

## **CHAIRMANS URGENT ITEM**

### **THE VALE OF GLAMORGAN COUNCIL PLANNING COMMITTEE**

**: 24<sup>th</sup> JUNE, 2021**

#### **REPORT OF THE HEAD OF REGENERATION AND PLANNING**

#### **MATTER WHICH THE CHAIRMAN HAS DECIDED IS URGENT BY REASON OF THE NEED TO MAKE A DECISION BEFORE THE NEXT COMMITTEE**

##### REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale and / or nature that is not covered by the scheme of delegation.

##### EXECUTIVE SUMMARY

The submission proposes the installation of a solar farm with a 25 MW output for a temporary period of 40 years, including battery storage units and associated infrastructure, including stock-proof fencing (2m in height), CCTV, a stone track and suggested ecological enhancements.

The site primarily relates to 9 field parcels comprising 78.7 acres (31.9ha) of agricultural land at Brynwell Farm. The red line boundary also includes further land to the south including part of the local road network connecting the site with Leckwith in Cardiff to facilitate connection to grid infrastructure.

Owing to the scale of the proposal, it is classified as a Development of National Significance (DNS), a type of planning application for large infrastructure project of national importance. Instead of the Local Planning Authority (LPA) making a decision, an Inspector examines the application and makes a recommendation to the Welsh Minister.

The following Local Impact Report has been prepared in accordance with the guidance within section 5.2 of Appendix 5: Local Impact Reports of Developments of National Significance- Procedural Guidance Version 2.2 produced by The Planning Inspectorate that states that it is a formal requirement of the DNS process that any relevant LPA must submit a Local Impact Report (LIR). Such a report must give details of the likely impact of the proposed development on the authority's area that will be considered by the appointed Planning Inspector in consideration of the merits of the proposal.

The following report, prepared in conjunction with consultees within the Vale of Glamorgan Council therefore is limited to an objective view of the submissions with regard to Local Planning Policy and designations only. It is not intended to provide a balancing exercise or formal conclusion on the merits of the proposal, but instead provides an opinion of the likely impacts and whether these would be positive, neutral or negative for each identified issue.

Having considered the proposal it is indicated that there are omissions from the proposals including those relating to landscape and visual impacts, highways, ecology and impact upon the historic environment. To this end and in the absence of this additional

information, it is indicated that the proposals could have a negative impact upon these issues.

**Members should note that the report has been submitted to PINS by the required deadline of 23<sup>rd</sup> June 2021 (to prevent a fee refund penalty) with a caveat that any changes arising as a result of Planning Committee's consideration shall be submitted thereafter.**

## INTRODUCTION

Section 5.2 of Appendix 5: Local Impact Reports of Developments of National Significance- Procedural Guidance Version 2.2 produced by The Planning Inspectorate states that it is a formal requirement of the DNS process that any relevant LPA must submit a Local Impact Report (LIR), giving details of the likely impact of the proposed development on the authority's area.

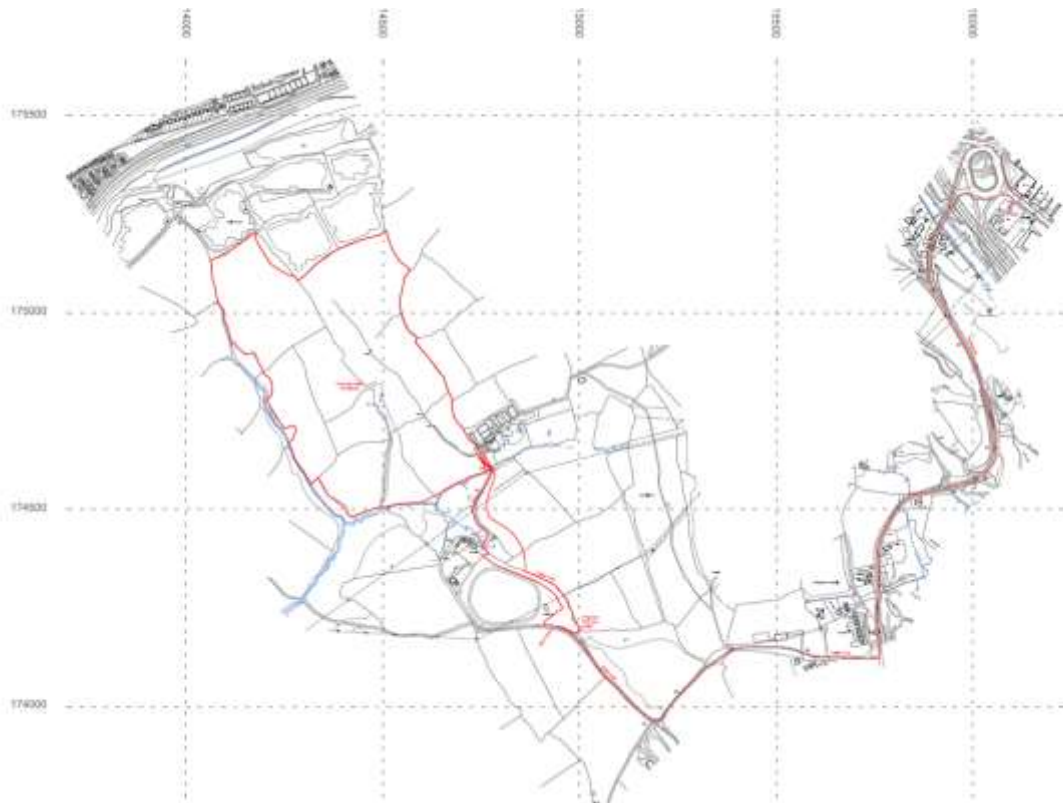
In accordance with The Order (Developments of National Significance (Wales) Regulations 2016 (as amended), this LIR includes an analysis of likely impacts and an assessment of how these relate to local planning policies, a description of the planning history of the site, the identification of local designations, and recommendations for planning conditions (and, if considered necessary, planning obligations).

In accordance with guidance issued by PINS, the LIR has not examined the relationship with national policy and guidance, but instead is focussed specifically on establishing the degree of local impact in relation to what are considered to be the principal planning issues, having regard also to the local planning policy context. It is also noted that the site lies in close proximity to the administrative boundary with Cardiff Council, although this LIR focuses solely on the impacts within the administrative boundary of the Vale of Glamorgan.

For each relevant topic, in accordance with guidance, impacts have been expressed in terms of whether they are positive, neutral or negative; with the degree of impact, where relevant, being expressed as major, moderate or minor. However, in accordance with PINS guidance, the LIR does not contain a balancing exercise between positives and negatives, nor does it come to a conclusion on the relative merits of the development itself.

## SITE AND CONTEXT

The site primarily relates to 9 field parcels comprising 78.7 acres (31.9ha) of agricultural land at Brynwell Farm. The red line boundary also includes further land to the south including part of the local road network connecting the site with Leckwith in Cardiff, as shown on the plan below:



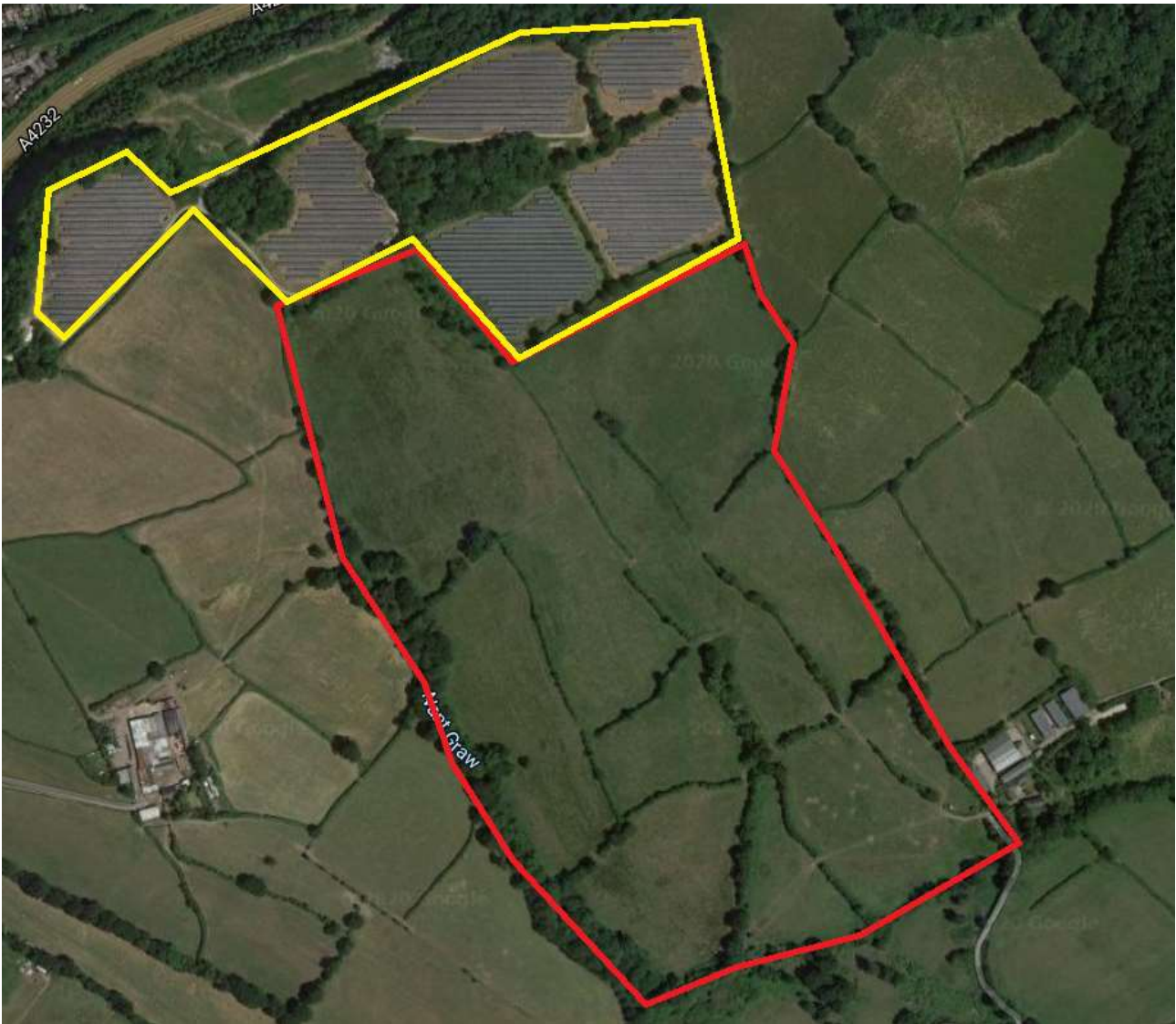
The site of the proposed solar array falls within the Cwrt-yr-Ala Basin Special Landscape Area and within a Mineral Safeguarding Area for limestone as identified by the Vale of Glamorgan Local Development Plan 2011-2026 (LDP).

