



# Craig y Perthi Solar Farm

## Environmental Statement

### Appendix 1.1 Newport City Council Pre-Application Response

Prepared for



JBM Solar Projects 25 Limited

July 2023  
3312-01-TA01-001



# Document Control

Revision	Date	Prepared By	Reviewed / Approved By
3312-01-TA01-001	July 2023	Steve Harding	Steve Harding

© AXIS P.E.D. Ltd 2023. All rights reserved.

This document and its accompanying documents contain information which is confidential and is intended only for the use of the client. If you are not one of the intended recipients any disclosure, copying, distribution or action taken in reliance on the contents of the information is strictly prohibited.

Unless expressly agreed, any reproduction of material from this document must be requested and authorised in writing from AXIS P.E.D. Ltd. Authorised reproduction of material must include all copyright and proprietary notices in the same form and manner as the original and must not be modified in any way. Acknowledgement of the source of the material must also be included in all references.



Well House Barns, Chester Road, Bretton, Chester, CH4 0DH

Camelia House, 76 Water Lane, Wilmslow, Cheshire, SK9 5BB

T: 0344 8700 007  
enquiries@axis.co.uk  
www.axis.co.uk

Ask for/Gofynnwch Geraint Roberts  
am

Our Ref/Ein Cyf PS/21/0258  
Your Ref/Eich Cyf

Tel/Ffôn 01633 656656

Direct Dial/Rhif Union 01633 210094

DX 99463 Newport (Gwent) 3

E-Mail/E-Bost [planning@newport.gov.uk](mailto:planning@newport.gov.uk)

Dafydd Williams  
RPS Consulting Services Limited

## Regeneration, Investment and Housing

Adfywio, Buddsoddi a Thai



Civic Centre/Canolfan Ddinesig  
Newport/Casnewydd  
South Wales/De Cymru  
NP20 4UR

25 January 2022

**By email only**

Dear Mr Williams

**PROPOSAL:** PRE-APPLICATION PLANNING ENQUIRY FOR A PROPOSED SOLAR FARM, BATTERY STORAGE, WILDLIFE ENHANCEMENT AREA AND ANCILLARY DEVELOPMENT

**SITE:** Land south of Castle Farm, Bishton, Newport

**APPLICATION TYPE:** Pre-app Stat Enquiry

I refer to your recent request for pre-application advice in respect of the above. In formulating this response I have had regard to comments obtained from the parties listed below:

- Newport City Council; Environmental Health Section (noise)
- Newport City Council; Ecology Officer
- Newport City Council; Landscaping Officer
- Newport City Council; Tree Officer
- Newport City Council; Highways
- Newport City Council; Public Rights of Way
- Newport City Council; Parks & Recreation

Outlined below is a preliminary assessment of the proposal, including an indication of the main issues that should be addressed should you choose to submit a formal application. Please note that the views expressed in this letter represent officer opinion only and cannot be taken to prejudice any formal decision of the Council in respect of

any application, on which a more extensive consultation would be carried out which may raise additional issues. In addition, the depth of analysis provided corresponds with the scope of information made available to officers.

### **Relevant Site History**

None.

### **Site Constraints / Designations**

- Flood Zone C1 – Defended floodplain
- Countryside
- Public Rights of Way (various), including a restricted by-way and a Green lane
- Protected Woodlands
- Protected Individual Trees
- Protected Tree Groups
- Sites of Importance for Nature Conservation (SINCs)
  - Ridings Wood
  - Craig y Perthi Wood
  - Craig y Perthi Field South
  - Craig y Perthi Field North
- SSSIs
  - Gwent Levels - Redwick & Llandeenny
  
- Accessible Natural Greenspace
- Ancient Woodlands
- Llanwern Park – Historic Parks & Gardens (Grade II)
- Scheduled Monument Bishton Castle (MM128)
- Listed Building –
  - Parish Church of Saint Cadwalladr's (Grade II)
  - Parish Church of Saint Mary's (Grade II)
- Various Historic Environment Records
- Archaeologically Sensitive Area – Gwent Levels
- Safeguarding of Mineral Resource (Sand & Gravel)
- Predictive Agricultural Land classification (Grades 3b & 4)

### **Relevant Policy Context and material considerations**

Relevant Policies of the adopted Newport Local Development Plan (2011-2026) are:

- SP1 – Sustainability
- SP3 – Flood Risk
- SP4 – Water Resources
- SP9 – Conservation of the Natural, Historic & Built Environment
- SP13 – Planning Obligations
- SP21 - Minerals

- GP1 – Climate Change
- GP2 – General Amenity
- GP4 – Highways & Accessibility
- GP5 – Natural Environment
- GP6 – Quality of Design
- GP7 – Environmental Protection
- CE4 – Historic Landscapes, Parks, Gardens & Battlefields
- CE6 – Archaeology
- CE10 – Renewable Energy
- T7 – Public rights of Way & New Development
- M1 – Safeguarding of Mineral Resource

Relevant Supplementary Planning Guidance is:

- Planning Obligations
- Wildlife & Development
- Mineral Safeguarding
- Trees, Woodland, Hedgerows & Development Sites

### **Officer Assessment**

#### **The Site**

The applicant describes the site as being:

