



Report

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

Inspectors appointed by the Welsh Ministers

Report date: 09/10/2024

TOWN AND COUNTRY PLANNING ACT 1990

SECTIONS 62D & 62F

The Developments of National Significance (Wales) Regulations 2016

Applicant: Lightrock Power Ltd

The application dated 24 November 2023, was made under section 62D of the Town and Country Planning Act 1990 (as amended by the Planning (Wales) Act 2015).

The application was confirmed as valid on 29 February 2024.

The proposed development is a solar farm with an installed generation capacity of 42MW and associated ancillary infrastructure, including a 132 kV substation.

At: Land East of Dyffryn, approximately 5 km North-West of Barry Town Centre

Ref: CAS-02112-T2N0G8

A site visit was made on 25 September 2024

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

Procedural Matters

1. The examination was suspended on 14 May 2024 following a request for further information. The further information submitted by the applicant was subject to consultation following which the examination resumed on 6 August 2024.
2. The proposed development is one of 3 applications for solar farms in this part of the Vale of Glamorgan. Planning permission for solar farms at Parc Dyffryn (DNS/3267575) and Oaklands (DNS/3245503) was granted by the Cabinet Secretary for Housing, Local Government and Planning on 23 May 2024.
3. These developments were the subject of Hearings in December 2023 at which the cumulative landscape impact of the 3 proposed solar farms was considered.

The Site and Surroundings

4. The site comprises 14 fields totalling around 49ha to the east of the small village of Dyffryn. The area is characterised by fields used for crops and grazing bounded by mature hedges, woodland, narrow windy lanes with farmsteads and other buildings dotted about. 1342kV and 33kV power lines run across the valley from northeast to southwest. The site lies in the Dyffryn Basin and Ridge Slopes Special Landscape Area (SLA).
5. St Lythan's Road which runs along on the northern boundary is also marks the southern extent of Dyffryn Gardens, a Grade I Registered Historic Park and Garden. Dyffryn House (Grade II*) is accessed off Duffryn Lane and separated from the site by the gardens and woodland. The Scheduled Ancient Monument, St Lythan's Burial Chamber is located about 50m from the eastern boundary of the site.

Proposed Development

6. A solar farm with an installed generation capacity of approximately 42MW, the panels would have a maximum height of 2.38m. The site would be enclosed by 2m deer fencing with CCTV cameras mounted around the perimeter. The battery compound containing the substation, would be around 25m x 63m, surrounded by a 4m palisade fence. The point of connection to the electricity distribution network would be via an existing 132 kV pylon, near the New Wallace Farm.
7. Construction is estimated to take between 6 to 9 months. Access to the site would be from St Lythan's Road via Duffryn Lane from the A48 at St Nicholas. Permission is sought for 40 years.

Planning Policy

The Development Plan

8. The development plan comprises Future Wales (FW) and the Vale of Glamorgan Local Development Plan 2011 – 2026, adopted 2017 (LDP). FW Policy 17 gives significant weight to meeting Wales' international commitments and the Government's target to generate 70% electricity by renewable means by 2030. Solar farms should not have an unacceptable adverse impact on the environment. Policy 18 is permissive of low carbon energy projects subject to Policy 17 and there being no unacceptable adverse impacts on, amongst other things, landscape, ecology, heritage assets and the living conditions of

nearby residents. Policy 9 requires biodiversity enhancement to be demonstrated as part of development proposals.

9. The site is not within any local search area for solar energy designated by Policy MG30 of the LDP. Policy MD19 is permissive of renewable energy generation subject to no unacceptable impact on, amongst other things, landscape, natural and cultural heritage and nature conservation. The policy also recognises the cumulative impacts of renewable energy schemes will be an important consideration.
10. LDP Policies SP1 and SP10, amongst other things, seek to protect the natural and built environment. Policy MG17 is permissive of development in SLAs which would not cause unacceptable harm to the landscape. Policy MG21 states that development likely to have an adverse impact on sites of importance for nature conservation will only be permitted where, amongst other things, appropriate and proportionate mitigation and compensation measures can be provided. Policy MD8 requires development to preserve or enhance the setting of listed buildings and conservation areas.
11. Other policies of relevance include:

