



Planning Statement

Sun Fields, Dream Fields,
Llandarcy, SA10 6JU

April 2023

Ref. SP22-1173

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Documents

Document 1: EIA Screening Opinion – App Ref. P2022/1050

Document 2: EIA Screening Opinion Officer’s Report – App Ref. P2022/1050

1. Introduction

1.1 This Planning Statement has been prepared by Simply Planning Limited (SPL), on behalf of our client, Hale Energy Ltd, and is submitted in support of a planning application for the development of a proposed ground mounted solar PV array with a generating capacity of up to 1.3MW at Sun Fields, Dream Fields, Llandarcy.

1.2 The full description of development is, therefore, as follows:

“Proposed ground mounted solar PV array with a generating capacity of up to 1.3MW, including development of ancillary structures, landscaping and ancillary works.”

1.3 The application is supported by the following documents:

- Completed Planning Application Forms and Certificate B;
- Planning Statement, prepared by Simply Planning Ltd;
- Landscape and Visual Appraisal (ref:2311/EH/LVA001), prepared by Bea Landscape Design Ltd;
- Heritage Settings Assessment (ref:2169 – February 2023), prepared by Archaeology Wales;
- Preliminary Ecological Appraisal (ref: HE/34/2021 – Issue 1), Prepared by Hawkeswood Ecology Ltd;
- Architectural drawing package, prepared by Chamberlain Moss King, comprising the following drawings:

Drawing no.	Drawing Title	Scale
N395 – A07 Rev B	Site Location Plan	1:2500
N395 – A08 Rev E	Proposed Site Plan	1:500
N395 – A09 Rev A	Proposed PV Array and Site Enclosure Details	1:20 / 1:25
N395 – A10 Rev A	Indicative 3D View	-

1.4 The application site measures a total of 4.91ha and so a fee of £22,540 will be paid to the Local Planning Authority upon submission of the application. Once the fee has been received, we consider that all the Local and National validation checklist requirements will have been met and the application can be validated accordingly.

1.5 This supporting Planning Statement sets the planning context for the consideration of the application proposals. In particular, it assesses the proposal against the relevant policies of the statutory Development Plan, national guidance and non-statutory planning documents. It demonstrates that the proposal complies with the relevant guidance and policies. Accordingly, the development should be granted consent, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

1.6 This Statement is structured as follows:

- **Section 2** sets out the factual background and development context, including a description of application site and surrounding area, the planning history and development proposals.
- **Section 3** outlines the Environmental Impact Assessment Screening undertaken in support of this planning application.
- **Section 4** reviews the Planning Policy context against which the proposals should be judged, including

Planning Policy Wales (edition 11), Future Wales 2040 and the Neath Port Talbot Local Development Plan 2011 – 2026 (January 2016).

- **Section 5** considers the matters at issue and assessed the scheme against the Development Plan policies; and
- **Section 6** draws our conclusions and demonstrates how the proposals will comply with the Policies of the Local Development Plan.

2. Factual Background

Site and Surroundings

- 2.1 The application site forms a roughly rectangular shaped parcel of land measuring approximately 4.91ha in size and is formed by two open agricultural fields that have historically been used for the grazing of animals. The land forms part of the wider holding known as Dream Fields, which was previously known as Gelli Bwch Farm.
- 2.2 The site falls within the administrative boundaries of the Neath Port Talbot Council (*'the Council'*) and is located to the south of the village of Llandarcy and the Coed Darcy Strategic Regeneration Area and the Site is approximately 4.15km south-west of Neath.



Approximate Site Location

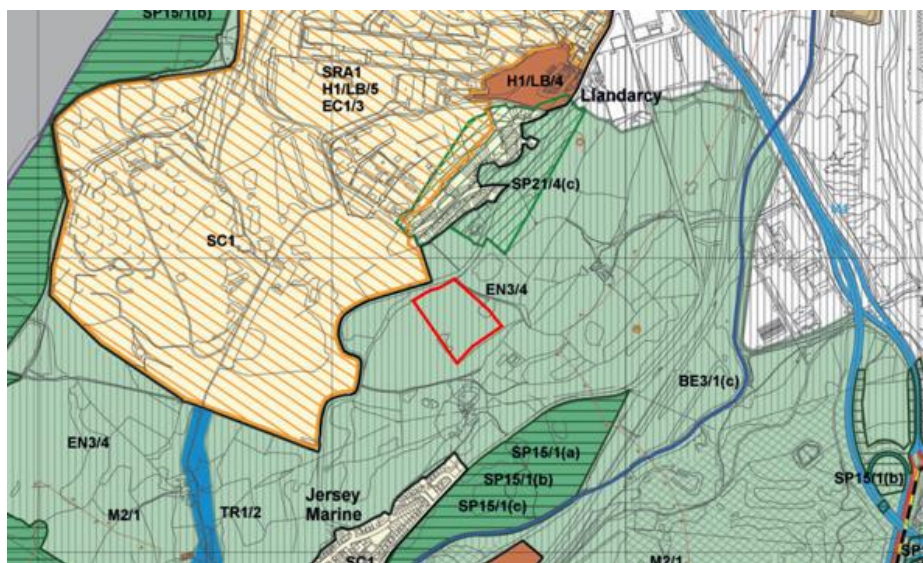
- 2.3 The Site lies on the Northern aspect of a local high point (106m AOD) that forms part of Dream Fields. The site is currently a mixture of open grassland and gorse scrub, bordered to the North by an Oak woodland to the Llandarcy Road, to the East by an overgrown existing track, with hedgerow banks to the Northwest and Northeast and the remains of dry stone walls to Southwest and Southern boundaries with grassland extending to the East, South and West beyond.
- 2.4 The topography of the Site is undulating with the landform sloping from the highpoint to the Southwest at circa 100m AOD down to the Llandarcy Road at circa 82m AOD to the North and down to the South at 87m AOD.
- 2.5 The local topography is defined by sloping farmland to the Northeast with steeply sided wooded escarpments to the Southeast, South and West that fall towards the River Neath to the East (4m AOD) and Swansea Bay to the South and Crmlyn Bog to the West (7m AOD). In the wider landscape the landform rises to Kilvey Hill to the West, Mynydd Drumau to the North and Craig-y-darren to the East.
- 2.6 The Agricultural Land Classification (ALC) for the Site, appears from the ALC Maps for the Wales as a mixture of Grade 3a and 3b which is cited as being 'Good to Moderate' to 'Moderate' quality agricultural land identified within the ecology survey as improved grassland and species poor semi- improved acid grassland.

- 2.7 No public rights of way, bridle ways or roads cross the Site with existing gated vehicular access to the Northeast and Northwest.

Designations and Constraints

LDP Proposals Map

- 2.8 The application site falls within the administrative boundaries of Neath Port Talbot Council and so the Development Plan for the purposes of the determination of this Planning Application is the 'Neath Port Talbot Local Development Plan 2011 – 2026 (January 2016)' ('LDP').
- 2.9 Provided below is an extract of the LDP Proposals Map with the application site shown in red.



- 2.10 The LDP Proposals Map shows that the site has the following Policy designations:

- Located within the Coastal Corridor Strategy Area;
- Located outside of a Settlement Boundary for any settlement defined within the LDP;
- Within a Green Wedge;
- Within a Safeguarded Category 1 Sandstone Resource, but within the defined Settlement Protection Zone;
- Located to the South of the Coed Darcy Strategic Regeneration Area; and.
- The Llandarcy Conservation Area is located approximately 250m to the north of the Site;

Other Site Constraints

- 2.11 A search of the other potential site constraints has identified as follows:

Site Constraints	Comment
Phosphates	The Welsh Government Data Map Wales shows that the site is not within a catchment area for a Special Area of Conservation which has unacceptably high level of phosphates.