*The site is located approximately 5 miles east of Newport City Centre on land around Bishton between the M4 and the Newport to Paddington main railway line, to the east and north of Llanwern and south of Underwood.*

*The site itself extends to approximately 230 hectares (568 acres) and consists of several parcels of land. The parcels are irregular in shape and comprise a series of agricultural fields of varying sizes. The site is bound by a mixture of mature woodland, trees and hedgerows.*

By definition the site is large and relatively variable across its extent in terms of topography and general character. However in broad terms the site has two main elements:

- Relict areas of the Gwent Levels in the southern part of the site area characterised by flat landscapes and drainage channels (reens). These channels may have significant ecological importance and some lie within an identified SSSI (Redwick & Llandevenny). These low lying areas have a high water table and may contain significant Archaeological remains and are identified as an Archaeologically Sensitive Area in the adopted Newport Local Development Plan 2011-2026 (NLDP).

- Areas of sloping farmland some within traditional hedged boundaries, other abutting woodlands with variable grazing uses and some arable use. Various public rights of way cross the site, including a Green lane and a restricted by-way. There are isolated large trees which appear to have been within hedgerows that have been subsequently removed.

The site is not subject to any landscape designations but is an attractive and varied rural landscape containing some local Ecological designations and protected woodlands some of which are identified as ancient and others of high amenity value (protected).

### The Proposal

The applicant describes the development as:

*The applicant proposes to develop a solar photovoltaic electricity generating station (or 'solar farm') with an installed generation capacity of approximately 100 MW, battery storage and associated ancillary development, including a 132 kV substation. The electricity generated would be enough to power approximately 44,000 typical family homes and result in an approximate saving of 3,000,000 tonnes of CO<sub>2</sub>, compared with generation from fossil fuels, while the inclusion of batteries ensures the maximum efficiency working with the electricity distribution system to enable surplus energy to be stored and released as needed. The point of connection is proposed to be located at existing Western Power Distribution substation to the west of the Uskmouth Power Station site, which would be connected to the site by a 10.5 km underground cable.*

*Solar farm: The main components of a solar farm are:*

- Solar panels and frames;
- Inverters;
- Transformers;
- Cabling; and
- Substation.

*Solar panels typically 'over sail' between 25% and 40% of the land which they occupy and are mounted on frames and arranged in series of rows approximately 5 or 6 m apart and up to a height of 3 m at the highest point and tilted southwards at an angle of 15-30 degrees. Panels will be situated approximately 5 m from any field boundaries with a further 2 m separation from any perimeter deer fencing. No significant ground works are required for the development – the support frame uprights are pile driven into the ground; 'string' inverters are usually mounted onto the support frames while some excavation is required for transformers' foundations.*

*Trenches of approximately 1 m deep and 50 cm wide are required for the underground cabling.*

*At this stage the technical requirements are being clarified and assessed but the proposal may include a 132 kV substation, which would comprise an open compound with support stanchions and cabling, located in the westernmost part of the site, near Llanwern. The substation's main structural elements can be painted in a warm, muted mid-tone neutral shade to ensure that they are visually recessive within the landscape.*

*The substation design will be confirmed by the Distribution Network Operator and is expected to sit within a 48 x 25 m area which will include hardstanding for the placement of the electrical components, enclosed within a 2.4 m tall security fence, painted in a shade of moss green and composed of an open steel mesh panel; as well as 4 m high control room buildings.*

*The solar farm will be enclosed by 2 m tall 'deer' fencing, situated approximately 5 m within the site from existing hedgerows with 3 m tall, inward facing unlit InfraRed security cameras in selected locations for health, safety and security purposes.*

*Battery storage: Containerised battery storage facilities are proposed around the site, away from houses and sensitive receptors, housed in enclosed metal containers measuring approximately 8 m length by 2.5 m wide and 2.9 m tall. These containers will be equipped with state-of-the-art monitoring and cooling equipment, ensuring their safety at all times, all year round.*

*The purpose of this energy storage facility will be to capture any unused or excess energy generation from either the solar panels and store it, which can then be released as necessary. This will maximise the efficiency of the project and the local electricity distribution network and ensure the electrical load profile can be managed to provide consistent distribution. The batteries can also take surplus electricity off the grid, at times of low usage and high generation elsewhere in Wales and release it back when the grid requires. This practice is called 'grid balancing' and will serve to aid the increasing deployment of renewable energy in England and Wales.*

*The battery storage is connected to the PV system via a transformer and cable route. The site will have a grid export capacity of 100 MW.*

*Wildlife enhancement area: An area within Llanwern Park may be taken out of agricultural use and proposed as a biodiversity/wildlife enhancement area.*

This seems a fair summary and the Council has nothing to add to it.

## **Assessment**

Key Issues are:

- Flooding
- Landscape & Visual Impact (sub-station)
- EIA
- Loss of Agricultural Land & Reversibility
- Public Rights of Way
- Archaeology / Historic Landscape / Historic Assets
- Noise
- Lifetime (40 years)
- Woodland / Hedges
- S106
- Required documents
- Glare & Glint
- Minerals
- Highways

### **Flooding**

Significant parts of the site lie in areas within defended floodplains, green on the plan extract below. These include areas identified for solar arrays and for the sub-station.