Policy SP7	Transportation
Policy SP9	Minerals
Policy SP11	Tourism and Leisure
Policy MG16	Transport Proposals
Policy MG19	Sites and Species of European Importance
Policy MG20	Nationally Protected Sites and Species
Policy MG22	Development in Minerals Safeguarding Areas
Policy MD1	Location of New Development
Policy MD2	Design of New Development
Policy MD7	Environmental Protection
Policy MD9	Promoting Biodiversity
Policy MD13	Tourism and Leisure
Policy MD17	Rural Enterprise

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

National Policy

13. Planning Policy Wales (PPW) states that low carbon electricity must become the main source of energy in Wales (5.7.1) and the planning system should secure an appropriate mix of energy provision whilst minimising environmental and social impacts (5.7.6). Planning applications for renewable and low carbon energy developments should be determined based on the merits of the individual proposal (5.9.15) taking into account the contribution to meeting identified Welsh, UK and European targets.
14. PPW advocates a step-wise approach to the location of development which avoids designated sites and irreplaceable habitats where possible (6.4.15). The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design (6.2.11).
15. The following Technical Advice Notes (TANs) also contain relevant guidance:

TAN 6	Planning for Sustainable Rural Communities
TAN 10	Tree Preservation Orders
TAN 11	Noise
TAN 12	Design
TAN 13	Tourism
TAN 15	Development and Flood Risk
TAN 18	Transport
TAN 23	Economic Development
TAN 24	The Historic Environment

The Case for Lightrock Power Ltd

16. The following is a summary of the applicant's Planning Statement.

The Need for Renewable Energy

17. National Grid anticipates annual electricity demand in the UK could increase from 330 TWh in 2020 to up to 627 TWh in 2050, an increase of 90%. There is an urgent need to increase electricity capacity in the UK to ensure a secure and stable supply in the future and achieve renewable energy and net zero targets. The Welsh Government has set a target for renewables to generate electricity equal to 100% of consumption by 2035 (from 51% present day). Further, Wales should achieve a 95% reduction in greenhouse gas emissions by 2050. Consequently, there is an urgent need to install renewable electricity generating stations such as the proposed development. The proposed solar farm would have an installed generation capacity of about 42MW, sufficient to power around 11,552 family homes for a year.

Key Benefits

18. The proposed development would result in a number of key benefits;

- A community benefit endowment fund of £100,000,
- Reduced wholesale electricity prices and diversity of income for the landowners/farmers,
- Improved soil and nutrient quality during operation, leading to better land quality once the panels have been removed and recycled;
- Contributions to local food production through conservation grazing;
- Biodiversity enhancement and habitat creation, including retaining existing hedgerows, trees and woodland copses, together with additional new boundary hedgerows improving habitat connectivity in the wider landscape.

Landscape

19. The site lies in the Dyffryn Basin and Ridge Slopes SLA which includes the gentle valley of the Nant Bran and River Waycock with broad and pleasant views to well-managed countryside which retains a coherent large field pattern and woodlands. It is a relatively unspoiled historic countryside with settlements integrated within the landscape.

20. A combination of the height of the solar panels, hedgerow field boundaries and existing woodland areas would limit views of the proposed development. The primary qualities and features of the landscape would be largely retained. Landscape enhancement is incorporated into the proposal, including grassland management and new tree and hedgerow planting.

21. The landscape would be able to accommodate the proposed solar farm without significant change to its character. The nature of the proposed development would not be uncharacteristic of the area nor would it significantly alter the character in combination with surrounding cumulative schemes.

Biodiversity

22. A suite of surveys were carried out to inform the proposed development, including birds, bats, otter and dormice. Subsequent assessments concluded that subject to the proposed embedded mitigation and ecological enhancement, with the exception of skylark, the proposal would not have any significant impacts on nature conservation interests.
23. Three ancient woodlands adjoin the site, which are also Sites of Importance for Nature Conservation (SINC) (Goldsland Wood, East of Dyffryn Springs and Bears Wood). A 15m buffer would be maintained between the proposed development and the ancient woodlands. The existing grassland would be managed as species rich grassland within the fields for the proposed solar panels.