Site Constraints	Comment
Flood Risk – Development Advice Map	The NRW TAN 15 Development Advice Map shows the application site is within Flood Zone A, so is at little or no risk of flooding
Flood Risk – Flood Map for Planning for Wales	The NRW Flood Map for Planning for Wales shows the site as being within Flood Zone 1, so is at little or no risk of flooding.
Coal Mining	The Coal Authority mapping system shows that the site is not within a Coal Mining Development High Risk Area
Ecological Designations	The NRW Interactive Map viewer does not identify any ecological designations within the application site. However, the Sites of Importance for Nature Conservation ('SINC') are not shown on this. The application site falls within NPT Watercourses SINC, but this covers the whole of the authority and no watercourses are located within the site. Part of the Jersey Marine Woodlands SINC imagines on and includes the application site boundaries.
Heritage	The site contains no Listed Buildings, non-designated heritage assets and is not within a Conservation Area. However, a number of designated heritage assets are located within close proximity to the application site and these include as follows: ▪ Gelli Bwch Round Carin Scheduled Ancient Monument; ▪ Llandarcy Round Carin Scheduled Ancient Monument; and ▪ Llandarcy Conservation Area.
Landscape	The site is not within a Special Landscape Area and has no landscape designations under the Local Development Plan.
Green Wedge / Green Belt	The application site is located within the Crymlyn Bog / Crymlyn Burrows / Llandarcy Green Wedge
Predictive Agricultural Land Classification	The predictive agricultural land classification for the site is 3a / 3b, so does not form the best and most versatile agricultural land.

- 2.12 The above assessment of the site constraints identifies that the main site constraints in the determination of the planning application will be the Green Wedge designation, the nearby designated heritage assets and the ecological constraints within and surrounding the application site. These constraints are addressed in further detail in Section 5 of this Statement.

Planning History

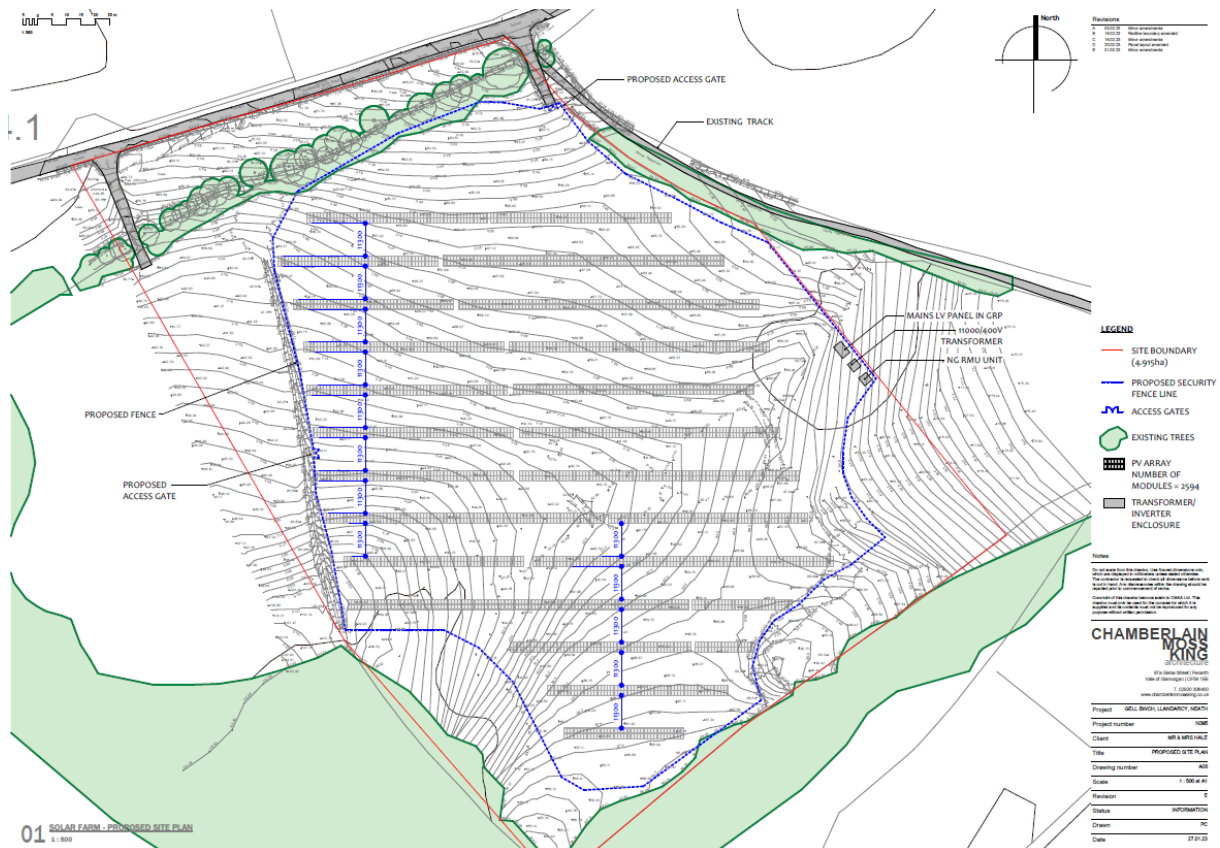
- 2.13 A search of the Council's online planning portal shows that one a single application has been submitted at the application site, which is shown below.

Application Reference No.	Description of Development	Decision	Decision Date
P2022/1050	Request for Screening opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for a proposed ground mounted solar PV array with a generating capacity of up to 1.41 MW	Not EIA Development	5 th January 2023

- 2.14 The above application relates to the request for a Screening Opinion under the Environmental Impact Assessment regulations for the proposed solar farm at the Site. The full details of this application are provided in further detail in Section 3 of this Statement.

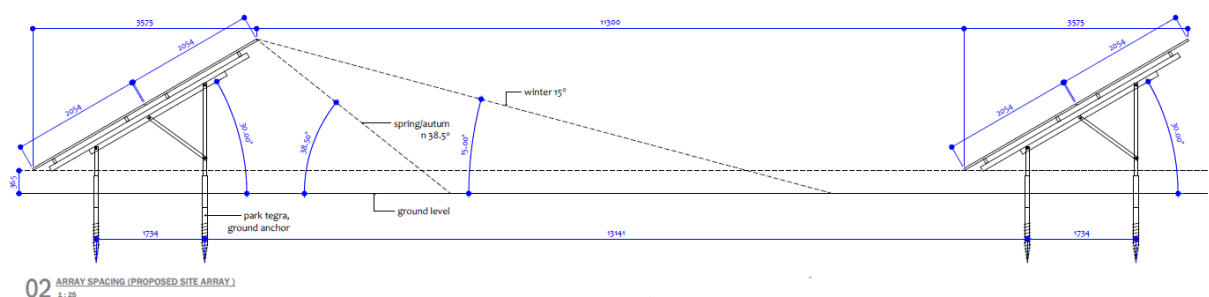
The Proposed Development

- 2.15 This application seeks full planning permission for the erection of a Solar PV Array with a generating capacity of up to 1.3MW at the application site. The planning application is accompanied by a Proposed Site Plan prepared by Chamberlain Moss King, which shows how 2,594 Solar PV modules would be provided across the site.



Proposed Site Plan

- 2.16 The plans show that the PV Array modules would be set in rows on a east-west axis, with the panels facing south. The rows of panels would be set at distances of 11.3m between rows, in order to maximise the efficiency of solar generation to and prevent any overshadowing between rows.
- 2.17 The submitted elevations show that the modules would be ground mounted using screwed in anchors with the panels angled at 30 degrees.



- 2.18 The proposed development would also include the development of 2 metre tall wire mesh security fencing to ensure the panels remain safe and secure during the operational phase of development. The operation of the development will also requiring cabling within the site and a proposed transfer and inverter enclosure,

which will be located adjoining the eastern boundary of the site.

2.19 In addition to the PV panels the proposed solar farm comprises of the following:

- Inverters - to convert the direct current (DC) electricity generated by the PV panels, into alternating current (AC) for the grid. Inverter cabinets are typically in the order of 7.5m long, 3m wide and 3m high. The proposed Project will require 1 inverter.
- Transformers are required to connect the solar farm to the high voltage grid, which would sit alongside or inside the inverter cabinets.
- The Distribution Network Operator will also install a switchgear cabinet, which connects the underground grid connection cable of the solar farm to the distribution network. The size of this cabin will be determined by the DNO requirements, but it is likely to be a GRP enclosure no more than 4m long, 3m wide and 2.5m high.