The north-eastern corner of the site being locally recognised as a habitat site (HS1D 31-19-G1 unfavourable, no priority habitat). There are also Sites of Important Nature Conservation (SINCs) within close proximity of the site which include Coed y Ddylluan (0.2km south), Leckwith Woods (0.3km east) and West Hill Wood (0.3km east). The nearest SSSI is approximately 1.7 kilometres to the east.

Immediately adjacent to the south-eastern corner of the site is Beggan Farm, including the farmhouse and associated farm buildings. Within a wider context, the site is located within an area of generally open landscape, with an established field structure and pockets of woodland and a generally sporadic pattern of development to the south and west of the site. However, the site falls in close proximity to the southern edge of Cardiff and the A4232 (approximately 260 metres north) and Leckwith (1.3km to the east).

It is noted that the western boundary of the site adjoins an identified Ancient Semi Natural Woodland (ASNW) ID:14165. There are some areas of the woodland which overlap with the site boundary. In addition to the ASNW adjoining the site there are a number of woodlands which are within close proximity listed below which range from approximately 10m to 300m from the site boundary ID:14170 (ASNW); ID:8117 (ASNW); ID:14172 (ASNW); ID:8113 (ASNW); ID:11545 (ASNW); ID:8112 (ASNW) and ID:11544 (ASNW).

The site adjoins an existing solar farm site at the old Ely Brickworks site, adjacent to its northern boundary, also identified as a Dormant Mineral site within the LDP. The position of this solar farm relative to the application array is shown below:



The local landscape is crossed by a number of Public Rights of Way (PROW) although none cross the site. The nearest to the site are PROW 155, 156 and 157 the south of the site; 451 that runs to the south and east of the site and 525 which runs approximately 620 metres north-south from the western boundary. The location of these PROWs are shown on the plan below:



Adjacent to the southern boundary of the site is the identified archaeological remains of Begganstone Church, dating back to Medieval times, with other archaeological resources noted within relatively close proximity to the site. Approximately 120 metres to the southern boundary of the principal site of the array is the Grade II listed Brynwell Farm and associated agricultural buildings.

## DESCRIPTION OF DEVELOPMENT

The submission proposes the installation of a solar farm with a 25 MW output for a temporary period of 40 years, including battery storage units and associated infrastructure, including stock-proof fencing (2m in height), CCTV, a stone track and suggested ecological enhancements.

The solar panels themselves would have a maximum height of up to 2.8 metres with a 0.8 metre gap at its lowest edge which the applicant indicates would maintain the potential for grazing of the land. Two substation outbuildings and a storage container are proposed within a compound approximately 400 metres to the south of the principal site.

The red line incorporates a significant extent of the local highway network, to include the provision of a grid connection point at the existing Hadfield Road substation at Leckwith, approximately 1.6 kilometres to the east.

## PLANNING HISTORY

Application site itself:

2020/01278/OBS, Address: Land at Brynwell Farm, Leckwith, Proposal: Solar Farm (circa 21 MW) along with associated works and infrastructures. Decision: Advised Welsh Government that LPA do not consider that an EIA is required.

2020/00825/SC1, Address: Land at Brynawel Farm, Leckwith, Proposal: Screening Opinion - Proposed Renewable Energy Hub, Decision: Deferred to Welsh Assembly Government

2020/00826/SC2, Address: Land at Brynawel Farm, Leckwith, Proposal: EIA Scoping Opinion - Proposed Renewable Energy Hub, Decision: Deferred to Welsh Assembly Government

The following planning history is also considered to be of relevance in that it applies to the existing solar farm to the north of site subject of this proposal:

2012/01285/FUL, Address: Woden Park, land off Cwrt yr ala Road, Michaelston Le Pit, Proposal: Installation of 5MWp solar PV park on the site of derelict land associated with the former Ely Brickworks (NMA), Decision: Approved

2013/00895/FUL Address: Woden Park, Cwrt yr ala Road, Cardiff, Extension to approved scheme - Installation of solar pv park – Approved

## CONSULTATIONS

By correspondence dated 19<sup>th</sup> May 2021, PINS required the site notices (copies of which were included with that letter) to be erected in at least one place on or near the land to which the application relates “as a matter of urgency” for a period of not less than 30 days. Site notices were erected at 6 locations on 21 May 2021. Therefore, the LPA submits that they have complied with Regulation 19 of The Order.

Appendix A1 includes a copy of the site notice, a plan indicating the location of the site notices and photographs of the site notices at each location. Therefore, the LPA submits that they have complied with Regulation 25 (2) (c) of The Order.

The LPA can also confirm that the documents required to be placed on the planning register, and described in PINS validation letter dated 19<sup>th</sup> May 2021, were placed on the planning register within the required 5 working days. Therefore, the LPA submits that they have complied with Regulation 20 of The Order.

This report has been informed by responses from consultees internal to the Council, including the Conservation Officer; Planning Policy Section; County Ecologist; Highways Department; Council’s Engineering and Drainage section and Shared Regulatory Services (Pollution Control). These responses are included in full at Appendix A2. An objection from the County Ecologist is also enclosed at Appendix A3.

Representations have also been submitted by external bodies to the Council, including Dwr Cymru Welsh Water, Michaelston Le Pit and Leckwith Community Council and the occupiers of Beggan Farm that are enclosed at appendix A4.

## REPORT

### Planning Policies and Guidance

#### **Local Development Plan:**

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

#### **Strategic Policies:**

##### **POLICY SP1 – Delivering the Strategy**

The strategy will seek to improve the living and working environment, promote enjoyment of the countryside and coast and manage important environmental assets. This will be achieved by:

1. Providing a range and choice of housing to meet the needs of all sectors of the community;
2. Promoting a range of employment sites intended to meet the needs of the Vale of Glamorgan and the wider capital region;
3. Reinforcing the role of Barry, service centre settlements and primary settlements as providers of cultural, commercial and community services;
4. Promoting sustainable transport;
5. Delivering key infrastructure linked to the impacts of development;
6. Protecting and enhancing the built, natural and coastal environment;
- 7 Promoting opportunities for sustainable tourism and recreation; and
8. Favouring development that promotes healthy living.

##### **POLICY SP9 – Minerals**

The local and regional need for the provision of a continuous supply of minerals will be achieved through:

1. Maintaining a minimum of 10 years land bank of hard rock throughout the plan period; including extended time periods to complete permitted extraction at existing sites;
2. Favouring proposals which promote the sustainable use of minerals and encourage the use of secondary and alternative resources;
3. The safeguarding of known resources of sandstone, limestone, sand and gravel (where these occur outside settlements), from permanent development that would unnecessarily sterilise them or hinder their future extraction; and
4. Safeguarding wharf facilities for the landing of marine dredged sand & gravel

##### **POLICY SP10 – Built and Natural Environment**

Development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan including:

1. The architectural and / or historic qualities of buildings or conservation areas, including locally listed buildings;
2. Historic landscapes, parks and gardens;
3. Special landscape areas;
4. The Glamorgan Heritage Coast;
5. Sites designated for their local, national and European nature conservation importance; and
6. Important archaeological and geological features.

### **Managing Growth Policies:**

#### **POLICY MG17 – Special Landscape Areas**

The following areas are designated as special landscape areas:

1. Castle Upon Alun;
2. Upper & Lower Thaw Valley;
3. Ely Valley & ridge slopes;
4. Nant Llancarfan;
5. Dyffryn basin & ridge slopes;
6. Cwrt-yr-Ala basin.

Within the special landscape areas identified above, development proposals will be permitted where it is demonstrated they would cause no unacceptable harm to the important landscape character of the area.

#### **POLICY MG19 – Sites and Species of European Importance**

Development proposals likely to have a significant effect on a European site, when considered alone or in combination with other projects or plans will only be permitted where:

1. The proposal is directly connected with or necessary for the protection, enhancement and positive management of the site for conservation purpose; or
2. The proposal will not adversely affect the integrity of the site;
3. There is no alternative solution;
4. There are reasons of overriding public interest; and
5. Appropriate compensatory measures are secured.