Green Infrastructure Statement (GIS)

24. The GIS has been produced in line with the Building with Nature Standards. The proposed development has been shaped through assessments and feedback from pre application consultation. Benefits to nature conservation would arise through changing from intensively managed arable fields to species rich grassland habitat below the solar panels. Also wildflower meadow, arable weed margins and the addition of native tree and hedge planting. A key part of the existing green infrastructure, the public footpath which passes north to south on the eastern side of the site which connects Barry with the Upper Waycock Valley and Dyffryn, will be retained. It would run through a 20m buffer, with new hedge planting and management of existing hedgerow with the aim of creating an improved setting for walkers.

Highways

25. Duffryn Lane is used by farm vehicles and HGVs demonstrating the lane is suitable for construction vehicles. A swept path analysis of HGVs turning through the A48 / Duffryn Lane junction demonstrates this route is the most suitable option. During the construction period the majority of movements would be Monday to Friday. Traffic would be managed by way of an escort/pilot vehicle. The number deliveries will vary but would average 6 HGV movements per day (3 in, 3 out). HGVs will not be permitted to enter or exit the site between 08:00 and 09:00 or between 17:00 and 18:00.
26. Once operational, maintenance checks would take place typically once per month using a 4x4 vehicle. A Construction Traffic Management Plan (CTMP) would be in place to ensure development is managed and delivered in a manner that mitigates and safeguards highway impact, highway safety and amenity of the surrounding area.

Cultural Heritage

27. New woodland planting along the boundary with St Lythan's Road would reduce intervisibility between Dyffryn Gardens and the proposed development. This planting and that proposed throughout the site would preserve the setting of heritage assets.
28. Following an archaeological desk based assessment and fieldwork, two areas were identified to be of particular interest. One area was removed from the proposed development altogether. The other would be subject to a detailed mitigation strategy,

including the construction of an appropriate access road and the use of a non-intrusive foundation system.

29. Through careful design and mitigation, the proposed development would not cause unacceptable harm to the historic environment, including the nearby listed Dyffryn Gardens and St Lythan's Burial Chamber.

Living conditions

30. The Residential Visual Amenity Assessment concludes that where parts of the proposed development would be visible from properties within 1km of the site, occupiers would only see small parts of the solar farm. The proposed development would not, therefore, represent a dominant feature. Nor would its impact be such it would make the affected properties unattractive places to live.
31. The Glint and Glare Assessment finds no significant impacts upon road safety or residential amenity. Given the location and nature of the proposed development and the limited number of nearby properties, the proposal is unlikely to give rise to significant noise and vibration impacts during construction and operation.

The Vale of Glamorgan Council

32. The following is a summary of the Council's Local Impact Report.

Visual and Landscape Impact

33. The site comprises fields typical of the agricultural character of the Vale of Glamorgan. The solar arrays and the large substation compound would change the landscape from green agricultural fields to one filled with structures for energy generation with a much more developed and urban character.
34. The proposal would result in the urbanisation of a large part of this rural area. Combined with the visibility of the panels from a number of viewpoints, is considered to have the potential to adversely impact on the way people visually experience this area of countryside. In addition, given the visibility from the rights of way, the experience of using these footpaths is likely to be negatively affected during the lifetime of development as the rural nature of views would be lost.
35. CCTV cameras are proposed to be placed around the perimeter of the site at approximately 50 metre intervals. While the need for site security is appreciated, these would not be typically found on a rural field boundary and the number of CCTV cameras is considered unnecessarily and visually intrusive in the landscape. While any planning permission would be time limited, 40 years would still result in this character being changed on a long term basis.

Ecology

36. There are SINC's adjoining the perimeter of the site.
37. A widespread loss of game crop would have an adverse impact on yellowhammer. In addition, given their use of fields that form part of the proposed solar array, without mitigation, the impact on meadow pipit, skylark and stock dove would be significant at a local level. For skylark 4 nesting sites would be provided to replace the 6 that would be lost, this does not constitute enhancement.
38. Bat activity and roost assessment has been scoped out on the basis no trees would be removed but hedgerows would be removed to facilitate access tracks. A bat survey should be carried out to assess any trees or hedgerow scheduled for removal and a mitigation strategy produced.