2.20 Once constructed, access to the solar farm will typically generate one visit per year by technicians for maintenance works in 4x4's or transit vans. Maintenance will include washing the panels with water approximately twice a year and mowing the grass 4-6 times per year (if sheep are not used). There will be no onsite office or permanent staffing of the site.

2.21 The proposed solar farm will have an operational lifespan of 25 years. After which it shall be decommissioned and removed to the land, in accordance with a scheme of restoration that shall be agreed with the Local Planning Authority.

3. Environmental Impact Assessment Screening

- 3.1 On 7th December 2022 a request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 was submitted by the applicant to the Council, relating to the development of a 1.41MW solar PV array.
- 3.2 The application was registered by the Council on the same day and given application reference P2022/1050.
- 3.3 On 5th January 2023 the Council adopted a Screening Opinion with regards to the above development and determined that a solar PV array at the site with a generating capacity of up to 1.41MW would not constitute EIA Development. Therefore, no Environmental Statement has been required to be prepared to accompany the full planning application. A copy of the Screening Opinion is provided as **Document 1**.
- 3.4 Subsequent to the Council's determination that the proposed development would not represent EIA Development, the Council also published the Officer's Report for the applications, which is provided as **Document 2**.
- 3.5 The main issues and conclusions arising from the Officer's Report are as follows:
- A number of heritage assets are within the vicinity of the site and the impact of this would be needed at application stage;
 - The site is within a Green Wedge and further consideration of this will be needed at full application stage;
 - Further ecological survey work would be required to support the full planning application to consider and address the impacts to nearby designated ecological areas and habitats;
 - Any impacts to the highway network would be during construction and decommission stages of the development and, given the time limited nature, the impacts would be limited.
 - No public rights of way would be affected;
 - The site does not form best and most versatile agricultural land;
 - Significant effects from cumulative impacts with adjoining developments are considered unlikely;
- 3.6 The above material considerations are considered in detail and addressed in Section 5 of this Statement.

4. Relevant Planning Policy

- 4.1 This section of the Planning Statement outlines the principle national and development plan policies that are relevant to the determination of this application.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.3 In the context of this application, the Development Plan for Neath Port Talbot Council ('The Council') comprises the Neath Port Talbot Local Development Plan 2011 – 2026 (adopted January 2016) and Future Wales 2040, adopted February 2021.
- 4.4 Material considerations include Planning Policy Wales (Edition 11, February 2021) (PPW), associated Technical Advice Notes (TANs) and the Council's adopted Supplementary Planning Guidance (SPGs).

Planning Policy Wales (Edition 11)

- 4.5 Planning Policy Wales Edition 11 (PPW) was published on 11th February 2021 and this sets out the land use planning policies of the Welsh Government. The primary objective of PPW11 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 (WBFG Act) and other key legislation.
- 4.6 The WBFG Act places a duty on public bodies to carry out sustainable development. This is not a new concept for the planning system as the principles of sustainable development have been at the heart of planning policy since PPW was first published in 2002. However, the concept has been expanded under the WBFG Act and it requires an improvement in the delivery of all four aspects of well-being: social, economic, environmental and cultural.
- 4.7 Paragraph 1.17 of PPW confirms that a plan led approach is the most effective way to secure sustainable development and that:

"Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated."

- 4.8 Chapter 2 of PPW introduces the concept of 'Placemaking' and paragraph 2.1 states the following:

"Everyone engaged with or operating within the planning system in Wales must embrace the concept of placemaking in both plan making and development management decisions in order to achieve the creation of sustainable places and improve the well-being of communities."

- 4.9 PPW also defines placemaking as the following:

"Placemaking" is a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area's potential to create high quality development and public spaces that promote people's prosperity, health, happiness, and well-being in the widest sense.

Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place."

4.10 Paragraph 2.13 of PPW 11 states that:

“The plan-led system underpins the delivery of sustainable places. To ensure all development plans and decisions taken by the planning system work together to deliver sustainable places. The 5 Key Principles (see Figure 4) represent a guiding vision for all development plans, including the NDF.”

4.11 Figure 4 of PPW11 provides the key planning principles which are as follows:

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

4.12 In providing context for the first key principle, growing our economy in a sustainable manner, PPW 11 states the following under figure 4 of page 17:

“The planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services. Communities, national and local government, businesses, and the third sector must work together to take a long term view, integrating and aligning priorities through greater collaboration to achieve sustainable economic benefits for all in line with the well-being goals.”

4.13 Paragraph 2.17 of PPW 11 states:

“In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver development that address the national sustainable placemaking outcomes.”



4.14 On page 22 of PPW11 it advises that planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. The economic considerations which are key factors in the assessment process include the numbers and types of long term jobs expected to be created or retained; and how the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales.

- 4.15 Paragraph 5.9.1 of PPW11 says that Local Planning Authorities should facilitate all forms of renewable energy development and should seek cross-department co-operate to achieve this.
- 4.16 In relation to the role of Development Management in the determination of renewable energy applications, paragraph 5.9.19 states that planning authorities should take into account:
- the contribution a proposal will make to meeting identified Welsh, UK and European targets;
 - the contribution to cutting greenhouse gas emissions; and
 - the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development.
- 4.17 Overall, it is our view that the proposals are fully consistent with the principles established within PPW and the development meets a number of the national sustainable placemaking outcomes contained within national planning guidance, in particular, the need to shift to a low carbon future for the development of energy within Wales.

Future Wales – The National Plan 2040

- 4.18 The National Development Framework 'Future Wales- The National Plan 2040' (NDF) was published on 24th February 2021. This document sets a framework for planning the change and development in Wales over the next two decades.
- 4.19 It is considered that the following policies of Future Wales are relevant to the determination of this planning application. Where required the Policy wording and implications of the Policy will be outlined and addressed in Section 5 of this Statement:
- Policy 1 – Where will Wales Grow;
 - Policy 5 – Supporting the Rural Economy;
 - Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure; and
 - Policy 28 – National Growth Area – Swansea Bay and Llanelli;

Local Planning Policy

Neath Port Talbot Local Development Plan 2013

- 4.20 The Neath Port Talbot Local Development Plan ('LDP') covers the period 2011 to 2026. It was adopted in January 2016 and comprises part of the the statutory Development Plan for Neath Port Talbot Council.
- 4.21 The emerging Local Development Plan is still at an early stage and therefore, the current LDP remains the statutory Local Development Plan for decision making in the determination of this planning application.
- 4.22 It is considered that the following policies of LDP are relevant to the determination of this planning application. Where required the Policy wording and implications of the Policy will be outlined and addressed in Section 5 of this Statement:
- Policy SP1 – Climate Change;
 - Policy SC1 – Settlement Limits;
 - Policy EN3 – Green Wedges;

- Policy SP15 – Biodiversity and Geodiversity;
- Policy EN6 – Important Biodiversity and Geodiversity Sites;
- Policy SP16 – Environmental Protection;
- Policy SP17 – Minerals;
- Policy M1 – Development in Mineral Safeguarding Areas;
- Policy M3 – Development in Mineral Buffer Zones;
- Policy SP18 – Renewable and Low Carbon Energy;
- Policy RE1 – Criteria for Assessment of Renewable and Low Carbon Energy Development;
- Policy SP20 – Transport Network;
- Policy TR2 – Design and Access of New Development;
- Policy SP21 – Built Environment and Historic Heritage; and
- Policy BE1 – Design.

5. Matters at Issue

5.1 Having set the planning context against which the proposals should be judged in the preceding section, we now consider the proposal for full planning permission for the development of the proposal solar PV array against that guidance, alongside any other relevant considerations. We consider the main material considerations to be as follows:

- Principle of Development;
- Development within a Green Wedge;
- Landscape;
- Heritage;
- Ecology
- Highways Impacts / Access;
- Residential Amenity; and
- Other material considerations.

