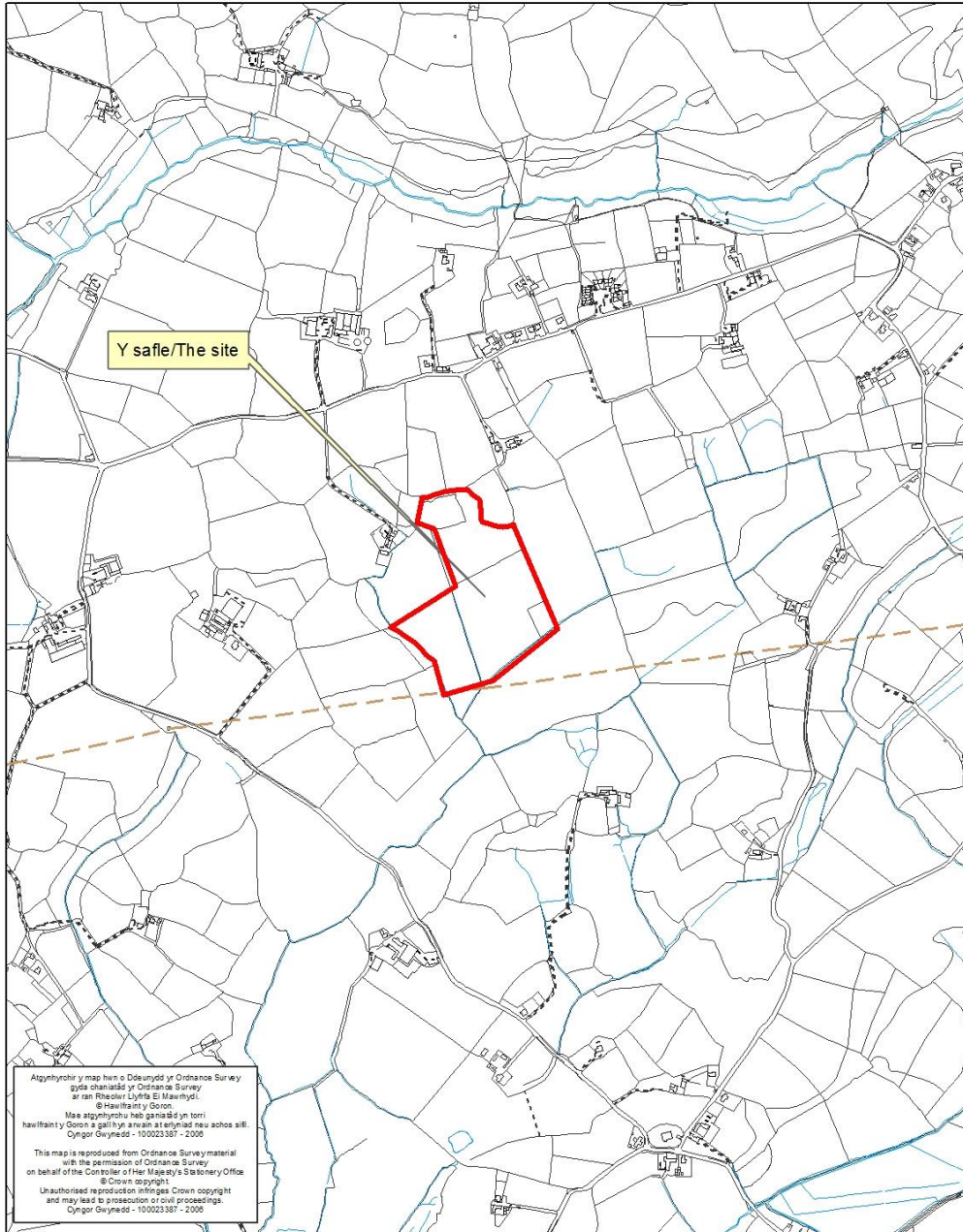


Number: 6



Rhif y Cais / Application Number : C15-0755-41-LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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Application Number: C15/0755/41/LL
Date Registered: 19/08/2015
Application Type: Full - Planning
Community: Llanystumdwy
Ward: Llanystumdwy

Proposal: INSTALLATION AND OPERATION OF PHOTOVOLTAIC (PV) SOLAR FARM ON 6.9 HECTARES OF AGRICULTURAL LAND, ALONG WITH ANCILLARY EQUIPMENT, SECURITY FENCE, CCTV, COMPOSTING TOILET, TRANSFORMER STRUCTURES / CABINS, STORAGE, SUB-STATION AND MANAGEMENT AND CREATION OF NEW TRACK.