It has been generally held that solar arrays are less vulnerable development for flood purposes on the presumption they do not exclusively serve essential infrastructure that cannot be allowed to fail.

The position regarding the substation / grid connection yard (battery storage area?) is more opaque and could be classed as highly vulnerable development (power stations). Some consideration should be given to this issue in any submitted application.

Currently the development would be tested against the current technical Advice Note 15 (Flooding) but consideration should be given to the length of the application process and the need to address the 'new' TAN 15 - Flooding and Coastal Erosion which will come into effect on 01 June 2023.

Currently the development within flood vulnerable locations will need to address the justification tests at Paragraph 6.2 of the current TAN 15 and show that they are passed. A Flood Consequences Assessment will be required to show that:

*The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.*

However the first three elements of the relevant tests should be addressed before the Technical assessment is completed.



The applicant may find it useful to consider the conclusions of the Inspector in DNS submission APP/G6935/A/16/3150137, Paragraph 121 onwards and her approach to these issues and also decision DNS/3216558, Paragraph 283 onwards which replicates that reasoning; broadly speaking that large scale solar is an exception to the TAN proscriptions and the failures of the justification tests are of no weight subject to the FCA showing the effects of flooding are manageable.

In terms of run-off the site will remain primarily grassed and the impacts of run-off from the panels should be minimal. However any areas of significant hard standing such as access tracks and the grid yard may need some attenuation measures and consideration of run-off and means to deal with it should form part of any submission.

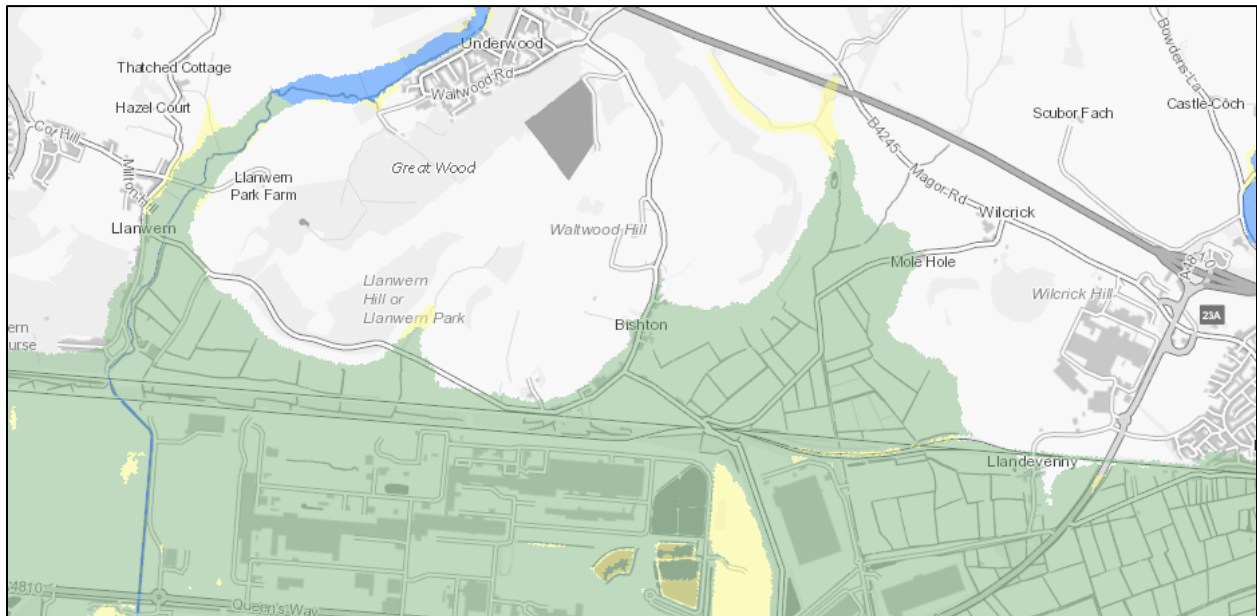
The flood plain areas to be developed form part of the historic Levels landscape but generally the drainage elements of that landscape are frequently in poor condition having lacked any meaningful maintenance for decades. As such reens maybe heavily choked by sediment or shaded out by tree lines that have grown within the reens. Other reens have simply been in-filled or cut off from the wider drainage system by un-culverted cross-overs or other poorly conceived development. The same can be true of the 'grips' (swales within fields) that formed an integral part of the drainage within the area.

In essence any measures to repair / restore the historic drainage system would be welcomed and any further damage must be avoided. Clearance of tree lines / hedges can have significant ecological benefit by restoring open water environments and removing shading. However this must be balanced out against the existing ecological value of such tree / hedge features (bats / birds) and appropriate survey data and early advice from ecologists is essential in relation to any restoration of the drainage system. The advice of the Cyfoeth Naturiol Cymru / Natural Resources Wales (CNC/NRW) should be sought at an early stage in relation to issues regarding the hydrological and ecological elements of the reen system and other drainage elements. This is especially true within the SSSI area but good practice should follow across all of the relict Levels affected by the scheme.