5.2 The above main material considerations are considered and addressed in more detail below.

Principle of Development

- 5.3 On 29th May 2019 the then Environment Minister Lesley Griffiths declared a climate emergency in Wales to ensure that the process of leaving the EU would not detract from the challenge of climate change,
- 5.4 Since this time a number of Councils within Wales have followed the lead of Welsh Government in declaring a climate emergency. Neath Port Talbot Council made such a declaration after a full meeting of the Council on Wednesday 28th September 2022, with the Council calling on the UK and Welsh governments to provide the necessary powers and resources to ensure Neath Port Talbot becomes carbon neutral by 2030.
- 5.5 In addition to the above, Welsh Government has published a consultation for Wales to meet 100% of its electricity needs from renewable sources by 2035, with this including a target for at least 1.5 Gigawatt of renewable energy capacity to be locally owned by 2035.
- 5.6 It is clear that both at a national and local level, that the need for a diversification of the infrastructure in Wales is required, with significant levels of renewable energy developments required to address the climate emergency and to build towards the national net carbon zero goal by 2050.
- 5.7 National and Local Planning Policy fully supports the importance of the delivery of renewable energy developments.
- 5.8 Policy 17 of Future Wales relates to 'Renewable and Low Carbon Energy and Associated Infrastructure' and this Policy states:

“The Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs. 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.”

- 5.9 This position and approach in decision making in planning applications for developments which provide renewable energy is reiterated in paragraph 5.9.1 of PPW11, which states that Local Planning Authorities should facilitate all forms of renewable energy development and should seek cross-department co-operate to achieve this.
- 5.10 Therefore, the context of national planning policy is clear, that significant weight must be provided to the provision of renewable energy in the determination of this application and that Welsh Government strongly supports such development and requires LPA to facilitate such proposals.
- 5.11 In term of local planning policies, Strategic Policy 18 of the LDP relates to ‘*Renewable and Low Carbon Energy*’ and this states that:
- “A proportionate contribution to meeting national renewable energy targets and energy efficiency targets will be made while balancing the impact of development on the environment and communities. This will be achieved by:*
- 1. Encouraging where appropriate, all forms of renewable energy and low carbon technology development;*
 - 2. Encouraging energy conservation and efficiency measures in all new major development proposals;*
 - 3. Ensuring that development will not have an unacceptable impact on the environment and amenity of local residents.”*
- 5.12 Therefore, Local Planning Policy also supports the principle of renewable energy developments, such as the one being proposed, where the location of the development is ‘appropriate’ and ensuring that the development had an acceptable impact on the environment and the amenity of local residents.
- 5.13 To provide further context on the above requirements of Strategic Policy 18 of the LDP, Policy RE1 of the LDP relates to ‘*Criteria for the Assessment of Renewable Energy and Low Carbon Energy Development*’. This Policy identifies four criteria which have to be complied with for Planning Permission to be granted for renewable energy development.
- 5.14 The first four of these criteria are for wind farm developments, so are not relevant to the current application. The fourth criteria includes five material considerations which need to be considered and addressed. These are as follows:

Requirement	Comments
Measures have been taken to minimise impacts on visual amenity and the natural environment;	The planning application is supported by a full Landscape and Visual Impact Assessment and ecological reports which show the development is acceptable in these regards. These material consideration are discussed in further detail below.
There will be no unacceptable impacts on residential amenity;	The proposed solar farm is located approximately 200m from the nearest residential dwelling on The Greenway. The impact to residential amenity is discussed in further detail below, but the development is acceptable in terms of impact to residential amenity.
The development will not compromise highway safety	The proposed development will not compromise highway safety. This is addressed in further detail below.
The development would not interfere with radar, air traffic control systems, telecommunications links, television reception, radio communication and emergency services communications;	The proposed solar farm would not interfere with radar, air traffic control systems, telecommunications links, television reception, radio communication and emergency services communications.

Requirement	Comments
There are satisfactory proposals in place for site restoration as appropriate	The proposed solar farm has an intended lifespan of 25 years. After this point the solar farm will be decommissioned and removed from the land. This would be undertaken in accordance with a decommission programme that would be agreed with the Local Planning Authority in advance of the removal of the solar panels from the land at the end of the 25 year operational period.

- 5.15 Therefore, it is considered that the proposed development would be in accordance with Policies SP18 and RE1 of the LDP and so the principle of a solar PV array at the application site for the purposes of the generation of renewable energy would be acceptable.

Development within a Green Wedge

- 5.16 Policy EN3 of the LDP relates to 'Green Wedges' and this states that In order to prevent the coalescence of settlements and to protect the setting of urban areas, Green Wedges have been designated in five locations within the administrative area of Neath Port Talbot Council, which includes the Crymlyn Bog / Crymlyn Burrows / Llandarcy Green Wedge (ref: EN3/4), where the site is located.

- 5.17 Policy EN3 of the LDP confirms that within these area there is a presumption against inappropriate development. Paragraph 5.3.18 and 5.3.19 further defines that forms appropriate and inappropriate development within a Green Wedge and state as follows:

5.3.18 Within the designated Green Wedges, inappropriate development will not be permitted except in very exceptional circumstances. 'Inappropriate development' is defined in Planning Policy Wales and relates to all types of development other than those for certain justified or essential activities that need to be located in the area and small scale extensions or farm diversification.

5.3.19 Apart from those forms of development which are specifically defined as appropriate, any other development which would prejudice the openness of the Green Wedge are considered to be inappropriate

- 5.18 The above explanatory text was drafted in advance of the publication of the most recent Planning Policy Wales, which is now edition 11. In relation to what forms appropriate development in a Green Wedge, paragraph 3.76 of the PPW11 states as follows:

Certain other forms of development may be appropriate in the Green Belt or green wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- *mineral extraction;*
- *renewable and low carbon energy generation;*
- *engineering operations; and*
- *local transport infrastructure.*

- 5.19 Therefore, the development of renewable energy generation developments within a Green Wedge is considered to form appropriate development as long as they preserve the openness of the Green Wedge and do not conflict with the purposes of including land within it.

5.20 In relation to this, paragraph 5.67 identifies the purposes of Green Belts / Green Wedges and identifies the five purposes for designating this land. In the table below we consider the scheme and site in the context of these purposes:

Green Belt Purpose	Comment
Prevent the coalescence of large towns and cities with other settlements;	The Council's adopted Supplementary Planning Guidance identifies that the Crymlyn Bog / Crymlyn Burrows / Llandarcy Green Wedge is intended to prevent coalescence of Skewen, Briton Ferry and the east side of Swansea. The Eastern suburbs of the City of Swansea are over 5 kilometres from Briton Ferry, with Skewen 3 kilometres North of Briton Ferry. All three of these settlements are separated by natural and man made features that in the absence of the Green Wedge would prevent the extension of developments including the River Neath tidal estuary; its flood plain and the M4 corridor to the East, Crymlyn Bog to the West and the steeply undulating landform. The redevelopment of the site for use as a proposed solar farm would assist in the prevention of any coalescence of these settlements, as it would not form part of an extension to an urban area. The use is also temporary in nature and so the land will be reverted back to agricultural use once the development has reached the end of its operation cycle.
Manage urban form through controlled expansion of urban areas	The proposed development would not undermine this purpose of the Green Wedge, as this excludes and encapsulates the Coed Darcy Strategic Regeneration area controlling the expansion of the urban area / settlement of Skewen to the Southeast. As such, the Green Wedge does not control the urban form through controlled expansion, as this has been controlled by other Policies of the LDP by strategic allocations within the area.
Assist in safeguarding the countryside from encroachment	The proposed development would assist in safeguarding the countryside from encroachment, as the proposed solar farm can be provided whilst the countryside is maintained. The solar panels will sit above the existing field and so would allow for maintenance and management of the ecological habitats within the site for the operational lifetime of the development. This will remove the pressure for further development within the site during this time also.
Protect the setting of an urban area; and	The proposed development would assist in protecting the setting of the urban area. It would form an appropriate use in the countryside which would ensure that the existing urban area is not unduly effected.
Assist in urban regeneration by encouraging the recycling of derelict and other urban land	The proposed use of the land would assist in urban regeneration by ensuring that brownfield land is not being used to place temporary renewable energy developments on large areas of previously developed land, which could otherwise be used for more optimum use to meet the Council's housing and employment land requirement. The key difference being that the use of greenfield land for the proposed development is temporal in nature and will revert back to agricultural use at the lifetime of the development. Therefore, it forms a more appropriate use for a greenfield site, so previously developed land can be used for non-temporary developments, such as housing and employment uses.