Location: TYDDYN GWYN, LLANGYBI, PWLLHELI, LL536DQ

Summary of the Recommendation:

TO DELEGATE THE RIGHT TO APPROVE

1. Description:

- 1.1 This is an application for the installation of photovoltaic (PV) solar panels on agricultural land in order to create a 3.8MW solar farm, along with supplementary works including the installation of ancillary equipment, a security fence, CCTV, a composting toilet, structures / cabins for transformer equipment, storage, a sub-station and the management and creation of a new track.
- 1.2 The application site measures approximately 6.9 hectares and it includes grade 4 grazing lands located on relatively level plateau approximately 270m to the south-west of Ysgol Gynradd Llangybi. The site is in open countryside in the undulating landscape between the higher grounds in the centre of Llŷn and Cardigan Bay. The site's fields and other fields in the vicinity are enclosed by *cloddiau* and hedges.
- 1.3 The application is made for a temporary period of 30 years and 6 months (30 operational years and 6 months for decommissioning). The reasons below were stipulated for extending the period from the customary period of 25 years for such developments:
 - Solar panel technology has improved and has ensured that they are more efficient for a longer period of time.
 - The public financial support is in decline and means that more time is needed to repay the original costs.
 - The national energy policy seeks to ensure the maximum of renewable energy and it would not be reasonable to decommission equipment that continues to work efficiently.
- 1.4 The site is located approximately 4km to the south of the Llŷn Area of Outstanding Natural Beauty and 1.7km to the east of the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest. There are a number of listed buildings within a kilometre of the site, including Plas Du, Llanystumdwy and Sant Cybi and Sant Garmon Churches (all three being Grade II* listed), and the Listed Monuments of Ffynnon Cybi and Garn Bentyrch are less than 1.3km to the north-east of the site.
- 1.5 Public footpath 17 in the community of Llanystumdwy runs along the eastern boundary of the site.

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1.6 The solar park would generate 3.8MW of electricity for the National Grid. The development would include the following elements:

- PV panels laid out in rows across the site from west to east. Every panel will be mounted on a steel or aluminium framework and the height of any installation will be limited to 2.3m above ground level. The panels will be installed on an angle of between 20 and 30 degrees to the horizontal and the rows will be installed separately which means that approximately 33% of the surface area of the site will be covered with panels.
- Two inverter stations measuring 4.5m x 1.6m and 3m high. The buildings would be in the form of a box with a flat roof and set on a concrete base.
- Two transformers that will either be located in a building similar to the inverter stations or inside a fenced compound.
- Two substation buildings to connect to the network.
- A communication building in box form measuring 3.7m x 3m x 2.6m high.
- A deer anti-stock security fence measuring 2m high encompassing the site.
- CCTV cameras mounted on poles measuring 2.4m high around the site.
- A composting toilet for staff and visitors.

1.7 The following documents have been submitted as part of the application:

- Planning, Design and Access Statement
- Initial Ecological Assessment
- Assessment of Ecological Impacts
- Badger Report (Confidential)
- Soils and Agricultural Land Classification Report
- Geophysical Assessment
- Archaeology and Cultural Heritage Assessment
- Transport Assessment
- Building Control, Decommissioning and Transport Method Statement
- Flood Impact Assessment
- Community Involvement Statement
- Landscape and Visual Impact Assessment
- Site Waste Management Plan

1.8 This proposal has already been screened under reference C15/0602/41/SC and it was confirmed that no Environmental Impact Assessment was required in this case.

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

STRATEGIC POLICY 9 – ENERGY - Development proposals to provide energy from renewable sources will be approved provided they do not significantly harm the environment or the amenities of nearby residents.

POLICY A1 – ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS

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Ensure that sufficient information is provided with the planning application regarding any environmental impacts or other likely and substantial impact in the form of an environmental assessment or assessments of other impacts.

POLICY A3 – PRECAUTIONARY PRINCIPLE

Refuse proposals if there is any possibility of serious or irreversible damage to the environment or the community unless it can be shown conclusively at the end of an appropriate impact assessment that the impact can be negated or mitigated.

POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF LISTED BUILDINGS

Ensure that proposals have no effect on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

POLICY B7 – SITES OF ARCHAEOLOGICAL IMPORTANCE

Refuse proposals which will damage or destroy archaeological remains of national importance (whether scheduled or not) or their setting. It also refuses any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

POLICY B15 – PROTECTION OF INTERNATIONAL NATURE CONSERVATION SITES

Refuse proposals that are likely to cause significant harm to the integrity of nature conservation sites of international importance unless they conform to a series of criteria aimed at managing, enhancing and protecting the recognised features of such sites.

POLICY B16 – PROTECTING NATIONALLY IMPORTANT NATURE CONSERVATION SITES

Refuse proposals that are likely to cause significant damage to nature conservation sites of national importance unless they conform to a series of criteria aimed at protecting, enhancing and managing recognised features within the sites.

POLICY B17 – PROTECTING SITES OF REGIONAL OR LOCAL SIGNIFICANCE

Refuse proposals that are likely to cause significant harm to sites of regional or local significance unless they conform to a series of criteria aimed at protecting, enhancing and managing recognised features within the sites.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT

Proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats will be refused unless they can conform to a series of criteria aimed at safeguarding the recognised features of the site.

POLICY B22 – BUILDING DESIGN

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

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POLICY B23 - AMENITIES

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

POLICY B25 - BUILDING MATERIALS

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B27 – LANDSCAPING SCHEMES

Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY B29 – DEVELOPMENTS ON LAND AT RISK FROM FLOODING

Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A, unless they conform to a series of criteria that are relevant to the features on the site and to the purpose of the development.

POLICY B32 - INCREASING SURFACE WATER

Refuse proposals that do not include appropriate flood minimisation or mitigation measures that will reduce the volume and rate at which surface water reaches and flows into rivers and other water courses.

POLICY B34 – LIGHTING AND LIGHT POLLUTION

Ensure that proposals do not significantly harm the amenity of neighbouring land uses and the environment.

POLICY C1 – LOCATING NEW DEVELOPMENT

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY C27 – RENEWABLE AND SUSTAINABLE ENERGY SCHEMES

Proposals for renewable energy and sustainable energy management schemes will be approved provided that a series of criteria relating to the impact on the visual quality of the landscape and environmental and social factors can be met.

POLICY C28 – SAFEGUARDING AGRICULTURAL LAND

Proposals which would lead to the loss of grades 1, 2 or 3a agricultural land will be refused unless it can be shown that there is overwhelming need for the development, and proved that there is no previously developed land available and that there is no land of lower agricultural grades available apart from land of environmental value which outweighs agricultural considerations.

POLICY CH33 – SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

2.3 National Policies:

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Technical Advice Note 8: Renewable Energy (2005)
 Technical Advice Note 12: Design (2014)

3. Relevant Planning History: No relevant planning history.

4. Consultations:

Community/Town Council: No objection

Transportation Unit: No objection in principle.

Comments

- Recommend signing and using a single access route to the site, namely from the north of the A499, rather than the two proposed.
- Recommend that the applicant signs an extraordinary traffic agreement before commencing the work.
- The applicant needs to undertake a structural survey of both bridges on either side of Pencaenewydd before commencing the work.
- Other standard conditions and notes

Footpaths Unit:

Comments

It must be ensured that public footpath 19 in the community of Llanystumdwy is protected as it abuts the site.

Natural Resources Wales:

No objection

Comments

After studying the Flood Consequence Assessment, the risk of flooding deriving from the development is acceptable. Suggest a condition requesting a Soil Management Plan before commencing the development. The Site Waste Management Plan is acceptable on the whole.

Welsh Water:

No objection, but propose conditions as a main pipe runs through the site.

Flood Risk and Coastal Erosion Management Unit:

Comments

Propose standard conditions to protect watercourses.

Biodiversity Unit:

Comments

- The site includes habitats of high biodiversity value such as approximately 2.0 ha of rush pasture which is a habitat of national value, and 0.2 ha of wet heath, which is a habitat of European value.
- The development avoids the regional Wildlife Site located to the south.
- Many protected species are to be found on the site, including lizards, vipers, larks, the grasshopper warbler and the badger.
- It is likely that short/medium term harm will be caused to the protected habitats.
- Discussions are ongoing to ensure a Biodiversity

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Management Plan to ensure that the importance of biodiversity is protected in the site and in the surrounding area.

- If agreement can be reached on appropriate mitigation and management measures, there will be no objection to the development from a biodiversity perspective.