The scheme should consider all possibilities for restoration of the Levels landscape which may have clear drainage benefits and wider value in terms of ecological interests and the wider landscape.

In terms of general reen maintenance corridors should be left at least 7m wide along minor reens and 12m along major reens to allow machine access for cleaning purposes given the long lifetime of the development proposed.

## CNC/NRW Development Advice Map, Accessed (31.01.2022)



### Bio-diversity Avoidance, Mitigation, Compensation & Enhancement

Baseline assessments of the current ecological position on the site should be ascertained. This includes the proposed enhancement areas

The Council's Ecologist has commented at some length on this point in his response and his comments should be fully taken into account in any submission made.

The baseline assessment will give the essential information to apply the relevant policy tests in regard to bio-diversity interests. That is avoid, mitigate and compensate.

Relevant local policy is GP5 (Natural Environment) underpinned by the 'Wildlife' SPG with the Local Biodiversity Action Plan ([Newport-Local-Biodiversity-Action-Plan](#)) providing a strategic level assessment to guide enhancement.

It is likely that the agricultural fields in themselves will offer little in terms of bio-diversity value with significant opportunities for enhancement in field verge areas and track edges. This will also aid in 'stand-off' from woodland edges or other sensitive boundaries, SINC's for example.

These verges could support significant elements of the LBAP proposals and offer significant enhancements unto themselves subject to appropriate management and this should be considered as part of any submission.

Policy GP5 supports increased connectivity. A simple walk over of the site and an examination of aerial images shows hedges on the site are gappy and restoration of hedge runs and beneficial management such as 'laying' should be considered.

National policy embeds the principle of net-benefit or ecological enhancement as part of any planning submission. This proposal offers significant scope for net-benefit, some of which could arise from the fairly simple measures described above alongside good management.

Species specific measures are likely to flow from the survey effort and should not be discounted if omitted from this advice.

The proposed enhancement area appears to be an area of semi-improved grassland. It is important that this area is carefully assessed for its current potential prior to any commitment to wholesale ecological change in this part of the site. Enhancements will have to be linked back to the current environmental conditions and carefully justified. As noted above there are likely opportunities for enhancement within the main body of the scheme and these should be explored.

It should be noted that avoidance remains the bedrock of ecological policy and the submission must demonstrate that valuable existing features are not being unnecessarily lost or damaged.

Any ecological assessment should ascertain what links the site has to the European sites in the Severn Estuary. This is likely to be feeding opportunities for species associated with that designation. Should any clear link with the European site be established then it will be necessary for the determining authority to undertake an Appropriate Assessment. Relevant information to allow this should be in place and if 'scoped' out then the reasoning for this should be made clear in any submission.

On this point linkages between sites, including those defined at local level (SINCs) as well as national or international sites should be established and left uninterrupted or ideally enhanced by the development. Designated sites do not exist in isolation and inter-connectivity must be supported.

#### Landscape & Visual Impact (sub-station)

The visual and landscape impact of the development will be significant due to its scale and the nature of the development. It is vital that this is fully assessed through a Landscape & Visual Impact Assessment (LVIA). This must address all elements including the sub-station which appears to have been omitted from the suggested viewpoints. Given its location near to Llanwern Village it will be prominent to sensitive observers (dwellings) and should be considered.

I would suggest some consideration is given to long views from the seawall over the Gwent Levels Special landscape Area from the All Wales Coastal Path and the likely impact on amenity of users of that important route.

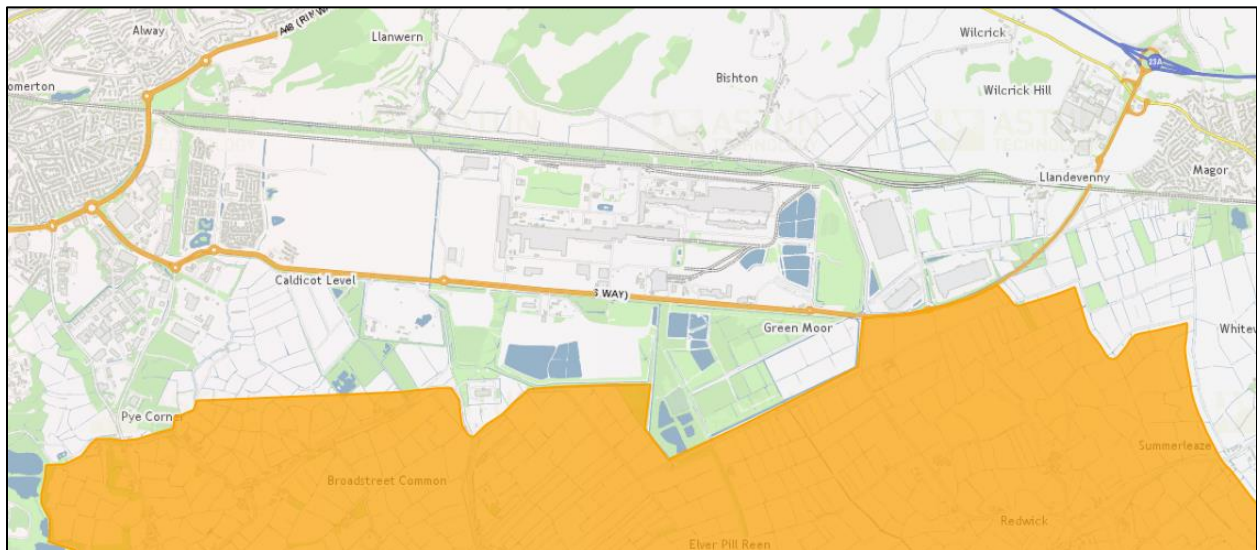
Likewise the South Wales Main Line railway and National Cycle Network Route 4 should be considered in the assessment given their closeness to the site.

