Government has expressed a commitment to making the UK a 'Clean Energy Superpower' as one of the missions in its manifesto. As part of this mission, more than tripling solar power to 50GW by 2030. Since coming into power, the Government has not yet developed this into a policy white paper, but the new Secretary of State for Energy Security and Net Zero approved three development consents for solar farms with a total generating capacity of around 600MW on the same day (12 July 2024), just one week into the new administration. This demonstrates a positive and supportive approach to utility scale solar in accordance with the new Government's stated commitments, which extends beyond just development consents. For example, on 23 July, application W/22/1577 (South Warwickshire) for a 23MW solar farm in the Green Belt that had been called in by the Secretary of State was approved.

Welsh Government Climate Emergency

6.1.9 In April 2019, the Welsh Government declared a climate emergency in June 2019 and accepted the CCC's recommendation for a new emission targeted but set a more ambitious target of net zero emissions no later than 2050.

6.1.10 In March 2021, new legislation came into force in Wales, amending the 2050 emissions target and the interim emissions targets. As well as amending the 2050 emissions target to net zero, the 2030 target was increased from 45% to 63% below the 1990 baseline, and the 2040 target was increased from 67% to 89% below the 1990 baseline.

6.1.11 Evidence for the third UK Climate Risk Independent Assessment (CCRA3) in relation to Wales, highlights that the climate in Wales is already changing, with an increase of 0.9 degrees Celsius in the average annual temperature since the mid-1970s, an increase of 2.0% in annual mean rainfall and 6.1% in sunshine hours during the same period, approximately 1.4mm of sea level rise per year since 1901 and an increase in extreme heat events.

Prosperity for All: A Low Carbon Wales (March 2019)

6.1.12 The Environment (Wales) Act 2016 requires Welsh Government to reduce emissions of greenhouse gases (GHGs) in Wales by at least 80% for the year 2050. Under s39 of that Act, Welsh Ministers must prepare and publish a report for each budgetary period setting out their policies and proposals for meeting the carbon budget for that period.

6.1.13 Prosperity for All: A Low Carbon Wales is the Welsh Government's first statutory decarbonisation plan. It sets out the Welsh Government's approach to cut emissions and decrease efficiency in a way that maximises wider benefits for Wales, ensuring a fairer and healthier society. It sets out a hundred policies and proposals that directly reduce emissions and support the growth of the low carbon economy.

6.1.14 It specifically seeks to reduce the use of fossil fuels for power generation and promote and accelerate the deployment of renewable energy generation. The plan also recognises that energy storage and flexibility services will need to be provided in integrate with new renewable energy development as part of a whole system approach. In relation to the power section, the plan sets a target to reduce power section emissions by 37% from baseline levels [1990s] by the year 2030. The Welsh Government's Sector Emission Pathway for Power, published in June 2019, states that power sector emissions would be 2% greater than the baseline level in the year 2020.

6.1.15 Policy 26 (Implementing Energy Consenting, Planning & Permitting Policy) identifies planning as a key lever in Wales for determining the sources of fuel for power generation. Future Wales: the national plan to 2040 is identified a key aspect of this as it will play:

"*a key role in facilitating clean growth and decarbonisation and helps build resilience to the impacts of climate change. Achieving our strategic decarbonisation goals is highlighted as a key driver, which all development plans must support*".

6.1.16 Policy 31 (Delivering of our Renewable Energy Targets) specifically seeks to deliver the 2017 Renewable Energy Targets announced by the Welsh Government, including generating 70% of Wales electricity consumption from renewables by 2030.

6.1.17 In October 2021, the Welsh Government published its second statutory decarbonisation plan (LCDP2) titled Net Zero Wales. This sets out 123 policies and proposals across all Ministerial portfolios.

6.1.18 In respect of energy generation, Net Zero Wales sets the following ambitions:

- By 2025, 1GW additional renewable energy capacity will be installed; and
- From 2021, there will be no new build unabated fossil fuel generation in Wales. All current unbated gas generation removed from the system by 2035.

6.1.19 The plan recognises the need to maintain a secure supply of electricity for people and businesses in Wales and seeks to meet this through decarbonised sources as soon as possible and from 2035 at the latest. The transition to a low carbon heating system is identified as one priority area that will require a significant increase in renewable energy generating capacity. Two areas of action are identified for the electricity and heat emissions sector to meet Carbon Budget 2:

- Decarbonising electricity production from fossil fuels; and
- Increasing electricity from low carbon and variable renewables.

6.1.20 Net Zero Wales' Policy 22 seeks to increase the delivery of renewable energy developments on land through the planning system. It recognises that Future Wales provides a positive policy framework for the consenting and development of large-scale renewable energy projects and associated infrastructure. The plan also confirms that the current renewable energy target of the equivalent of 70% of electricity consumption in Wales to come from sources by 2030 will be reviewed in 2022.

National Infrastructure Strategy – Fairer, Faster and Greener (November 2020)

6.1.21 The Strategy sets out the UK Government's plans to deliver on its ambition, being 'deliver an infrastructure revolution: a radical improvement in the quality of the UK's infrastructure to help level up the country, strengthen the Union, and put the UK on the path to net zero emissions by 2050'. It states that:

"*to achieve net zero by 2050, the power system will need to be virtually carbon free and significantly larger to cope with the additional demand from electrification in transport, heating and some industrial processes.*

This expanded system requires increased investments in network infrastructure, sources of flexibility, such as interconnection, demand response and storage, together with enough low carbon generation capacity to provide the vast majority of the UK's electricity needs".

6.1.22 The strategy confirms that achieving net zero will require a dramatic increase in share of generation from renewables, including specifically from onshore wind and solar. The Government also proposes to continue supporting the roll out of renewables through the Contracts for Difference subsidy mechanisms, which now include solar and wind technologies.

Energy White Paper (December 2020)

6.1.23 The UK Government published 'The Energy White Paper – Powering our Net Zero Future' in December 2020 (hereafter referred to as the 'White Paper'. The White Paper builds on the Prime Minister's Ten Point Plan and provides a long-term strategic vision for the UK's energy system. The White paper establishes the Government's goal of a decisive shift from fossil fuel to clean energy, in power, buildings and industry, whilst creating jobs and growing the economy.

6.1.24 The White Paper confirms that the renewable capacity has grown significantly since 2010, due to the rapid growth of renewables. This growth in renewable capacity has been driven by the deployment of wind, solar and biomass. The increase is attributed to the falling costs of these types of renewable energy which has allowed deployment in a 'subsidy-free' market.

6.1.25 As part of the Prime Minister's Ten Point Plan for a Green Industrial Revolution, the Government will continue to hold regular Contracts for Difference (CfD) auction rounds every 2 years to bring forward a range of low-cost renewable technologies. It has been announced that the next auction (in late 2021) will be open to onshore wind, solar photovoltaics and other established technologies, as well as offshore wind. The Government is hoping to award CFDs for a total of around 12GW of low-cost renewable generation. The White Paper is clear that:

"*A low-cost, net zero consistent system is likely to be composed predominantly of wind and solar*"

and that:

"*Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind*.

6.1.26 Renewable energy generation from solar has been identified by the White Paper as a key element of the future energy mix in the UK. It states that the UK needs:

"*…sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios*".

6.2 National planning policy

Future Wales: the national plan 2040

6.2.1 Future Wales is Wales' national development framework (hereafter referred to as 'Future Wales'), setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, and achieving decarbonisation and climate resilience.

6.2.2 Future Wales was adopted on the 24th of February 2021 and is the highest tier of development plan. Future Wales is one of a number of documents concerned with infrastructure and development in Wales.

6.2.3 As the most recent expression of national planning policy, Future Wales is considered to have primacy in the planning policy hierarchy. Its purpose is to ensure the planning system at all levels is consistent with, and supports the delivery of, Welsh Government strategic aims and policies (including those in Planning Policy Wales), the Wales Infrastructure Investment Plan and Regional Economic Frameworks. It was prepared with regard to various Welsh Government policy and legislation, including:

- Wellbeing of Future Generations (Wales) Act 2015;
- Environment (Wales) Act 2016;
- Prosperity for All: A Low Carbon Wales (March 2019); and
- Policy Statement: Local ownership of energy generation in Wales – benefitting Wales today and for future generations (February 2020).

6.2.4 Future Wales provides the spatial direction to be achieved in 20 years' time. Outcome 9 seeks a Wales where people live in places that sustainably manage their natural resources and reduce pollution. Outcome 11 seeks a Wales where people live in places which are decarbonised and climate resilient.

6.2.5 Future Wales recognises the challenges climate change poses and recognises the significant impacts on the wellbeing of both current and future generations. Future Wales sets out that increasing temperatures and extreme weather events caused by climate change are putting pressure on infrastructure and the built environment, which all contribute to social and economic resilience. Future Wales:

- Supports a low carbon economy and the decarbonisation of industry, and the growth of sustainable and renewable energy; and
- Supports infrastructure development, including transport, energy and digital communications.

6.2.6 Future Wales recognises that Wales can become a world leader in renewable energy technologies. The Welsh Government recognises our potential for solar generation and supports both large and community scaled projects and commits to ensuring the planning system in Wales provides a strong lead for renewable energy development.

6.2.7 Furthermore, Future Wales sets the ambitious targets for the generation of renewable energy:

- For 70% of electricity consumption to be generated from renewable energy by 2030.
- For one gigawatt of renewable energy capacity to be locally owned by 2030.
- For new renewable energy projects to have at least an element of local ownership from 2020.

6.2.8 Section 2 of Future Wales sets out how it has been informed by climate change issues, including projections showing an increased chance of milder, wetter winters and hotter, drier summers, rising sea levels and an increase in the frequency and severity of extreme weather events. It further states:

"*it is vital that we reduce our emissions to protect our own well-being and to demonstrate our global responsibility. Future Wales together with Planning Policy Wales will ensure the planning system focuses on delivering a decarbonised and resilient Wales through the places we create, the energy we generate, the natural resources and materials we use and how we live and travel*"

6.2.9 Section 3 includes the Future Wales' Outcomes which are described as 'collectively a statement of where we want to be in 20 years' time. Every part of Future Wales is concerned with achieving the Outcomes'. The Outcome of principal relevance to the proposed development is:

"A Wales where people live in places which are decarbonised and climate resilient: the challenges of the climate emergency demand urgent action on carbon emissions and the planning system must help Wales lead the way in promoting and delivering a competitive, sustainable decarbonised society."

6.2.10 Policy 17 of Future Wales notes that the Welsh Government strongly supports the principle of renewable and low carbon energy development from all technologies and at all scales to meet our future energy needs. Furthermore, it states (our emphasis):

"*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 our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency****. […] Applications for large scale wind and solar will not be permitted in National Parks and Areas of Outstanding Natural Beauty and all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment. Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities. New strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities*".

6.2.11 Policy 18 is the most relevant policy for the proposal, which refers to 'renewable and low carbon energy developments of national significance'. Policy 18 presents that proposals for renewable and low carbon energy projects (including repowering) qualifying as DNS's will be permitted subject to policy 17 and the following criteria:

1. *Outside the pre assessed areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty).*

2. *There are no unacceptable adverse visual impacts on nearby communities and individual dwellings.*

3. *There are no adverse effects on the integrity of internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons for Overriding Public Interest and appropriate compensatory measures have been secured.*

4. *There are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species.*

5. *The proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity.*

6. *There are no unacceptable adverse impacts on statutorily protected built heritage assets.*

7. *There are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance.*

8. *There are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area.*

9. *There are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation.*

10. *The proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources.*

11. *There are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.*

The cumulative impacts of existing and consented renewable energy schemes should also be considered.

6.2.12 The supporting text to both policies states that Policy 17 demonstrates the Welsh Government's support in principle for all renewable energy projects and technologies. The supporting text also refers to the Welsh Government's target for renewable energy projects to have at least an element of local ownership from 2020, but specifically states this is not a planning consideration.

Planning Policy Wales (PPW) (Edition 12) (February 2024)

6.2.13 Edition 12 of PPW was adopted in February 2024. PPW sets out the land use planning policies of the Welsh Government. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well – being of Future Generations (Wales) Act 2015 and other key legislation.

6.2.14 Its key principles are:

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities; and
- Maximising environmental protection and limiting environmental impact.

6.2.15 Paragraph 2.14 states that These principles will enable the goals and five ways of working set out in the Well-being of Future Generations Act to be realised through land use planning. They provide the context and will act as a catalyst for the positive delivery of the planning system across Wales.

6.2.16 Paragraph 2.27 explains the need for planning authorities to take a balanced approach to implement the Wellbeing of Future Generations Act and its Sustainable Development Principle. It states there may be occasions when one benefit of a development proposal outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well – being goals. It identifies a long list of key factors to consider in the assessment process. In summary, these include:

- How the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales;
- Whether environmental risks are prevented or appropriately managed;
- Whether the causes and impacts of climate change are fully taken into account through location, design, build, operation, decommissioning and restoration; and
- Whether a proposal supports decarbonisation and the transition to a low carbon economy.

6.2.17 Paragraph 3.30 (Sustainable Management of Natural Resources) of PPW sets out that the Welsh Government declared a climate emergency in 2019, in order to co-ordinate action nationally and locally to help combat the threats of climate change. It further sets out that the planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources.

6.2.18 Paragraph 3.33 explains that the planning system plays a significant role in managing the significant risk of climate change to people, property, infrastructure and natural resources. It states:

"*development allowed today will be around for decades to come. The most important decision the planning system makes is to ensure the right developments are built in the right place*s".

6.2.19 Paragraphs 3.58 and 3.59 of PPW relate to Best and Most Versatile (BMV) Agricultural Lane. PPW states that BMV agricultural land (agricultural land of grades 1, 2 and 3a) should be conserved as a finite resource for the future. It states that BMV should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

6.2.20 In relation to the rural economy, PPW specifically acknowledges that diversification of farms can include solar development PPW states that:

…planning authorities should adopt a positive approach to diversification projects in rural areas. Diversification can strengthen the rural economy and bring additional employment and prosperity to communities. (Paragraph 5.6.10)

Diversification can also include renewable energy proposals such as anaerobic digestion facilities or solar and wind installations, which will help to increase the viability of rural enterprises by reducing their operating costs. These schemes should be supported where there is no detrimental impact on the environment and local amenity (Paragraph 5.6.13).

6.2.21 Paragraph 5.7.1 of PPW sets out that low carbon electricity must become the main source of energy in Wales. Renewable electricity will be used to provide both heating and transport in addition to power. This paragraph further emphasises that the future energy supply mix will depend on a range of established and emerging low carbon technologies.

6.2.22 Paragraph 5.7.6 sets out that the planning system should secure an appropriate mix of energy provision, which maximises benefits to our economy and communities whilst minimising potential environmental and social impacts. Paragraph 5.7.7 presents that the benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of paramount importance. The continued extraction of fossil fuels will hinder progress towards achieving overall commitments to tackling climate change. The planning system should:

- Integrate development with the provision of additional electricity grid network infrastructure;

- Optimise energy storage;
- Facilitate the integration of sustainable building design principles in new development;
- Optimise the location of new developments to allow for efficient use of resources;
- Maximise renewable and low carbon energy generation;
- Maximise the use of local energy sources, such as heat networks;
- Minimise the carbon impact of other energy generation; and
- Move away from the extraction of energy minerals, the burning of which is carbon intensive.