5.21 Given the conclusions outlined above, we consider that the proposals would preserve the openness of the Green Wedge and do not conflict with the purposes for designated the land as such. Therefore, we consider that the development would form appropriate development within a Green Wedge and is in accordance with national planning policy and Policy EN3 of the LDP accordingly.

Landscape

5.22 Policy BE1 of the LDP relates to 'Design' and states that all development proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

5.23 Policy BE1 then provides 10 criteria which are required to be met, if relevant, in order for planning permission to be granted. In relation to landscape and design impacts, the key criteria under Policy BE1 are considered to be as follows:

1. *It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;*
2. *It respects the context of the site and its place within the local landscape, including its impact on the important arterial gateways into the County Borough, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;*
3. *It utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate;*
5. *Important local features (including buildings, amenity areas, green spaces and green infrastructure, biodiversity and ecological connectivity) are retained and enhanced as far as possible;*

5.24 In order to assess the impacts of the proposed solar array on the local landscape, the applicant has commissioned and Landscape and Visual Assessment ('LVA') of the proposed development from Bea Landscapes, which has assessed the impacts of the development to landscape and visual effects. The full assessment of this can be viewed in the LVA but are summarised below.

Landscape Impacts

5.25 The LVA has considered the impacts of the proposed development on a range of landscape effects, including land use, topography, landscape character, cultural heritage, landscape features and landscape value.

5.26 The findings of their assessment is summarised in table 9 of the LVA and this determines that the majority of mitigated effects from the proposed development would be either negligible, slight or slight moderate. The only receptor type where moderate impact has been concluded is Landscape Character.

5.27 However, the LVA notes in paragraph 4.6.12 on the issue of impact to Landscape Character that

"The magnitude of change to the landscape character is therefore considered to be medium with a moderate long-term change in the area local to the site with the upland feel interrupted by the Solar panels although the detrimental effects on the landscape character would be reversible on the decommissioning of the proposed development."

5.28 Therefore, the report acknowledges that although some moderate impact to landscape character would arise, this would be reversible upon decommission of the proposed solar PV array at the end of its operational lifecycle and so the effect to landscape character would be reversed at this time.

Visual Effects

5.29 The LVA has established a Zone of Theoretical Visibility (ZTV) which is provided as figure 12. This shows the topography of the land in and around the application site limit the majority of views from land to the north of the site.

5.30 The LVA has identified seven viewpoints from which the proposed development would be visible from, which range from the highway adjoining the application site to 2.3km to the southeast. From the seven viewpoints, the LVA concludes that the magnitude of change arising from the proposed development would be no change or low in six out of the seven viewpoints.

- 5.31 Only viewpoint three will undergo medium magnitude of change. Viewpoint 3 is taken from a rear access road to the properties of The Greenway, which as a secondary access route to a small road, would have limited use. The LVA concludes that the scale of the proposed effect would be a moderate substantial adverse impact. Therefore, the LVA concludes that landscaping mitigation measures are required.
- 5.32 These mitigation measures and shown on the submitted proposed site layout and landscaping plans and can be summarised as follows:
- a. Retain and enhance the existing woodland to The Northern boundary and supplement with additional woodland planting;
 - b. Retain the existing trees to the Eastern boundary and supplement with additional tree planting;
 - c. Restore boundary hedgerow bank to west; and
 - d. Layout of Solar panels to avoid localised highpoints.
- 5.33 With these mitigation measures in place the LVA concludes that the mitigated visual impacts from viewpoint three would be moderate adverse impact, with the remaining six viewpoints being negligible or negligible – slight adverse.
- 5.34 Given the very limited viewpoints from which the visual effects would be observed and the overall limited impacts, with only one viewpoint offering moderate adverse impact – which has to be acknowledged as being a rear access to a small number of dwellings and so would seldom be seen – it is considered that the proposals respect the context of the site and its place within the local landscape. Therefore, the landscape and visual impacts of the development are considered to be acceptable, in accordance with Policy BE1 of the LDP.

Heritage

- 5.35 Policy SP21 of the LDP relates to the *‘Built Environment and Historic Heritage’* and states that the built environment and historic heritage will, where appropriate, be conserved and enhanced. In relation to heritage assets, criteria 4 of Policy SP21 states that:

4. The identification of the following designated sites to enable their protection and where appropriate enhancement:

(a) Landscapes of Historic Interest;

(b) Historic Parks and Gardens;

(c) Conservation Areas;

(d) Scheduled Ancient Monuments; and

(e) Listed Buildings and their curtilage.

Scheduled Monuments

- 5.36 The application site has a number of designated heritage assets within 3km of the site, which were identified by Cadw during the screening opinion for the environmental impact assessment. However, Cadw also concluded that aside for the Gelli-Bwch Round Cairn (GM290), the intervening topography building and vegetation would block all views between the heritage assets and the proposed development.
- 5.37 However, Cadw also determined that any future planning application should be accompanied by an assessment of the impact of the proposed development on the setting of the Scheduled Monument.

Therefore, Archaeology Wales were instructed by the applicant to prepare a Heritage Settings Assessment to consider the impacts of the development on the setting of the Scheduled Monument.

- 5.38 The Heritage Settings Assessment has been submitted in support of the planning application. This identifies the Scheduled Monument which consists of remains of a circular burial cairn dating from the Bronze Age. The Monument description states that:

“The monument comprises the remains a burial cairn, probably dating to the Bronze Age (c. 2300 - 800 BC). It is situated on a summit with wide views in all directions. The cairn is circular on plan and measures 18.3m in diameter by 1.5m high. A central hollow, full of stones, is the result of antiquarian digging. The monument is of national importance for its potential to enhance our knowledge of prehistoric burial and ritual practices. The monument is an important relic of a prehistoric funerary and ritual landscape and retains significant archaeological potential, with a strong probability of the presence of both intact burial or ritual deposits, together with environmental and structural evidence. Cairns may be part of a larger cluster of monuments and their importance can further enhanced by their group value. The scheduled area comprises the remains described and areas around them within which related evidence may be expected to survive.”

- 5.39 The setting assessment has considered the setting of the Gelli-Bwch Round Cairn alongside with any changes to use and function and the landscaping setting of the heritage asset.
- 5.40 The assessment also considers the identification of important viewpoints of the cairn, which it identifies as long views towards Foel Fynyddau and Mynydd y Gaer to the east and Myneed y Castell just under 12km to the southeast and views south and southwest towards Swansea Bay and the night sky are also intended. The important views back towards the monument would have been from the east and the local ridge at Earlswood to the southeast.
- 5.41 The assessment concludes that the principal intended views to and from the monument would not be impacted by the proposed development, partly because the monument occupies a false crest rendering the slightly higher ground, occupied by the proposed development, invisible when viewed as intended. Therefore, the assessment concludes that the potential visual impact from the proposed development on the setting of the monument would be negligible.
- 5.42 The assessment notes that the proposed development lies within the historic field system that can be shown from historic maps to date from at least the mid-19th Century or earlier. However, the development is designed to site within the existing fields and all external field boundaries will be retained and enhanced, so the development would not harm the setting of the historic field system accordingly.
- 5.43 Therefore, the proposed development will preserve the setting of the Gelli-Bwch Round Cairn and any other scheduled monuments within proximity of the application site, in accordance with the requirements of Policy SP21 of the LDP.

Conservation Area

- 5.44 The other main heritage asset within close proximity to the application site is the Llandarcy Conservation Area, which is sited approximately 175m away from the nearest point of the application site.
- 5.45 The Council has adopted a Supplementary Planning Guidance ‘The Historic Environment’ (April 2019) (‘SPG’) which gives an overview of the historic environment of Neath Port Talbot. Paragraph 4.3.16 of the SPG relates to Conservation Area Appraisals and this states that:

“The Council will be preparing a 'Conservation Area Appraisal' (CAA) for each Conservation Area. This will include a detailed assessment of the character and appearance of each area defining its special interest, an assessment

of strengths, weaknesses, opportunities and threats to its integrity, an analysis of the area's policy and management needs and the effectiveness of current controls and need for additional protection.”

