

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 24 JUNE, 2021

Page	Application	Location	Item No.	Description
PLANNING APPLICATIONS:				
P.52	2021/00536/FUL	Land at Tynywaun Farm, Newton	1.	Letter from applicant / agent requesting temporary consent or landscaping condition and officer's response.
CHAIRMAN'S URGENT:				
	2021/00001/DNS	Land at Brynwell Farm, Leckwith	2.	Additional report relating to secondary consent for battery storage associated with main solar farm application

MATTERS ARISING FOR COMMITTEE**COMMITTEE DATE : 24 June 2021**

Application No.: 2021/00536/FUL	Case Officer: Mrs. Helen Winsall
Location: Land at Tynywaun Farm, Newton Proposal: Retrospective planning permission for the erection of close board timber fence	

From: Alex Smith, Simply Planning (planning agent)

Summary of Comments: (letter also attached)

- Requests letter is circulated to members of Planning Committee in advance of the meeting;
- Provides additional photographs taken on 17th June 2021. Advises these show that significantly more growth of the hedgerow has occurred since late May and this will continue to occur in the summer months:





- Reiterates that he would be happy to accept a condition requiring the hedgerows to be retained to a height of 2 metres, once these have fully re-established again;
- In respect of concerns regarding how a condition could be enforced, suggests a landscaping scheme is required to be submitted for approval and implementation, should the hedgerow ever be reduced in size. An implementation condition could then be added requiring the trees in the scheme to be retained, or replaced if they are removed or failed;
- Also suggests that a temporary one year planning permission could be granted for the fence to test how the hedgerow would grow over the course of the next 12 months.

Officer Response:

The close-boarded fence is still visible within the above photographs, so this does not change the assessment within the report.

The suggestion for the submission and conditioning of a landscaping scheme if the hedge is reduced in size is noted. However, any new planting would take time to grow and establish with no guarantee it would to the extent that the fence is sufficiently screened. Therefore, this is not considered to resolve concerns regarding the enforceability of a condition to keep the hedge at a minimum height of 2 metres.

Similarly, the suggestion of a temporary consent would not resolve the above concerns.

Action required:

None



Mrs Helen Davies
 Planning and Transportation Services
 Vale of Glamorgan Council
 Dock Office
 Barry Docks
 Barry
 CF63 4RT

18th June 2021

Dear Helen

Town and Country Planning Act 1990 (as amended)
2021/00536/FUL - Tynywaun Farm, Newton
Application for Retrospective Planning Permission for the Erection of a Timber Fence

I have now had a chance to review the Planning Committee Report for the above application, as I understand it will be presented to planning committee on 23rd June 2021. I have registered to speak on behalf of Mr McCarthy and it would be much appreciated if this letter could be circulated to members of Planning Committee in advance of the meeting.

The photographs provided in the committee report consists of those submitted with the application and photographs taken in late May by the Council.

Please find enclosed photographs taken on 17th June 2021. These show that significantly more growth of the hedgerow in front of the fence has occurred since late May and will continue to occur in the summer months.

As outlined in our previous submissions, we would be happy to accept a condition requiring the hedgerows to be retained to a height of 2 metres to screen the hedges, once these have fully re-established again.

I understand that the Council has a concern about how such a condition could be enforced, but this would be simply done by requiring the submission of a landscaping scheme for approval and implementation, should the hedgerow ever be reduced in size.

The condition would be worded in a manner similar to a tree retention / replacement condition that is routinely used on all planning permissions where trees are required to be retained as part of a development, in case such trees are removed or fail due to works within the site.

In addition to the above, we would also suggest to members that a temporary one year planning permission could be granted for the fence. The purpose of this would be to test how the hedgerow would grow over the course of the next 12 months.

If the Council are not satisfied that sufficient growth has occurred over this time period to screen the fence from the public domain, then permission can be refused once the full impacts of hedgerow growth have been established and judged upon.

Photographs of Fence taken on 17th June 2021





I look forward to addressing the members of your planning committee on 23rd June. Please let me know if you have any questions in relation to the above or the photographs provided.

Yours sincerely



Alex Smith

Director

Enc.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 24 JUNE 2021

Application No.: 2021/00001/DNS	Case Officer: Mr. Robert Lankshear
Location: Land at Brynwell Farm, on land between the A4232 and Leckwith village Proposal: DNS/3261558 - Installation of a solar farm comprising ground mounted solar PV panels with a net installed generating capacity (AC) of up to 25 MW, including mounting system, battery storage units, inverters, underground cabling, grid connection hub, stock proof fence, CCTV, internal tracks and associated infrastructure, landscaping and environmental enhancements, for a temporary period of 40 years.	