39. The proposal would be likely to have an initial moderate negative impact on ecology and biodiversity. An Environmental Mitigation, Enhancement and Management Plan (EMEMP) would result in the potential for the proposal to have a minor positive impact on ecology and biodiversity over time.

Historic Environment

40. There are a number of scheduled monuments located in the locality, listed buildings and also the Dyffryn Gardens Historic Parks and Gardens. The archaeological remains within the site are noted of low to medium/regional importance and as such, are low to medium sensitivity. The proposal would have a moderate negative impact on the historic environment.

Highway safety

41. The main transport impacts of the proposal would be during construction and short term. Once operational, traffic to the site is likely to be minimal. CTMP sets out a number of mitigation measures including a booking system for deliveries. Once the site is operational, infrequent vehicle access will be required for inspection and maintenance.

Residential Amenity

42. A Glint and Glare Assessment concludes the proposed solar farm would not have a significant impact upon road safety or residential amenity. A Construction Environmental Management Plan (CEMP) should be provided to protect residential amenity.

Climate Change

43. The development would have a positive effect in respect of climate change. However, the processes of manufacturing and construction and the emissions from these also have to be considered in assessing the impacts of the proposal on climate change.

Socio-Economic Effects

44. The development would create employment opportunities and the expenditure of construction workers could have in the area would be beneficial. However, the socio-economic benefit to the local area from this activity is likely to be minimal.

Other matters

45. SuDS approval will be required for the proposed surface water drainage arrangements. The development would have a minor negative impact on existing drainage arrangements and flood risk. The site lies in a mineral safeguarding area but given the temporary nature of the proposed development, there would be no significant impact on the availability of mineral resources.
46. Subject to appropriate safety procedures being followed during construction, operation and maintenance, it is not considered likely that this proposal will raise significant safety concerns.

Consultation

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

Glamorgan and Gwent Archaeological Trust

48. Bronze Age barrow burials have been identified, along with possible field systems and trackways. Two enclosures and two possible ring ditches have also been noted, as have

historically significant hedgerows. A possible early medieval ecclesiastical site is also located to the south of the site.

National Trust

49. Object on grounds of adverse impact on the setting of Dyffryn House (Grade II*) and Gardens (Grade I) and St Lythan's Burial Chamber. Also raise concerns regarding the effect of construction traffic for staff and visitors suggesting the scheme should include an active travel route from Barry.

Cadw

50. Agrees with the conclusion of the applicant's Archaeology and Cultural Heritage Assessment that the proposed development would not have a significant impact on historic assets in the area or archaeological features on site.

Wenvoe and St Nicholas with Bonvilston Community Councils

51. Object on the following grounds;

- adverse landscape impact both alone and cumulatively with other solar schemes in the area,
- harm to historic assets,
- loss of farmland,
- adverse impact on tourism,
- adverse impact on highway safety, including. walkers riders and cyclists.

Welsh Government: Soil, Peatland & Agricultural Land Use Planning

52. No objection.

NRW

53. From the information provided, it appears great crested newts, bats and otters are unlikely to be affected by the proposed development. However, implementation of a CEMP and an Ecological and Conservation Management Plan would reduce the impact on protected species on the site. Further surveys recommended in relation to goshawk.

Welsh Government Highways

54. No objection.

Other statutory undertakers

55. National Gas, The Coal Authority, Wales and West Utilities, NATS, Dŵr Cymru and the National Grid, have no objection to the proposed development.

Campaign Against East Vale Over Development

56. The following summarises their objections.

57. National policy is taking precedence over local development policy with too much emphasis on supporting large scale proposals that have widespread and prolonged impact on the people who live and work in the community. This results in long term changes to the character of the local area with negligible benefit for the affected local people or the Welsh economy.