- 5.46 To date, no draft Conservation Area Appraisal has been published for the Llandarcy Conservation Area. The SPG identifies that the Conservation Area was originally designed as a garden village, built between 1918 and 1922, of some 250 houses and flats to house the workers of the former adjacent oil refinery in an 'arts and crafts' style.
- 5.47 As such, in the absence of any Conservation Area Appraisal which identifies the significance of the heritage asset, we consider that the key significance is derived from the architectural detailing of the houses within the Conservation Area and it's example as a 'model village' from the 1920's.
- 5.48 Also of key importance is the Conservation Area boundaries which have been drawn for the designation of the Conservation Area. This is reproduced from the SPG below, with the boundary of the Conservation Area in red.

Figure 4.4 Llandarcy



Llandarcy Conservation Area Boundary

- 5.49 The Conservation Area boundary consists not only of the 1920's buildings which formed the village, but also the land to the east of this, which is formed of wooded areas and agricultural fields. Therefore, in determining that this land was required to be designated as part of the Conservation Area, it must have been determined that this area formed the setting of the built form of the Conservation Area which required to be preserved.
- 5.50 As such, it is noteworthy that the land containing the application site was not included within the Conservation Area when it was designated and so wasn't considered to form part of the setting which required preservation.

5.51 The setting assessment has considered how visible the proposed development would be from the Conservation Area within the using the modelled Zone of Theoretical Visibility and states that:

“A small area within the southeast boundary of the Llandarcy Conservation Area (CA) may theoretically be impacted with visibility towards four viewpoints in the northern part of the site.”

5.52 This is further expanded upon by the LVA which accompanies the planning application. This provides two viewpoints within the Conservation Area from which the application site would be visible. Viewpoint two is taken from a close viewpoint from the highway, so would only be fleeting views from passengers in vehicles. The LVA concludes that the mitigated visual impact from this viewpoint would be negligible – slight adverse.

5.53 Viewpoint 3 is taken from a rear access road to the properties of The Greenway, which as a secondary access route to a small road, would have limited use. This is the only view from the Conservation Area where any substantive view of the proposed solar array would be visible. This LVA concludes the impact of this would be a moderate adverse impact.

5.54 In conclusion, the significance of the Conservation Area relates to the ‘arts and crafts’ style of the dwellings, which were used to provide homes for workers in the adjoining Coed Darcy oil refinery, using a model village style settlement. The key setting of the model village was protected via the inclusion of the wooded area and agricultural fields to the east of the settlement within the Conservation Area, which are devoid of any buildings or structures and so could only have been included to protect the setting of the settlement.

5.55 The submitted LVA shows that the proposed development would only be visible from a single vantage point within the Conservation Area, which is from a rear access road to a small road within the CA. As such, it is considered the moderate effect on this viewpoint would ensure that the development preserves the significance, character and appearance of the Conservation Area, when taken as a whole. Therefore, the development is in accordance with the requirements of Policy SP21 of the LDP.

Ecology

5.56 Strategic Policy SP15 of the LDP relates to ‘Biodiversity and Geodiversity’ and states that:

Important habitats, species and sites of geological interest will be protected, conserved, enhanced and managed through the following measures:

1. The identification of the following Internationally and Nationally designated sites within the County Borough to enable their protection:

(a) Special Areas of Conservation (SACs) and Ramsar Sites;

(b) Sites of Special Scientific Interest (SSSIs);

(c) National Nature Reserves (NNRs).

2. The identification and protection of sites of regional and local importance;

3. The protection of important natural heritage features.

5.57 This Strategic Policy is further expanded upon by Policy EN6 of the LDP which relates to ‘Important Biodiversity and Geodiversity Sites’ and this policy states that:

Development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habitats or species will only be permitted where:

1. *They conserve and where possible enhance the natural heritage importance of the site; or*
2. *The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site.*

Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.

- 5.58 In support of the planning application is a Preliminary Ecological Appraisal ('PEA') of the application site which has been undertaken by Hawkeswood Ecology.
- 5.59 The desktop study findings show a total of 704 priority and protected species records from the 1 kilometre search area of which less than 20 are found within 750 metres of the Site. By far the most records are recorded from the Tennant Canal corridor and wetlands to the south and east of the Site and the former Llandarcy oil refinery site to the north. Paragraphs 4.2 to 4.14 of the PEA identify the ranges of species identified from the records in the area surrounding the application site.
- 5.60 The PEA also identifies that the site is approximately 300m north of a range of designated ecological sites which include as follows:
- Crymlyn Bog Special Area of Conservation;
 - Crymlyn Bog Wetland of International Importance (RAMSAR Site);
 - Crymlyn Bog and Pant-Y-Sais National Nature Reserve;
 - Pant-Y-Sais Site of Special Scientific Interest; and
 - Pant-Y-Sais Local Nature Reserve.
- 5.61 The whole of the site lies within the Neath Port Talbot Sites of Importance for Nature Conservation (SINC) 'Waterways' albeit this is a SINC which covers the whole of Neath Port Talbot and no waterway exist within the application site.
- 5.62 Other than this the closest SINC is Jersey Marine Woodlands, which actually impinges on small areas of the site and includes the Site boundaries. Qualifying features for the Jersey Marine Woodlands SINC are Native Woodlands, Scrub Communities, Lowland Meadows, Purple Moor-grass and Ruch Pastures and Other Bracken Communities.
- 5.63 The field surveys show that the application is dominated by agriculturally modified grassland with a field of apparently agriculturally improved grassland and another which has the characteristics of semi-improved acid grassland, a UKBAP priority habitat and Section 7 Habitat of Principal Importance under The Environment (Wales) Act 2016 as 'Lowland Dry Acid Grassland'.
- 5.64 Hawkeswood Ecology have identified that their initial consideration to this habitat suggests it is species poor, but recommends a walkover of the site at a more appropriate time of the year (May to July) to confirm the grassland types and their species richness or otherwise.
- 5.65 The PEA also identifies a potential terrestrial habitat for great crested newts on Site, however the closest records are from approximately 900 metres away on the Coed Darcy Site. A pond on the land has been tested for great crested newt eDNA and found negative, but the PEA recognises that other ponds outside of the application site exist and cannot be tested due to access reasons. Therefore, a methodology for scrub clearance is provided within the PEA to ensure safe clearance strategy for the site.

- 5.66 The PEA identifies that the process of installation of the solar panels and infrastructure has potential to disturb the ground vegetation and ongoing shade of parts of the grassland is likely to favour more shade tolerant species over those less so. The panels are fixed using ground anchors and disturbance is limited to the process of getting the panels to Site and fixing. The cables are laid in trenches that are up to 600mm deep and likely to be at least that in width. The PEA identifies that this may cause modification to and disturbance of the existing vegetation and recommendations are provided to address this.
- 5.67 Overall, the PEA identifies that, subject to the additional walkover study, that the impact to the Jersey Marine Woods SINC based on the current survey data will be of a minor negative significance in a local (local area) context. However, this is the unmitigated impact of the development, the PEA identifies that the solar PV arrangement would offer up the opportunity for ecological maintenance and management, with this providing potential for an overall improvement to the SINC over time.
- 5.68 It is anticipated that the full details of the management of the site would be secured by way of a suitably worded condition for an Landscape and Ecological Management Plan.
- 5.69 In relation to the other designated habitats, the PEA concludes that the Crymlyn Bog Special Area of Conservation/Crymlyn Bog Wetland of International Importance (RAMSAR Site) has no direct connections to the development and will not result in any negative impacts. Therefore, they determine the impacts are of no significance.
- 5.70 Therefore, subject to suitable conditions and mitigation, it is considered that the proposals will preserve and possibly enhance any important habitats, species and sites. Therefore, the development will comply with Policies SP15 and EN6 of the LDP accordingly.