Development proposals likely to have an adverse effect on a European protected species will only be permitted where:

1. There are reasons of overriding public interest;
2. There is no satisfactory alternative; and
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range

#### **POLICY MG20 – Nationally Protected Sites and Species**

Development likely to have an adverse effect either directly or indirectly on the conservation value of a site of special scientific interest will only be permitted where it is demonstrated that:

1. There is no suitable alternative to the proposed development; and



2. It can be demonstrated that the benefits from the development clearly outweigh the special interest of the site; and
3. Appropriate compensatory measures are secured; or
4. The proposal contributes to the protection, enhancement or positive management of the site.

Development proposals likely to affect protected species will only be permitted where it is demonstrated that:

1. The population range and distribution of the species will not be adversely impacted;
2. There is no suitable alternative to the proposed development;
3. The benefits of the development clearly outweigh the adverse impacts on the protected species; and
4. Appropriate avoidance, mitigation and compensation measures are provided.

### **POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species**

Development proposals likely to have an adverse impact on sites of importance for nature conservation or priority habitats and species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the nature conservation value of the site;
2. Adverse impacts on nature conservation and geological features can be avoided;
3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development conserves and where possible enhances biodiversity interests.

### **POLICY MG22 – Development in Minerals Safeguarding Areas**

Known mineral resources of sandstone, sand and gravel and limestone are safeguarded as shown on the proposals map. New development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserves of minerals can be economically extracted prior to the commencement of the development;
2. Or extraction would have an unacceptable impact on environmental or amenity considerations; or
3. The development would have no significant impact on the possible working of the resource by reason of its nature or size; or
4. The resource in question is of poor quality / quantity.

### **POLICY MG24 – Dormant Mineral Sites**

The Council will seek to prevent further mineral extraction by seeking to serve prohibition orders at the following long dormant mineral sites where it is satisfied that the resumption of winning and working of minerals or the depositing of mineral waste to any substantial extent is unlikely:

1. Beaupre (Long Grove) Quarry, St Hilary;
2. Cnap Twt Quarry, Castle upon Alun;
3. Cosmeston Quarry, Penarth;
4. Cross Common Quarry, Dinas Powys;
5. Downswood Quarry, Penarth;
6. Ely Brickworks (site shared with Cardiff);
7. Lavernock Quarry;

8. St. Andrews Quarry, St Andrews Major;
9. Southerndown Road Quarry.

As the dormant reserves at Argoed Isha, Llansannor have been assessed as having potential to be reworked in the future, the Council will not seek to serve a prohibition order at this site.

## **Managing Development Policies:**

### **POLICY MD1 - Location of New Development**

New development on unallocated sites should:

1. Have no unacceptable impact on the countryside;
2. Reinforce the role and function of the key settlement of Barry, the service centre settlements, primary settlements or minor rural settlements as key providers of commercial, community and healthcare facilities;
3. Where appropriate promote new enterprises, tourism, leisure and community facilities in the Vale of Glamorgan;
4. In the case of residential development, support the delivery of affordable housing in areas of identified need;
5. Have access to or promote the use of sustainable modes of transport;
6. Benefit from existing infrastructure provision or where necessary make provision for new infrastructure without any unacceptable effect on the natural or built environment;
7. Where possible promote sustainable construction and make beneficial use of previously developed land and buildings;
8. Provide a positive context for the management of the water environment by avoiding areas of flood risk in accordance with the sequential approach set out in national policy and safeguard water resources; and
9. Have no unacceptable impact on the best and most versatile agricultural land.

### **POLICY MD2 - Design of New Development**

In order to create high quality, healthy, sustainable and locally distinct places development proposals should:

1. Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;
2. Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density;
3. Where appropriate, provide new or enhanced areas of public realm particularly in key locations such as town centres, major routes and junctions;
4. Promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour. In the case of retail centres, developments should provide active street frontages to create attractive and safe urban environments;
5. Provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users;
6. Have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;

7. Where appropriate, conserve and enhance the quality of, and access to, existing open spaces and community facilities;
8. Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;
9. Provide public open space, private amenity space and car parking in accordance with the council's standards;
10. Incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;
11. Provide adequate facilities and space for the collection, composting and recycling of waste materials and explore opportunities to incorporate re-used or recyclable materials or products into new buildings or structures; and
12. Mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

### **POLICY MD7 - Environmental Protection**

Development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

1. Pollution of land, surface water, ground water and the air;
2. Land contamination;
3. Hazardous substances;
4. Noise, vibration, odour nuisance and light pollution;
5. Flood risk and consequences;
6. Coastal erosion or land stability;
7. The loss of the best and most versatile agricultural land; or
8. Any other identified risk to public health and safety.

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures can be taken to minimise the impact identified to an acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes. In respect of flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN15. No highly vulnerable development will be permitted within Development Advice Map (DAM) zone C2. Development will only be permitted in areas at risk of flooding where it can be demonstrated that the site can comply with the justification and assessment requirements set out in TAN15.

### **POLICY MD8 - Historic Environment**

Development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically:

1. Within conservation areas, development proposals must preserve or enhance the character or appearance of the area;
2. For listed and locally listed buildings, development proposals must preserve or enhance the building, its setting and any features of significance it possesses;

3. Within designated landscapes, historic parks and gardens, and battlefields, development proposals must respect the special historic character and quality of these areas, their settings or historic views or vistas;
4. For sites of archaeological interest, development proposals must preserve or enhance archaeological remains and where appropriate their settings.

### **POLICY MD9 - Promoting Biodiversity**

New development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:

1. The need for the development clearly outweighs the biodiversity value of the site; and
2. The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes

### **POLICY MD19 - Low Carbon and Renewable Energy Generation**

Proposals for the generation of low carbon and renewable energy will be permitted where it can be demonstrated that there is no unacceptable impact on the interests of:

- Best and most versatile agricultural land;
- Aviation safeguarding;
- Electrical, radio or other communication systems;
- Landscape importance;
- Natural and cultural heritage;
- Nature conservation;
- Residential amenity; and
- Soil conservation.

In assessing such proposals, the cumulative impacts of renewable energy schemes will be an important consideration. Where necessary, proposals should be informed by a landscape and visual impact assessment. Favourable consideration will be given to proposals that provide opportunities for renewable and low carbon energy and / or heat generation to be utilised within the local community.

The supporting text requires the cumulative impacts of renewable energy schemes to be considered and where necessary, proposals should be informed by a landscape and visual impact assessment.

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

### **Future Wales: The National Plan 2040:**

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this planning application:

Chapter 3: Setting and achieving our ambitions

- 11 Future Wales' outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

#### Chapter 4: Strategic and Spatial Choices: Future Wales' Spatial Strategy

- Guiding framework for where large-scale change and nationally important developments will be focussed over the next 20 years.
- Strategy builds on existing strengths and advantages and encourages sustainable and efficient patterns of development.

#### Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.
- Regional policies provide a framework for national growth, for regional growth, for managing growth and supporting growth.
- In the absence of SDPs, development management process needs to demonstrate how Future Wales' regional policies have been taken into account.

#### Policy 1 – Where Wales will grow

- Supports sustainable growth in all parts of Wales.
- Development in towns and villages in rural areas should be of an appropriate scale and support local aspirations and need.
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#### Policy 4 – Supporting Rural Communities

- Supports sustainable and vibrant rural communities.

#### Policy 5 – Supporting the Rural Economy

- Supports sustainable, appropriate and proportionate economic growth in rural towns.
- Supports development of innovative and emerging technology businesses and sectors to help rural areas unlock their full potential, broadening the economic base and creating higher paid jobs.

#### Policy 9 – Resilient Ecological Networks and Green Infrastructure

- Action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

#### Policy 17 – Renewable Energy

- Support for developing renewable and low carbon energy from all technologies and at all scales.
- Significant weight to the need to meet Wales' international commitments and the target to generate 70% of consumed electricity by renewable means by 2030 to combat the climate emergency.
- All proposals for large scale wind and solar developments should demonstrate that they will not have an unacceptable adverse impact on the environment and describe the net benefits it will bring.

#### Policy 18 – Renewable and Low Carbon Energy Developments of National Significance

- Sets out the criteria for assessing such proposals and refers to the need to consider the cumulative impact of existing and consented renewable energy schemes.

### **Supplementary Planning Guidance:**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

- Biodiversity and Development (2018)
- Design in the Landscape
- Minerals Safeguarding (2018)
- Planning Obligations (2018)
- Renewable Energy (2019)
- Sustainable Development - A Developer's Guide
- Trees, Woodlands, Hedgerows and Development (2018)
- Michaelston-le-Pit Conservation Area Appraisal and Management Plan

In addition, the following background evidence to the Local Development Plan is considered relevant to the consideration of this application insofar as it provides a factual analysis and information that is material to the issues addressed in this report:

- Renewable Energy Assessment (2016 Update) (Also see LDP Hearing Session 18, Action Point 8 and 9 response)
- Designation of Landscape Character Areas (2013 Update)
- Designation of Special Landscape Areas (2013 Update)
- Designation of SLAs Review Against Historic Landscapes Evaluations (2013 Update)

### **Other relevant evidence or policy guidance:**

- Developments of National Significance (Wales) Regulations 2016 (as amended)
- Developments of National Significance- Procedural Guidance Version 2.2 produced by The Planning Inspectorate
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 11/99 – Environmental Impact Assessment
- Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- Cadw guidance document The Setting of Historic Assets in Wales (2017)

### **Well-being of Future Generations (Wales) Act 2015**

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

## Issues

### Planning Policy Overview

Much of the aforementioned policy is considered to be of relevance in considering the likely impact of the proposed development on the authority's area. Although many relate to particular designations such as MG17 (Special Landscape Areas) or MD8 (Historic Environment), that will be discussed in greater detail within the body of the report below.