58. Solar expansion is causing harm to this part of the Vale of Glamorgan. The siting and design of Parc Worlton conflicts with local and national planning policies due to negative

impacts on the SLA and the surrounding area. Placing solar panels on any grade of agricultural land destroys soil structure, damages biodiversity and risks food security with the loss of farms and farming skills over 40 years.

59. The LDP identifies where solar developers should be looking to install solar farms. This site lies in a SLA designated in the LDP to support its rural integrity and hold back encroachment by new development. Ash die back is well advanced in this area and the landscape is changing rapidly as trees are lost. Replacement deciduous trees would take longer than 15 years to reach similar screening height and canopy size. The sloping nature of the site on the side of a broad valley means the panels cannot be screened and would stand out as a highly visible industrial eyesore.
60. A large number of properties sit above the proposed site and residents would have significant views of the panels regardless of the screening measures proposed. They would also be visible to patrons of Brynhill Golf Club and users of the footpaths that cross the valley. The proposed development would appear as the dominant feature in this rural landscape.
61. The examination should be suspended to allow the landscape plan to be reviewed to:
- allow input from neighbouring landowners so that it reflects a wider knowledge and understanding of the ecology in the vicinity,
 - to reduce the density and areas covered by the panels,
 - increase buffer distance to ponds and ancient woodland.
62. The barn owl survey is flawed. The examination should be suspended for it to be repeated and to allow the completion of a planned bat survey at Dyffryn Gardens.
63. The Dyffryn Valley already experiences frequent flooding. Panels should be removed from fields 3, 4, 6 and 7 to avoid flooding and soil erosion. The coating on solar panels washes off over time. This toxic coating will enter the soil on site and contaminate water courses.
64. The use of pilot vehicles to regulate traffic along Duffryn Lane would be disruptive and could create unacceptable levels of danger to all road users. The lane serves farms and is used by large agricultural vehicles throughout the year. Duffryn Lane is also vital to the year-round operation of Dyffryn House and Gardens, and it is essential that unfettered access is maintained for its visitors. The proposed development will disrupt the normal functioning of this rural lane which is so important to its local community.
65. The number of HGV movements would be almost twice that quoted and the time to construct be more than 12 months. Installation would have to be spread over two years because the land is too wet for construction vehicle movement between October and April. The lack of independent verification casts doubts on the validity of the agricultural land and archaeological surveys.
66. Residents already experience adverse effects of glint and glare from solar farms in the area which are much smaller in scale and further away, such as Garn Farm, St Hilary. Many residents are at home in the day and occupiers of properties backing onto the solar farm may not be able to open their windows or spend time in their gardens during the spring and summer.

Local residents

67. Around 134 objections were received and a petition with 81 signatures. Concerns are raised in relation to:
- Landscape impact,

- The land is Green Belt,
- Noise,
- Glint and glare,
- Light pollution,
- The proposed substation poses a risk to life,
- Impact on highway safety,
- Loss of farmland,
- Cumulative impact with other proposed solar farms,
- Archaeology,
- Adverse impact on tourism, people using local footpaths and visiting Parc Dyffryn,
- Adverse impact on businesses which rely on the area's rural setting, including tourism,
- Adverse impact on biodiversity,
- Flooding,
- The local community will not benefit from this proposal.

68. One resident does not object to the proposed development but requests measures to mitigate the impact of construction traffic, ensure the solar panels are recycled after use and if the land is not grazed, any mowing should utilise less intensive measures. Further, the proposal should include permissive paths across the site.

Appraisal

69. The main considerations are the impact of the proposed development on:

- the character and appearance of the area,
- historic assets, and
- ecology

Character and appearance

70. I was jointly appointed to examine the Oaklands and Parc Dyffryn applications and my site visit at that time included all three sites and views from longer distance. I carried out another site visit for this site in September 2024.

71. The site lies in pleasant, gently undulating open countryside with irregular field patterns typical of a lowland agricultural landscape. Farm and other buildings are scattered around the valley and generally nestle comfortably into their surroundings. The only detracting features are the power lines marching across the area.