Cumulative and Serial visual impact are relevant given the installation of the DNS scheme on the eastern Levels approved under APP/G6935/A/16/3150137 and these should be taken into account in the LVIA.

Cyfoeth Naturiol Cymru's Landmap data base must be addressed as part of any LVIA. CNC/NRW offer advice on the use of Landmap in the preparation of LVIAs, see:

[Natural Resources Wales / Using LANDMAP in Landscape and Visual Impact Assessments GN46](#)

The site is detached from the registered Gwent Levels historic landscape:



However it is clear that views from public viewpoints on the site overlook the Historic Landscape and will impact on the perception of that landscape. Likewise reverse views across the landscape towards the site will be impacted (see comments on views across the Gwent Levels Special Landscape Area which is broadly analogous with the Historic Landscape). The landscape impact on this area and impacts on views of this area should be considered in the LVIA or any historic assets assessment if one is provided separately.

Parts of the site itself share characteristics of this Levels landscape and as noted in the flooding section of this response maintenance and restoration of these areas should be considered.

I would suggest longer views from the south and views from Llanwern Village in the west should be added to the LVIA viewpoints. Some assessment of the views on Saint Cadwaladr's Church would also be required in my view.

The Landscape Officer has offered advice on the completion of the LVIA which should be taken into account.

## EIA

I would advise a scoping opinion is sought from PEDW prior to submission.

## Loss of Agricultural Land & Reversibility

It seems likely that soil quality will be outside the protected grades (1-3a), see Planning Policy Wales (Edition 13) Paragraph 3.58 onwards.

However this should be established so the application can be assessed against the correct policy environment.

Previous appeals (Llanvapley) have established higher grades may be developed for solar subject to a demonstration of reversibility. In my view this should be addressed in any submission and will likely be secured under a CEMP / decommissioning conditional environment.

I would stress that even on lower agricultural grades, given the limited life of solar that reversibility is demonstrated. I consider significant and unacceptable harm would accrue if the site is in effect sterilised or severely limited for future agricultural operations by the development. I consider demonstration that below ground elements can be successfully removed to allow future ploughing to be necessary.

In the event reversibility can be shown then any objection on the grounds of soil loss should fall away.

## Public Rights of Way

Several Public Rights of Way (PRoW) cross the site. Under a simple assessment these should be maintained.

However I would suggest some consideration be given to a rationalisation of these routes if this would give an improved user experience, for example allowing wider corridors less hemmed in by solar arrays and a reduction in the levels of fencing required to secure the arrays.

I note this would be subject to other legislation and may not be achievable.

The LVIA should consider the impact on users of these routes.

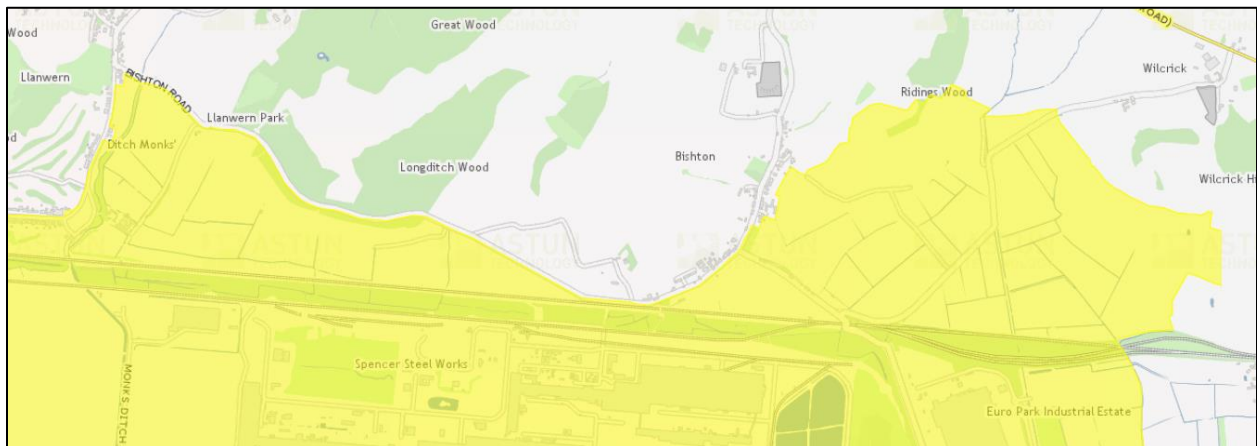
## Archaeology / Historic Landscape / Historic Assets

The Levels parts of the site fall within an Archaeologically Sensitive Area. The generally high water tables in these locales leads to anaerobic conditions and high levels of preservation of organic material. There is a strong likelihood of preserved archaeology in these areas.