In relation to the location of development, the proposal should have regard to Policy MD1 – Location New Development and should demonstrate the relevant criteria can be met.

Of particular relevance is considered to Policy MD19 (Low Carbon and Renewable Energy Generation). The proposed development would represent a significant contribution to energy generation from a renewable source within the Vale of Glamorgan. LDP Policy MD19 – Low Carbon and Renewable Energy Generation supports proposals for renewable energy generation where it can be demonstrated that there is no unacceptable impact on the interests of:

*"Best and most versatile agricultural land; Aviation safeguarding; Electrical, radio or other communication systems; Landscape importance; Natural and cultural heritage; Nature conservation; Residential amenity; and Soil conservation."* (LDP, p.121, 2017)

It is also noted that the Council also have a related policy MG30 that has identified areas of search with potential for 'local authority wide' scale solar energy schemes (i.e. for schemes up to 50 MW of installed capacity).

However, it is noted that the application site falls outside of the areas referred to within Policy MG30 and shown on the proposals map that accompanies the written statement of the LDP. This policy aims to identify land within the Vale of Glamorgan which had capacity for schemes up to 50MW on unconstrained sites. The areas identified were based on the guidance produced by Welsh Government known as the Renewable and Low Energy Toolkit for Planners (2015). Policy MG30 identifies 6 areas which are considered to be appropriate for solar energy as they are free from the listed constraints which may hinder solar developments and the orientation and elevation of the land is beneficial for solar gain. The 6 local search areas identified under Policy MG30 only provide an indication of solar energy potential and it is accepted that other appropriate sites may be located within the Vale of Glamorgan.

Regarding the proposed development, the majority of the site would fall on land that would enhance solar gain; however, this area of the Vale of Glamorgan was not included under Policy MG30 due to the heritage and environmental constraints. These constraints related to the site being located within an area classified under the LandMap as high for both Landscape Habitats and Visual Sensory areas.

In addition to the above, the proposed development should ensure compliance with the above national and local policy criteria for the proposal to be considered acceptable in policy terms. Where there are identified impacts against the above criteria, the Vale of Glamorgan's Renewable Energy SPG (2019) contains additional design consideration under Section 7 which could mitigate potential issues. These include:

- Retaining existing habitat features,
- Avoid construction during breeding seasons of relevant species,
- Translocation of sensitive species if appropriate,
- Increasing separation of solar panels,
- Including wildlife highways,
- Avoid excessive security lighting,
- Locating plant and ancillary buildings away from sensitive receptors,
- Covering excavation works,
- Providing escape ramps for wildlife,
- Use of speed limits on site,
- Undertaking clearance work outside of breeding season (March-August),
- Protecting watercourses and maintaining hydrological regimes,
- Minimising the area of impermeable surfaces,
- Reinstating vegetation where possible,
- Providing storage and attenuation ponds in line with sustainable drainage techniques (SuDs),
- Using appropriate culverts and drains to maintain existing hydrological regimes,
- Use of removable mats as access tracks,
- Use of ground screws to secure PV panels,
- Avoidance of soil compaction and contamination,
- Allowance for low intensity grazing through scheme.

It is considered the proposal should demonstrate that alternative mitigations have been considered and reasons given for their inclusion or exclusion within the scheme.

### Visual and Landscape Impact

The location of the site within a sensitive landscape area is further emphasised by the designation of a Special Landscape Area (SLA) which covers the site and the wider area. LDP Policy MG17 – Special Landscape Areas lists the designated areas for SLAs and sets out the policy considerations for developments located in these areas. The proposed development is located in SLA 6 – Cwrt-yr-Ala Basin. Within SLA areas proposals “*will be permitted where it is demonstrated they would cause no unacceptable harm to the important landscape character of the area*” (LDP, p.84, 2017).



The SLA designations were informed following an assessment of the LandMap dataset and formed part of the evidence base to the adopted LDP and the formation of the Policy MG17. The Background Paper Designation of Special landscape Areas (2013) contains the assessment of the LandMap dataset undertaken by the consultants TACP on behalf of the Vale of Glamorgan Council, which informed the SLA designations. The assessment identified the primary landscape qualities and features of the Cwrt-yr-Ala Basin stating:

*“The majority of the SLA area landscape is focused on the Cwrt-yr-ala valley, forming the headwaters of the Cadoxton Valley. There is a strong sense of place with streams, dammed ponds, wooded valley sides and pleasant settlement in the valley bottom. The farmland is generally well maintained but there are signs of urban fringe pressure on lanes. The enclosed topography in association with woodland creates a sense of enclosure and the steep sided valleys dominate the character of the landscape and habitats. Woodland is semi-natural and planted broadleaf and includes a SSSI. There is potential to sympathetically manage and thus improve the quality of this mixed woodland resource.*

*To the north and east a scarp slope acts as a western edge to Cardiff basin. The slope is dominated by broadleaf and mixed woodland giving way to riverside vegetation and limited commercial development. The exposed hillside rises steeply to overlook the flat land of Cardiff Bay and City. There are detractive views to Leckwith Industrial Estate and noise from the A48. The natural landscape has been significantly altered by urban expansion and, despite the SLA area itself having few settlements, it feels very settled due to the proximity to Cardiff.*

*There is an extensive area of current and former parks of Cwrt-yr-ala House. Allotments, orchards, and reservoirs/artificial lakes add to the character. There is an irregular field-scape of small fields and two medieval settlements to the north of Dinas Powys and Barry. Smaller roads are hedgerowed and have a feeling of being tranquil and sheltered. The SLA boundary has been extended to include the open space buffer between Penarth and Dinas Powys, which should be maintained for Dinas Powys’ character as one of few such large villages in SE Wales. The eastern boundary abuts Llandough District General Hospital which has high cultural associations, being identified with this area. The area offers attractive views, but many are affected by inappropriate built form and hedgerows are gappy and poorly managed in places. The southeast boundary is Penarth, which provided housing for dock workers in the 19th century.” (TACP, p.46, 2013)*

The assessment of the LandMap dataset also identified the key policy and management issues for the Cwrt-yr-Ala Basin SLA stating *“Promote Forestry Commission grant uptake to extend, plan and manage woodland compartments paying particular attention to those around the SSSI; Pursue favourable management of neutral grassland, especially close to conurbation; Manage woodland to maintain continuous tree cover, especially on the skyline; Maintain hedgerows and as a strong visual framework and the rural qualities and vegetated nature of the valley; and, Maintain the green wedge between Dinas Powys and Penarth, improve management of boundaries and improve structures.” (TACP, p.47, 2013)*

It should be noted that the designation of an SLA is not intended to prevent development but to ensure that where development is considered acceptable, careful consideration is given to the impact the proposal has on the special qualities and characteristics for which the SLA has been designated. This should be reflected in the design of the proposal including the siting, orientation, layout, and landscaping which should be implemented to address the key issues identified in the SLA Background Paper and maintain the key qualities and characteristics of the area identified.

The surrounding landscape is predominantly rural with scattered farmsteads and farm land, interspersed with a number of pockets of woodland (including Leckwith Woods to the east) and established agricultural field boundaries. Noting the sporadic nature of development to the south and west, there are relatively few properties within the Vale of Glamorgan that overlook it, although clear views are possible from the immediately adjacent Beggan Farm. The surrounding landscape is undulating in its form including an approximately 20-30 metre drop in levels from the north of the site to the south. PROWs cross the local landscape, affording a degree of visual access to the site and providing some, short and medium range views (as indicated within the LVIA).

As required by the supporting text of Policy MG17 (paragraph 6.120) and supported by Policy MD19, the application is supported by a Landscape and Visual Impact Assessment (LVIA) which provides an assessment of the likely visual impacts of the proposed solar farm. In conclusion, the LVIA considers *'the site has a moderate sensitivity to solar energy production, and there are no significantly adverse effects upon landscape character'*. The LVIA considers that the proposal provides an opportunity to improve the described landscape character in the medium to long term and that slight adverse effects from suggested viewpoints could be mitigated by suggested measures including retention of existing boundary features.

However, the submitted LVIA states at paragraphs 6.7.1 and 8.4.2 that the site has no national or local landscape designations. As aforementioned the surrounding landscape forms part of the Cwrt Yr Ala Basin Special Landscape Area as defined by the LDP. Whilst this is referenced within the Design and Access Statement (DAS), this is considered to be a significant error / omission in the applicant's LVIA.

The visual baseline described at paragraph 6.6 of the LVIA indicates that bare earth Zone of Theoretical Visibility (ZTV) maps were generated and cover the 5km study area although this has not been provided in support of the LVIA. However, the ZTV included within the accompanying 'Plans and Representative Views' document forming part of the LVIA appears to be limited to approximately 1 kilometre. This would appear to result in the extent of ZTV being 'cut off' particularly to the south-west of the site, where the ZTV extends to the edge of the plan adjacent to Cwrt Yr Ala House.

The LVIA should provide a wider ZTV to indicate or exclude potential for longer distance views noting the elevated position of the proposed array particularly in relation to land to the south and to include potentially sensitive longer range receptor sites including those adjacent to areas of greater populous.