72. With a maximum height of 2.38m, at close quarters, the panels would be largely hidden by the strong, mature hedges lining the fields within which they would sit. The proposed CCTV cameras are small and would only be noticeable from close by and the proposed landscaping would further mitigate the impact of the proposed development. Parts of the solar farm would be visible from higher ground to the south and west, particularly when looking north from properties and footpaths in the vicinity of Port Road East in Barry and from Dog Lane near Little Harmston Farm.

73. From these locations, the change from green fields to arrays of solar panels would be noticeable and the character and appearance of the landscape would change. However, due to the blocks of woodland which confine parts of the site and the undulating topography, it would not be possible to see the whole site from these viewpoints. Further, the parts that would be seen would take up a limited proportion of the views from these places such that the solar farm would not be the dominant feature in the landscape. One would still be able to appreciate the wider rural landscape the character and appearance of which would not be so diminished as to significantly detract from the SLA.

Cumulative Impact

74. The Oaklands solar farm lies to the west and covers around 109 ha of land straddling the A4226, Five Mile Lane. Parc Dyffryn would cover around 85ha to the north of Dyffryn up to the A48 to the east of St Nicholas. Planning permission was granted for both developments in May 2024.

75. Due to the undulating topography and intervening woodland, at no location was it possible to see all 3 sites in one view. From the higher ground to the south on the edge of Barry, parts of the application site and Parc Dyffryn would be visible, the latter at long distance. From Dyffryn, Dog Lane rises as it approaches the A4226 and, looking east from the vicinity of Little Hamston Farm, one would see some of the arrays subject to this application and some proposed at Parc Dyffryn.

76. Both locations enjoy expansive views to the north and east respectively. Views of the proposed panels would be broken by woodland and strong field boundaries and would occupy a small part of the overall vista. The overriding sense would remain that of looking over a rural landscape dominated by woodland and pasture enclosed by mature hedgerows, dotted with farms and small settlements.

77. I conclude the proposed development would not have an unacceptable impact on the character and appearance of the area and complies with FW Policies 17 and 18 and LDP Policies MD17 and MD19.

Historic assets

78. St Lythan's Burial Chamber sits on a high point in an open field to the east of the site. The monument comprises the remains of a burial chamber dating to the Neolithic period. According to Cadw's summary description and reason for designation, the monument is of national importance for its potential to enhance knowledge of prehistoric burial and ritual. The field is on higher ground and due to topography, the tall mature hedge on the shared boundary and their height, it is unlikely the solar panels would be visible from the ancient monument and have an impact on its setting or appreciation of its historic importance.

79. The gardens at Dyffryn (Grade I) are described in the listing as the grandest and most outstanding Edwardian gardens in Wales. Dyffryn House is late Victorian and Graded II* for its exceptional interiors and also for the importance of its setting at the heart of Dyffryn Gardens. Due to the thick woodland and tall hedge on the southern boundary of Dyffryn Gardens, visitors to the National Trust property would not be able to see the panels and their enjoyment and appreciation of the historic house and gardens would not be affected by the proposed development.

80. The high hedge lining St Lythan's Road would hide the panels from view in spring and summer and offer little, if any view, of the site in winter. Consequently the setting and appreciation of the Chamber and Dyffryn Gardens would not be affected by visitors approaching along Duffryn Lane or St Lythan's Road.

81. Turning to archaeology, the design of the proposed development was informed by a desk based assessment which led to the exclusion of one area from the initial project. A condition is recommended to require the submission of a historic environment mitigation scheme to safeguard any archaeological interest on the site.
82. I conclude the proposed development would preserve the setting of historic assets and complies with LDP Policies MD8 and MD19.