6.2.23 Paragraph 5.7.12 identifies that energy storage has an important part to play in managing the transition to a low carbon economy. The growth in energy generation from renewable sources requires the management of the resultant intermittency in supply, and energy storage can help balance supply and demand. Proposals for new storage should be supported wherever possible.

6.2.24 Chapter 6 of PPW was updated with immediate effect on 18th October 2023 following a consultation exercise in Spring 2023 which sought responses on green infrastructure, net benefit for biodiversity, the production afforded to Sites of Special Scientific Interest and trees and woodland. In response to comments received, the main changes to policy which are reflected in Chapter 6, which is now incorporated into PPW Edition 12, published in February 2024, and includes:

- Green Infrastructure: stronger emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments, the submission of proportionate green infrastructure statements with planning applications and signposting Building with Nature standards.
- Net Benefit for Biodiversity and the Step-wise Approach: further clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and the need to consider enhancement and long-term management at each step. The use of the green infrastructure statement as a means of demonstrating the stepwise approach is made explicit. A simplified diagram of the policy approach has been developed. The importance of strategic collaboration to identify and capture larger scale opportunities for securing a net benefit for biodiversity is recognised.
- Protection for Sites of Special Scientific Interest: strengthened approach to the protection of SSSIs, with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape'. Other development is considered unacceptable as a matter of principle. Exceptionally, a planned approach may be appropriate where necessary safeguards can be secured through a development plan.

- Trees and Woodlands: closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right tree in the right place.

The Well–being of Future Generations (Wales) Act 2015

6.2.25 The Well–being of Future Generations Act requires public bodies in Wales to consider the long-term impact of their decisions to work better with people, communities, and each other to prevent persistent problems such as climate change.

6.2.26 The Act puts in place seven well–being goals which makes it clear for how the public bodies must work to achieve all of the goals, not just one or two.

- A Prosperous Wales.
- A Resilient Wales.
- A More Equal Wales.
- A Healthier Wales.
- A Wales of Cohesive Communities.
- A Wales of Vibrant Culture and Thriving Welsh Language.
- A Globally Responsible Wales.

Planning (Wales) Act 2015

6.2.27 The Planning (Wales) Act 2015 (hereafter referred to as 'the Act') presents legislation for development in Wales. Part 5 of the Act refers to application to Welsh Ministers, and Regulation 62(D) sets out that a nationally significant development application is to be made to the Welsh Ministers instead of to the local planning authority.

Technical Advice Notes (TAN) Wales

6.2.28 TAN's provide detailed planning advice, and local planning authorities take them into account when they are preparing development plans. The following TAN's are relevant to the proposal:

- TAN 5 – Nature Conservation and Planning;
- TAN 6 – Planning for Sustainable Rural Communities;
- TAN 11 – Noise;
- TAN 12 – Design;
- TAN 15 – Development and Flood Risk; and
- TAN 24 – The Historic Environment.

Letter to All Chief Planners 2022

6.2.29 The purpose of the letter was to clarify that in accordance with Welsh Government policy, 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. I have instructed officials to monitor closely proposals that would involve the loss of BMV land.

6.2.30 As the site does not comprise BMV land it is considered to be in accordance with the wording of the letter issued to Chief Planners.

Building Better Places: The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid 19 Recovery (July 2020)

6.2.31 This describes the Welsh Government's planning policy priorities to support recovery following the Covid – 19 pandemic crisis. One of its key messages is that a plan led approach is the most effective way for the planning system to combat climate change. It states, "*we must identify, plan for and achieve key steps in achieving the switch to a decarbonised and climate resilient society*".

Overarching National Policy Statement for Energy (NPS EN–1) (July 2011)

6.2.32 This sets out the UK Government's commitment to increasing renewable generation capacity. Paragraph 1.2.1 states that:

In England and Wales, this NPS is likely to be a material consideration in decision making on applications that fall the Town and Country Planning Act 1990 (as amended).

6.2.33 As this application falls within the definition of a 'Development of National Significance', it falls under s62(D) of the TCPA, as amended by The Planning Wales Act. As such, the NPS can be considered a material planning consideration.

6.2.34 Paragraph 2.2.6 of EN – 1 state that "the UK needs to wean itself off such a high carbon energy mix: to reduce greenhouse gas emissions, and to improve the security, availability and affordability of energy through diversification". Other relevant extracts from the NPS include:

"The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions." (Paragraph 3.1.1).

"As part of the UK's need to diversity and decarbonise electricity generation, the Government is committed to increasing dramatically the amount of renewable generation capacity. In the short to medium term, much of this new capacity is likely to be onshore and offshore wind." (Paragraph 3.3.10).

6.2.35 The UK Government undertook consultation on a revised draft NPS EN–1 between September and November 2021, in addition to a revised draft NPS for renewable energy infrastructure (NPS EN–3). NPS EN–3 was published in November 2023 and updated in January 2024.

Paragraph 1.6.1 confirms that the types of nationally significant electricity generating stations for Solar Photovoltaic (PV) in Wales are developments with less than 350MW. As such it is considered that NPS EN–3 is not relevant to the development proposed.

6.3 Local planning policy

6.3.1 The current Local Development Plan (LDP) for TCBC was adopted on the 3rd of December 2013. The LDP provides a framework for local decision making and brings together both development and conservation interests to ensure that any changes in the use of land are coherent and provides maximum benefits to the community. The LDP sets out TCBC's land use policies to control development in the country borough up to 2021 and beyond (the LDP will remain an extent development plan until it is superseded by the Adopted Torfaen Replacement Local Development Plan currently being prepared, expected to be adopted in October 2026).

6.3.2 Section 3 of TCBC's pre – application response (Reference: 20/PE/0090/PREAPP) sets out the relevant planning policies within the adopted LDP. These include the following:

- LDP Policy S1 – Urban Boundaries;
- LDP Policy S2 – Sustainable Development;
- LDP Policy S3 – Climate Change;
- LDP Policy S4 – Place Making / Good Design;
- LDP Policy S7 – Conservation of the Natural and Historic Environment;
- LDP Policy S8 – Planning Obligations;
- LDP Policy BW1 – General Policy – Development Proposals;
- LDP Policy BG1 – Locally Designated Sites for Biodiversity and Geodiversity;
- LDP Policy C1 – Green Wedges;
- LDP Policy C2 – Special Landscape Areas; and
- LDP Policy M1 – Minerals Safeguarding.

Supplementary Planning Guidance

6.3.3 Section 3 of TCBC's pre–application response also details that the 'Planning Obligations Supplementary Planning Guidance' (SPG) is relevant for the proposal. Adopted in September 2016, the SPG details that planning obligations are an established and valuable tool within the development management process. They provide a means to enable a proposed development to proceed and to meet the needs of the local community associated with the new development by securing developer contributions towards the provision of infrastructure, services and other public benefits.

6.3.4 Policy S8 sets out that planning obligations will be required on development proposals through section 106 legal agreements where they are necessary to address the impacts of development

and to make the proposal acceptable in land use planning terms. Policy S8 sets out that based on evidence of local need and / or generation of need by the proposal, taking into account site specific circumstances, viability and LDP objectives, planning obligations will be specifically targeted to achieve the key priorities of:

a. Affordable housing;

b. Open space, children's play spaces and formal outdoor recreation facilities;

c. Investment in educational provision;

d. Highways and transport infrastructure management and improvements;

e. Maintenance and enhancement of the environment, historic assets and biodiversity networks and resources;

f. And may also include, but are not limited to:

g. Community facilities;

h. Employment and commercial opportunities;

i. Waste management facilities and services;

j. Public realm improvements and public art;

k. Renewable energy and energy efficiency;

l. Improvements to the Monmouthshire and Brecon Canal;

m. Incorporation of sustainable urban drainage schemes; and

n. Flood defence measures to mitigate the risk of flooding.

7 Assessment of the Proposed Development

Introduction

7.1.1 This assesses the proposed development against the adopted planning policy framework as identified in the preceding chapter.

Principle of development

7.1.2 National and local planning policies support the principle of renewable energy development.

7.1.3 Future Wales and PPW 12 both strongly support the expansion of Wales's renewable energy network as well as recognising the need for facilities as that proposed, to help facilitate the transition towards net zero.

7.1.4 At a local level The Torfaen Renewable and Low Carbon Energy Assessment (2013) study identifies land surrounding the site as a potential location for solar developments and in principle the Local Planning Authority supports renewable energy projects through Policy S3 (d) and has granted planning permission for solar arrays elsewhere within the locality.

Agricultural land

7.1.5 In line with Paragraphs 3.58 and 3.59 of PPW agricultural land of grades 1, 2 and 3a should be conserved as a finite resource for the future. The submitted ALC report (**Appendix D**) confirms that the majority of the site (95.4%) falls within ALC Grade 3b with the remainder falling within Grade 4 and non-agricultural. As such the development of the site would not see any loss of Best and Most Versatile (BMV) land and is therefore considered to be in accordance with National Planning Policies regarding BMV.

Arboriculture

7.1.6 The submitted Tree Survey and Arboricultural Impact Assessment (**Document A8**) prepared by Mackley Davies Associates confirms the findings of the surveys carried out in 2021. A total of three trees (2 x Category B, 1 x Category C) are to be removed to facilitate the Proposed Development. All other trees are to be retained and a scheme of landscaping as set out above has been developed to mitigate the loss. As such it is considered that the Proposed Development is in accordance with Chapter 6 of PPW and LDP Policies LDP Policy C1 and C2.

Archaeology

7.1.7 An Archaeological Impact Assessment (AIA) has been prepared by Foundations Heritage (**Document A9**) and submitted with the application. The AIA concludes that the groundworks associated with the proposed development would result in a limited potential adverse impact on

buried archaeological remains of any date, which survived within the site areas. The limited physical impact resulting from the insertion of piles and associated infrastructure is not considered to result in more than negligible harm to agricultural or industrial features, which by their nature are generally robust.

7.1.8 The assessment confirms that if buried heritage assets of a non-agricultural or industrial nature should be identified, suitable archaeological mitigation, including preservation in situ through exclusion of sensitive areas or use of concrete shoes or preservation by record of suitable deposits would reduce any impact on the archaeological resource to negligible.

7.1.9 As such the proposed development is considered to be in accordance with TAN 24: Heritage, Paragraphs 6.1.6 & 6.1.23 of PPW12, and Policies S7 and HE1 of the adopted Local Plan.

Ecology

7.1.10 An Ecological Appraisal prepare by BSG Ecology (**Document A12**) confirms that The Site largely comprises improved and poor semi-improved grassland of low ecological value. There are areas within the site that fall within SINCs with some areas of surrounding woodland designated as Ancient Woodland. The EA confirms the potential risks and the mitigation proposed to reduce the impacts of the solar farm on these assets. The EA recommends that conditions are applied requiring a CEMP, HMP and pre-construction badger survey to ensure the proposed development is fully aligned with Policy 18 of Future Wales and Chapter 6 of PPW.

Flood risk and drainage

7.1.11 The submitted Flood Consequence Assessment and Drainage Strategy (**Document A5**) has been prepared by Wardell-Armstrong and sets how the proposed development has an acceptable risk of flooding over the development's lifetime, taking climate change into account. As set out in Section 3 the site is entirely located within Flood Zone A with the risk of flooding to the proposed development categorised as low. To ensure that the development does not have any adverse offsite impacts and increases flood risk elsewhere surface water runoff should be sustainably managed and disposed of using SuDS techniques.

7.1.12 To replicate pre-developed conditions, it is proposed that run-off from the solar panels will infiltrate directly into the ground and the access tracks will be permeable to allow surface water to discharge directly to the ground at the natural infiltration rate.

7.1.13 It is therefore considered that the proposed development can demonstrate that the site can be developed in compliance with Planning Policy Wales, TAN 15 and the Welsh Government Sustainable Drainage Systems Standards for Wales.

Glint and glare

7.1.14 A Solar Photovoltaic Glint and Glare Study (Document A11) has been prepared by PagerPower and has been submitted with this application to support the proposals. The report confirms that the impact of the proposals on the local highway networks is anticipated to be low in accordance with the modelling work carried out. It was No mitigation is required because reflections would occur outside of road users' field of view.

7.1.15 For the residential receptors identified modelling has shown that solar reflections are geometrically possible towards 35 out of the 58 assessed dwelling receptors. Despite this the views of the panels are only considered to be possible at 10 of these affected dwellings. No mitigation is considered to be required as the duration of any effect experienced by observers is not considered to be significant. Additionally, the separation distances between the nearest dwelling and the panels are large. Finally, any effects will coincide with direct sunlight which is a far more significant source of light when compared to solar reflection.

Heritage

7.1.16 The submitted Heritage Statement (**Document A4**) prepared by Stantec to support the submission confirms that there would be some impact on the setting of the Grade II* listed Pentre Bach farm, by virtue of the proposed development within its wider landscape setting.

7.1.17 The potential scale of impact has been significantly mitigated through the proposed site layout and landscape strategy for the Site as part of extensive the pre-application discussions with both PINs (now PEDW) and the TCBC . The submitted report demonstrates that any harm would be of a low level and that the statutory tests set out in the 1990 Act have been met.

7.1.18 The proposals are also considered to be in accordance with the national and local heritage planning policy framework and would preserve the special interest of the Grade II* listed Pentre Bach, the Grade II listed Lime Kilns and Grade II listed Zoar Chapel.

Landscape

7.1.19 A Landscape Visual Impact Assessment ('LVIA') has been prepared by Stantec (**Document A13**) which assess the landscape character of the site, identifies opportunities and constraint and how the proposed development can mitigate its visual impacts. A landscape strategy plan forms part of the LVIA which identifies the mitigation measures to make the Proposed Development acceptable, these include; hedgerow creation and retention; site grazing; and 15m PRoW buffers.

7.1.20 An assessment of the likely landscape and visual effects of the Proposed Development has been undertaken at Years 1 and 15 of operation. No proposed cumulative schemes have been

identified; however, a number of existing schemes have been identified and considered in combination with the Proposed Development to assist stakeholders in accordance with the LVIA.

7.1.21 The Site has the capacity to accommodate the Proposed Development without long-term unacceptable effects on landscape character and visual amenity, whilst the proposed mitigation strategy is deemed to have the potential for long term beneficial effects. The proposed development and the mitigation measures identified align with Local Plan Policy C2 and Policy 18 of Future Wales.

Noise

7.1.22 A Noise Assessment Report (Document A10) has been prepared by Wardell-Armstrong and is submitted with this application. The survey results and corresponding report confirms that the proposed development would have no more than a low impact (the lowest category set out in the British Standard) on all nearby sensitive receptors and no mitigation would be required to reduce noise from the inverters associated with the proposed solar farm.

7.1.23 As such the proposed development would be aligned with the requirements set out within TAN11: Noise.

Transport

7.1.24 The submitted Transport Statement prepared by Via Solutions considers the suitability of the surrounding highway network and impact from construction traffic and the site access arrangements. Given the proposed land use, the operational phase impacts on the local highway network will be minimal. The report confirms that a Construction Traffic Management Plan (CTMP) will be provided to regulate the HGV traffic to and from the site to minimise the impact the HGVs will have on the local highway network during the construction phase.