The viewpoints utilised are generally considered representative of the most publicly accessible locations from which the proposed solar array would be visible. The LVIA at paragraph 4.9.1 states that before and after photomontages have not been produced at this stage. However, owing to the sheer scale of the development it would be useful if wire framing or photomontages were provided to indicate the proposed apparatus within the

viewpoints provided to allow a full assessment of the likely visual impacts of the proposal. For instance both WVP4 and WVP5 suggest that relatively clear views of the site during winter months. Further framing and/or photomontages would allow for 'slightly significant' adverse impacts to be properly assessed. It would also assist in verifying any suggested reduction in impact from viewpoints from adjacent to Beggan Farm and the adjacent PROW (including VP1, VP2 and WVP2) from the setback of panels from the southern boundary.

The LVIA indicates that the species-rich hedgerow and boundary enclosures would be maintained to protect the high value and good condition of the landscape, and recommends that the existing hedgerows and trees are allowed to grow to reduce any residual effect (close range views VP1, VP2 and WVP2). Similarly views afforded from the west from Penylan would be mitigated by allowing existing gappy hedge to grow to mitigate 'slightly adverse impact' and screen completely within 7-10 years to negate any impact. The supporting Landscape and Ecology Management Plan (LEMP) provides contradictory advice suggested that half of the hedgerow will be cut/flailed alternatively each year (paragraph 2.4) whilst later it suggests that this will be left to grow to establish (within Management Schedule). The submitted Ecological Impact Assessment also indicates that hedgerow would be cut on a minimum 3 year rotation. Noting that the submitted LVIA places great emphasis on the suggested screening benefits of hedgerow planting to minimise landscape impacts or the impacts of glint and glare detailed within the accompanying assessment, this should therefore be clarified for the avoidance of doubt. Such clarification could include any specification of the heights required for screening and maintenance if to be flailed/cut.

There is an existing solar farm developed under 2012/01285/FUL which was extended under 2013/00895/FUL adjoining the site to the north which is approximately 10.5ha in size. When viewed against the proposed development, this would essentially represent 32.9% increase in solar land in the immediate area, therefore, the presence of the existing solar farm must be accounted for when assessing the visual impact of the proposal. The submitted LVIA states at paragraph 8.4.3 that '*the presence of the existing neighbouring solar farm is not assessed as significantly increasing any cumulative assessed adverse effects.*' However, it is considered that cumulative impact should be better elaborated and considered in context of the omissions noted above.

The proposal also includes the provision of associated apparatus including CCTV a high number of 5 metre high CCTV columns. Limited or no reference is made to this additional apparatus within the LVIA.

The DNO substation area and associated hardstanding is considered by the LVIA as a minor addition, not significantly adverse and the LPA would generally agree with this conclusion on the wider landscape and subject to retention of established hedgerow screening. Similarly the proposed laydown area for HGVs detailed within the Transport Statement, would result in a change of character of the related piece of land that is outside of the application red line. The localised visual impact of the accesses and any associated splays would need to be carefully considered as would any associated hardstanding and the reinstatement of the land following the cessation of the use of the laydown area. Whilst the lane from Leckwith Road may be lightly trafficked with low speeds, limited details of the extent of hedgerow or bank to be removed have been provided to demonstrate the extent of hedgerow removal required to facilitate the access and visibility splays to the laydown area. The suggested provision of temporary passing bays could have similar more localised implications for vegetation and banks adjacent to the lane. Noting this it is difficult

to assess the likely localised impacts of works associated with the construction activities upon the character of the lane and its compliance with LDP Policies, including Policies MD1 and MD2, that amongst other things seek that development has no unacceptable impact upon the countryside and protect landscape features.

On the basis of the available information, the LPA would generally agree with the assessment that the site has moderate sensitivity to solar farm development and is generally well enclosed by surrounding woodland and established field enclosures, including those to the site that are indicated to be retained and could be a suitable site for solar energy production. Although the proposed solar farm would undoubtedly change the character of land itself from open grassland to a solar array and accompanying apparatus, field boundaries are indicated as being retained and as such the existing field patterns and structure of the local area would be maintained.

However, it is difficult to determine the extent of impact upon the wider landscape as there are considered to be significant gaps within the submissions, including but not limited to the extent of ZTV indicated; lack of wire-framing or photomontages in addition to consideration of ancillary structures; cumulative impact with the existing neighbouring solar farm and works associated with construction. As such whilst it is noted that the proposal does include potential mitigation measures, it is possible that this would alter the character of the local landscape, including its noted features through designation as an SLA, in addition to the character of the lane.

**Noting all of the above, it is considered that the proposals could have a negative impact upon the local landscape of a minor to moderate degree, the extent of which would be better informed with further information as detailed above.** Any such impact would however need to be balanced against the permanence of the development, its potential reversibility and the policy support for provision for renewable energy.

#### Agricultural Land Classification

The submission indicates that the site of the array itself comprises Grade 3b, Grade 4 and Grade 5 agricultural land. Council records indicate the site is predominantly moderate quality agricultural land (3b).

However part of the south eastern leg of the proposed development site falls within an area identified as grade 3a agricultural land under the Predictive ALC 2 map produced by Welsh Government. This area of the site falls across existing agricultural fields with approximately 0.571ha of grade 3a land being situated within the site boundary. This area of land is proposed to accommodate an underground cable leading to a DNO substation compound. Although it is unlikely this type of development would sterilise the land for agricultural purposes, the presence of potential of BMV land within the site should warrant/trigger an Agricultural Land Survey to determine the quality of the agricultural fields within the site and whether the proposal would have an unacceptable impact on BMV land. This would demonstrate accordance with aforementioned criterion 9 of LDP Policy MD1 and LDP Policy MD7 – Environmental Protection which states “*development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:....7. The loss of the best and most versatile agricultural land...where impacts are identified the Council will require applicants to demonstrate that appropriate measures can be taken to minimise the impact identified to an acceptable level. Planning conditions may be*

*imposed, or legal obligation entered into, to secure any necessary mitigation and monitoring processes” (LDP, p.109, 2017).*

**Notwithstanding this and the suggested reversibility and limited timescale for the development, the proposal would not result in the permanent loss of this land, and as such the proposal would have a neutral impact in this regard.**

### Highways

Criterion 6 of Policy MD2 of the LDP requires that development proposals should ‘*have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree.*’

The highway access would be from the south, along the adopted road referred to as Gower Lane, leading to the site from the B4267 Leckwith Road. The road is rural in its character and is indicated as being subject of a 40mph speed limit. The road is lightly trafficked and narrow in a number of places. Upon entrance to the road from the B4267, Gower Lane, there is a highways information sign stating that the road is ‘unsuitable for HGVs’.

The submission is supported by a Transport Statement (TS) prepared by Hydrock dated March 2021. This indicates that the construction deliveries will have a high intensity for an approximately 6 week period, Monday-Friday 7:00-19:00, with a maximum of up to 40 construction workers on site at peak times. Deliveries to the site would not require the use of abnormal loads, with the TS anticipating approximately 241 deliveries (482 total trips) by HGV deliveries across the anticipated build period, with an average of 8 deliveries/16 movements per day.

The TS indicates that site access will be provided along this rural road with a lay-down area for construction equipment approximately 600 metres along this road to provide a site for storage and for construction equipment and other supplies and also to provide a HGV turning area to allow large vehicles to access and egress the site in a forward gear.

Although noting the TS indicates a 6 week period of construction activities, the submitted Construction and Environment Management Plan indicates at section 4.1.3 that this period would be 11 weeks. The applicant should clarify this point as this would have different impacts upon the local highway network.

The submitted red line includes a significant amount of the local adopted highway network including that on Leckwith Road over Leckwith Bridge into Cardiff, to facilitate the connection to wider grid infrastructure. Leckwith Bridge currently has a weight limit of 7.5 tonnes and limited information has been provided with regard to the size, weight and type/voltage of cable including the method of installation and maintenance and an inspection of the bridge to assess whether it can accommodate such a cable. Further information is required in this regard to allow a full assessment of the likely highways implications.

It is noted that an application is currently before the Council for the replacement of the aforementioned Leckwith Bridge and associated residential development of the neighbouring Leckwith Quay under application 2021/01218/HYB. However, this application is still under consideration by the Local Planning Authority and it is not possible to give a timescale for determination at this time. Any works involving the demolition/rebuilding of this bridge would require any cable to be diverted or rerouted that could result in liability for the local highway authority and/or distribution network operator.

The submitted construction traffic route indicates that deliveries would be routed over Leckwith Bridge from the A4232 to the north-west, with the Council's Highways Officers speculating that vehicles specified with the application could have weights of up to 44 tonnes. Noting the weight limit of the bridge and the indicated size and load bearing capacity of vehicles proposed to serve the site, it would appear that this would exceed the weight limit of Leckwith Bridge. An alternative route for such vehicles should therefore be considered.

Some details of swept path analysis have been provided in support of the application appended to the TS although these are limited to those at the access to the lane from The Green and adjacent to the access to the temporary construction compound. The lane in numerous locations is narrow and enclosed by a mixture of landscaped banks, hedgerow and/or mature trees with much of this falling outside of the adopted highway and the red line of the planning application. The submitted TS indicates that '*potential measures such as temporary passing bays have been considered*' in addition to banksmen to control the flow of traffic. However, no details have been provided of these measures or an assessment of the existing lane including any sections less than 3m in width. Localised improvements or conveying systems may also be required. Further survey work of the lane should be undertaken to provide a detailed overview of the route and accurately show and dimension any passing places and forward visibility envelopes in addition to any associated impacts such as vegetation removal.