Ecology

83. Single goshawks were recorded within the survey area on two occasions in April 2022. NRW sought further information but spring is a good time to observe goshawk and there is no reason to dispute the findings of the Environmental Statement which states the sightings probably related to the same individual and no evidence of breeding was recorded.
84. To compensate for the loss of 6 skylark breeding territories on site, 4 skylark plots are to be created in fields to the west of the site. Although this would result in a net loss of breeding territory plots, the new plots are expected to enhance the value of the fields to breeding skylark, and potentially extend the breeding season to enable more than one attempt to breed. Given NRW's satisfaction with the barn owl survey and its recommendations, there is no need for additional surveys.
85. The CEMP includes measures to avoid and mitigate impacts on habitats and species including further surveys, avoiding works to hedgerows and grassland when birds are breeding and measures to safeguard reptiles including slow worm and grass snakes. Post construction, the EMEMP would include a rare arable weeds conservation strategy, the creation of refugia for reptiles and amphibians, bird boxes and a barn owl nest box and bat roost boxes.
86. The proposed development includes a number of measures to enhance biodiversity and, subject to the measures contained in the CEMP and EMEMP, would comply with FW Policies 9, 17, 18, Policies SP1, SP10 and MG21 of the LDP and PPW.

Other matters

Highways

87. Duffryn Lane is narrow and only single lane in places. I have seen no cogent evidence to support claims construction would take up to two years. The proposed escort/pilot system would ensure safety but the construction and decommissioning periods will inevitably be disruptive and cause inconvenience. However, the 6 to 9 month construction phase covers only a small proportion of the 40 year lifetime of the proposed development. Further, the average 6 HGV movements per day would be spread over an 8 hour period (9.00 to 17.00) so there would not be a constant flow throughout the day.

Living conditions

88. Any adverse impacts through noise and disturbance would occur only in the construction and decommissioning phases. Impacts would be temporary and limited through the CEMP. The Glint and Glare Assessment reports solar reflections are geometrically possible towards 31 dwellings. However, in all cases, existing vegetation and/or intervening terrain is expected to significantly obstruct views of reflecting panels. The assessment concludes no impact no mitigation is recommended. I have seen no technical evidence to lead me to question these findings.
89. Provided it is properly installed and maintained, and there is nothing to indicate this would not be the case, I see no reason why the sub station would pose a risk to life.

Agriculture

90. A site survey was undertaken in 2022. The Soil, Peatland & Agricultural Land Use Planning Division have raised no concerns and no empirical evidence is submitted to lead me to doubt the applicant's findings that only around 2.2ha of land on site is classified as best and most versatile (BMV)(Grade 3a). The layout was amended to avoid this land and no BMV would be lost as a result of the proposed development.

Flooding and drainage

91. All of the site lies in Zone A bar the cable route which crosses areas in Zones C1 and C2. The cable would be underground, installed through directional drilling and have little if any impact on flood risk on site or elsewhere.

92. Surface water drainage is subject to a separate consenting procedure but the proposed development is not anticipated to increase runoff. Further, new vegetation below and between the solar panels would dissipate run off and reduce erosion. The vegetation will be managed organically and will either be mowed or used for light grazing.

93. Solar panels are designed to be located outdoors and I have seen no cogent evidence to support the claim that they are coated with material that washes off.

Tourism and use of footpaths

94. Given my conclusions regarding impact on the character and appearance of the area and traffic, I do not consider the proposed development would have a material impact on tourism or businesses in the area.

95. A number of footpaths cross the valley. One path skirts part of the eastern boundary before crossing the site and walkers would pass between rows of panels. Over time close views of the panels would be softened and screened by new hedgerows. The time spent by walkers passing between the panels would be short and I do not consider their overall enjoyment of the path and countryside would be unduly affected.

Conditions

96. In the event Welsh Ministers decide to approve the application, I consider the conditions set out in the attached schedule to be necessary and would satisfy the tests in Circular 16/14: The Use of Planning Conditions in Development Management.

97. Given the proposed CEMP would control hours of work, noise and dust emissions, I see no need or planning purpose for details of how the applicant would accord with the Considerate Constructors Scheme. For the same reason, a system for the management of complaints from local residents is unnecessary. I have read nothing to indicate any of the construction activities would generate odours and see no need for the CEMP to include an odour management plan.

98. Tree and hedgerow protection is included in the landscaping condition and a separate condition is unnecessary. The site is in agricultural use. I have neither seen nor read anything to suggest the land may have been put to any other use or that it may be contaminated and a condition relating to contamination is unnecessary. Permitted development rights should only be removed in exceptional circumstances and I am not persuaded removing permitted development rights with regard to fencing is necessary to prevent an adverse impact on the environment.