7.1.25 As such, the proposed development can be accommodated on the adjacent highway network without any significant negative impact and there are therefore no highway capacity or safety reasons why this development should not be granted planning approval. The proposals align with Paragraph 5.9.20 of PPW12 and Policy BW1 (Criterion E (iv and v)) of the Adopted LDP.

8 Conclusion

8.1.1 This PDAS supports a planning application submitted on behalf of Elgin Energy EsCo Ltd for the following development:

> '***Ground mounted photovoltaic solar farm and Battery Energy Storage System (BESS) together with associated equipment, infrastructure and ancillary works***'

8.1.2 As the Proposed Development comprises an electricity generating station with an installed generating capacity of less than 350MW, it falls within the definition of a 'Development of National Significance' (DNS) under Regulation 4(1) of the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended), for the purposes of s62(D) of Town and Country Planning Act 1990 (as amended by the Planning (Wales) Act 2015, which inserts Section 62D (and subsequent Sections up to 62L) into the 1990 Act).

8.1.3 The Development comprises ground mounted photo voltaic panels and energy storage facility with an export capacity of 20MW of renewable/low carbon electricity at peak operation. The Development is proposed for a 40-year period.

8.1.4 The Development is in accordance with local and national planning policy and will make a significant contribution to the transition to a renewable energy system and the delivery of net zero. In conclusion, it is considered that it complies with the adopted development plan and all other material considerations. Planning permission should therefore be granted accordingly.

8.1.5 We have provided a list of proposed planning conditions which seek to secure the appropriate mitigation required to make the Proposed Development acceptable, these are included at **Appendix I**.

Appendix A Site Location Plan

The scaling of this drawing cannot be assured

Revision		Date	Drn	Ckd
G	Updated Title Block	18.07.24	ML	LHT

LEGEND

Site Boundary 44.95 Ha

N

Project
Land at Pentre Farm
Torfaen

Drawing Title
Site Location Plan

Date	Scale	Drawn by	Check by
30.07.21	1:2500@A2	KT	TE

Project No	Drawing No	Revision
29522	9006	G

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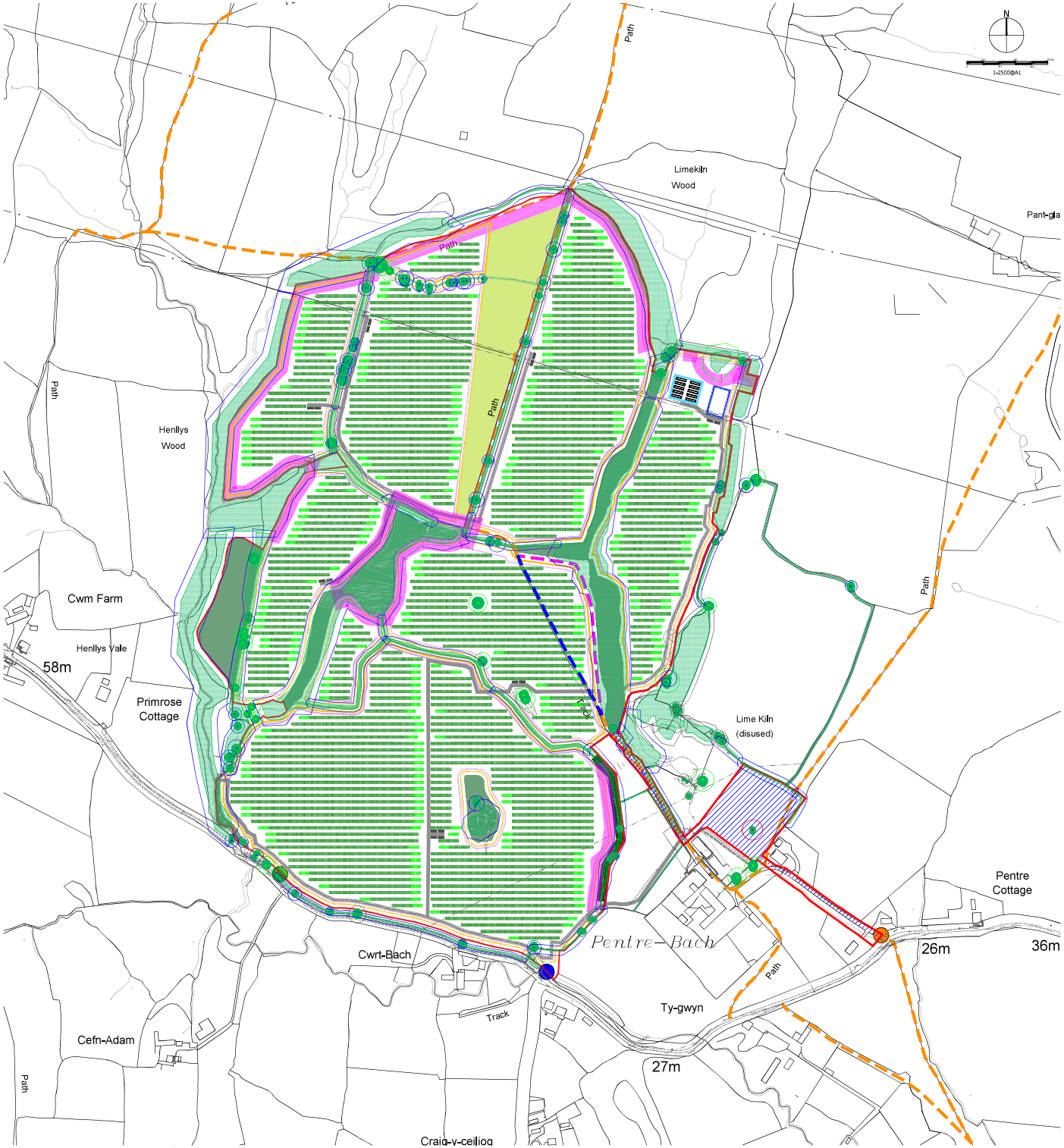
J:\29000\29522 - Land At Pentre Bach Farm, Torfaen\A4 - Drawings & Registers\Masterplanning\29522 9006 Site Location Plan_Rev G.dwg - A2

Appendix B Indicative Site Layout

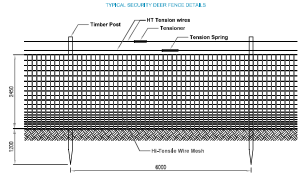
The scaling of this drawing cannot be assured

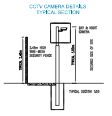
Revision		Date	Drn	Ckd
J	Updated Title Block	18.07.24	ML	LHT

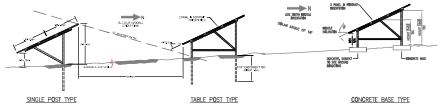


TYPICAL STORAGE UNIT
TYPICAL DIMENSIONS 12.2m x 2.4m x 2.6m HIGH
ALL SUBJECT TO FINAL DESIGN

TYPICAL INVERTOR SUBSTATION
DIMENSIONS: 7m x 2.5m x 3m HIGH. ALL SUBJECT TO FINAL DESIGN







TYPICAL SECTION THROUGH VARIOUS MODULE OPTIONS
SCALE 1:50

The scaling of this drawing cannot be assured

- Site Boundary
- Access Point A
- Access Point B
- Access Point C
- Energy Storage compound
- Substation
- 3.5m wide access track
- Inverter Substations
- Energy Storage Containers
- Public Right of Way
- Public Right of Way to be diverted
- Proposed new route for Public Right of Way
- Existing Hedgerow
- Fence (5m ecological buffer)
- 3m buffer from fence
- 2x12 Typical Module Panel
- 2x24 Typical Module Panel
- Existing Vegetation Retained
- Reinforce Existing Hedgerow - (To ensure no intervisability between proposed panels and Pentre Bach Farmhouse)
- Construction Area
- 15m landscape buffer
- Extended buffer to mitigate views from PRoW and long distance views from wider landscape to the west

Trees are indicated by symbols below, colour coded to indicate their 'Retention Categories'.

- Category U (defective, negligible or redundant trees)
- Category A (high retention value)
- Category B (moderate retention value)
- Category C (low retention value)
- APPROXIMATE crown spread of individual trees

The nominal ROOT PROTECTION AREA (RPA) of each tree is indicated by a solid line using the colour coding above

NOTES:

Final details all subject to final design. Arrangement of the panels shown is based on the following data:

1. Typical panel size = 2.2 x 1.3 approx.
2. Panel typical inclination = 25 degrees and south facing.
3. Module length = Typical 15.6 run with 0.2m gaps supported on four post/frames.
4. The typical module section shows two panels in portrait orientation, Three Panels in portrait, four panels in landscape or six panels in landscape may also be required, Details are subject to final design.
5. For clear aisles distance between panels refer to section.
6. Panels at lowest point set at 0.8m above ground level increasing to 2.4m to 3m approximate.
7. Panels not located where land gradient exceeds 1 in 9.5 (6 degrees) due to excessive leg heights.
8. Minimum 5m ecology buffer allowed to all boundaries.
9. Access tracks to consist of clause 804 material where required i.e. areas of soft sport, final extent and design to be confirmed. Only permeable material to be used.
10. For extent and type of screening required refer to landscape and visual assessment report for proposals.
11. Number and location of invertor substations subject to final design.
12. Location of security fence subject to final design.
13. Where necessary, gaps approximately 10cm high will be created below the fencing for wildlife movement
14. Existing hedgerow locations are indicative.
15. Existing hedgerows adjacent to the Site boundary are not shown but are assumed to lie within the Site boundary.
16. Footpath locations are indicative.
17. Diversion to be secured under a separate planning application under Section 257 of the Town and Country Planning 1990.

Project
Land at Pentre Farm
Torfaen

Drawing Title
Indicative Layout Plan

Date	Scale	Drawn by	Check by
30.07.21	Various	KT	TE

Project No	Drawing No	Revision
29522	9007	J

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Appendix C NRW Flood Risk Map

Cyfoeth Naturiol Cymru
Natural Resources Wales

Flood Map for Planning - Basic

NRW Development Advice Map

Legend

TAN15 Defended Zones

- Rivers
- Sea
- Rivers and Sea

Rivers and Sea

- Flood Zone 3
- Flood Zone 2

Scale at A3: 1:10,000

Date: 05/08/2024

0.45 0.23 0 0.45

km

British National Grid

Disclaimer

https://naturalresources.wales/flooding/disclaimer-for-our-flood-and-coastal-erosion-risk-maps/?lang=en

Appendix D Pentre Bach – ALC Report

Soil Environment Services Ltd

AGRICULTURAL LAND CLASSIFICATION

Barton Willmore

Pentre Bach
Newport

Soil Environment Services Ltd
May 2023

Our Ref: SES/BW/PB/#1 **Date: 20th May 2023**

Client:

Barton Willmore
Studio 117
The Creative Quarter
8a Morgan Arcade
Cardiff
CF10 1AF

AGRICULTURAL LAND CLASSIFICATION

Pentre Bach
Newport

A report prepared on behalf of ***Soil Environment Services*** by:

Louise Tavasso BSc (Hons) M.I.SoilSci
Environmental Consultant

Approved by:

Dr Robin S Davies BSc PhD F.I.SoilSci PGC *Contaminated Land Management*
Managing Director

Soil Environment Services
Agricultural Land Classification, Contaminated Land Risk Assessment, Mineral Extraction Soil Planning
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www.soilenvironmentservices.co.uk

CONTENTS

1. INTRODUCTION

An Agricultural Land Classification (ALC) has been carried out on 59 ha of land located at Pentre Bach, Newport (Drawing 1). The site is centred on OS Grid Ref. 328256, 192468.

The survey was conducted on the 26th and 27th February 2019 and classified the land into one or more of the below grades (see Drawing 1). On the survey date, the site was in agricultural use.

1.1 Methodology

Agricultural land is classified into the following grades according to the 1988 guidelines[1].

Grade	Description
1	**Excellent quality agricultural land** with no or very minor limitations to agricultural use.
2	**Very good quality agricultural land** with minor limitations which affect crop yield, cultivation or harvesting.
3a 3b	**Good quality agricultural land** capable of producing moderate to high yields of a narrow range of arable crops or moderate yields of a wider range of crops. **Moderate quality agricultural land** capable of producing moderate yields of a narrow range of crops or lower yields of a wider range of crops.
4	**Poor quality agricultural land** with severe limitations which significantly restrict the range of crops and/or level of yields.
5	**Very poor quality agricultural land** with very severe limitations which restrict use to permanent pasture or rough grazing, except for occasional pioneer forage crops.

The classification includes an initial desktop investigation to examine previously mapped soil types and to note the drift and solid geology followed by the field survey consisting of auger borings at one every 100 m in general and a pit excavated in each of the main soil types to confirm the structures and stone content if needed. Laboratory analysis of soil textures is undertaken if needed in order to confirm textures such the *heavy/medium* clay and *medium/fine* sand categories or stone content. All site survey profile data is listed in Appendix A.
All of the potential limitations are assessed and then the most limiting factor dictating the ALC grade was determined for this site and is detailed in Table 2.

1.2 Previous ALC gradings

Grading on the Predictive Agricultural Land Classification (ALC) Map (Welsh Government) provisional map indicated the site is mapped as Grade 3b land.

2. CLIMATIC LIMITATIONS

2.1 Overall climate

The climatological data for the site centre is detailed in Table 1.

Table 1
Climatological information[3]

Factor	Units	Value
Altitude AOD	m	70
Accumulated temperature	day°C (Jan-June)	1468.0
Average Annual Rainfall	mm	1257.1
Field Capacity Days	days	246.7
Moisture Deficit Wheat	mm	69.4
Moisture Deficit Potatoes	mm	52.9
Overall climate ALC Grade	Grade 2	

Climate is not a significant limiting factor for the site.

2.2. Local climate

Local climate will not result in a significant limiting factor for this site.

3 SITE LIMITATIONS

3.1 Gradient

Numerous slopes were identified across the site (Drawing 2), with gradients of 7° to 12° measured, hence gradient will limit the ALC Grade. Gradients greater than 7° but less than 11° limit the ALC Grade to Grade 3b and gradients greater than 11° but less than 18° limit the ALC Grade to Grade 4.

3.2 Microrelief

The microrelief will not result in a significant limiting factor for this site.

3.3 Flooding

A very low risk of flooding from surface water, rivers and seas has been identified for the majority of the site (*https://naturalresources.wales/flooding*).

4 SOIL LIMITATIONS

4.1 Texture and structure

The topsoil textures noted across the site were typically medium clay loam over clay subsoils. Subsoil structure was weak coarse angular blocky over firm moderate coarse angular blocky over massive. One general soil type was noted across the site with some slight variation in stoniness in the subsoil. Soils tested were non-calcareous.