The banks of former pills (river courses) now lost under the reclaimed moors can be particularly rich in archaeological terms and ideally these should be identified due to their greater potential for archaeology.

An assessment for the potential of the scheme to impact on below ground archaeology and how that might be mitigated should be provided in my view.

## Archaeologically Sensitive Area (iShare extract)



The site falls outside the area identified as Historic Landscape in the adopted Newport LDP.

However the Glamorgan & Gwent Archaeological Trust has identified part of the site as HLCA 09: Green Moor. See [Gwent Levels Main \(ggat.org.uk\)](http://ggat.org.uk) and [Gwent Levels Main \(ggat.org.uk\)](http://ggat.org.uk).

GGAT identify this area as:

*Though once a common type of field pattern, the distinctively homogeneous back-fen landscapes are now rare. Areas north and east of the Gwent Europark are typical, in good condition and retain the original fen-edge. There are fine views of the adjacent uplands, though the area south west of Llandevenny village is over-shadowed by the Gwent Europark. Overall, the eastern and northern areas have a very high integrity and coherence.*

Which is to say sections of the application site are identified as high quality in terms of the Gwent Levels Historic Landscape. I would advise the principles of ASIDOHL 2 are

applied to the relevant sections of the development site, see [Guide to Good Practice 07 ENG AW 14.03.07:CADW.3 GGP/English P3 v.1 \(gov.wales\)](#)

This is significant in terms of this application given the Ministerial Decision on DNS/3216558 where the Minister found that harm to the Historic Landscape was unacceptable and outweighed the acknowledged benefits of the scheme and therefore proceeded to refuse permission.

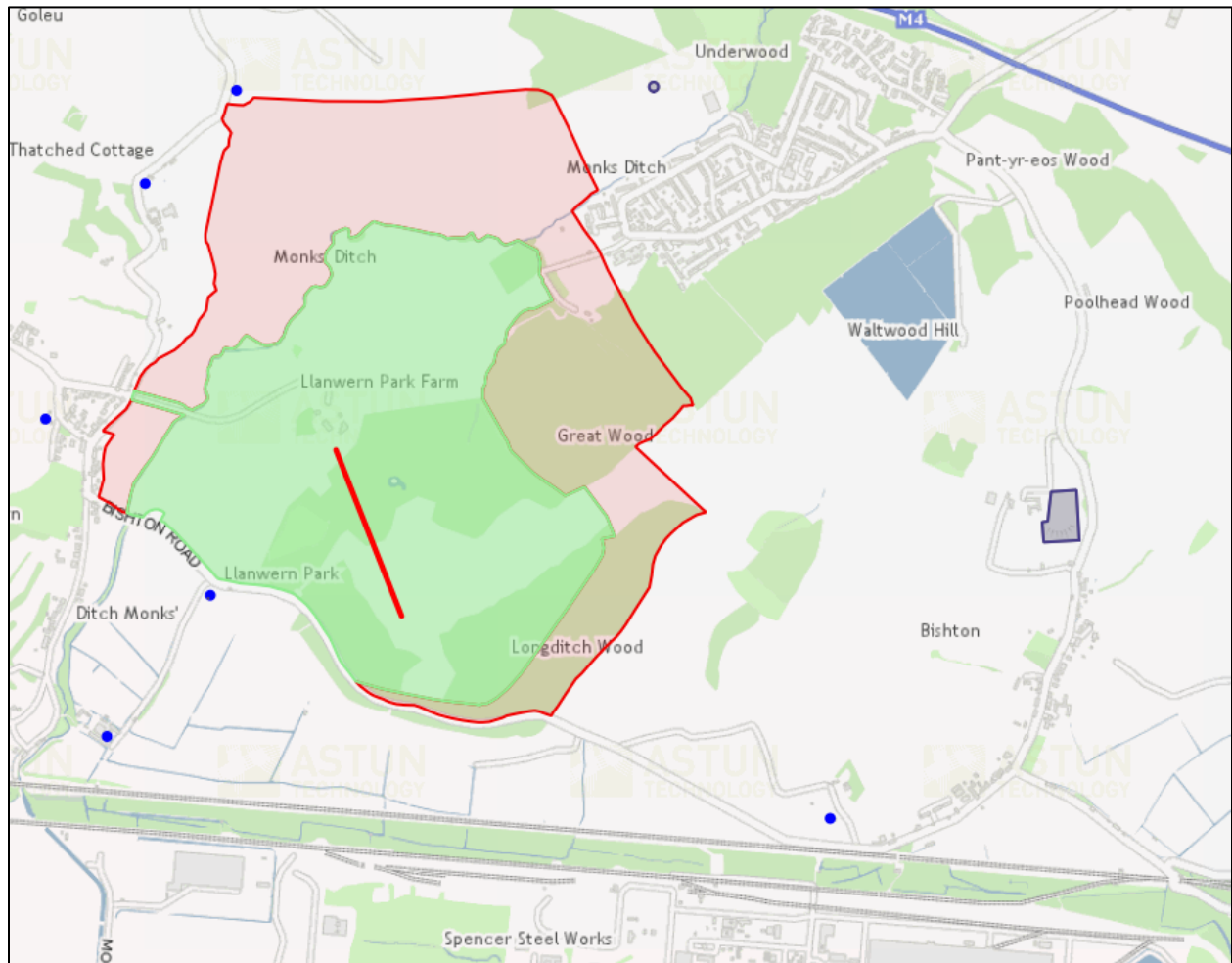
The relevant ASIDOHL for that application can be seen at: [DNS-3216558-000026-Environmental Statement – Vol II - Appendix 9.2 01384A - Wentlooge ASIDOHL V3.pdf \(planninginspectorate.gov.uk\)](#)