Gwynedd Archaeological Planning Service:

Comments

The archaeological surveys undertaken identified that there were some archaeological features on the site but those are not very significant. However, a planning condition is required to ensure that the mitigation plan is introduced and agreed upon before any works are commenced on the site.

Public Consultation:

A notice was posted on site and in the local paper and nearby residents were informed. The consultation period has ended and the following observations were received in relation to the application.

Observations (Campaign for the Protection of Rural Wales)

The visual impacts from the surrounding roads will be low but there would be a significant impact on the public footpath nearby. The main concern is the impact from land above the site - in particular from Garn Bentyrch.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy C1 of the Unitary Development Plan relates to locating new developments, and states that land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan. Developments to generate renewable energy that use natural resources are specifically noted as developments that could be suitable if approved by another policy in the Plan; therefore, it is considered that the proposal complies with the requirements of the policy in this way. Nevertheless, the policy proceeds to state that new buildings, structures and ancillary facilities in the countryside will be strictly controlled and that a good visual relationship between them and existing developments should be ensured wherever possible. This is assessed in accordance with those relevant policies below.
- 5.2 Policy C27 of the Unitary Development Plan relates to renewable and sustainable energy schemes, and proposals for renewable energy and energy management schemes will be approved provided that a series of criteria relating to the impact on the visual quality of the landscape and environmental and social factors can be complied with.
- 5.3 Criterion 1 of the policy notes that no proposal should lead to the siting of a scheme with a higher capacity than 5MW within the Llŷn AONB, or that no plan located

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outside the Llŷn AONB causes any significant harm to its setting or to the setting of the Llŷn/Anglesey AONB or Snowdonia National Park. In this case, the proposal is not located within or in proximity to the Llŷn AONB; nor is it likely to have any damaging impact on views in or out of the Llŷn AONB or the Snowdonia National Park. It is considered that the proposal complies with this criterion of policy C27.

- 5.4 Criterion 2 of the policy notes that the type, scale and design of the proposed development should be appropriate in terms of the site, the location and the impact on the landscape. The proposal is for the provision of solar panels on land that extends for 6.9ha. Work undertaken by Gillespies on behalf of the Council has assessed the sensitivity and capacity of the landscape to cope with specific types of developments. According to the work undertaken, the application site is located within Landscape Character Area G10 Midland Llŷn, and the work proceeds to state that there is some capacity within this area (outside the AONB and landscape that forms its setting), for PV solar energy developments on a micro level (i.e. at a scale of less than 1 hectare) only. However, it is important to note that this assessment also highlights that sensitivity varies locally within the Landscape Character Area and that consideration should be given to the evidence submitted to support the application together with a site visit, before deciding whether or not the nature of this specific site means that a development on a larger scale than what is recommended in the work carried out by Gillespies can be accommodated.
- 5.5 In this case, the applicant has submitted a Landscape and Visual Impact Assessment (LVIA) for the proposal. The landscape within the site and around it, particularly the mature vegetation that is associated with the hedgerows and the field boundaries, assists in integrating the development with the surrounding landscape. The LVIA concludes that although there would be a damaging impact on the landscape within the site, the adverse impact on the character of the Landscape Conservation Area in general would be slight. However, the site would be visible from Garn Bentyrch 1.3km to the north but it is not considered that there would be a significant impact on the view from the landscape as a whole from this location. There would be no significant harmful impact on the AONB and any visual impact deriving from the development on the coastal area near the A497 would be negligible. Consideration was also given to the cumulative impact of the proposal, however it was not discussed that there was any similar development, existing or proposed, that would be visible in conjunction with this site. The LVIA also refers to mitigation measures in the form of additional landscaping, including planting a new hedge and trees along the northern boundary of the site, growing all hedges in the site to a specific height and filling any gaps in the existing hedges.
- 5.6 Given that the site of the solar panels is already very well hidden from the outside of the site and as it is proposed to reinforce the screen for even more efficient seclusion, it is not considered that there would be a significant harmful impact on the area's landscape. It is accepted that the amenities of the users of the right of way crossing the site would be affected; however, it is considered that this impact would only occur for a short period of time when crossing these specific fields, the impact caused will not be significant given the landscape as a whole. There will be no harmful impact on notable views from any public vantage point. Therefore, it is considered that the proposal complies with the requirements of criteria 2, policy C27.
- 5.7 Criterion 3 of the policy notes that any associated ancillary equipment should be designed and located in a way that would alleviate the visual impact on the landscape. The proposal involves installing two inverter stations, two transformer buildings and two transformer structures. These structures would be relatively small in size and