The site has previously been mapped as having soils of the following Associations:

The Middleton Assoiation soils on the south of the site are mapped as: *Reddish fine silty soils with slowly permeable subsoils and slight seasonal waterlogging over shale and siltstone. Some similar fine loamy soils slowly permeable seasonally waterlogged fine silty soils in places*. ***(https://www.landis.org.uk/)***

The Bromyard Association soils on the majority of the site are mapped as: *Well drained reddish fine silty soils over shale and siltstone. Some similar soils with slowly permeable subsoils and slight seasonal waterlogging. Some well drained coarse loamy soils over sandstone. Risk of water erosion.* ***(https://www.landis.org.uk/)***

Superficial Geology 1:50 000 scale superficial deposits description:
No superficial deposits recorded.

Bedrock Geology 1:50 000 scale bedrock geology description*:*
West of the site*: St Maughans Formation - Sandstone.*

Band running north to south through site: *Bishop's Frome Limestone Member - Silicate-conglomerate, Calcite-cemented (calcrete).*

East of the site: *Raglan Mudstone Formation - Mudstone and Sandstone, Interbedded.*

St Maughans Formation - Argillaceous Rocks and [subequal/subordinate] Sandstone, Interbedded.

4.2 Depth

Soil depth will not result in a significant limiting factor for this site.

4.3 Stoniness

Stoniness within the top 25 cm of soil is considered not to be a limiting factor for the soils on the site.

4.4 Chemical

Chemical contamination will not result in a significant limiting factor for this site.

5. INTERACTIVE LIMITATIONS

5.1 Wetness

The combination of Wetness Class IV the soils (see Appendix A) with Field Capacity Days of 246.7 and a topsoil texture of medium clay loam results in an ALC Grade of 3b.

5.2. Droughtiness

The Available Water Capacity which subsequently when considered with respect to the Moisture Deficit for wheat and potatoes results in no significant droughtiness limitation for the site.

5.3 Erosion

Erosion will not result in a significant limiting factor for this site.

6. AGRICULTURAL LAND CLASSIFICATION

6.1 Most limiting factors

Grade 3b land – Wetness Limitation

The combination of Wetness Class IV the soils (see Appendix A) with Field Capacity Days of 246.7 and a topsoil texture of medium clay loam results in an ALC Grade of 3b.

Slope

Gradient on a small area of the south of the site measured greater than 11° but less than 18° thus limiting the ALC Grade to Grade 4.

6.2 Current grading

This survey has resulted in an Agricultural Land Classification of the following grades (Drawing 1):

Table 2. ALC gradings and limitations

Grade	ha	%	Limitation
1			
2			
3a			
3b	56.3	95.4	Wetness and gradient
4	1.3	2.2	Gradient (>11°<18°)
5			
Non-agricultural land	1.4	2.4	Buildings
Total	59	100	

DRAWING 1

ALC Grade

Key

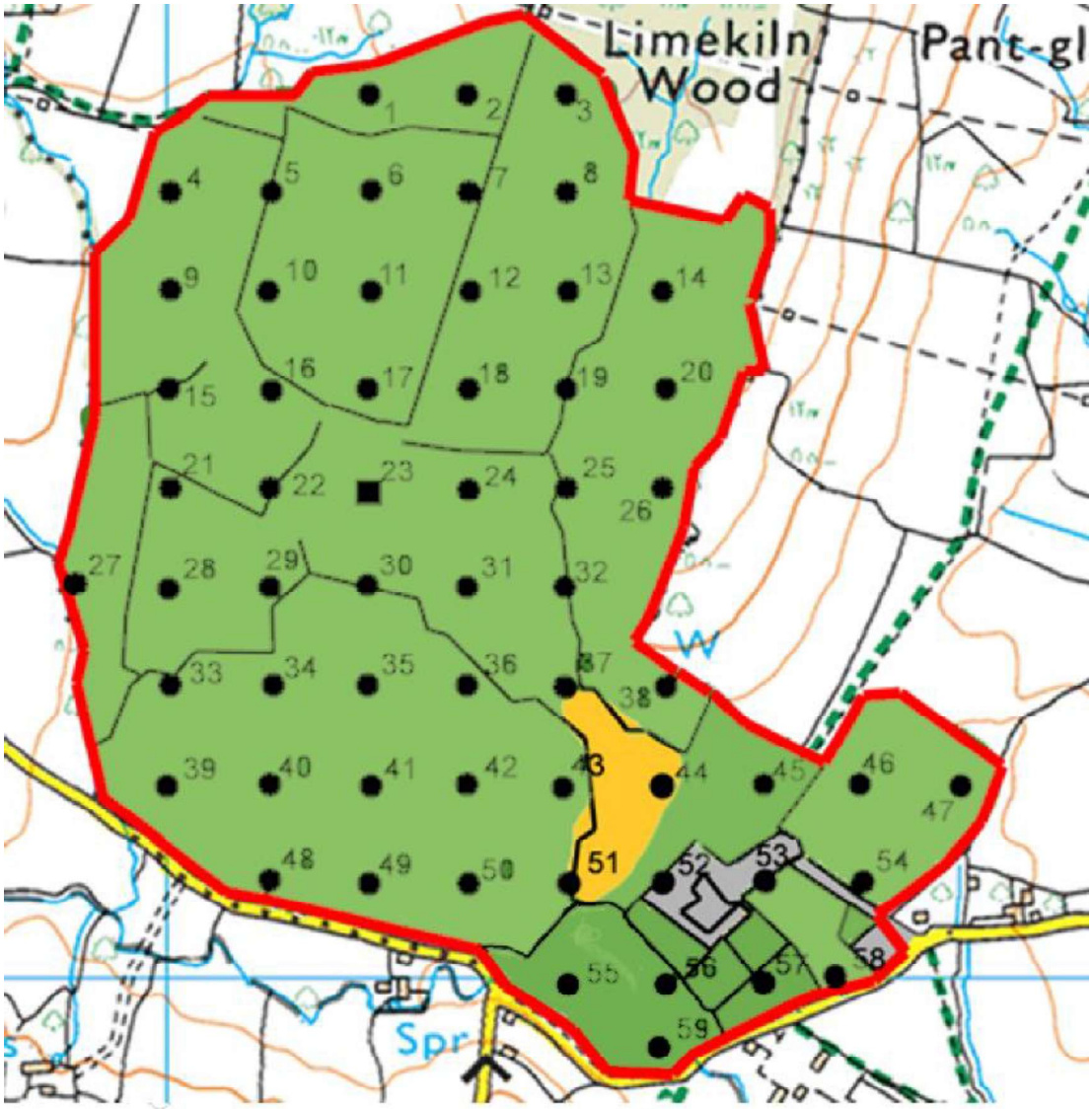
ALC Grades

- Grade 1
- Grade 2
- Grade 3a
- Grade 3b
- Grade 4
- Grade 5
- Non agricultural land

- Boring
- Pit

Soil Environment Services

Drawing Title: ALC Grade	Drawing No.: 1
Scale: 1:8270	Date: 27/02/2019



DRAWING 2

Slope limitation

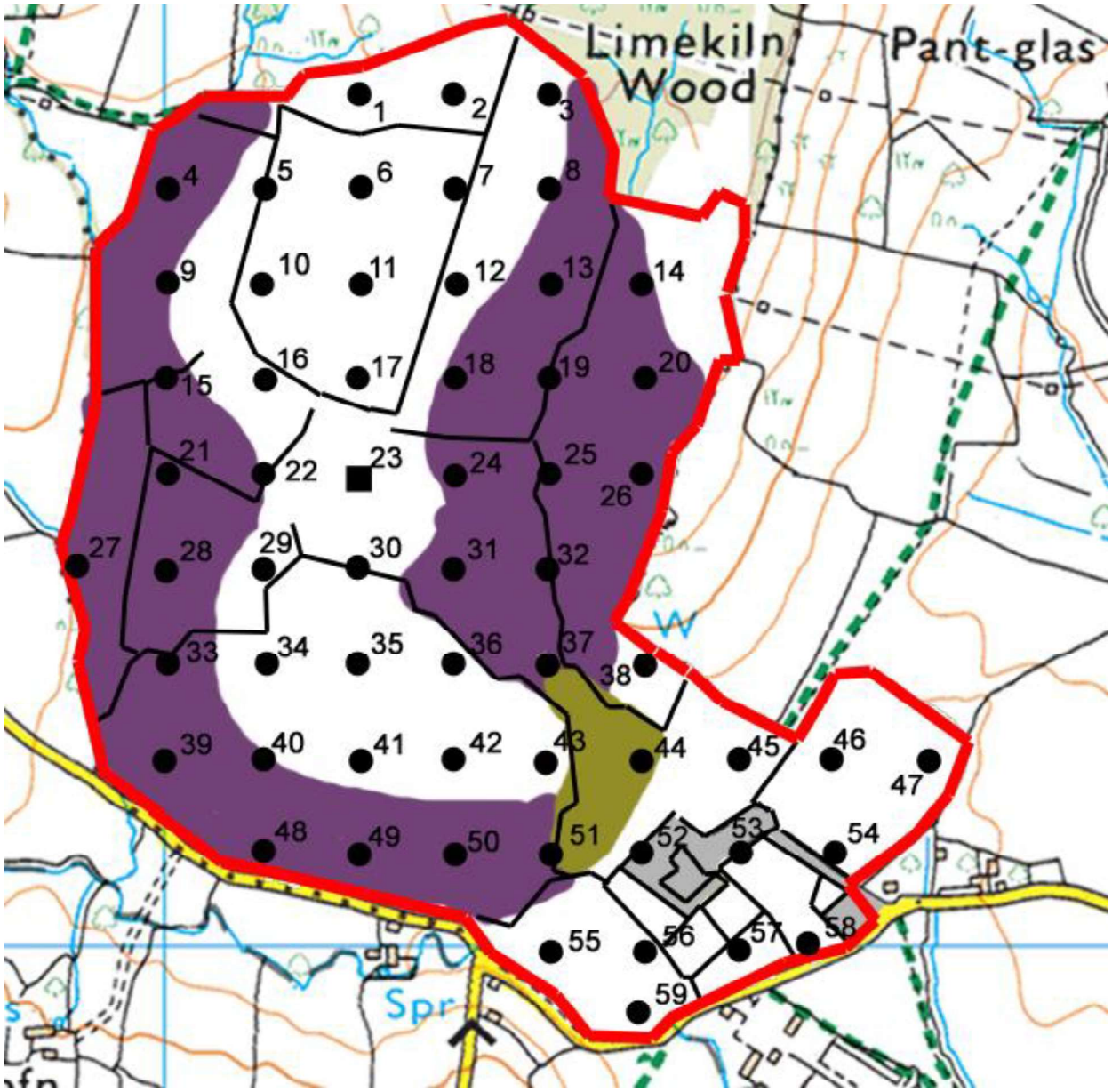
Key

- Slopes >7° <11°
- Slopes >11° <18°
- Non Agricultural
- Boring location
- Pit Location

Soil Environment Services

Drawing Title: Slope limitation	Drawing No.: 2
Scale: 1: 8270	Date: 27/02/2019

N



APPENDIX A

Soil profile data

Notes

1 All abbreviations relating to soil parameters are standard and derived from the guidance documents:

Agricultural Land Classification of England and Wales. Revised guidelines and criteria for grading the quality of agricultural land. MAFF. 1988.
Soil Survey Field Handbook. Technical Monograph No.5. Soil Survey of England and Wales.1976.

2 The pit data is detailed in this table and information on structure and stone content copied to the appropriate boring profiles.

3 Any blanks or zeros in the cells indicate the data is not needed or appropriate for that cell.

4 If 'NA' is inserted in a cell the information is not appropriate on this occasion.

5. Boring or pit locations are directly (within 2 m accuracy) on the grid reference corresponding to the points on the map unless otherwise stated.

6 A point directly marked on a track, boundary or other feature will be moved 2-3 m off the point or omitted if surrounding points and soil types allow.

7. Borings that are potentially within 15 m of a gas pipeline are limited to 0.4 m depth and the strata description in the data table below this depth will be extrapolated from nearby borings and upper strata characteristics.

8. The *Observation Density* is 1 per ha on a 100 m grid using a semi *Free Survey* method if appropriate*. The letter 'B' in the second column of the data table refers to an observation point at which a boring may have been undertaken. In some situations it is not possible to visit the location due to for example crop status or animals in a field. In some cases the location is visited and observation of the soils at the surface is sufficient. In all cases the soil, geology, topography, flood risk and aerial crop patterns are assessed from published sources and the soils will be subject to a full 120 cm depth boring either side of a non-visited or non-bored point. If all data sources are agreeable, a soil pattern can be established.

* British Society of Soil Science. Working With Soil – The Professional Competency Scheme. Agricultural Land Classification: England and Wales. How2 sheet 4.2.4. 2018.

9. For moisture balance calculations, *strongly, moderately* and *well developed* structure will equate to *good, moderate* or *poor* structure terms respectively in Table 14 of the guidelines.

10. Pit information in addition to that listed in the table below will be detailed in Section 4.1 and 4.3 if needed.

Obs point	Grid ref. if off intersection	Boring or Pit	Grad. (deg)	Base Depth (cm)	OFFICE USE	Text.	Calc	Matrix colour	Motts./ black ferro. conc. %/ depth	Mott colour or FC if ferro. conc.	Ped face colour	Stns %	Stns type	Porosity	Struct (/F=firm consistence)	Degree of development	SPL depth (cm)	Gleying depth (cm)	SWC	Grade (wetness)	TAv	EAv	StTAv	StEAv	MBW	Grade (Drought, WHEAT)	MBP	Grade (Drought, POTATOES)
1		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
2		B	≤7	33		MCL	N	7.5YR42	5/5	10YR56		7	MD				30	30	IV	3b	18		1		62.87	1	55.04	1
				50		MCL		5YR43	20/33	10YR56		0		P	CAB	WK					12	7	1	0.5				
				92		C		5YR44	15/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/92	10YR56		0			M						16	8	1	0.5				
3		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
4		B	>7 <11	28		MCL	N	7.5YR42				5	MD				28	28	IV	3b	18		1		63.52	1	52.39	1
				53		MCL		5YR43	20/28	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/53	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
5		B	≤7	30		MCL	N	7.5YR42	2/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
6		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		64.45	1	56.62	1
				50		C		5YR43	20/30	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
7		B	≤7	30		MCL	N	7.5YR42	5/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
8		B	≤7	26		MCL	N	7.5YR42	10/10	10YR56		5	MD				26	26	IV	3b	18		1		60.39	1	52.56	1
				50		MCL		5YR43	15/26	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
9		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
10		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
11		B	≤7	34		MCL	N	7.5YR42	5/10	10YR56		5	MD				30	30	IV	3b	18		1		65.66	1	58.28	1
				50		C		5YR43	15/35	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	30/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		2	MD		M						16	8	1	0.5				
12		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		58.65	2	54.02	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		2	MD	P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
13		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
14		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
15		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
16		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		64.45	1	56.62	1
				50		C		5YR43	20/30	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
17		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		61.13	1	53.30	1
				50		MCL		5YR43	20/30	10YR56		6	MD	P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
18		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
19		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
20		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				