As such notwithstanding the decision in relation application APP/G6935/A/16/3150137 , Paragraph 276 onwards, in which permission for a solar DNS was granted on the eastern Levels there should be significant concerns on the impact of the proposal on valued historic landscape.

I would note that two different ASIDOHLs arrived at distinctively different conclusions in regard to impact on historic landscapes that are broadly similar. This is likely to be a key issue in any assessment and the ASIDOHL will need to be demonstrably robust and shown to be consistent with the preferred methodology.



Llanwern Park – Historic Park & Garden & Bishton Castle Scheduled Monument (iShare Extract)



The proposal is likely to have a significant impact on Llanwern Park, see [Llanwern Park, Garden, Llawern | Coflein](#)

The proposal will have direct impact on the Park and will affect key views of the site, note dark red line on the plan extract above. All of these should be carefully assessed.

The proposal will impact on the setting the Bishton Castle Scheduled Monument (MM128). This should be assessed.

Long views from PRow's on the site take in MM127 Wilcrick Hill and MM202 Deserted Medieval Village and the impact on these should be assessed.



Key Listed Buildings affected would be the Church of Saint Cadwaladr and the Church of Saint Mary and its associated cross (MM324) and potentially the barn at Barn Farm. All of these should be considered in any assessment.

### Noise

The Council's Environmental health Section advise further assessment of noise impact is required subject to detailed design so there can be confidence that appropriate noise standards can be met in relation to dwellings and the general noise environment. It is highly likely noise levels would be subject to a conditional regime.

Planning Policy Wales Edition 13 (PPW13) introduces the idea of soundscapes. Notwithstanding the presence of major transport infrastructure (railway) and major industrial development (retained Llanwern Steelworks) I would characterise the site as rural with an appropriately quiet soundscape. This should be preserved and the submission should demonstrate that it is.

### Lifetime (40 years)

There is no certainty over what temporary means in planning terms. It is clear that a 40 year lifespan pushes the limit of what might be considered temporary. In decision DNS/3216558 the Minister concluded:

*As the Inspector states at IR 243, whilst the main impacts would be reversible, it would exist for 40 years. **This is the equivalent of two generations, a significant period during which an appreciation of the outstanding historic quality of the landscape would be affected. I agree this is a significant harmful impact whilst recognising in relation to the Gwent Levels the extent of that harm is relatively localised.***

The Council has consistently stressed that the 'temporary' harm over a 40 year period would not outweigh significant harms from such schemes. The Minister has effectively endorsed this approach. In effect they are not temporary for the purposes of planning assessment in my view.

### Woodland / Hedges

Significant parts of the site will have woodland edge or be bounded by hedgerows. Additionally large individual trees are present. All of these should be accommodated within the layout. Significant trees that make a valuable landscape contribution and will do beyond the life of the scheme should be retained. Any felling, lopping or topping would not be supported.

Any submission should be fully supported by a relevant Tree Survey, see the Council's 'Trees on Development Sites' SPG.

A 5m buffer is advised from existing woodland edges but as noted consideration to wider buffers should be given as possible enhancement areas and corridors for improved connectivity.

It is expected that existing accesses will be co-opted to get materials on to the site. This may require visibility splays to be opened up. This should be assessed at an early stage in order to minimise the loss of mature hedgerows

### S106

This submission has not generated any S106 requirements but potentially works in the highway may be required or to secure compensation if any identified areas are outside the applicant's ownership.

### Required documents

See body of text above for other likely assessments required in addition to those cited in *JPW1706 Craig y Perthi Pre-Application Advice Service Request Letter*. It should be noted that ultimately the arbiter of the submission documents required will be PEDW and it is essential in my view that you seek a scoping opinion from them at an early stage. I also strongly advise that you engage with PEDW in regard to the general DNS procedure and seek whatever advice they are prepared to offer. See [Developments of national significance guidance: the pre-application stage | GOV.WALES](#)

### Glare & Glint

I would advise that a Glare and Glint assessment is provided potentially as part of an overall visual impact assessment. Key concerns are likely to relate to railway infrastructure and potentially flight routes.

### Minerals

Parts of the site are safeguarded for minerals (sands & gravels). Compliance with Policy M1 of the adopted NLDP should be demonstrated. The relevant policy reads:

Development that would be incompatible with safeguarding hardrock or sand and gravel resources within the mineral resource areas as shown on the proposals map will not be permitted unless:

- i) the developer can demonstrate that working the resource is economically or physically impractical or would be environmentally unacceptable; or
- ii) the mineral resource will be extracted satisfactorily before the development is undertaken; or
- iii) the development is of a temporary nature and can be completed and the site returned to a state that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- iv) there is an overriding need for the proposed development; or

v) the development constitutes householder development or would constitute limited infilling within an existing built up area.