Highways Impacts and Access

- 5.71 Policy SP20 of the LDP relates to 'Transport Network' and this confirms that the transport system and infrastructure will be developed in a safe, efficient and sustainable manner through a number of measures, which includes:
- "6. Restricting development which would have an unacceptable impact on highway safety;*
- 7. Requiring development proposals to be designed to provide safe and efficient access and promote sustainable transport;"*
- 5.72 Likewise, criteria 4 of Policy BE1 of the LDP requires development to not have a significant adverse impact on highway safety.
- 5.73 The application site is to be serviced using two vehicular access points which have historically been used for agricultural vehicles to access the land. The main vehicular movements associated with the development would be during the construction and decommissioning stage.
- 5.74 The applicant will have all the solar panels delivered to their main factory in Neath by the manufacturer. From this point they will be delivered using large transit vans to the site. It is anticipated that during the construction phase, that this would result in an additional 20 two way vehicular movements to and from the site.
- 5.75 Based on deliveries occurring evenly over a 9am to 5pm working day, this equates to an additional five vehicular movements on the highway network each hour. It should be noted that these additional highways movements will be temporal and will cease upon completion of the development.

- 5.76 In relation to the operational phase of development. The development will be managed and monitoring using an on-line system, so will only require one visit per year for maintenance works. The panels will be washed twice a year and additional management of the land required. However, this would be undertaken as part of the duties of the land management of the wider land ownership and will not generate additional movements to the site.
- 5.77 Given the above and subject to a construction management plan, to ensure suitable management of construction vehicles arriving and leaving at the site, it is considered that the development will have an acceptable impact to highway and pedestrian safety, in accordance with Policies SP20 and BE1 of the LDP.
- 5.78 During the course of the EIA Screening Opinion, the Local Highway Authority requested a condition survey of the access routes for HGVs to the application site as part of the planning application. Whilst it is understandable that the Highway Authority would want to ensure the works during construction phase do not damage the highway, this isn't a material consideration upon which to refuse planning permission and can be amply dealt with by way of a suitably worded pre-commencement condition.

Residential Amenity

- 5.79 Criteria 4 of Policy BE1 of the LDP requires that development ensures would not have a significant adverse on the amenity of occupiers of adjacent land or dwellings.
- 5.80 The LVA which accompanies the planning application shows that the majority of views of the proposed development would be available from the land and settlements to the north. Given the nature of the solar panels, they will be positioned facing south and tilted upwards towards the sun to maximise the generation of renewable energy, so will be facing away from any residential property / area from which some limited views of the site might be possible.
- 5.81 As such, given the topography of the land and the orientation of the solar panel in comparison to nearby dwellings, the proposals won't result in any unacceptable glint or glare to nearby residential dwellings.
- 5.82 In addition, the proposals will not be noise generating and will not require any external lighting to be provided.
- 5.83 Therefore, the proposal will comply with Policy BE1 of the LDP and will have an acceptable impact to residential amenity.

Other Material Considerations

- 5.84 The application site falls within Flood Zone A on the NRW TAN15 Development Advice Map and so is at little or no risk of flooding. Therefore, the proposed development is acceptable from a flood risk perspective.
- 5.85 The application site falls outside of a Coal Mining High Risk Area and so not Coal Mining Risk Assessment is required to support the full planning application.
- 5.86 The application site falls within a safeguarded category 1 sandstone resource designated area. However, Policy M1 of the LDP 'Development in Mineral Safeguarding Areas' allow for temporary developments where the land will be restored and future mineral extraction undertaken. As such, the proposed development would comply with Policy M1 of the LDP in this regard. In addition, it is considered that a quarrying activity in this location would harm the setting of the adjoining heritage assets and so would be very unlikely to ever be brought forward for development due to this.

6. Conclusion

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development accords with the development plan and should, therefore, be granted consent without delay. We say this for the following reasons:
- National Planning Policy dictates that significant weight must be afforded to the development for the provision of renewable energy;
 - The scheme will assist in meeting the goal for Wales to be Carbon Zero by 2050 and for all electricity generation to be from renewable source by 2030 (which is currently under consultation);
 - The proposed development would preserve the openness of the Green Wedge and do not conflict with the purposes for designating the land for this purpose. As such, the proposals form an appropriate use within a Green Wedge;
 - The development would have an acceptable impact to landscape character and visual effects on the wider landscape;
 - The setting of the adjoining Gelli-Bwch Round Carin Schedule Ancient Monument would be preserved;
 - The solar PV array would preserve the significance, character and appearance of the Llandarcy Conservation Area;
 - The impacts of the development on the nearby designated ecological sites would be acceptable. Furthermore, the scheme offers an opportunity for ecological enhancement to the Jersey Marine Woods SINC;
 - Acceptable impacts to highways safety would occur and limited vehicular movements would arise on the highway network during the construction phase of the development; and
 - The residential amenity of nearby residents would be preserved by the proposed development.
- 6.3 Paragraph 2.17 of PPW states *“In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver development that address the national sustainable placemaking outcomes.”*
- 6.4 Paragraph 2.20 of PPW confirms that a development will not be required to demonstrate they can meet all the national sustainable placemaking outcomes. However, we consider that the development would meet the following national sustainable placemaking outcomes:
- Foster economic activity;
 - Generates its own renewable energy;
 - Embraces smart and innovative technology;
 - Makes best use of natural resources;
 - Prioritises the use of previously developed land and existing buildings;

- High quality and built to last;
- Resilient biodiversity and ecosystems;
- Reduces overall pollution; and
- Distinctive and special historic environments.

- 6.5 Given the compliance of the scheme with meeting a number of the key national sustainable placemaking outcomes, we consider the development raises no conflict with PPW11 to an extent where it could be a considered a material consideration to determine the application other than in accordance with the Development Plan.
- 6.6 In conclusion, the proposals are considered to comply with the policies of the Development Plan, when taken as a whole. In addition, the proposals are in accordance with the national planning guidance contained within PPW11. We consider that there are no material considerations which deem that the application should not be determined in accordance with the development plan.
- 6.7 As such, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, we consider that planning permission should be approved for the proposed development and to offer a limited, but nonetheless important, contribution towards a Wales Carbon Zero goals and ambitions.



Sun Fields, Dream Fields, Llandarcy, SA10 6JU

Planning Statement

Document 1

EIA Screening Opinion – App Ref. P2022/1050

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 1999**

**SCREENING OPINION – ENVIRONMENTAL STATEMENT NOT
REQUIRED**

Name and address of the applicant

**Hale Energy
C/O Agent**

Name and address of the agent

**Alex Smith
Simply Planning
214 Creative Quarter
8A Morgan Arcade
Cardiff
CF10 1AF**

DATE REGISTERED: 7 December 2022

APPLICATION NO: P2022/1050

LOCATION: Sun Fields, Dream Fields, Lane From B4290 To Gelli Bwch Farm, Jersey Marine, Neath, Neath Port Talbot, SA10 6JU

PROPOSAL: Request for Screening opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for a proposed ground mounted solar PV array with a generating capacity of up to 1.41 MW

THE NEATH PORT TALBOT COUNTY BOROUGH COUNCIL AS THE LOCAL PLANNING AUTHORITY IN PURSUANCE OF ITS POWER UNDER THE ABOVE MENTIONED ACT AND REGULATION HEREBY ADOPTS THE FOLLOWING SCREENING OPINION THAT THE DEVELOPMENT IS NOT AN E.I.A. DEVELOPMENT AND THAT THE APPLICATION NEED NOT BE ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT. THE REASONS FOR THIS OPINION ARE SET OUT IN THE ATTACHED REPORT.