Obs point	Grid ref. if off intersection	Boring or Pit	Grad. (deg)	Base Depth (cm)	OFFICE USE	Text.	Calc	Matrix colour	Motts/ black ferro. conc. %/ depth	Mott colour or FC if ferro. conc.	Ped face colour	Stns %	Stns type	Porosity	Struct (/F=firm consistence)	Degree of development	SPL depth (cm)	Gleying depth (cm)	SWC	Grade (wetness)	TAv	EAv	StTAv	StEAv	MBW	Grade (Drought: WHEAT)	MBP	Grade (Drought: POTATOES)
21		B	>7 <11	27		MCL	N	7.5YR42	2/5	10YR56		5	MD				27	27	IV	3b	18		1		60.61	1	52.78	1
				50		MCL		5YR43	10/27	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		1	MD	P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
22		B	≤7	33		MCL	N	7.5YR42	5/5	10YR56		7	MD				30	30	IV	3b	18		1		64.15	1	56.74	1
				50		C		5YR43	20/33	10YR56		0		P	CAB	WK					13	7	1	0.5				
				92		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/92	10YR56		2	MD		M						16	8	1	0.5				
23		P	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		63.73	1	55.90	1
				50		C		5YR43	20/30	10YR56		3	MD	P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
24		B	>7 <11	28		MCL	N	7.5YR42	5/10	10YR56		5	MD				28	28	IV	3b	18		1		62.74	1	51.57	1
				53		MCL		5YR43	20/28	10YR56		3	MD	P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/53	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
25		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		60.35	1	53.42	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		4	MD	P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		4	MD		M						16	8	1	0.5				
26		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		61.85	1	54.02	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		2	MD	P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
27		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
28		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		63.25	1	55.42	1
				50		C		5YR43	20/30	10YR56		5	MD	P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
29		B	≤7	33		MCL	N	7.5YR42	10/10	10YR56		5	MD				33	33	IV	3b	18		1		64.00	1	56.17	1
				50		MCL		5YR43	10/33	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	30/90	10YR56		0			M						16	8	1	0.5				
30		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
31		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
32		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		61.78	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		3	MD		M						16	8	1	0.5				
33		B	>7 <11	25		MCL	N	7.5YR42	10/10	10YR56		5	MD				25	25	IV	3b	18		1		61.70	1	54.55	1
				50		C		5YR43	25/25	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	30/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	30/90	10YR56		3	MD		M						16	8	1	0.5				
34		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
35		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
36		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
37		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
38		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		64.45	1	56.62	1
				50		C		5YR43	20/30	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
39		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
40		B	>7 <11	35		MCL	N	7.5YR42	10/10	10YR56		5	MD				35	35	IV	3b	18		1		64.70	1	56.87	1
				50		MCL		5YR43	15/35	10YR56		2	MD	P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				

Obs point	Grid ref. if off intersection	Boring or Pit	Grad. (deg)	Base Depth (cm)	OFFICE USE	Text.	Calc	Matrix colour	Motts./ black ferro. conc. %/ depth	Mott colour or FC if ferro. conc.	Ped face colour	Stns %	Stns type	Porosity	Struct (/F=firm consistence)	Degree of development	SPL depth (cm)	Gleying depth (cm)	SWC	Grade (wetness)	TAv	EAv	StTAv	StEAv	MBW	Grade (Drought. WHEAT)	MBP	Grade (Drought. POTATOES)
41		B	≤7	30		MCL	N	7.5YR42				5	MD				30	30	IV	3b	18		1		62.00	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		2	MD		M						16	8	1	0.5				
42		B	≤7	33		MCL	N	7.5YR42	5/5	10YR56		7	MD				30	30	IV	3b	18		1		62.87	1	55.04	1
				50		MCL		5YR43	20/33	10YR56		0		P	CAB	WK					12	7	1	0.5				
				92		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/92	10YR56		0			M						16	8	1	0.5				
43		B	≤7	30		MCL	N	7.5YR42	2/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
44		B	>11< 18	28		MCL	N	7.5YR42	5/10	10YR56		5	MD				28	28	IV	3b	18		1		65.72	1	54.89	1
				53		C		5YR43	20/28	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/53	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
45		B	≤7	26		MCL	N	7.5YR42	2/5	10YR56		5	MD				26	26	IV	3b	18		1		60.13	1	52.30	1
				50		MCL		5YR43	25/26	10YR56		1	MD	P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
46		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.15	1	54.32	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	20/50	10YR56		1	MD	P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	20/90	10YR56		0			M						16	8	1	0.5				
47		B	≤7	30		MCL	N	7.5YR42				5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
48		B	>7 <11	27		MCL	N	7.5YR42	10/10	10YR56		5	MD				27	27	IV	3b	18		1		59.89	1	52.06	1
				50		MCL		5YR43	15/27	10YR56		4	MD	P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
49		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		67.18	1	57.65	1
				50		C		5YR43	20/30	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		4	MD		M						16	8	1	0.5				
50		B	>7 <11	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		63.55	1	56.62	1
				50		C		5YR43	20/30	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		4	MD		M						16	8	1	0.5				
51		B	>11< 18	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
52		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
53		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
54		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
55		B	≤7	28		MCL	N	7.5YR42	10/10	10YR56		5	MD				28	28	IV	3b	18		1		67.18	1	57.65	1
				50		C		5YR43	15/28	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	30/90	10YR56		0			M						16	8	1	0.5				
56		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		62.45	1	54.62	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
57		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		67.18	1	57.65	1
				50		MCL		5YR43	20/30	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		2	MD	P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				
58		B	≤7	28		MCL	N	7.5YR42	10/10	10YR56		5	MD				28	28	IV	3b	18		1		67.18	1	57.65	1
				50		MCL		5YR43	15/28	10YR56		0		P	CAB	WK					12	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		5	MD		M						16	8	1	0.5				
59		B	≤7	30		MCL	N	7.5YR42	10/10	10YR56		5	MD				30	30	IV	3b	18		1		67.18	1	57.65	1
				50		C		5YR43	20/30	10YR56		0		P	CAB	WK					13	7	1	0.5				
				90		C		5YR44	25/50	10YR56		0		P	CAB	MD					16	8	1	0.5				
				120		C		5YR44	25/90	10YR56		0			M						16	8	1	0.5				

Statement of competence - Agricultural land Classification

SES Ltd undertake several dozen Agricultural Land Classification (ALC) or Land Capability Classifications for Agriculture (LCCA-Scotland) surveys a year and have worked on sites up to 1000 ha including housing, roads, solar farm and mineral extraction developments.. We have been undertaking ALC surveys for 25 years and have won many contracts to supply Land Classification reports to local authorities as part of their strategic development plans. A number of our staff have attended the training course Agricultural Land Classification: England and Wales. Working with Soil – The IPSS Professional Competency Scheme. BSSS & DEFRA.

DR ROBIN DAVIES BSc PhD F.I.SoilSci. (Managing Director)

- Fellow of The British Society of Soil Science
- Council Member of The Institute of Professional Soil Scientists for 4 years.
- PhD Soil Physics - Agricultural land drainage - University of Newcastle upon Tyne
- Founder and Managing Director of Soil Environment Services Limited for 25 years.

Selected peer reviewed scientific papers:

* **Soil nitrogen depletion - the threat from soil stockpiling**. Environmental Scientist: Journal of The Institution of Environmental Sciences, 1997.
* **Nitrogen loss from a soil, restored after surface-mining**. Journal of Environmental Quality, 1995
* **The influence of soil factors on the growth of a grass/clover sward on a restored site in Northumberland.** Grass & Forage Science, 1994.
* **The effect of post-restoration cropping regime on some physical properties of a restored soil.** Soil Use & Management, 1994
* **Water availability in a restored soil.** Soil Use & Management, 1992.
* **A laboratory Method for Investigating the Stabilisation of Mole** Channels.J.Agric.Eng.Res.1991.

Statement of competence

The field survey was undertaken by Rebecca Jordan BSc MSc, an Environmental Consultant who is a member of BSSS with 3 years ALC survey experience and has attended the *Agricultural Land Classification: England and Wales Training Event* (November 2018) and the *Introduction to Soil Classification Training Event* (June 2016) organised by BSSS. The report was checked by Dr Robin Davies who has been a member of the BSSS for over 30 years, the IPSS since it was formed in 1991 and has been undertaking ALC surveys for 25 years.

GENERAL INFORMATION SOURCES

1. ***Agricultural Land Classification of England and Wales***. Revised guidelines and criteria for grading the quality of agricultural land. MAFF. 1988.

2. ***Soil Survey Field Handbook.*** Technical Monograph No.5. Soil Survey of England and Wales.1976.

3. ***Climatological Data for Agricultural Land Classification***, The Met. Office 1989

4. ***Soil Map of England and Wales: 1:250 000***. Soil Survey of England and Wales, Harpenden.

5. ***Soils and Their Use in Wales.*** Soil Survey of England and Wales,

6. ***Agricultural Land Classification Map*** 1:250 000. MAFF 1983.

7. ***Risk of Flooding:*** https://flood-warning-information.service.gov.uk/long-term-flood-risk

8. ***Geology of Britain Viewer.*** *Reproduced with the permission of the British Geological Survey ©NERC. All rights Reserved*

9. ***Butler, B E.*** *Soil Classification for Soil Survey Monographs on Soil Survey (1980) Clarendon Press, Oxford*

10. ***Munsell Soil Colour Charts****, Munsell Colour, Grand Rapids* ***1994.***

GLOSSARY

ABBREVIATIONS AND TERMS USED IN SURVEY DATA

Soil pit and auger boring information collected during ALC survey is held on a computer database and is reproduced in this report. Terms used and abbreviations are set out below. These conform to definitions contained in the Soil Survey Field Handbook (Hodgson, 1997).

1. Terms used on computer database, in order of occurrence.

GRID REF: National 100 km grid square and 8 figure grid reference.

LAND USE: At the time of survey

WHT:	Wheat	**SBT:**	Sugar Beet	**HTH:**	Heathland
BAR:	Barley	**BRA:**	Brassicas	**BOG:**	Bog or Marsh
OAT:	Oats	**FCD:**	Fodder Crops	**DCW:**	Deciduous Wood
CER:	Cereals	**FRT:**	Soft and Top Fruit	**CFW:**	Coniferous Woodland
MZE:	Maize	**HRT:**	Horticultural Crops	**PLO:**	Ploughed
OSR:	Oilseed Rape	**LEY:**	Ley Grass	**FLW:**	Fallow (inc. Set aside)
POT:	Potatoes	**PGR:**	Permanent Pasture	**SAS:**	Set Aside (where known)
LIN:	Linseed	**RGR:**	Rough Grazing	**OTH:**	Other
BEN:	Field Beans	**SCR:**	Scrub		

GRDNT: Gradient as estimated or measured by hand-held optical clinometer.

GLEY, SPL: Depth in centimetres to gleying or slowly permeable layer.

AP (WHEAT/POTS): Crop-adjusted available water capacity.

MB (WHEAT/POTS): Moisture Balance. (Crop adjusted AP - crop potential MD)

DRT: Best grade according to soil droughtiness.

If any of the following factors are considered significant, 'Y' will be entered in the relevant column.

MREL:	Microrelief limitation	**FLOOD:**	Flood risk	**EROSN:**	Soil erosion risk
EXP:	Exposure limitation	**FROST:**	Frost prone	**DIST:**	Disturbed land
CHEM:	Chemical limitation				

LIMIT: The main limitation to land quality: The following abbreviations are used.

OC:	Overall Climate	**AE:**	Aspect	**EX:**	Exposure
FR:	Frost Risk	**GR:**	Gradient	**MR:**	Microrelief
FL:	Flood Risk	**TX:**	Topsoil Texture	**DP:**	Soil Depth
CH:	Chemical	**WE:**	Wetness	**WK:**	Workability
DR:	Drought	**ER:**	Erosion Risk	**WD:**	Soil Wetness/Droughtiness

ST: Topsoil Stoniness

TEXTURE: Soil texture classes are denoted by the following abbreviations:-

S:	Sand	**LS:**	Loamy Sand	**SL:**	Sandy Loam
SZL:	Sandy Silt Loam	**CL:**	Clay Loam	**ZCL**	Silty Clay Loam
ZL:	Silt Loam	**SCL:**	Sandy Clay Loam	**C:**	Clay
SC:	Sandy clay	**ZC:**	Silty clay	**OL:**	Organic Loam
P:	Peat	**SP:**	Sandy Peat	**LP:**	Loamy Peat
PL:	Peaty Loam	**PS:**	Peaty Sand	**MZ:**	Marine Light Silts

For the sand, loamy sand, sandy loam and sandy silt loam classes, the predominant size of sand fraction will be indicated by the use of the following prefixes:-

F: Fine (more than 66% of the sand less than 0.2mm)
M: Medium (less than 66% fine sand and less than 33% coarse sand)
C: Coarse (more than 33% of the sand larger than 0.6mm)

The clay loam and silty clay loam classes will be sub-divided according to the clay content: **M:** Medium (< 27% clay) **H:** heavy (27 - 35% clay)

MOTTLE COL: Mottle colour using Munsell notation.

MOTTLE ABUN: Mottle abundance, expressed as a percentage of the matrix or surface described.

F: few <2% **C:** common 2 - 20% **M:** many 20 - 40% **VM:** very many 40%+

MOTTLE CONT: Mottle contrast

F: faint - indistinct mottles, evident only on close inspection
D: distinct - mottles are readily seen
P: Prominent - mottling is conspicuous and one of the outstanding features of the horizon.

PED. COL: Ped face colour using Munsell notation.

GLEY: If the soil horizon is gleyed a 'Y' will appear in this column. If slightly gleyed, an 'S' will appear.

STONE LITH: Stone Lithology - One of the following is used.

HR:	All hard rocks and stones	**SLST:**	Soft oolitic or dolimitic limestone
CH:	Chalk	**FSST:**	Soft, fine grained sandstone
ZR:	Soft, argillaceous, or silty rocks	**GH:**	Gravel with non-porous (hard) stones
MSST:	Soft, medium grained sandstone	**GS:**	Gravel with porous (soft) stones
SI:	Soft weathered igneous or metamorphic rock		

Stone contents are given in % by volume for sizes >2cm, >6cm and total stone >2mm.

STRUCT: The degree of development, size and shape of soil peds are described using the following notation

Degree of development	**WA:**	Weakly developed Adherent	**WK:**	Weakly developed
	MD:	Moderately developed	**ST:**	Strongly developed
Ped size	**F:**	Fine	**M:**	Medium
	C:	Coarse	**VC:**	Very coarse
Ped Shape	**S:**	Single grain	**M:**	Massive
	GR:	Granular	**AB:**	Angular blocky
	SAB:	Sub-angular blocky	**PR:**	Prismatic
	PL:	Platy		

CONSIST: Soil consistence is described using the following notation:

L:	Loose	**VF:**	Very Friable	**FR:**	Friable	**FM:**	Firm
VM:	Very firm	**EM:**	Extremely firm			**EH:**	Extremely Hard

SUBS STR: Subsoil structural condition recorded for the purpose of calculating profile droughtiness: **G:** Good **M:** Moderate **P:** Poor

POR: Soil porosity. If a soil horizon has poor porosity with less than 0.5% biopores >0.5mm, a 'Y' will appear in this column.

IMP: If the profile is impenetrable to rooting a 'Y' will appear in this column at the appropriate horizon.