Further to the above, during the construction phase the cable installation along Gower Lane could require closure given the narrow width and plant required to install the cable/ducting. Any proposals for road closures, plans to allow access for existing dwellings and timescales of closures along Gower Lane should be clarified. It is considered that pre and post construction surveys of the haulage route to inform remedial works arising from the development as requested by the Council's Highway Section (see Appendix A2) could be required by condition as part of any consent (detailed later).

The proposed cable route from the solar farm will travel along the adopted highway for a significant length to allow connection to the grid infrastructure at Leckwith. This has potential for disruption within the local highway infrastructure and further details of cable locations within the highway, the timings of associated works and the reinstatement of the adopted highway should be provided.

The submitted TS indicates that operational traffic associated with the development would amount to two or three visits per year which would not result in any significant highways impacts that would seem like a reasonable assessment. The applicants states that a '*modest increase in traffic for 6 weeks to facilitate 40 years of renewable energy, is a reasonable trade off*' and it is agreed that once implemented the level of traffic associated with the development would not be material to the wider highway network. However, as noted above, whilst some of these matters could be further clarified by planning condition,

it is considered that further detail should be provided prior to determination of the application.

**Without this further clarification, it is considered that there is a potential the proposal would have a negative impact upon local and wider highway safety (and associated impacts) as a result of the proposal particularly during the construction phase.**

### Ecology

The proposed development site does not include any known ecological designations, however, due to its scale it has potential to impact upon adjoining designations and represents an opportunity to enhance the ecological value of the site by improving connections between existing habitats particularly those that have been designated due to their ecological importance.

LDP Policy MD9 – Promoting Biodiversity requires proposals to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that both of the following criteria apply:

*“1. The need for the development clearly outweighs the biodiversity value of the site; and  
2. The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.” (LDP, p.112, 2017).*

The site comprises wet grassland, the loss of which is regrettable although it does not constitute a Section 7 habitat.

Trees and hedgerows within the site are generally shown to be retained within the submitted details with a view to maintenance and enhancement which is welcomed in both an ecological and visual sense. The Trees, Woodlands, Hedgerows and Development SPG (2018) which states proposals which contain trees or hedges within the site and / or trees and hedges on land adjacent to the proposal that that could influence the development or might be important as part of the local landscape character will need to be considered as part of the development. The SPG requires the submission of a Tree Survey, Tree Constraints Plan, and an Arboricultural Implications Assessment (AIA) as defined in BS5837 (2012) to support proposals which affect trees and hedges. The supporting documents provide a tree survey and tree constraints plan in support, although there is not an AIA provided. Although the submissions indicate that a 2 metre buffer would be maintained and that existing trees and hedgerows would be maintained, an AIA would allow full assessment of the cumulative impacts of the proposals.

The presence of the ASNW adjoining and near to the site presents a clear biodiversity interest and the proposed development must ensure these areas are conserved and the proposal would not result in a detrimental impact on the ASNW. The ASNW adjoining the site has been identified within the Ancient Woodland Inventory, therefore NRW should be consulted to ensure the potential impact on the ASNW is appropriately considered.

With regard to the Ecological Impact Assessment (EIA), the suggested mitigation for any loss of hedgerows is in line with the Biodiversity and Development SPG for the Vale of Glamorgan and is to be welcomed. However, the strengthening of existing poor condition or species poor hedges does not contribute to the mitigation which is based on length. Furthermore there are a number of discrepancies within the submissions with regard to the nature of the management of the hedgerows as detailed previously within the landscape and visual impact section, including suggesting annual cutting/flailing, 3 year rotation and being left to establish.

Further detail is required with regard to bird and bat species which are mentioned within the EIA, although the submission is not accompanied by a breeding bird survey that should include detail of category red species including Skylark and Yellowhammer mentioned in the EIA. Such a survey would better inform the suggested mitigation for birds and whether nest boxes proposed would be sufficient and this would equally apply to the proposed meadows to the south of the site which could provide such mitigation subject to suitable management.

The EIA also fails to provide reference to fungi records. Given that grasslands, even species those which are species poor can have value for waxcap fungi communities many of which are Section 7 species under the Environment (Wales) Act 2016, a DNA analysis of soil samples could provide a species list at any time of the year and inform the EIA.

With regard to the submitted Landscape and Ecology Environmental Management Plan (LEMP), it is noted that:

- Reference is made to Leicestershire Council on page 10 at paragraph 5.2.1 which suggests that this is not a document bespoke to the requirements of this application.
- Material collected after the control of brambles (paragraph 5.5.2) should not be burnt but piled in designated areas where it can rot down and form habitat.
- With reference to paragraph 5.5.6 it is not necessary to regularly manicure the site, and a single treatment once a year should be sufficient to ensure the site is managed more effectively in the interests of biodiversity.
- Further information should be provided with regard to where native hedgerow plants are to be sourced (with reference to paragraph 6.2).
- The measures indicated within paragraph 6.4.3 should have greater regard to local genetic variation. The applicant should consider avoiding the use of a national seed mix that does not reflect the species composition of local meadows or using species not found in local hedgerows. In addition, such material should be derived from as local a source as possible to support the local economy and to propagate local material.
- The material cut (6.4.4) could be dealt with in exactly the same way as the bramble arisings mentioned earlier. Grass piles are favoured by grass snakes.
- Finally, there is no allowance made in the LEMP for future population monitoring to measure the success of the overall scheme in contributing to the biodiversity of this part of the Vale of Glamorgan.



In order to produce a more informed and iterative LEMP more survey work is needed so that it reflects properly the need to mitigate and enhance biodiversity as required by national and local policy. The current LEMP is very amenity orientated rather than contributing to biodiversity. Opportunities have been missed for it to reflect local wildlife and compared to other proposals it lacks both detail and imagination. Based on the scale of the proposal an approach focused on green infrastructure principles should be pursued to ensure the development enhances biodiversity on the site and within the wider area. The Council's Biodiversity and Development SPG (2018) provides further guidance on potential enhancements to biodiversity which could be incorporated into the development.

With regard to Great Crested Newts only one pond at 220m from the development was regarded as having any potential but no access was secured for DNA testing. The nearest pond returned a negative for DNA. Although the consultants regard the use of the site as being unlikely the Council's Ecologist considers that it could be beneficial to erect herptile fencing on the western boundary during the construction phase, especially noting the position of the Nant Garw. As such they suggest that further details could be conditioned including details of a methodology including matters such as timing, design, erection, maintenance, removal.

However, whilst the EIA addresses potential impacts upon Dormice, Bats and Great Crested it is recognised Newts are a European Protected Species. As such the impact of the works upon these species and suggested mitigation measures fall primarily under the purview of Natural Resources Wales and their comments should be sought in this regard.

The proposed laydown area for deliveries during the course of the application is shown within a field to the south of the site along the lane outside of the applicant's red line. The plans accompanying the submitted Transport Statement, including that at appendix E, shows the provision of an enlarged and splayed access, in addition to provision of 43 metre visibility splays in both directions. This part of the lane is currently enclosed by an established hedgerow that would appear to be proposed for removal although an assessment of this hedgerow or the habitat it provides has not been provided in the submitted Ecological Impact Assessment or LVIA.

**Noting the above, it is considered that the proposal has the potential to have a negative impact upon biodiversity interest at the site at odds with the provisions of Policy MD9 of the LDP.** Whilst this may be offset by suggested mitigation to some degree, it is difficult to quantify the extent or nature of impact without addressing the omissions noted above, including the aforementioned issues within the EIA and LEMP inclusive of additional survey work, to conclude what species would be effected and how any impact could be suitably mitigated.

**An objection has been received from the Council's Ecologist with regard to the proposals that can be found at appendix A3.**

### Historic Environment

Of particular relevance to the proposals in this regard are LDP Policies SP10 – Built and Natural Environment and Policy MD8 – Historic Environment that collectively ensures development proposals protect the qualities of the built and historic environment in the Vale of Glamorgan.

This is supported by LDP Policy MD8 which states “development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically: 2. For listed and locally listed buildings, development proposals must preserve or enhance the building, its setting, and any features of significance it possesses” (LDP, p.110, 2017).

Whilst there are no designated historic assets within the site area, there are a number of heritage assets within the locality of the proposal. The proposal is supported by an LVIA and an Archaeological and Heritage Assessment (AHA).

In relation to archaeological remains criterion 4 of Policy MD8 states “for sites of archaeological interest, development proposals must preserve or enhance archaeological remains and where appropriate their settings” (LDP, p.110, 2017).

Glamorgan-Gwent Archaeological Trust (GGAT) provides the Vale of Glamorgan Council with detailed advice on planning applications and issues briefs for works, checks specifications, monitors fieldwork and approves the resulting reports whether undertaken in advance of determination or as a result of a condition attached to planning consent.

The archaeological records show potential remains of Beggan (Beganstone) Church which appears in Valuation of Norwich (1254) as 'Ecclesia de Bagenston' (Lunt 1926, 315). The records state the remains are “probably connected with Beganstone DMV west of Leckwith, whose approximate NGR it has been given; but Began DMV (St Mellons) at ST23158330 is also a possibility.” (GGAT). It is noted that GGAT have been consulted under separate cover and the LPA would revert to their comments with regard to associated impacts.