From: Planning Officer

Summary of Comments: Supplementary note on impacts of Secondary Consent to DNS application relating to battery storage facility associated with proposed solar farm

Officer Response: Following correspondence with the Planning Inspectorate they advised that a separate note on associated impacts be produced. These impacts have already been considered cumulatively within the main Local Impact Report, already before members but a separate note has been provided to comply with relevant guidance.

Members are advised that this and the associated Local Impact Report has been submitted to PINS by the required deadline of 23rd 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.

THE VALE OF GLAMORGAN COUNCIL – ADDENDUM TO DNS LOCAL IMPACT REPORT – SECONDARY CONSENT FOR BATTERY STORAGE FACILITIES

PROPOSED SOLAR FARM AT LAND AT BRYNWELL FARM REF DNS/3261558

This is an addendum report to the Local Impact Report (LIR) submitted by this Council on 22 June 2021. It specifically addresses the Secondary Consent submitted with regard to the battery storage units accompanying the DNS application submitted under reference DNS3216558, as detailed within the Secondary Consent Statement prepared by the applicant.

PLANNING HISTORY

The table of applications produced the 'Planning History' section of the original LIR is relevant to the application site.

LOCAL DESIGNATIONS AND LOCAL DEVELOPMENT PLAN POLICIES

For Local Designations, and Local Development Plan Policies, I would refer you to the 'Site and Context' and 'Planning Policies and Guidance' sections within the original LIR.

COMMENTS ON SECONDARY CONSENT

Determination of the secondary consent application will be based on how the proposed battery storage area would impact upon those matters raised within the original LIR, including the following potential impacts:

- Visual and landscape impacts
- Impact upon historic environment
- Highways
- Ecological impacts
- Impact upon living conditions

The applicant's assessment of these impacts have been included within the wider submissions and additional noise surveys been prepared with regard to the particular impacts of the battery storage units themselves. Generally these and other matters have been considered holistically within the applicant's submissions and the Council's LIR.

Limited detail in terms of the form and appearance of the battery storage facilities themselves have been provided and as such it is difficult to quantify the visual and landscape impact related to the battery storage facilities in isolation. Similar comments are therefore made to other ancillary elements such as CCTV towers and other ancillary apparatus within the main LIR. Whilst from the submitted details, battery storage facilities would appear to be ancillary in terms of their scale, form and function to the wider solar farm development and would be contained within the south-easternmost field parcel of the wider site, it is difficult to quantify their individual visual impact without additional details. Owing to their suggested scale, setback and suggested screening, individually the battery storage area could have a neutral to minor negative impact upon the wider landscape setting.

The comments raised within the principal LIR are considered to be applicable to the cumulative impact of the proposed solar farm, inclusive of the issues noted above for the secondary consent with regard to other matters including highways, ecology and the historic environment. When considered in isolation the secondary consent for the battery storage unit

would likely result in neutral to minor negative impacts in these regards, given reduced comparable impacts with the overall solar farm proposed. These would include limited highways movements dedicated to the installation of the battery storage facility; smaller scale and lower visual prominence of battery storage facility when viewed from historic assets; and reduced land take and associated ecological impact. However, the individual impacts are not easy to quantify as they are considered holistically by the applicant within their submissions.

The requirement, location and form of the battery storage facility are linked to the wider use of the solar farm and noted by the applicant as an integral part of the planning proposal. As such the comments contained within the principal LIR are considered to be relevant to both the principal application and secondary consent for the battery storage facility given that it would appear to form part of and be viewed in the context of the wider solar farm. As such when considered cumulatively the secondary consent could result in potential negative impacts with regard to landscape and visual impact, highways, ecology and the historic environment subject to the further clarification detailed within the principal LIR. The LPA have nothing further to add to the comments raised within the principal LIR with regard to these matters.

With regard to the impact upon living conditions as a result of the secondary consent, this matter is explicitly referred to within the LIR, and is repeated below for ease of reference:

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.

The LPA have nothing further to add to the above comments contained within the LIR or the SRS comments with regard to noise included within Appendix A2 of the LIR. Noting the above, and subject to the conditions recommended within the original LIR, it is considered that the impacts of the battery storage facility, would likely have a neutral impact upon living conditions

of nearby receptors subject to suitable conditions including a post installation noise assessment as referred to within the principal LIR. The Inspector's attention is however drawn to the comments and associated noise rebuttal received by the LPA from occupiers of Beggan Farm and provided within Appendix A4 attached to the main LIR.