SPL: Slowly permeable layer. If the soil horizon is slowly permeable a 'Y' will appear in this column.

CALC: If the soil horizon is calcareous with naturally occurring calcium carbonate exceeding 1% a 'Y' will appear this column.

2. Additional terms and abbreviations used mainly in soil pit descriptions.

STONE ASSESSMENT:

V:	Visual	**S:**	Sieved	**D:**	Displacement

MOTTLE SIZE:

EF:	Extremely fine <1mm	**M:**	Medium 5-15mm
VF:	Very fine 1-2mm>	**C:**	Coarse >15mm
F:	Fine 2-5mm		

MOTTLE COLOUR: May be described by Munsell notation or as ochreous (OM) or grey (GM).

ROOT CHANNELS: In topsoil the presence of 'rusty root channels' might also be noted as RRC.

MANGANESE CONCRETIONS: Assessed by volume

N:	None		**M:**	Many	20-40%
F:	Few	<2%	**VM:**	Very Many	>40%
C:	Common	2-20%			

POROSITY:

P:	Poor	- less than 0.5% biopores at least 0.5mm in diameter
G:	Good	- more than 0.5% biopores at least 0.5mm in diameter

ROOT ABUNDANCE:

The number of roots per $100cm^2$:		Very Fine and Fine	Medium and Coarse
F:	Few	1-10	1 or 2
C:	Common	10.25	2 - 5
M:	Many	25-200	>5
A:	Abundant	>200	

ROOT SIZE

VF:	Very fine	<1mm	**M:**	Medium	2 - 5mm
F:	Fine	1-2mm	**C:**	Coarse	>5mm

HORIZON BOUNDARY DISTINCTNESS:

Sharp:	<0.5cm	**Gradual:**	6 - 13cm
Abrupt:	0.5 - 2.5cm	**Diffuse:**	>13cm
Clear:	2.5 - 6cm		

HORIZON BOUNDARY FORM: Smooth, wavy, irregular or broken.*

* See Soil Survey Field Handbook (Hodgson, 1997) for details.

Appendix E PINs Screening Direction and Screening Assessment

STAGE 1 – INITIAL EIA SCREENING ASSESSMENT

1	**Case Details**	
A	DNS case reference	
	DNS 3239190 – Land at Pentre Bach.	
B	Brief description of development	
	Proposed ground-mounted photo-voltaic solar farm with an electrical generating of circa 30 MW together with associated equipment, infrastructure and ancillary works.	
2	**EIA Screening Details**	
2A	**Schedule 1**	
	Is the project Schedule 1 development as described in Schedule 1 of the EIA Regulations?	No
	If Yes, under which description of development? If No, consider whether project is 'Schedule 2' development below in part 2(B).	
2B	**Schedule 2**	
(i)	Is the project listed as a description of development under Column 1 of Schedule 2 of the EIA Regulations?	Yes
	If Yes, under which description of development? If No, EIA is not required.	
	3(a)	
(ii)	Does the project change or extend development described in paragraphs 1 to 12 of Column 1 of schedule 2, where the change or extension may have SIGNIFICANT* adverse effects on the environment?	No
	*If Yes, provide reasons for your answer below. *If unsure, discuss with PET. Proceed to point (iii).*	
	Choose an item.	
(iii)	Is the project located wholly or partly within a 'Sensitive Area' as defined by Regulation 2 of the EIA Regulations?	No
	*If Yes, **state which area** and more to Question 3. If No, proceed to point (iv) below.*	
(iv)	Are the applicable thresholds/criteria in Column 2 exceeded / met?	Yes
	If Yes, note which applicable threshold/criteria. If No, EIA is not required.	
	Site exceeds 0.5ha.	
3	**LPA / Welsh Ministers' Screening**	

(i)	Has the LPA issued a Screening Opinion (SO)?	No
(ii)	Have the Welsh Ministers issued a Screening Direction (SD)?	No
4	**Environmental Statement (ES)**	
	Has the applicant/appellant supplied an ES for the current or previous (if reserved matters or conditions) application?	No

Is a detailed screening assessment (Section 5) required?

If Yes has been answered in response to either 2B(iii) or 2B(iv), send to relevant team to undertake detailed screening assessment.

If No has been answered for both questions, or the questions are not applicable, start appeal.

Sign-off	
Signature	C Sweet
Date	19/01/21

STAGE 2 – DETAILED EIA SCREENING ASSESSMENT

As per Schedule 3, Para 3: When considering the potential impact, take into account; (a) magnitude / spatial extent / population likely to be affected; (b) nature of impact; (c) transboundary nature; (d) intensity & complexity; (e) probability; (f) expected onset / duration / frequency & reversibility; (g) cumulation with existing and / or approved development; (h) the possibility of effectively reducing the impact.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects likely to be significant?** *Include consideration of features or measures to avoid or prevent what might otherwise be significant effects*
CRITERION 1. CHARACTERISTICS OF DEVELOPMENT		
Question 1(a) Size and design of the Development		
Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	Yes. The proposed development would result in the site (some 45.8ha) being altered from agricultural use to that of a circa 30 MW solar farm made up of PV Panels and associated infrastructure. However, the site is predicted to be grade 3b in terms of its agricultural classification and the proposed lifespan of the scheme is 40 years, after which the site would be able to be restored. As such, whilst there would be considerable physical change to the site itself, those factors lead me to conclude that the change would not be likely to result in significant effects in EIA terms.	Significant effects **unlikely**.
Question 1(b) Cumulation with Existing and/or Approved Development		
Are there any other factors which should be considered such as: • consequential development which could lead to environmental effects? • the potential for cumulative impacts with other existing or planned activities in the locality?	Yes. There is potential for some cumulative in-combination effects with other existing or proposed development. However, whilst this will likely be a consideration for the decision maker, the location of the application site and the scale of potential cumulative impact are such that significant environmental	Significant effects **unlikely**.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
• any plans for future land uses on or around the location which could be affected by the project? • transfrontier impacts?	effects in this respect are unlikely.	
Question 1(c) Use of Natural Resources, in particular land, soil, water and biodiversity		
Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Yes, the proposal would require a degree of land take and use of natural resources during both the construction and operational stages. However, the land would be able to be used for continued grazing during the operational phase and there is potential for a degree of material recycling at the end of the project's lifespan. Given that low degree of impact and the scale of the project, I am content that significant effects on natural resources are unlikely.	Significant effects **unlikely**.
Question 1(d) Production of Waste		
Will the Project produce solid wastes during construction or operation or decommissioning?	Yes, some waste would be produced during construction and, notwithstanding the potential for some recycling of materials, the decommissioning of the equipment at the end of its lifespan would result in some solid waste. However, given the scale and nature of the proposed development I do not consider that significant effects are likely in terms of waste generation.	Significant effects **unlikely**.
Question 1(e) Pollution and Nuisances		
Will the Project involve use, storage, transport, handling or production of	No.	N/A

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?		
Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes, some noise and vibration likely during the construction phase, though this would be localised and time limited. There would also be a minimal amount of noise during the operational phase and potential for redirection of light in terms of glint and glare via the reflective surface of the panels. Whilst these will be considerations for the decision maker, given the location of the site and the nature of the impacts, I am content that any effects in terms of glint and glare and noise would be localised and unlikely to be of a magnitude that would be significant, such that they would warrant EIA.	Significant effects **unlikely**.
Will the Project release pollutants or any hazardous, toxic or noxious substances to **air**, or lead to risks of contamination of **land** or **water** (including surface waters, groundwater, coastal wasters or the sea)?	No.	N/A
Question 1(f) Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge		
Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?	Yes, some small risk of accident during construction, operation and decommissioning. However, given the scale and type of works involved, such risks are	Significant effects **unlikely**.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
	unlikely to be significant.	
Question 1(g) Risks to Human Health (for example due to water contamination or air pollution)		
Will there be any risk to human health during the construction and/or operation of the development	Some small risk in terms of health and safety during the construction phase and routine maintenance but given the scale and nature of the works this is unlikely to be significant.	Significant effects **unlikely**.
CRITERION 2. LOCATION OF DEVELOPMENT		
Question 2(a) Existing and Approved Land Use		
Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?	No.	N/A
Are there any routes or facilities on or around the location, which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes. There are a number of PRoW in the vicinity of the site, one of which runs north/south across the northern part of the site. There would inevitably be some visual impact on those routes and their users. However, no direct impacts are likely, and the proposal includes a buffer zone around the PRoW that crosses the site. Coupled with the localised nature of the impact, I am satisfied that significant effects are unlikely.	Significant effects **unlikely**.
Are there any transport routes which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No. Whilst there is potential for effects on the local road network from HGV movement during construction, those would be time limited and of a scale that would not be significant.	Significant effects **unlikely**.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	Yes, the site is currently greenfield land in agricultural use. However, the nature of the proposal is such that grazing could continue during the operational phase and the land could be largely restored at the end of the scheme's lifespan. As such, significant effects are unlikely.	Significant effects **unlikely**.
Are there any areas on or around the location occupied by land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	No.	N/A
Question 2(b) Relative Abundance, Availability Quality and Regenerative Capacity of Natural Resources in the Area and its Underground		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes. The site is in agricultural use. However, whilst the site is used for grazing, that could continue during the operational phase and the effects of the proposal could be largely reversed at the end of the project's lifespan. There are some small watercourses and ponds on site but given the type of development proposed they are unlikely to be significantly affected.	Significant effects **unlikely**.
Question 2(c) Absorption Capacity of the Natural Environment		
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, or are used by protected, important or sensitive species of fauna or flora, which could be affected by the project?	Yes. The application site has the potential to support a number of species due to the presence of species-rich hedgerow, streams and broadleaved woodland (including some ancient semi-natural woodland). There are also a number of SINCs close or adjacent to	Significant effects **unlikely**.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
	the site and although at some distance, there is also the potential for hydrological linkage with the River Usk SAC/SSSI. The Henllys Bog SSSI sits some 1.7km to the west of the site. However, based on the type of development proposed and the fact that controls over such impacts can be readily secured, both NRW and the LPA's Ecology Officer advise that significant effects are unlikely. I see no reason to disagree with those views and based on the information before me, I do not consider significant effects to be likely in these respects.	
Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	Yes, as noted above, there a small watercourses and ponds on site and potential for hydrological linkage with the River Usk SAC. However, given the type of development proposed, significant effects are unlikely.	Significant effects **unlikely**.
Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	Yes, the site is located within the Southern Lowlands SLA and a Green Wedge which would inevitably be affected, and this will likely be a consideration for the decision maker. However, based on the information provided, the LPA's Landscape Officer advises that significant effects, such that EIA would be required, are unlikely and I see no reason to disagree with that view. Given the topography of the site, the presence of natural screening and the potential for	Significant effects **unlikely**.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
	further mitigation to be secured, I am content that significant effects in EIA terms are unlikely.	
Is the project in a location where it is likely to be highly visible to many people?	No. Whilst the site would be visible from a number of viewpoints, impacts would be localised, such that they would not be significant.	Significant effects **unlikely**.
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	No.	N/A
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes. There are a number of listed buildings close to the site and more within a 1.5km radius. There will inevitably be some effects on the settings of those assets close to and historically linked with the application site. However, following alterations to the proposed layout that would place the proposed panels at a greater distance from those assets, Cadw advises that significant effects on those historic assets or their settings are unlikely. I see no reason to disagree with that view. The Monmouthshire and Brecon Canal conservation area (CA) is located to the east, some 700m from the application site at its nearest point. There would be no direct effects and given the level of separation and the linear nature of the CA, significant effects on its setting are unlikely.	Significant effects **unlikely**.

5	Detailed Screening Questions	
Questions to be considered	**Yes/No/Unknown – provide description**	**For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u>?**
	The site is also of interest in terms of its buried archaeology, with a number of undesignated assets likely to be present on site, as identified by the GGAT HER. However, the type of development proposed is such that significant physical impacts on those assets are unlikely and I am content that suitable controls in this respect can be readily secured if necessary. Based on the above, I consider that significant effects on the historic environment are unlikely.	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No.	N/A
Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	No.	N/A
Has there already been a failure to meet environmental quality standards that is relevant to the project?	No.	N/A

Statement of reasons
The proposed development of a circa 30MW solar farm with associated infrastructure would inevitably result in a number of effects, most notably in terms of the physical change to the site itself, landscape and visual impact and effects on the historic environment. However, whilst these will likely be important considerations for the decision maker and will be subject to further assessment, the type of development proposed, coupled with the context of the site and the localised nature of the impacts, are such that significant environmental effects are unlikely. I therefore conclude that EIA is not required in this instance.

6	**Outcome of assessment**	
(ii)	If a SO/SD has been provided do you agree with it?	N/A
(iii)	Is EIA required?	No

Outcome	**Action**	✓
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area but **not** likely to have significant effects on the environment	Issue direction stating EIA **Not** Required (**Letter 1)**	✓

Name and Job Title of Assessor	C Sweet
Date of Assessment	21/01/21

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Adeilad y Goron Parc Cathays Caerdydd CF10 3NQ	Crown Buildings Cathays Park Cardiff CF10 3NQ	Ffôn/tel: e-bost/e-mail:	0303 444 5960 dns.wales@planninginspectorate.gov.uk

Ben Lewis
Barton Willmore
Via email

Eich Cyf / Your Ref:

Ein Cyf / Our Ref: DNS 3939190

Dyddiad / Date: 21 January 2021

Dear Mr Lewis

Town and Country Planning Act 1990
The Developments of National Significance (Procedure) (Wales) Order 2016
Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Potential DNS Application
Site Address: Land at Pentre Bach, adjacent to Pentre Lane, Torfaen.
Proposed Development: Proposed ground-mounted photo-voltaic solar farm with an electrical generating of circa 30 MW together with associated equipment, infrastructure and ancillary works.

On the 21 December 2020 the Planning Inspectorate received a request made under regulation 31(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 ("the Regulations"), for the Welsh Ministers to make a screening direction as to whether or not the development proposed is "EIA Development" within the meaning of the Regulations.

The Planning Inspectorate is authorised by the Welsh Ministers to provide that screening direction.

The project, as described above, falls within the description at paragraph 3(a) in column 1 of the table in Schedule 2 to the Regulations.

As the proposal is a potential Development of National Significance (DNS) application, the attached screening assessment identifies the key areas which have been considered. Having taken into account the selection criteria in Schedule 3 to the Regulations and the advice in Welsh Office Circular 11/99: Environmental Impact Assessment on establishing whether EIA is required, the assessment concludes that:

The proposed development of a circa 30MW solar farm with associated infrastructure would inevitably result in a number of effects, most notably in terms of the physical change to the

site itself, landscape and visual impact and effects on the historic environment. However, whilst these will likely be important considerations for the decision maker and will be subject to further assessment, the type of development proposed, coupled with the context of the site and the localised nature of the impacts, are such that significant environmental effects are unlikely. I therefore conclude that EIA is not required in this instance.

Therefore, in exercise of the powers conferred by the Regulations and the authority referred to above, the Welsh Ministers hereby direct that the development subject of this application **is not EIA development** within the meaning of the Regulations.

My opinion on the likelihood of this development having significant effects is reached for the purposes of this direction.