Due to the scale of the proposal, it is considered it would be likely to have an impact upon surrounding designations which are within close proximity to the site. In relation to the historic environment, Cadw has produced guidance relating to the importance of the setting of historic assets in Wales and how development proposals should consider the impacts upon them. The Setting of Historic Assets in Wales (2017) guidance should be used by decision makers when considering individual applications for planning permission which affect historic assets. Although there are no designated historic assets on the site, the guidance states LPA’s must consult Cadw on all planning applications which in their opinion are within the setting of a scheduled monument subject to the criteria detailed within The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

Regrettably the wording in the Schedule is not especially clear for sites of 1ha or more where the height of the proposed development is less than 75m high so there may be some debate about whether a 3 or 5 kilometre study area is appropriate, however, the supporting AHA has identified a study area of 1 kilometre around the application site. It is not clear why the study area of this size was identified.

As noted previously, the supporting LVIA includes a Zone of Theoretical Visibility (ZTV), which as aforementioned within the section upon Visual and Landscape impact, is limited in its extent and appears likely that there will be more distant views than those shown. Whilst it is possible that any additional historic assets would be ‘scoped out’ of any detailed assessments it is not clear that they have been adequately considered. To this end both the AHA and LVIA are inadequate in providing necessary information to make an appropriately informed decision.

Depending on whether one utilises the 3km or 5km buffer, either 6 or 10 scheduled monuments within the Vale of Glamorgan would be within the respective buffer zones of the site. The scheduled monuments respective buffer zones in the Vale of Glamorgan are listed below:

Within 3km:

- Tyn y Coed Earthwork;
- Cwm George Camp;
- Pillar Cross in Llandough Churchyard;
- Greave Round Barrow;
- Leckwith Bridge
- Dinas Powys Castle

Within 5km

- Romano-British Farmstead, Dinas Powys Common;
- Dinas Powys Castle;
- Penarth Churchyard Cross;
- Leckwith Bridge;
- Cogan Deserted Medieval Village;
- Tyn y Coed Earthwork;
- Cwm George Camp;
- Pillar Cross in Llandough Churchyard;
- Greave Round Barrow; and
- St Lythans Burial Chamber

Comments should be sought from Cadw with regard to the potential impact of the works upon these identified assets.

Setting is defined in the Cadw guidance document *The Setting of Historic Assets in Wales* (2017) as:

*“The setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape.”*

Given the scale of the proposal it is considered it will likely have some impact on the setting of historic assets. The guidance, usefully, clarifies:

*“Setting is not itself a historic asset, though land within a setting may contain other historic assets. The importance of setting lies in what it contributes to the significance of a historic asset.”*

Policy MD8 seeks that ‘*Development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically: 1. Within conservation areas, development proposals must preserve or enhance the character or appearance of the area; 2. For listed and locally listed buildings, development proposals must preserve or enhance the building, its setting and any features of significance it possesses*’. (LDP, p.110, 2017).

The AHA identifies Brynwell Farm as the historic asset that would most likely be affected. This is the nearest listed building is the grade II listed building, located approximately 62m from the nearest site boundary and approximately 180m from the position of the solar arrays. Unlike scheduled monuments Cadw does not provide distance criteria to consider listed buildings, however, due to the close proximity it is considered the proposed development should consider the likely impact upon the listed building. This is supported by LDP Policy MD8 as above.

The AHA identifies the primary significance of the building as lying in its evidential value with the setting makes a lesser contribution to that significance, although the rural surroundings are important to understanding the building's location and purpose. The ability to understand the building is also considered to contribute to the significance of the listed building.

The AHA acknowledges that the proposal will change the nature of the views northwards from the farmhouse whilst also noting the existence of telegraph poles and electricity pylons. The AHA also confirms the overall layout of the fields would not change, and neither would the relationship between Brynwell and Beggan Farm.

The AHA downplays the extent of visibility between the listed building and site as being within a 90 degree arc and affirming the agricultural association of the setting "*would still be strongly appreciable through the remaining 270 degrees*" concluding that "*...the contribution made by the setting overall is not considered to be so changed as to reduce the contribution to significance made by that setting.*"

Consideration will need to be given to whether this is a correct interpretation of whether or not some harm is caused to the setting of the building. Regard will also need to be paid to the value of the fields as providing the historic context of the Farmhouse and whether the retention of the field boundaries adequately preserves this and allows the building to continue to be read within its agrarian context.

Michaelston-le-Pit Conservation Area is located approximately 1.5km from the site but is situated lower in the valley approximately 30 to 35m above sea level whereas the proposed development site is located to the north of the valley and gradually rises from 50m in the south to approximately 70m in the north based upon OS 5m contour data. Although the Conservation Area is located outside of the proposed site boundary the Michaelston-le-Pit CAAMP identifies there are significant views facing out of the conservation area in the direction of the proposal. The CAAMP has been adopted as an SPG and is a material consideration in planning decisions and states "There are many short and long views into, out of and through the Conservation Area which make a positive contribution to its special character" and recommends "*The Council will seek to ensure that all development respects the important views within, into and from the Conservation Area, as identified in the appraisal. The Council will seek to ensure that these views remain protected from inappropriate forms of development*" (CAAMP, p.20, 2006). The CAAMP includes a brief description of the landscape setting in relation to the Conservation Area which states the following "*The conservation area lies on and above the north bank of the River Cadoxton which forms most of the conservation area's southern boundary. Land rises gently from the river and the village is spread along a narrow road enclosed by hedgerows and grass banks which preclude outward views.*"

*Although open fields and meadows form the immediate setting to the conservation area, the main impression is of a place set within a bowl of woods. When a break in the hedgerow does permit distant views, wooded slopes invariably fill the background.”* (CAAMP, p.11, 2006).

Whilst noting the separation of the proposal from Michaelston Le Pit Conservation Area, noting the aforementioned limitations of the ZTV accompanying it is not possible to assess any related impact and whether the proposal would preserve or enhance the character of the Conservation Area.

There is an existing solar farm located immediately to the north of the application site. Consideration should be given to the cumulative impacts of the current development with existing sites.

The LVIA and AHA are considered inadequate in terms of providing the necessary information for the decision maker to make an appropriately informed decision given the scale of the development. **As such there is insufficient information to demonstrate the proposal would not have a negative impact to comply with the requirements of LDP policy including Policy MD8.**

#### Other Matters

##### Living conditions

Policies MD2 and MD19 both make reference to the requirement of development to safeguard residential amenity. This is supported by the criteria based Policy MD7 that development proposals will be required to demonstrate they will not result in an unacceptable impact on people and residential amenity, including by criterion ‘4. *Noise, vibration, odour nuisance and light pollution.*’

Although the proposed development is located within the open countryside, there are residential properties within close proximity to the site, with the nearest being Beggan Farm immediately adjacent to the south-east boundary. Solar farms generally do not create large amounts of noise; however, a scheme of this scale has the potential to create higher levels of noise particularly in relation to the proposed battery storage. Therefore, criterion 8 of Policy MD2 is considered to be relevant to the proposal which seeks to safeguard existing public and residential amenity from noise disturbance.

The submission is supported by a Noise Impact Assessment, although this was not supported by a noise survey and as such a supplementary noise assessment was provided. Even in the absence of noise mitigation, the assessment states that predicted associated noise impact would be ‘low to negligible’ and would not represent a reason to refuse planning permission on acoustic grounds. Following consultation within the Council’s Shared Regulatory Services (Pollution Control)) (SRS) it is considered that the submitted surveys have been undertaken in accordance with the required standards including BS4142.

The secondary consent noted within the submissions for the Battery storage that would be located within close proximity to existing sensitive receptors, particularly the occupiers of the dwelling at Beggan Farm. Following consultation with SRS (see Appendix A2) the LPA would concur generally with the findings of the submitted noise surveys and also with the findings with regard to glint and glare.

However, with regard to noise, given the size and the proposed lifespan of the development of 40 years it is advised that it be conditioned that a post construction noise assessment be compiled within 3 months of the project being operational to ensure that observed noise levels do not exceed those predicted and to ensure living conditions of the nearby noise sensitive receptors, in particular the occupiers of Beggan Farm are adequately safeguarded.

Subject to the above, and conditions requiring further post-development noise surveys, a CEMP and limitations on construction hours, it is considered that **the proposed development would likely have a neutral impact upon living conditions of occupiers of neighbouring residential properties during the operational phase, although could potentially have a minor negative impact during construction.**

### Social, Environmental and Economic Effects

Whilst job creation at the local level may be negligible, there is the potential for positive social and economic effects at the local level (as detailed within the submissions) which would accord with the objectives of the LDP including the aim of delivering sustainable development albeit that much of the benefit of the Proposal would be at the macro scale in addressing the effects of pollution and climate change. **In this regard the proposals are considered to have a positive impact.**

### Water & Drainage

LDP Policy MD7 (Environmental Protection) requires development proposals to '*demonstrate that they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment from... 5. flood risk and its consequences*'. The policy goes further to state that 'in respect of flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN15.

This site of the proposed array is not located within a Development Advice Map (DAM) zone at risk of tidal or fluvial flooding. NRW flood maps indicate the majority of the site to be of low risk of surface water flooding. A high risk of surface water flooding is indicated to exist within the central valley of the site and along the southern and western boundary.

Information submitted to support this application suggests surface water runoff generated by the proposed photovoltaic panels will be permitted to drain freely to the permeable ground beneath. Once the infiltration capacity of the ground has been exceeded surface waters will enter existing valleys/ditches via overland flow routes as per the current situation.