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although the plans do not confirm the materials or final finishes, it is considered that agreement can be reached on using materials that reflect the agricultural buildings that are to be found in the surrounding area. It is also proposed to erect an anti-stock security fence extending to a height of 2m around the site, along with CCTV cameras located on 2.4m high poles. The fence is relatively high, but due to the presence of mature hedgerows on the site and the proposal to grow them to a height of 3m, it is not considered that the fence or the cameras would significantly add to the visual impact and again, a condition can be imposed on the colours so that they are more in-keeping. On these grounds, it is considered that the ancillary equipment is suitable and that it is not likely to have a substantial impact on the landscape; thus the proposal complies with the requirements of criterion 3 of policy C27.

- 5.8 Criterion 4 notes that no associated overhead cables or pipes should cause any significant harm to the visual quality of the landscape. The exact details of the link to the grid have not been submitted, however, the Planning, Design and Access Statement discusses the proposal to link to the national network by means of underground cables (no planning application needs to be submitted for this). It will be possible to impose conditions for these cables to be installed underground; therefore it is considered that the proposal complies with the requirements of this criterion of Policy C27.
- 5.9 Criterion 5 of the policy notes that the proposed development should not lead to an unacceptable increase in noise, odour, dust or gas levels. The nature of this development does not mean that there will be any increase in noise, odour, dust or gases during the operational period. Inevitably, there will be a period of local disturbance when building the facility, but given that the proposal is to complete the development over a 14 week period, it is not considered that this limited period of disturbance will be unacceptable, and it is considered that the proposal complies with the requirements of criterion 5 of policy C27.
- 5.10 Criterion 6 of the policy notes that the proposal should not cause any unacceptable damage to hydrological systems (ground water and surface water), thus harming biodiversity. Natural Resources Wales and the Council's Biodiversity Unit have confirmed that there is no objection to the proposal in principle and matters relating to water flow and biodiversity are discussed further below. On the whole, from imposing suitable conditions, it is considered that the proposal complies with the requirements of criterion 6 of Policy C27.
- 5.11 Criterion 7 of the policy notes that the development should not generate unacceptable traffic levels given the quality of the roads and the nature of the surrounding area. In this case, only traffic during the construction phase is relevant, and a Transport Assessment has been submitted which is acceptable in principle by the Council's Transportation Department. Therefore, it is not considered that the development will cause unacceptable traffic levels, and the proposal complies with the requirements of this criterion in policy C27. However, the Transportation Unit recommends that only one access route from the main roads network should be used by construction traffic, namely from the north of the A499, and the developer's response to this proposal is awaited and we will report back to the committee on this matter. A condition could be imposed to this end if required.
- 5.12 Based on the above, it is considered that the proposal complies with all the criteria of policy C27.

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- 5.13 Policy C28 of the Gwynedd Unitary Development Plan relates to the safeguarding of agricultural land and proposals which would lead to the loss of grades 1, 2 or 3a agricultural land will be refused unless it can be shown that there is an overwhelming need for the development, and proved that there is no previously developed land available and that there is no land of lower agricultural grades available apart from land of environmental value which outweighs agricultural considerations. In this case, a report submitted as part of the application confirms that the land is classified as 4; therefore, the proposal complies with the requirements of policy C28 above. It is also noted that it is intended to continue grazing sheep on the site whilst the solar panels are in situ - although this could be subject to the management methods agreed upon in relation to protecting biodiversity features on the site as discussed below.
- 5.14 On this basis, it is considered that the principle of the proposal is acceptable in terms of key relevant policies in the Unitary Development Plan and that it is also consistent with Strategic Policy 9 relating to the provision of energy from renewable sources.

Design and Materials

- 5.15 Policy B22 of the Gwynedd Unitary Development Plan promotes good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment. As discussed above, this proposal includes constructing buildings for equipment, however, these would be relatively small and their final design could be agreed via an appropriate condition. It is also proposed to install a security fence and CCTV. Due to the existing hidden nature of the site along with the proposal to strengthen the screening, it is considered that the buildings and the structures associated with the PV panels are suitable, and they will not cause significant harm to the landscape; thus the proposal complies with the requirements of policy B22.
- 5.16 Policy B25 of the Gwynedd Unitary Development Plan relates to safeguarding the visual character by ensuring that building materials must be of a high standard which complement the character and appearance of the local area. The plans do not confirm the proposed materials or finishes for all the buildings / structures; however, it is considered that it is possible to agree on the use of materials that reflect the agricultural buildings and the rural nature of the site. On this basis, it is considered that the proposal complies with the requirements of policy B25.