This letter will be copied to Torfaen County Borough Council, so that this screening direction is placed on Part 1 of the Planning Register in relation to the application in question, in accordance with the Regulations.

Yn gywir / Yours sincerely

C Sweet

Mr Christopher Sweet MPlan

Swyddog Cynllunio / Planning Officer
Tîm Cynllunio a'r Amgylchedd / The Planning & Environment Team
Yr Arolygiaeth Gynllunio / The Planning Inspectorate

Appendix F PINs Pre – Application Advice

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

DNS Pre-application Advice - Pentre Bach Solar

27 September 2019

2 DNS Pre-application Advice

Prepared by: Kym Scott BSc MSc

This advice should be read in conjunction with the Planning Inspectorate's procedural guidance on Developments of National Significance (DNS). Advice is provided on the basis of the information submitted to the Planning Inspectorate on 30 August 2019 and without the benefit of a site visit. The advice is not binding and does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to a development of this nature on this site.

The questions and issues raised in the request for advice are addressed in order below.

1. Pre-Application Consultation & Procedural Matters

Based on the information provided, it is considered that the following consultees would be required to be consulted under Article 9 of the Developments of National Significance (Procedure) (Wales) Order 2016 (the Order). It should be noted that the Applicant is required to satisfy themselves that they have met the relevant legislative requirements.

Specialist consultees

Natural Resources Wales

The Welsh Ministers (Cadw)

Relevant persons

The requirement to consult 'relevant persons' only applies to applications that include prescribed secondary consents; see below for advice relating to secondary consents.

The proposed development as a Development of National Significance

The status of the development as a DNS can only be formally confirmed via the 'Notification of proposed development' process set out at Article 5 of the Order.

However, for the purposes of this advice, it is considered that the proposal does fall within the thresholds for generating stations set out in the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended).

2. Form and Content of the Application and Supporting Documents

Please note that this advice cannot pre-empt the outcome of a formal Screening request under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended), nor any potential Scoping request under the same regulations.

The following advice is provided with the intention of assisting the Applicant to shape their application, but it does not preclude an appointed Inspector or the Welsh Ministers from seeking further information to aid determination.

Main issues and considerations likely to be relevant to the application and the scope and form of assessment required

It is suggested that the Applicant considers producing a Planning Statement which makes the planning policy case as to why the development is considered to be acceptable and would represent sustainable development. This can be cross referenced to an Environmental Statement (ES) or other submission documents as required. Such an approach would be consistent with the Inspectorate's standing advice that an ES should focus on identifying, describing and quantifying environmental impacts and not on policy arguments.

A Planning Statement should also include the Applicant's assessment of the planning merits of the scheme, its compliance with national and local policy and the Applicant's suggested conditions, particularly where they have been able to achieve agreement with the Local Planning Authority (LPA) on such matters. The Applicant may also want to consider expressing how they consider a grant of planning permission for this proposal would comply with the Well-being Goals set out in the Well-being of Future Generations (Wales) Act 2015. The Future Generations Commissioner for Wales sets out further information.

In all cases, the assessments produced to support the application should provide a clear outline of the basis on which the scheme has been assessed and for which consent is sought.

Based on the information provided, the likely main issues and form of assessment are identified below. It remains to be seen whether an ES is required, and if so, which if any of these matters should be covered in the ES:

Landscape Impact / Character and Appearance

A landscape appraisal that takes full account of the scheme proposed is considered necessary and appropriate. The Applicant should satisfy themselves that they have fully considered the direct landscape impacts arising from the proposed development. Assessment should be undertaken in accordance with professional guidance.

Archaeology

As outlined in the Pre-Application request, an assessment to confirm any potential for archaeological remains within the site or surrounding areas may be appropriate.

Ecology

The 'Henllys Bog' Site of Special Scientific Interest (SSSI) is located within 2km of the development site. Due to the distance between the development and the identified designation, there is little scope for direct effects on the designated site. However, consideration will need to be given to the potential for the proposed development to have indirect effects on the identified designations.

The potential impacts on the natural environment and ecological receptors in the locality and the wider area, including the identified protected site, should be given due consideration. The potential impacts on ancient woodlands should also be given due consideration.

If this proposal is not subject to EIA which includes this topic within the scope of the ES, it will be for the Applicant to consider whether to produce a standalone Ecological Assessment or whether this topic could be included within, for example, a Planning Statement. The appointed Inspector will need sufficient information to draw an informed conclusion on this issue. The Applicant may wish to seek advice from NRW and Torfaen County Borough Council (TCBC) on this issue.

Noise

A noise assessment is considered necessary and appropriate. Noise assessment should be undertaken in accordance with professional guidance, most likely that contained within relevant British Standards. The methodology applied to the assessment should be clearly set out in the assessment, including any departures from standard guidance where applicable. As above, the Applicant may also wish to seek advice from NRW and TCBC on this issue.

Other Assessments

It may be necessary for the appointed Inspector to make a recommendation to the Welsh Ministers, as the competent authority, on the issue of screening and appropriate assessment (AA) under the Conservation of Habitats and Species Regulations 2017. It would be beneficial to the DNS application process if the Applicant were to prepare a shadow screening report setting out their view of whether the proposal requires an AA, based on up-to-date information. If the Applicant's view is that AA is required, they should produce a shadow AA to inform the Inspector's recommendation. Doing so will ensure that the Inspector has the required information on hand and help to avoid unnecessary delay.

Other Considerations

The potential impacts from glint and glare should be given due consideration. The appointed Inspector will need sufficient information to draw an informed conclusion on this issue. The Applicant may wish to seek advice from NRW and TCBC on this issue.

Documents required for the application to be valid

The statutory requirements for a valid application are set out at Article 12 of the Order.

The Welsh Ministers have the power to specify whether any additional information should be provided (normally the LPA under S62(3) of the 1990 Act, but for DNS applications, that power belongs to the Welsh Ministers, as indicated by Article 12(1)(vii) of the Order).

This provision allows non-standard information to be specified as a validation requirement for a development if the Welsh Ministers publish it as such on their website. However, based on the information provided, it is not considered likely that information over and above that set out at Article 12 would be required for the purposes of validation in this instance.

Further information and advice on the format of submissions and the validation process can be obtained from the Planning Inspectorate's Casework Team and does not attract a charge. A copy of the Planning Inspectorate's internal checklist for validation, which is based on Article 12, is attached as an Annex to this document to aid to the Applicant.

3. Other Information

Outline of the relevant policy framework

The local policy framework is covered by the LPA's statutory pre-application advice duties under Regulation 7 of the Developments of National Significance (Wales) Regulations 2016 (as amended). The Applicant may therefore also wish to seek advice from the LPA on this aspect, as it will likely be able to provide a more comprehensive view of the relevant local policies. The policies outlined below are considered potentially relevant to the development as described, dependant on the final form of the application submission. The relevance of individual policies to the overall planning balance will vary based on the appointed Inspector's final identification of the main issues.

This advice is based on the versions of documents that are current at the time of writing. The Applicant should be aware that changes in policy may occur prior to the determination of any subsequent application.

Welsh Government is currently consulting on its proposed National Development Framework (NDF), the outcome of which is not yet known. It is not possible to state at this stage exactly what weight an appointed Inspector may attach to the NDF if it is not adopted at the time that this application is being considered. If the NDF has been adopted by the time this application is being determined, then the NDF will have the status of forming part of the development plan against which the proposal will be determined. The Applicant may wish to consider this in the preparation of any application; having particular regard to the 'Spatial strategy: Powering and heating places with renewable energy and District Heat Networks' and associated Policies 10, 11, 12 and 13.

Relevant National Planning Policy

Planning Policy Wales – Edition 10

Chapter 3 – Strategic and Spatial Choices

Chapter 5 – Productive and Enterprising Places

Chapter 6 – Distinctive and Natural Places

Technical Advice Notes

TAN 5: Nature Conservation and Planning

TAN 8: Renewable Energy

TAN 11: Noise

TAN 24: The Historic Environment

Relevant Local Planning Policy

Torfaen County Borough Council Local Development Plan (2006-2021)

S2 Sustainable Development

S3 Climate Change

S4 Place Making/Good Design

S7 Conservation of the Natural and Historic Environment

BW1 General Policy – Development Proposals

HE1 Buildings and Structures of Local Importance

C1 Green Wedges

BG1 Locally Designated Sites for Biodiversity and Geodiversity

Supplementary Planning Guidance

Development and its Incorporation within the Landscape: A Guide for Developers (2000)

Overall assessment of the proposal and a view of its merits

The acceptability of the proposal will rest on the impact of the proposed development on the matters listed above, and its compatibility with relevant planning policy. These issues will ultimately turn on more detailed site specific information.

Nonetheless, from the documents submitted for the purposes of this request, there is nothing in the information currently available that suggests that the issues described above could not be satisfactorily addressed through appropriate consultation, survey work, mitigation measures (if and where appropriate) and the imposition of appropriate planning conditions. There is some potential benefit from the scheme in terms of its ability to support the wider delivery of renewable energy by providing additional capacity to the National Grid. Provided the Applicant is able to show through evidence that there would be no unacceptable harm, it is considered that the scheme as proposed could be recommended for a grant of planning permission.

Requirement for secondary consents

The Applicant will need to satisfy themselves that they have obtained the necessary consents. From the information provided, the Inspectorate cannot confirm whether any of the secondary consents set out in the Schedule to the Developments of National

7 DNS Pre-application Advice

Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended) would be required for the development proposed.

The Inspectorate does not have access to the 'definitive map' of Public Rights of Way (PRoW) in the area, and so is not able to provide the location of any routes in relation to the proposed scheme. If any PRoW are located on the development site, a secondary consent may be required. The Applicant should therefore direct any requests in relation to PRoW to the LPA.

Although not a prescribed secondary consent and therefore not part of the DNS application process, the Applicant's attention is drawn to the requirement for Sustainable Drainage (SuDS) Consent. The requirement is limited to schemes that include construction works, so it will be for the applicant to consider the extent of the proposed additions to the scheme as built and whether they will fall within that requirement.

ANNEX – Planning Inspectorate Validation Checklist

	DNS APPLICATION CHECK LIST	✓
	General Requirements	
1	DNS application form completed.	
2	Submitting within 12 months of the notice of acceptance of a proposed application.	
3	Submitted a copy of the notice of acceptance letter.	
4	Submitted a site location plan.	
5	Submitted all other plans applicable to the development.	
6	Plans drawn to a scale and in the direction of north.	
7	Served notice on any other land owners.	
8	If yes to above, submitted a copy of the certificate(s) serving notice on other owners.	
9	Submitted an Environmental Statement (ES).	
10	If yes to the above, the ES has been assessed and meets the minimum requirements of the EIA regulations.	
11	Submitted a written statement about any secondary consents connected with the application.	
12	Served a copy of the application on the Local Planning Authority.	
13	Paid the fee.	
14	Submitted Design and Access Statement if required.	
15	If the application involves Crown Land - statement in respect of Crown Land submitted.	
16	If the application submitted by a person authorised to do so for Crown Land - copy of the authorisation submitted?	
	Publicity and Consultation	
17	Submitted the pre-application consultation report.	
18	Displayed a notice in at least 1 place on or near the site for not less than 42 days.	
19	Written to any owners/occupiers of any land adjoining the site.	
20	Issued a notice in a local newspaper.	
21	Published the application, and supporting documents on a website for a period of not less than 42 days.	
22	Consulted relevant community & specialist consultees.	
23	If applying for a Secondary consent - Consulted relevant person/body who would have been responsible for the Secondary Consent application had it not been part of the DNS.	

Appendix G PINs Notification Notice 2022

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Adeilad y Goron
Parc Cathays
Caerdydd
CF10 3NQ

Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Ffôn/Tel: 0303 444 5940

e-bost/e-mail: dns.wales@planninginspectorate.gov.uk

Elgin Energy EsCo Ltd
(c/o Ben Lewis, Barton Willmore)

Torfaen County Borough Council

(Sent via email)

Ein Cyf / Our Ref: DNS/3239190

Dyddiad / Date: 07/04/2021

Town and Country Planning Act 1990
The Developments of National Significance (Wales) Regulations 2016 (as amended)
The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended) ('The 2016 DNS Procedure Order')

Application by: ELGIN ENERGY ESCO LTD
Site: LAND AT PENTRE BACH, TORFAEN

Notice of a proposed application for a Development of National Significance (DNS) has been submitted to the Planning Inspectorate.

Having assessed the submitted documents, I can confirm that:

- the proposal falls within the criteria to be considered as a DNS application;
- the documents required by the above Regulations have been provided; and
- the relevant fee has been paid in full.

This letter therefore should therefore be treated as **official notice of acceptance of the notification, under Article 6 of the 2016 DNS Procedure Order.**

This notice of acceptance is only valid for 12 months from the date of this letter; if the application is not formally submitted by that date a fresh notification of proposed development in accordance with Article 5 of the 2016 DNS Procedure Order must be made.

All parties should read the following carefully to ensure they understand the process and note any relevant deadlines.

1. The Applicant

The Applicant is now required to carry out publicity before the application is formally submitted. In accordance with Article 8 of the 2016 DNS Procedure Order, the Applicant must now publicise the proposed application by—

(a) giving requisite notice -

(i) by site display in at least one place on or near the land to which the proposed application relates for not less than 42 days;
(ii) in writing to any owner or occupier of any land adjoining the land to which the proposed application relates; and
(iii) by publication of the notice in a newspaper circulating in the locality in which the land to which the proposed application relates is situated; and
(b) publishing the following information on a website maintained by the applicant, for not less than 42 days beginning with each day on which each of the notices referred to in subparagraph (a) or article 9(2) are given –
(i) the draft application form published by the Welsh Ministers under article 12(1)(a) (or a form substantially to the like effect), including the particulars specified in or referred to in the form;
(ii) a plan which identifies the land to which the proposed application relates;
(iii) any other plans, drawings and information necessary to describe the development which is the subject of the proposed application;
(iv) a copy of the notice required by article 6 which has not lapsed under paragraph (3) of that article;
(v) the design and access statement required by article 14;
(vi) subject to article 12(3), the particulars or evidence required by the Welsh Ministers under section 62(3) of the 1990 Act (applications for planning permission);
(vii) where applicable, a statement referred to as the environmental statement for the proposed development; and
(viii) a written statement about any secondary consent connected with the proposed application in respect of which the applicant considers a decision on that consent is to be made or should be made by the Welsh Ministers, together with the draft application form and documents associated with such consents.

The Applicant is also required to carry out consultation in line with Article 9 of the 2016 DNS Procedure Order:

(1) The following persons or descriptions of persons are specified for the purposes of section 61Z(4) of the 1990 Act –
(a) any community consultee;
(b) any specialist consultee; and
(c) any relevant person.
(2) Where an applicant is required to consult a community consultee or a relevant person, the applicant must give the community consultee or the relevant person requisite notice in writing of the proposed application.
(3) Where an applicant is required to consult a specialist consultee, the applicant must give the specialist consultee requisite notice in writing of the proposed application and enclose each of the documents referred to in article 8(1)(b) or provide a link to a website on which those documents can be found.
(4) The applicant must have complied with paragraphs (2) and (3) and have given the specialist consultee time to respond in accordance with article 10(1) before an application is submitted.