No hydraulic calculations have been provided with this application to demonstrate the additional runoff volume generated by the proposed development. It is requested that calculations are provided for the 100 year rainfall event plus climate change (30%), utilising the 100 year 6 hour rainfall depth. Further consideration must be given to the expected increase in runoff volumes generated during both construction and operational phases and how any impact downstream of the site can be minimised.

No infiltration testing has been submitted in support of this application and will be required in order to demonstrate the grounds ability to infiltrate water.

The Landscape Management Plan makes no specific reference to the vegetation cover beneath the photovoltaic panels. It is anticipated that the vegetation in these areas will aid the controlling of surface water runoff rates. As such it is requested that a revised Landscape Management Plan is provided with the inclusion of these areas.

Limited information has been provided within the submitted Outline Construction and Environmental Management Plan with regard to the management of surface waters. The detailed CEMP must make reference to the phasing of the development and how the proposed drainage (temporary or permanent) will be managed during construction.

**It is considered that these details can be sought by way of condition attached to any consent granted and the development would have a neutral impact in this regard.**

### Mineral Resource

The proposed development is also located in an area identified as a mineral safeguarding area under LDP Policy MG22 – Development in Mineral Safeguarding Areas. The mineral safeguarding areas are based upon the British Geological Survey (BGS) Aggregate Safeguarding Map for South East Wales which identifies the entire development site being situated within a Limestone Category 2 mineral area. Category Two resources have been selected as those resources that are considered to be of more than local importance and may have some regional significance but are less important nationally than the Category One resources. Policy MG22 sets out the following criteria for new developments in mineral safeguarding areas by demonstrating that:

- “1. Any reserves of minerals can be economically extracted prior to the commencement of the development;*
- 2. or development would have an unacceptable impact on environmental or amenity considerations; or*
- 3. the development would have no significant impact on the possible working of the resource by reason of its nature or size; or*
- 4. the resource in question is of poor quality / quantity” (LDP, p.88, 2017).*

The LPA could see no apparent reference to the site’s location within a mineral safeguarding area within the submissions. The applicant should address and consider how they consider that any of above criteria are met to ensure the proposal complies with Policy MG22. The Vale of Glamorgan Council’s Mineral Safeguarding SPG (2018) provide guidance on how developers should consider each criterion under Section 5 of the SPG. The proposal should set out how the development meets one of the criteria in accordance with the guidance outlined in the Mineral Safeguarding SPG.

It should be noted when considering the safeguarded area this will need to be balanced against the need for the development and any short-term economic arguments.

The submitted information indicates that development would be reversible, coupled with the environmental and amenity consideration (criterion 2 of MG22), it is considered that the proposal would likely accord with Policy MG22 of the LDP, although it still remains that this should be addressed by the applicant.

The proposed development adjoins an identified dormant mineral site known as Ely Brickworks. Policy MG24 – Dormant Mineral Sites seeks to prevent future mineral extraction at dormant site, although again the applicant has not referred to this within their submission. As part of Policy MG24 the Council is seeking to serve prohibition orders on these sites to remove the historic quarrying consents associated with the land. The aim of the policy is to provide certainty about the future workings and ensuring the sites are appropriately restored where relevant. It is considered unlikely the proposed development would result in the need to begin mineral extraction at the Ely Brickworks and would therefore comply with Policy MG24, although again this should be addressed properly by the applicant.

**Noting the above, it is not considered that the proposal would result in any significant conflict with the objectives of Policies MG22 and MG24 of the LDP and would therefore have a neutral impact in terms of Mineral Resource.**

### Suggested Planning Conditions

Noting the above comments with regard to certain matters including those relating to the historic environment and ecological constraints, there are considered to be a number of matters that require the submission of additional information that could not be appropriately controlled by way of condition.

Notwithstanding this, in addition to standard conditions relating to time limits and approved plans the Local Planning Authority consider that the following conditions should be considered as a framework for those to be attached to any consent granted:

1. Within 40 years and six months following completion of construction of the development, or within six months of the cessation of electricity generation by the solar photovoltaic facility, or within six months following a permanent cessation of construction works prior to the solar photovoltaic facility coming into operational use, whichever is the sooner, the solar photovoltaic panels, frames, foundations, and all associated structures and fencing hereby approved shall have been dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than five working days following cessation of power production or permanent cessation of construction works. The site shall subsequently be restored in accordance with a scheme, the details of which shall be submitted to and approved in writing by the Local Planning Authority no later than three months following the cessation of power production or within 25 years of the completion of construction, whichever is the sooner.

Reason: In the interests of visual amenity and to ensure compliance with Policies MD1, MD2 and MG17 of the Local Development Plan.

2. Prior to the commencement of development, a pre-construction condition survey should be carried out of the haulage and cabling route associated with the development, including details of the proposed reinstatement of the highway, and provided to the Local Planning Authority for their approval in writing. The survey should be carried out by an independent highway maintenance consultant and extents agreed with Local Planning Authority.

Reason:



In the interests of highway safety in accordance with Policy MD2 of the Local Development Plan.

3. Within 3 months of completion of the development, a post construction condition survey, of the haulage and cabling route, informed by the details approved by condition 2, should be carried out and submitted to the Local Planning Authority for approval in writing. The Local Planning Authority will require at the developers expense, any remedial works, identified within this condition survey that the Local Planning Authority considers necessary as direct result of the works, to be carried out within 6 months of the completion of the development hereby approved.

Reason:

In the interests of highway safety in accordance with Policy MD2 of the Local Development Plan.

4. No construction work or deliveries associated with the development hereby approved shall take place on the site on any Sunday or Bank Holiday or on any other day except between the following hours: Monday to Friday 0800 – 1800, Saturday 0800 – 1300 unless otherwise first agreed in writing by the Local Planning Authority. Any piling associated with the development shall be limited to Monday to Friday between 09:00 and 17:00.

Reason:

In the interests of highway safety and to safeguard the amenities of local residents, and to ensure compliance with the terms of Policy MD2 of the Local Development Plan.

5. No external artificial lighting shall be installed during the operation of the site as a solar photovoltaic facility, unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and biodiversity interests and to ensure compliance with Policy MD1 & MD9 of the Local Development Plan.

6. Notwithstanding the submitted documents, prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing with the Local Planning Authority. The Strategy shall include details of the types of construction vehicles to be used, the times of operation, a route plan, as well as wheel washing, dust suppression measures, survey work of Gower Lane to identify passing places, forward visibility envelopes, localised improvements or conveying systems to facilitate the construction of the development and additional details of the provision and reinstatement post-development of the laydown area and any temporary passing bays. The development shall thereafter be constructed in accordance with the agreed Strategy unless the local planning authority agrees in writing to any variation. The development shall be implemented thereafter in full accordance with the approved amended Construction Traffic Management Plan.

Reason:

In the interests of highway safety and having regard to the nature of the rural roads in accordance with Policies MD2 and MD7 of the Local Development Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no fencing or means of enclosure other than those hereby approved, shall be erected within and along the boundaries of the site unless details of such means of enclosure have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of the character and appearance of the area; the ecology/biodiversity of the area; and historical interests in accordance with Policies MD2 and MD9 of the Local Development Plan.

8. No development shall commence on site until a detailed scheme for the surface water drainage of the site has been submitted and approved in writing by the LPA. If infiltration techniques are used, then the plan shall include the details of field percolation testing. Any calculations for onsite attenuation or discharge should also be included together with the details on the management of the drainage system. The works shall thereafter be carried out in accordance with the approved details.

Reason:

To prevent pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

9. Notwithstanding the submitted details, no development shall commence, including any works of demolition or site clearance, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:
  - i) the parking of vehicles of site operatives and visitors;
  - ii) site compound/laydown area to show appropriate provision for HGVs and temporary improvements to the proposed vehicular access, which shall include details of any widening of the entrance and carriageway, and vision splays in both directions together with details of the reinstatement of the associated land, any hedgerow removal and proposed replacement.
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v) wheel washing facilities;
  - vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
  - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - viii) hours of construction;

- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds;
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.
- xiv) the management of surface waters

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

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner, to ensure management of surface waters and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

10. Notwithstanding the submitted details, a revised Landscape and Ecology Environmental Management Plan (LEMP) shall be submitted to the local planning authority for their written approval prior to the commencement of any groundworks on site or any site clearance. This shall include, but not be limited to, additional details with regard to hedgerow management regime; the species and sourcing of additional/replacement hedgerow planting; details of the seed mix for grassland habitat to be created and revised details of control of weeds including brambles. The LEMP shall be fully implemented in accordance with the approved details and in accordance with the timescale as detailed in the approved LEMP.

Reason:

In the interests of safeguarding the ecology of the site and to ensure mitigation and enhancement of the ecological value of the site in accordance with Policy xxx of the Local Development Plan.

11. Within 3 months of the development hereby approved being operational, a post construction noise assessment shall be completed. The post construction Noise Assessment should be made available to the Local Planning Authority (LPA) within 28 days for approval in writing. Any necessary mitigation shown to be required by the post construction Noise Assessment shall be carried out and completed as per a timetable agreed with the LPA.

Reason:

To safeguard the living conditions of occupiers of neighbouring residential properties in accordance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

## RECOMMENDATION

- 1) That Members note and endorse the content of this report and the suggested conditions to be submitted as the Vale of Glamorgan Council's Local Impact Report to the Inspector considering the application as a DNS.

## REASON

- 1) To provide the Local Impact Report to the Inspector considering the application as a DNS, within the appropriate timeframe as required by the relevant procedure.