Landscaping

- 5.17 Policy B27 of the Unitary Development Plan relates to ensuring that permitted proposals incorporate soft/hard landscaping of a high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features. The development includes a proposal to landscape the site by reinforcing the hedges around the fields where the panels will be located, which will be kept to approximately 3m high, and to plant additional hedges and trees where appropriate. It is agreed that these landscaping measures would be appropriate and it would be possible to ensure that the plan is completed by imposing an appropriate planning condition. It is therefore considered that the proposal complies with the requirements of policy B27 along with C27 discussed above.

General and residential amenities

- 5.18 Policy B23 of the Unitary Development Plan relates to safeguarding the amenities of the local neighbourhood. The criteria of this policy refer to ensuring reasonable privacy for the users of nearby properties, ensuring that the development will not lead to an overdevelopment of the site, ensuring that the proposal will not add to traffic or

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traffic-related noise, that the plan reduces opportunities for individuals to behave antisocially and creates an environment where people feel safe to walk, cycle and play, and that the external design and lay-out of the development considers the needs of all its potential users.

5.19 In this case, the additional documents (which are listed in the application description above), have been submitted as part of the application and the information included in the documents states that the development will not cause any unsuitable noise or glare as a result of sunshine. Responses to the consultation from the Transportation Unit confirm that it is possible to ensure effective traffic flow management. Although the site is substantial, due to the nature of the development and its location in the broader landscape, it is not considered that the proposal leads to an overdevelopment of the site in this case.

5.20 No correspondence was received objecting to the development; however, the Landscape and Visual Impact Assessment has identified that there will be some impact on private houses and these are summarised below:

Property	Distance from the site (metres)	Likely Impact (scale – invisible; minor; moderate; substantial; serious)
Tyddyn Gwyn (in the same ownership as the application site)	80	Moderate harm - substantial reducing to moderate harm in the medium / long term
Geufron	90	Moderate harm reducing to minor harm in the medium / long term
Property near Ysgol Llangybi	220	Moderate harm reducing to minor harm in the medium / long term
Gelli Gron	300	Minor harm reducing in the medium/long term
Penraig	920	Invisible – minor reducing in the medium/long term
20 other private properties	<980	Invisible

5.21 “Moderate” is defined in the context of this assessment as a proposal that would be visible in a vista but would not be a dominating feature. The assessment confirms that the site will be invisible from the majority of private properties and the impact from each property with the development in their view, and which is outside the same ownership as the applicants, is less than moderate in the medium/long term. Therefore, it is considered that although it will be possible to see some views of the panels from these properties (mainly the rear of the panels will be in view), it is not considered that the development will dominate any vista and will not cause significant harm to the amenities of residents. Therefore, it is considered that the proposal complies with Policy B23 above.

5.22 Policy B34 of the Unitary Development Plan relates to light pollution and lighting and it ensures that proposals do not have a significant impact on amenities, on nearby land use or on the environment. This policy specifically relates to lighting plans, however, the policy explanation also refers to the impact of glare. As above, and based on the information submitted as part of the application, it is not considered that the impact of glare will be significant or harmful in this case. In addition, a planning condition will be imposed on any planning permission to ensure that the materials

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used will minimise the impact of glare. It is therefore considered that the proposal complies with the requirements of policy B34 above.

Transport and access matters

- 5.23 Policy CH33 of the Gwynedd Unitary Development Plan relates to ensuring safety on roads and streets. In this case, there will only be an increase in traffic flow during the construction and decommissioning phases and the applicant has provided a Transport Assessment in order to satisfy the requirements of Gwynedd Council's Transportation Unit. The development is acceptable in principle by the Transportation Unit but it is required to reach agreement on the most suitable route from the roads network. By reaching agreement on the access route for construction traffic, it is considered that the proposal is unlikely to cause a detrimental impact on the safety of roads and streets and thus the proposal complies with the requirements of policy CH33.