Conclusions

99. FW Policy 17 requires decision makers to give significant weight to the need to meet Wales' international commitments and the Government's target to generate 70% of

consumed electricity by renewable means by 2030. The proposed solar farm would have an installed generation capacity of about 42MW, sufficient to power around 11,552 homes each year and make a meaningful contribution to meeting the 70% target. The landscape has the capacity to accommodate the proposed development without harm and subject to the proposed conditions, the proposal would not have an adverse impact on the living conditions of nearby residents, heritage and ecological interests or highway safety.

100. I conclude that the proposed development accords with FW Policies 9, 17 and 18 and LDP Policies SP1, SP10, MG17, MG21, MD8 and MD19.

Recommendation

101. That planning permission be granted for a solar farm with battery storage facility and associated ancillary development, subject to the conditions attached at Appendix A.

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

A Thickett

Inspector

APPENDIX A: Schedule of Recommended Planning Conditions

1. The development shall begin no later than five years from the date of this decision.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following plans:
Site Location Plan: JPW1781/008
Proposed Site layout Plan: LRP008 – PL-01/18
Typical PV Panel Section: LRP008-SD-01/03
132kV DNO Substation Plan: LRP008-SD-02/01
132kV DNO Substation (Section): LRP008-SD-03/01
Customer Substation Floor Plan: LRP008-SD-04/01
Customer Substation Elevations: LRP008-SD-05/01
Inverter/Transformer: LRP008-SD-06/01
Security Fencing & CCTV: LRP008-SD-07/01
Security Gates: LRP008-SD-08/01
Access Track Cross Section: LRP008-SD-09/01
Temporary Construction Compound: LRP008-SD-10/02
Palisade Fencing & CCTV: LRP008-SD-11/01
Existing 132kV Tower with CSE Platform: LRP008-SD-12/03
Reason: To ensure that the development is carried out in accordance with the approved plans, drawings and documents submitted with the application
3. The permission hereby granted shall expire 40 years from the date when electrical power is first exported ('first export date') to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.
Reason: In the interests of the character and appearance of the area in accordance with LDP Policy MG17.
4. No later than 12 months before the end of the 40-year operating period (or within 6 months of the permanent cessation of electricity production) a decommissioning and site restoration scheme ('Decommissioning Scheme') shall be submitted to the local planning authority in writing. The Decommissioning Scheme shall include
 - i) a method statement detailing the process and extent of removal of surface elements of the photovoltaic solar farm and associated development and any foundations, anchor systems, trackways and subsurface cabling and associated works and
 - ii) site restoration measures following all decommissioning operations.

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

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

5. No development or site clearance shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:
- The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials and vehicle maintenance areas;
 - Security hoardings;
 - Wheel washing facilities;
 - Measures to control and mitigate the emission of odour, dust, smoke, other airborne pollutants and dirt;
 - A scheme for recycling/disposing of waste resulting from demolition and construction works,
 - Hours of work;
 - Lighting;
 - Management, control and mitigation of noise and vibration;
 - Details of topsoil strip, storage and amelioration for re-use, measures to prevent soil run off and suspended solid pollution;
 - Species and habitat protection and mitigation measures;

The construction of the development shall be undertaken in accordance with the approved CEMP.

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

6. Notwithstanding the Landscape and Ecology Masterplan, no development or site clearance shall take place until a landscaping scheme including a schedule for its implementation has been submitted to and approved in writing by the local planning authority. 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 (during both construction and operational phases). All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the agreed schedule for its implementation and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

7. No development or site clearance shall take place until an Environmental Mitigation, Enhancement and Management Plan has been submitted to and approved in writing

by the local planning authority. The measures within the plan shall be carried out in accordance with the approved details for the lifetime of the development.

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

8. No development or site clearance shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation, which has been submitted by the applicant, and approved by the local planning authority. The programme of work shall be carried out in accordance with the approved details.

Reason: In order to safeguard archaeology in accordance with LDP Policy MD8.

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

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

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

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