Signed:



Ceri Morris – Head of Planning & Public Protection

Date: 5 January 2023



Sun Fields, Dream Fields, Llandarcy, SA10 6JU

Planning Statement

Document 2

EIA Screening Opinion Officer's Report – App Ref.
P2022/1050

Application No.:	P2022/1050	
Site Location:	Sun Fields, Dream Fields Lane From B4290 To Gelli Bwch Farm Jersey Marine Neath SA10 6JU	
Description:	Request for Screening opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for a proposed ground mounted solar PV array with a generating capacity of up to 1.41 MW	
Date of submission:	07.12.2022	
Relevant Regulation:	— 1999 Regs submitted between 1999 and the 29 Feb 2016 — 2016 Regs submitted on or between 1 March 2016 and 15 May 2017. - 2017 Regs. Submitted on or after 16 May 2017.	
Schedule 1.		
Is the project Schedule 1 Development?	Yes, if so which description of development? EIA is Required.	NO
Does the project change or extend development described in schedule 1?	If yes, would the project may have significant adverse effects on the environment? If so describe:	NO
Schedule 2.		
Is the project listed as a description of development under column 1 of Schedule 2?	YES 3(a) Industrial installations for the production of electricity, steam and hot water	If no proceed.
Are the applicable thresholds/criteria in column 2 exceeded/met?	If yes, screening opinion required (unless an amendment or change to a permitted development in which case go to the next question).	If no, proceed.
Does the project change or extend development described in column 1 of schedule 2?	If yes, would the project may have significant adverse effects on the environment? If so describe:	NO
Is the Project located wholly or partly within a 'Sensitive area'? Sensitive Areas are: - SSSI. - National Park. - World Heritage Site. - A scheduled Ancient Monument. - ANOB. - A European Site – SAC, CSAC etc.	If Yes, screening opinion required.	NO
Have the Welsh Ministers issued a screening Direction?	If Yes, is the direction that the development is EIA Development? If yes, has an EIA been submitted with the application? If direction is that the project is not EIA then no screening required.	NO
Has an ES been submitted?	If Yes proceed to validation.	NO

Detailed EIA Screening Assessment.

In answering the following questions due regard must be given to the impact of the development taking into account:-

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
Criterion 1. Character of Development		
Question 1a Size and Design of Development.		
Will the design, Construction, Operation or decommission 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 (approx. 3.65 ha in size) being altered from agricultural use to that of a circa. 1.41 MW solar farm made up of PV Panels and associated infrastructure. The predicted lifespan of the scheme is 30 years, after which the site is capable of being restored. As such, whilst there would be physical change to the site itself, the change would be localised in nature and not be likely to result in significant effects in EIA terms.	Significant effects unlikely.
Question 1b Cumulation with Other Existing Development and/or Approved Development.		
Are there any other factors which should be considered such as: - Consequential development which could lead to Environment effects? - The Potential for cumulative impacts with other existing approved development or planning activities in the locality? - Any plans for future land uses on or around	Yes. There is potential for some cumulative in-combination effects with other existing or proposed developments. However, the location of the application site within an area where new developments are restricted and the scale of potential cumulative impact are such that significant environmental effects in this respect are considered unlikely.	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
the location which could be affected by the project? Transfrontier impact?		
Question 1c Use of Natural Resources, in particular land, soil, water and biodiversity;		
Will construction or operation of the project use natural resources, in particular land, soil, water and biodiversity etc. 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 the relatively small scale of the project, it is considered that significant effects on natural resources are unlikely. The site does not constitute Best and Most Versatile (BMV) agricultural land (grades 1, 2 and 3a) which is in short supply in Wales.	Significant effects unlikely.
Question 1d. 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 it is considered that significant effects are unlikely in terms of waste generation.	Significant effects unlikely.
Question 1e. Pollution and Nuisances.		
Will the project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
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. Given the location of the site and the localised nature of the impacts, it is considered that any effects in terms of glint and glare and noise would be localised and unlikely to be of a magnitude that would be so 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 waters or the sea)?	No.	N/A
Question 1f Risk of 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 and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge during construction or operation of the project?	Yes, some small risk of accident during construction, operation and decommissioning. However, given the scale and type of works involved, such risks are unlikely to be significant.	Significant effects unlikely.
Question 1g Risks to human health (for example due to water contamination or air pollution)?		
Are there risks to human health for example due to water contamination or air pollution?	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 2a Existing and approved land use.		
Will the project result in social	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
changes for example, in demography, traditional lifestyles employment?		
Are there any routes or facilities or approved 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?	No. There are no registered Public Rights of Way affecting the site in question.	N/A
Are there any transport routes or approved routes which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Whilst there is potential for effects on the local road network from HGV movement during construction and decommissioning stages, these would be time limited and of a scale that would not likely be significant.	Significant effects unlikely.
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 or approved 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 2b Relative Abundance, Availability, Quality and Regenerative Capacity of Natural Resources (including soil, land, water and biodiversity) 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, soil, land, water and biodiversity, which could be affected by the project?	Yes. The wider application site contains marshy grassland, improved grassland, woodland, scrub as well as a lake with feeder streams. There are a number of designated areas within close proximity, including the highly designated Crymlyn Bog. Whilst there would be physical change to the site itself, it is considered the change would be localised in	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	nature and not be likely to result in significant effects in EIA terms, subject to further ecological surveys and mitigation.	
Question 2c 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 floras which could be affected by the project?	Yes. The site is deemed as having potential to support priority habitats (2 areas of broad-leaf woodland and 1 area of semi-improved acid grassland) with the potential to host a number of priority species within 2km, The historic land-use suggests past agricultural management of some areas (although this has now ceased), with little to no positive management of existing hedgerows or woodland. It is likely that additional surveys will need to be undertaken to establish the importance of the existing woodlands and hedgerows. In addition to this, a number of areas of habitat have been identified to have high local conservation value and should be considered carefully during the design of the proposed development. A detailed ecological assessment and associated follow-up, species specific surveys will need to be carried out to accompany any application for planning permission, with the potential for mitigation to be secured. However the effects are considered unlikely to be of such a magnitude that would be so significant, such that they would warrant EIA.	Significant effects unlikely.
Are there any inland, coastal, marine, river mouths, riparian area or underground waters on	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
or around the location which could be affected by the project?		
Are there any areas or feature 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 Crymlyn Bog/Crymlyn Burrows/Llandarcy Green Wedge which would inevitably be affected, and this will likely be a consideration for the decision maker. However, based on the information provided, and given the topography of the site, the presence of natural screening and the potential for mitigation to be secured, it is considered that significant effects in EIA terms are unlikely.	Significant effects unlikely.
Is the project in a location where it is likely to be highly visible to many people?	No.	N/A
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, landscapes, sites or features of historic, archaeological or cultural importance or significance on or around the location which could be affected by the project?	Yes. Cadw records show there are a number of Listed Buildings and Scheduled Ancient Monuments within the vicinity of the site and are potentially affected by the development. Information in the Historic Environment Record (HER) also indicates that the development site itself is located in a landscape of archaeological potential, with evidence of multi-period activity in the vicinity. This includes a Scheduled Ancient Monument ('SAM') in the form of GelliBwch Round Cairn (Cadw ref. GM290), likely dating to the Bronze Age. Other, non-designated cairns, are also located in the area. Additionally several enclosures, Post-medieval structures and Industrial remains are recorded. It is	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	possible that further archaeological work will be required to be undertaken. The proposed development is likely to be visible from scheduled monument GM290 Gelli-Bwch Round Cairn, which is located some 450m to the east. However given the site's topography and presence of natural screening it is not considered that the proposed development will be located in the significant view from the SAM and therefore any effects will not be so significant to require an EIA. Registered Historic Park and Garden PGW(Gm)62(NEP) Jersey Park is less than 3km away, however intervening topography, buildings and vegetation block the views between the two sites. A detailed historic environment assessment will need to be carried out to accompany any application for planning permission, with the potential for mitigation to be secured. However the effects are considered unlikely to be of such a magnitude that would be so significant, such that they would warrant EIA.	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental quality standards are exceeded, which could be affected by the project? Or in which it is considered there is such a failure? Such as AQMA?	No.	N/A
Is the project located susceptible to subsidence, landslides, erosion, flooding or	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
extreme or adverse climatic conditions, which could cause the project to present environmental problems?		

Statement Of Reasons

The proposed development of a circa 1.41MW 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. It is therefore concluded that EIA is not required in this instance.

In coming to this decision the Authority has had due regard to all information submitted by the developers; the available results of other environmental assessments as well as the criteria set out within schedule 3. The Authority's main reasons for coming to this decision are set out within the above table. In conclusion, the Authority is of the opinion that the proposed development, either alone or in combination, are unlikely to have a significant adverse effect on the environment. This is on the understanding that the above identified effects could be avoided or prevented as specified within the table. As such, the likely effects of the development are unlikely to be significant enough to warrant EIA development.

AUTHORISATION

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