Conservation and Archaeology Matters

- 5.24 Policy B7 of the Unitary Development Plan relates to sites of archaeological importance and it refuses proposals which will damage or destroy archaeological remains which are of national importance (whether scheduled or not) or their setting. It also refuses any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains. The Gwynedd Archaeological Planning Service has evaluated the Archaeology and Cultural Heritage Assessment and findings of the geophysical survey undertaken on the site and it has confirmed that there is potential for further archaeological finds on the site. This means that there is a need to ensure that any action taken will protect the site's archaeology by agreeing on any operational methods through a planning condition.
- 5.25 Policy B7 also requires that the setting of sites of archaeological importance is protected. The development would be visible from the Carn Pentyrch Monument, located 1.3km to the north, and this was assessed in the Archaeological and Cultural Heritage Assessment. This concluded that although the site would be visible from the monument and that it would change the agricultural view from the site somewhat, it would not harm the historical context or disrupt the extensive views from the site. It was considered that only a slight adverse impact would be caused to the monument and this analysis is agreed with.
- 5.26 Considering the above and ensuring a suitable work programme for archaeology, it is considered that the proposal conforms with the requirements of policy B7.
- 5.27 Policy B3 protects the setting of listed buildings and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act states that Local Planning Authorities shall have special regard to the desirability of preserving/safeguarding the setting of a listed building. The site is located within a kilometre of many listed buildings but according to the Archaeology and Cultural Heritage Assessment, there would be no impact on any listed building. As referred to above, the site is surrounded by mature trees, hedgerows and *cloddiau* and therefore it is not considered that the proposal would stand out prominently in the landscape. It is also proposed to reinforce the existing vegetation on the site and in the site's vicinity. In light of this, it is not considered that the proposal is likely to cause significant damage to the setting of the listed buildings, and it is therefore considered that the proposal complies with the requirements of policy B3.

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Biodiversity Matters

- 5.28 The Biodiversity Unit has raised some concerns regarding the potential impact of the development on statutorily protected habitats and species; however, they believe that those concerns can be overcome by ensuring mitigation and management measures for the site and its vicinity that will protect the interests of the protected biodiversity features. Discussions are ongoing between the Unit and the developers and any further developments will be reported upon to the Committee.
- 5.29 From ensuring that an appropriate agreement is received for managing the site and that suitable conditions are in place to protect the interest of protected species and habitats, it is considered that the plan would meet the requirements of policies B15, B16, B17 and B20 of the UDP which aims to protect distinctive biodiversity features.

Flooding matters

- 5.30 A flood consequence report was received as part of the application which assesses the site and the development in terms of the impact on surface water. Natural Resources Wales agrees with the results of the report and agrees that the flow could be dealt with in a suitable way; therefore, it is considered that the proposal will not cause an unacceptable increase in surface water and thus the proposal complies with the requirements of policy B32 of the UDP.

Operational period

- 5.31 The application seeks an operational period that is longer than is customary for such developments. Upon considering that the development would continue to be a temporary one and that the addition to the period is not significant in terms of any planning consideration, it is considered that approving the development for 30 years and 6 months, rather than the customary 25 years, is acceptable.

Response to the public consultation

- 5.32 The above assessment gives full consideration to observations received on the application as a result of the public consultation period and it is considered that there are no relevant planning matters that outweigh the relevant planning policies.

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6. Conclusions:

- 6.1 As a result of the above assessment, it is not considered that the proposal is contrary to any relevant policy noted above, neither are there any other relevant planning matters to state otherwise. The proposal is therefore considered acceptable subject to relevant conditions.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application subject to the applicant reaching agreement on appropriate mitigation measures to protect biodiversity features and to agree on the most appropriate road to reach the site along with relevant planning conditions relating to:

1. The commencement time of the development;
2. To complete the development in accordance with the plans;
3. The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority;
4. Agree on the materials/colour of the frames and anti-glare covers;
5. To agree on the colour of the fence and camera poles;
4. Agree and complete a landscaping plan and a landscape management plan;
5. Agree on and implement a Surface Water Management Plan and a Construction Environmental Management Plan;
6. Agree on and implement a Biodiversity Management Plan;
7. Agree on and implement an Archaeological Works Programme;
8. No construction work during the bird nesting season;
9. Soil Management Plan;
10. Any electricity cables from the development to link to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority;
11. Within 30 years and 6 months of completing the development or if the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the land and the site should be restored to its original condition;
12. Welsh Water standard conditions;
13. Agree on the external materials of all buildings;
14. Highways conditions.