I would conclude Part iii of the development is the most relevant and should be addressed in the submission.

### Highways

The Highways Officer has commented on this submission and has offered advice that should be taken into account in any submission. This includes a Construction Traffic Management Plan.

I would suggest that Highways impact might be minimised by the identification of accessible laydown areas and the use of temporary haul roads within the site. The potential impact of these construction phase roads should be fully assessed.

### **Conclusion**

Currently I could not support the proposal given gaps in the submitted information currently before me. That said it is unlikely that the Council will venture an opinion either way through the DNS process unless the Planning Committee should resolve to support or object to the scheme. It is likely that the Council will adopt an entirely neutral response via any Local Impact Report it may produce.

Clearly the scheme would enjoy significant Policy support and could deliver significant benefits primarily through the generation of low carbon electricity. Likely increases in demand for electricity are noted as transport and other energy consumers switch to low carbon sources.

Primary concerns relate to matters that cannot be effectively mitigated, Landscape & Visual Impact, Impact on Historic Landscape and other Historic Assets and impact on buried archaeology.

Flooding is likely to be capable of mitigation notwithstanding the inability of such schemes to meet the relevant justification tests. Additional control over run-off may be needed in regard to certain element of the scheme.

Relatively simple measures should enable ecological avoidance, mitigation and compensation with scope for real enhancement subject to careful design and suitable land management going forward.

Full reversibility must be demonstrated in my view with below ground elements capable of removal so the agricultural potential of the site can be fully restored if necessary.

### **Dwr Cymru / Welsh Water (DCWW)**

Dŵr Cymru Welsh Water is a statutory consultee in the planning process and we would encourage all developers to engage with Welsh Water as early as possible in order to address any issues that may arise during the planning/construction process. Dŵr Cymru operates a pre-planning advisory service in order to assess the impact of the proposed development on drainage interests and a written response will be provided. This services operates for a fee and can be submitted via an online enquiry form at <http://www.dwrcymru.com/en/Developer-Services>. Further information can be obtained from the dedicated team of planning officers at Dŵr Cymru on 0800 917 2652.

### **SUDs**

In May 2018, Schedule 3 of the Flood & Water Management Act was implemented. Schedule 3 requires sustainable drainage (SuDs) on all new developments serving 2 properties or more and local authorities are to become a Sustainable Drainage Approving Body (SAB).

Schedule 3 of the Act requires surface water drainage for new developments to comply with mandatory National Standards for SuDs. It also requires surface water drainage systems to be approved by the SAB before construction work with drainage implications may begin. Provided National Standards are met, the SAB would be required to adopt and maintain the approved SuDs that service more than one property.

Notwithstanding the requirement for SUDs approval, surface water drainage remains a planning matter and your submission should show how disposal of surface waters is to be achieved.

For further advice, see: [Sustainable drainage systems \(SuDS\): guidance | GOV.WALES](#)

### **Confidentiality**

While the Council will endeavour to keep pre-application enquiries confidential you should be aware that if for any reason any request for submitted information to remain confidential is subsequently found to be inadequate by the Information Commissioner, following any request under the Freedom of Information Act 2000, the Council will not be held responsible.

### **E-planning**

We strongly encourage you to submit your application and other documents to PEDW / the Council electronically. This will save money on printing costs and travelling/postage and will speed up the processing of your submission.

Please contact myself to discuss any of the above further.

Yours sincerely

*Geraint N. Roberts*

**Geraint N. Roberts**

***Prif Swyddog Cynllunio / Principal Planning Officer***

***Tîm yr Dwyrain / East Team***

***Adfywio, Buddsoddi a Thai / Regeneration, Investment and Housing***

***Cyngor Dinas Casnewydd / Newport City Council***

Attached:

- Newport City Council; Environmental Health Section (noise)
- Newport City Council; Ecology Officer
- Newport City Council; Landscaping Officer
- Newport City Council; Tree Officer
- Newport City Council; Highways
- Newport City Council; Public Rights of Way
- Newport City Council; Parks & Recreation

Documents considered:

- Craig y Perthi – Typical Fixed Design 99.9MW Rev. A
- Ecological receptors (habitats and species) Craig Y Perthi Solar August 2021
- Viewpoint Location Plan Figure A
- Drawing JPW1706-001 – Designations Map
- Landscape and Visual Impact Assessment (LVIA) – Input into Scoping Report (August 2021)
- Drawing RL J026A-1 – Planning Red Line Area
- Figure 4a-c – Viewpoint 2
- Figure 5a-c – Viewpoint 3
- Figure 6a-c – Viewpoint 3 (?)
- Figure 7a-c – Viewpoint 4
- Figure 8a-c – Viewpoint 5
- Whitson Solar Farm HIS (Habitat Suitability Index)
- JPW1706 Craig y Perthi Pre-Application Advice Service Request Letter
- Request for pre-application services in relation to a proposed Development of National Significance