The Applicant is required to submit a pre-application consultation report as part of the application submission in accordance with Article 11 of the DNS Procedure Order. The Inspectorate must be satisfied that the requirements of the 2016 DNS Procedure Order have been met and that responses have helped inform the final scheme, before an application can be accepted for examination.

If the Applicant requires a Purchase Order number to be quoted for payment to be processed, please provide this to the Inspectorate at your earliest convenience. Late provision of any such details could lead to delays in the invoicing process.

2. The Local Planning Authority

It is important that the Local Planning Authority (LPA) uses the pre-application process to inform itself about the application and gather information that will assist in the production of a Local Impact Report (LIR), written representations, and any Statement of Common Ground (SoCG). Adopting a proactive approach at this stage is likely to reduce the demand on the Authority's resources during the examination stage. Further guidance on this matter can be found in the Inspectorate's Procedural Guidance document.

As you may be aware, it is the Inspectorate's responsibility to publish details of the application when it has been submitted, and to write to those who may be affected by it.

In view of this it would be extremely helpful if you were able to provide a list of people you would have notified, had the application been made directly to you, as a matter of urgency. Specifically:

- each county or county borough councillor representing an electoral ward in which the land to which the proposed application relates is situated;
- each community council in whose area the land to which the proposed application relates is situated;
- neighbouring properties; and
- any other relevant persons and specialist bodies that you see fit.

3. All parties

If any party has any queries in relation to this letter, or the DNS process itself, please do not hesitate to contact me, using the email address or postal address in the header of this notice.

As of the 1st October 2021 in keeping with the Minister's commitment to a fully independent Welsh Inspectorate, the Planning Inspectorate Wales will formally become a part of the Welsh Government. The Welsh Government is the Data Controller for the Planning Inspectorate Wales at present and will remain Data Controller once this move into the Welsh Government has been completed.

Yours sincerely

H Edgeworth

HARRY EDGEWORTH
Team Leader

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Adeilad y Goron
Parc Cathays
Caerdydd
CF10 3NQ

Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Ffôn/Tel: 0303 444 5940

e-bost/e-mail: dns.wales@planninginspectorate.gov.uk

Elgin Energy EsCo Ltd

Gyngor Bwrdeisdref Sirol Torfaen

(Anfonwyd trwy e-bost)

Ein Cyf / Our Ref: DNS/3239190

Dyddiad / Date: 07/04/2021

Deddf Cynllunio Gwlad a Thref 1990
Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Cymru) 2016 (fel y'i diwygiwyd)
Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016 (fel y'i diwygiwyd) ('Gorchymyn Gweithdrefn DNS 2016')

Cais gan: **ELGIN ENERGY ESCO LTD**
Safle: **TIR YM MHENTRE BACH, TORFAEN**

Cyflwynwyd hysbysiad o gais arfaethedig ar gyfer Datblygiad o Arwyddocâd Cenedlaethol (DNS) i'r Arolygiaeth Gynllunio.

Ar ôl asesu'r dogfennau a gyflwynwyd, gallaf gadarnhau'r canlynol:

- mae'r cynnig yn disgyn o fewn y meini prawf i'w ystyried fel cais am Ddatblygiad o Arwyddocâd Cenedlaethol;
- darparwyd y dogfennau sy'n ofynnol yn ôl y Rheoliadau uchod; ac
- mae'r tâl perthnasol wedi'i dalu'n llawn.

Felly, dylid trin y llythyr hwn yn **hysbysiad swyddogol o dderbyn yr hysbysiad o dan Erthygl 6 Gorchymyn Gweithdrefn DNS 2016.**

Mae'r hysbysiad derbyn hwn yn ddilys am 12 mis yn unig o ddyddiad y llythyr hwn; os na chaiff y cais ei gyflwyno'n ffurfiol erbyn y dyddiad hwnnw, rhaid cyflwyno hysbysiad o'r datblygiad arfaethedig o'r newydd, yn unol ag Erthygl 5 Gorchymyn Gweithdrefn DNS 2016.

Nawr, bydd yr hysbysiad hwn yn mynd i'r afael â phartïon unigol yn eu tro.

1. Yr Ymgeisydd

Mae nawr yn ofynnol i'r Ymgeisydd roi cyhoeddusrwydd i'r cais cyn ei gyflwyno'n ffurfiol. Yn unol ag Erthygl 8 Gorchymyn Gweithdrefn DNS 2016, rhaid i'r Ymgeisydd rhoi cyhoeddusrwydd i'r cais arfaethedig nawr drwy wneud y canlynol —

(c) rhoi hysbysiad gofynnol –

(iv) drwy ei arddangos ar y safle, mewn o leiaf un man ar neu gerllaw'r tir y mae'r cais arfaethedig yn ymwneud ag ef, am gyfnod o ddim llai na 42 diwrnod;
(v) drwy ysgrifennu at berchennog neu feddiannydd unrhyw dir sy'n cyd-ffinio â'r tir y mae'r cais arfaethedig yn ymwneud ag ef; a
(vi) thrwy gyhoeddi'r hysbysiad mewn papur newydd sy'n cylchredeg yn y gymdogaeth y lleolir ynddi'r tir y mae'r cais arfaethedig yn ymwneud ag ef; a
(d) cyhoeddi'r wybodaeth ganlynol ar wefan a gynhelir gan yr ymgeisydd, am gyfnod o ddim llai na 42 diwrnod sy'n dechrau gyda phob un o'r diwrnodau y rhoddir pob un o'r hysbysiadau y cyfeirir atynt yn is-baragraff (a) neu erthygl 9(2) –
(ix) y ffurflen gais ddrafft a gyhoeddwyd gan Weinidogion Cymru o dan erthygl 12(1)(a) (neu ffurflen sydd, o ran sylwedd, yn cael yr un effaith), gan gynnwys y manylion a bennir neu y cyfeirir atynt yn y ffurflen;
(x) cynllun sy'n galluogi adnabod y tir y mae'r cais arfaethedig yn ymwneud ag ef;
(xi) unrhyw gynlluniau, lluniadau a gwybodaeth arall sy'n angenrheidiol er mwyn disgrifio'r datblygiad sy'n destun y cais arfaethedig;
(xii) copi o'r hysbysiad sy'n ofynnol gan erthygl 6 ac nad yw wedi darfod o dan baragraff (3) o'r erthygl honno;
(xiii) y datganiad dylunio a mynediad sy'n ofynnol gan erthygl 14;
(xiv) yn ddarostyngedig i erthygl 12(3), y manylion neu'r dystiolaeth sy'n ofynnol gan Weinidogion Cymru o dan adran 62(3) o Ddeddf 1990 (ceisiadau am ganiatâd cynllunio);
(xv) pan fo'n gymwys, datganiad y cyfeirir ato fel y datganiad amgylcheddol ar gyfer y datblygiad arfaethedig; a
(xvi) datganiad ysgrifenedig ynghylch unrhyw gydsyniad eilaidd sy'n gysylltiedig â'r cais arfaethedig ac y tybia'r ymgeisydd fod penderfyniad ar y cydsyniad hwnnw i gael ei wneud, neu y dylid ei wneud, gan Weinidogion Cymru, ynghyd â'r ffurflen gais ddrafft a'r dogfennau sy'n gysylltiedig â phob cydsyniad o'r fath.

Mae hefyd yn ofynnol i'r Ymgeisydd ymgymryd ag ymgynghoriad, yn unol ag Erthygl 9 Gorchymyn Gweithdrefn DNS 2016:

(5) Mae'r personau neu ddisgrifiadau o bersonau canlynol wedi eu pennu at ddibenion adran 61Z(4) o Ddeddf 1990 –
(d) unrhyw ymgynghorai cymunedol;
(e) unrhyw ymgynghorai arbenigol; ac
(f) unrhyw berson perthnasol.
(6) Pan mae'n ofynnol bod ymgeisydd yn ymgynghori ag ymgynghorai cymunedol neu berson perthnasol, rhaid i'r ymgeisydd roi i'r ymgynghorai cymunedol neu berson perthnasol hysbysiad gofynnol ysgrifenedig o'r cais arfaethedig.
(7) Pan mae'n ofynnol bod ymgeisydd yn ymgynghori ag ymgynghorai arbenigol, rhaid i'r ymgeisydd roi i'r ymgynghorai arbenigol hysbysiad gofynnol ysgrifenedig o'r cais arfaethedig ac amgáu pob un o'r dogfennau y cyfeirir atynt yn erthygl 8(1)(b) neu ddarparu dolen i wefan lle y gellir gweld y dogfennau hynny.
(8) Rhaid i'r ymgeisydd fod wedi cydymffurfio â pharagraffau (2) a (3) ac wedi rhoi cyfle i'r ymgynghorai arbenigol ymateb yn unol ag erthygl 10(1) cyn cyflwyno cais.

Mae'n ofynnol i'r Ymgeisydd gyflwyno adroddiad ymgynghori cyn-ymgeisio fel rhan o gyflwyno'r cais, yn unol ag Erthygl 11 Gorchymyn Gweithdrefn DNS 2016. Rhaid i'r Arolygiaeth fod yn fodlon bod gofynion Gorchymyn Gweithdrefn DNS 2016 wedi'u bodloni, a bod ymatebion wedi helpu i lywio'r cynllun terfynol, cyn y gellir derbyn cais i'w archwilio.

Os oes angen rhif Archeb Prynu ar yr Ymgeisydd er mwyn prosesu taliad, dylech ei roi i'r Arolygiaeth cyn gynted ag y bo'n gyfleus. Gallai darparu unrhyw fanylion tebyg yn hwyr arwain at oedi yn y broses anfonebu.

2. Yr Awdurdod Cynllunio Lleol

Mae'n bwysig bod yr Awdurdod Cynllunio Lleol (ACLl) yn defnyddio'r broses cyn-ymgeisio i ymgyfarwyddo â'r cais a chasglu gwybodaeth a fydd yn helpu i lunio Adroddiad ar yr Effaith Leol, sylwadau ysgrifenedig ac unrhyw Ddatganiad Tir Cyffredin. Mae mabwysiadu dull rhagweithiol yn ystod y cam hwn yn debygol o leihau'r galw ar adnoddau'r Awdurdod yn ystod y cam archwilio. Mae rhagor o arweiniad ar y mater hwn i'w weld yn nogfen Canllawiau Gweithdrefnol yr Arolygiaeth.

Fel y gallech fod yn ymwybodol, mae'r Arolygiaeth yn gyfrifol am gyhoeddi manylion am unrhyw gais wedi iddo gael ei gyflwyno, ac ysgrifennu at y rhai y gallai'r cais effeithio arnynt.

Yn sgil hyn, byddai'n hynod ddefnyddiol pe gallech roi rhestr o'r bobl y byddech wedi rhoi gwybod iddynt, pe byddai'r cais wedi'i gyflwyno'n uniongyrchol i chi, ar frys.

3. Pob parti

Os oes gan unrhyw barti gwestiynau yn ymwneud â'r llythyr hwn, neu'r broses Datblygiadau o Arwyddocâd Cenedlaethol ei hun, mae pob croeso i chi gysylltu â mi gan ddefnyddio'r cyfeiriad e-bost neu'r cyfeiriad post ar frig yr hysbysiad hwn.

O 1 Hydref 2021, yn unol ag ymrwymiad y Gweinidog i fod ag Arolygiaeth gwbl annibynnol yng Nghymru, bydd yr Arolygiaeth Gynllunio yng Nghymru yn dod yn rhan o Lywodraeth Cymru yn ffurfiol. Llywodraeth Cymru yw'r Rheolydd Data ar gyfer yr Arolygiaeth Gynllunio yng Nghymru ar hyn o bryd, a bydd yn parhau'n Rheolydd Data wedi i'r symudiad hwn i Lywodraeth Cymru gael ei gwblhau.

Yn gywir,

H Edgeworth

HARRY EDGEWORTH
Arweinydd Tîm

Appendix I Draft Conditions

Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management[1] confirms that in summary, conditions should be:

i) necessary;

ii) relevant to planning;

iii) relevant to the development to be permitted;

iv) enforceable;

v) precise; and

vi) reasonable in all other respects.

It is respectfully suggested that should planning permission be granted, in order to comply with the tests, set out in Circular 016/2014, the planning permission should be subject to the following conditions:

No	Condition
1	The development shall begin no later than five years from the date of this decision.
2	The development shall be carried out in accordance with the following approved plans and documents: Submitted Plan X.
3	Prior to the commencement of development full details of the final location, design, materials (including colour) and construction methods for the panel arrays, substations, inverters, fencing, access tracks and CCTV cameras shall be submitted and approved by the District Planning Authority. The development shall be implemented and maintained in strict accordance with the approved details.
4	No development or site clearance shall commence until the local planning authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the local planning authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the local planning authority within two months of the archaeological fieldwork being completed.

[1] the-use-of-planning-conditions-for-development-management-wgc-0162014.pdf (gov.wales)

No	Condition
5	No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for: i) the parking of vehicles of site operatives and visitors; ii) loading and unloading of plant and materials; iii) storage of plant and materials used in constructing the development; iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; v) wheel washing facilities; vi) measures to control the emission of dust and dirt during demolition and construction; and vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
6	No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
7	All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
8	No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: i) A statement setting out the design objectives and how these will be delivered; ii) earthworks showing existing and proposed finished levels or contours; iii) means of enclosure and retaining structures; iv) other vehicle and pedestrian access and circulation areas;

No	Condition
	v) hard surfacing materials; vi) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.), and vii) water features. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant)
9	A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.
10	Within 40 calendar years from the date when electricity is first generated to the grid, or within 6 months of the cessation of electricity generation by the [type of energy] facility, whichever is sooner, the [facility and all associated works/equipment] shall be dismantled and removed from the site and the land restored to its former condition in line with the restoration plan [doc reference] hereby approved.
11	The permission hereby granted shall endure for a period of 40 years from the date when electricity is first exported from [renewable energy facility]. Written confirmation of the first export date shall be sent to local planning authority within one month of the first export date.
12	Within the year prior to decommissioning of the site, but no later than 6 months prior to decommissioning, a full ecological survey of the site shall be undertaken to inform decommissioning, as required by Condition 9. A survey report shall be submitted to and approved in writing by the local planning authority prior to the commencement of decommissioning and then implemented as approved. The report shall include ecological mitigation measures, as appropriate, based on the ecological assessment findings to be followed during decommissioning, and beyond.
13	In the event of [renewable energy equipment] failing to produce electricity supplied to the local grid for a continuous period of [x] months, then it will be deemed to have ceased to be required, the [renewable energy equipment] and its ancillary equipment shall be dismantled and removed from the site within [x] months of the deemed cessation date and the site restored to its former condition

No	Condition
14	No development shall take place until a wildlife / habitat protection plan has been submitted to and approved in writing by the local planning authority. The wildlife / habitat protection plan shall include: i) A plan showing [wildlife / habitat] protection zones'; ii) Details of development and construction methods within wildlife / habitat protection zones and measures to be taken to minimise the impact of any works; iii) Details of phasing of construction. The protection plan shall then be implemented in accordance with the timings approved by the local planning authority.