



**CYNGOR SIR  
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ISLE OF ANGLESEY  
COUNTY COUNCIL**

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Ein Cyf / Our Ref: CONS/2019/1  
Eich Cyf / Your Ref:

Dyddiad / Date: 6<sup>th</sup> June, 2019

Low Carbon,  
c/o Mr James Cook MRTPI,  
Sirius Planning,  
Office Suite 2,  
The Beacon Centre for Enterprise,  
Dafen,  
Llanelli.  
SA14 8LQ.

Dear Mr Cook

**Re: Pre application discussion document for the construction of a 49.9 MW (export capacity) solar array farm together with associated equipment, infrastructure and ancillary works over seven parcels of land; south-west of Bryngwran and in the vicinity of Llanfihangel yn Nhowyn.**

I refer to recent meetings held at these offices and your pre-application request in respect of the above which was registered by this Authority on the 13th May, 2019. Following preliminary consultations which have been conducted with the Authority's in-house consultees, Isle of Anglesey County Council (IACC) would wish to submit the following information in an effort to assist with the progression and preparation of your formal submission.

### **Historical Planning History**

In terms of the previous planning history for the areas under consideration, these date from 1947 to the present and extend across the 7 separate parcels of land (numbered 1,3,4,5,6,8 & 9) which are illustrated as 'Indicative Solar Plot Areas' on Plan Reference LOC1001\_\_02 (Revision 3) which is attached to Report Number LOC1001/Pre-App (Revision 1) dated April, 2019. For ease of reference the planning history is grouped into 4 separate blocks, each of which correspond with the departments own database and document management system for the relevant period in question.

#### **1947 – 2003**

EL/974/E – Erection of electricity lines on land near Plas Llechylched, Bryngwran. Approved 18/01/80

EL/27/56 – Approved 21/4/56

V/2972 – Formation of a new vehicular access to field O.S. enclosure No 2700 at Plas Llechylched. Bryngwran. Refused 24/09/82

EL/265 – Proposed deviation of a 33Kv line 53A due to new housing, Valley, Anglesey. Approved 11/11/65

EL/113 – Overhead lines in the Llanfaeolg and Caergeiliog areas. Approved 09/07/62

EL/3/59 – To erect overhead lines on land at Bryngwran. Approved 06/02/59

28C/318 – Infilling of land at Bryn Gors, Caergeiliog. Refused 22/02/04

16/C/132 – Erection of a chicken rearing farm and associated works together with the erection of a farm managers dwelling on OS 0003. Withdrawn 04/05/1998

16/C/71 - Formation of an 18 hole golf course with a hotel and club house at Llechylched Farm, Bryngwran. Approved 06/04/1992.

16EL/1361/E - Erection of overhead electricity lines at Plas Farm, Bryngwran. Approved 19/08/92

## **2004 - 2009**

16C132A - Codi sied amaethyddol ar / Erection of an agricultural shed on O.S 1815, Bryngwran. Approved – 19/04/2007

16C132B - Creu trac i gael mynediad i'r sied amaethyddol a ganiatawyd gan gais cynllunio 16C132A ar dir yn / Construction of track to gain access to the agricultural shed approved under planning application ref: 16C132A on land at Plas Llechylched, Bryngwran. Permit – 08/10/2007

16C132D - Cais llawn ar gyfer codi annedd amaethyddol ar dir ger / Full application for the erection of an agricultural dwelling on land adjacent to Plas Llechylched, Bryngwran. Permit 04/04/2011

32C172 – Application to determine whether prior approval is required for a new farm track and drainage ditch along the boundaries of OS 7819 7100 8800 & 1685, Caergeiliog. Prior Approval not required 16/12/09

## **2010 - 2014**

16C187 - Codi sied amaethyddol ynghyd a creu mynedfa newydd i'r cae gyferbyn â / Erection of an agricultural shed together with the construction of a new access to the field opposite Plas Llechylched, Bryngwran. Permit – 13/12/2010

16C132E - Cais i bennu os oes angen caniatad blaenorol ar gyfer codi estyniad i'r adeilad amaethyddol ar gyfer storio offer a peiriannau amaethyddol ar dir rhan o gae yn / Application to determine whether prior approval is required for the erection of an extension to the agricultural shed to store agricultural equipment and machinery on land forming part of O.S. enclosure SH 3477 1815, Bryngwran. Permitted Development – 02/08/2011

32C172A - Cais llawn ar gyfer addasu'r fynedfa presennol ynghyd ag agor mynedfa newydd ar dir yn / Full application for alterations to the existing access together with the construction of a new access on land at Plas Trafwall, Caergeiliog. Permit – 14/08/2013

32C186/SCR - Cais am farn sgrinio ar gyfer lleoli fferm arae heulol ar dir ger / Application for a screening opinion for the siting of a solar array farm on land adjacent to Cerrig Cynrig, Llanfihangel yn Nohwyn. EIA not required – 03/06/2013

16C145G - Cais i bennu os oes angen caniatâd blaenorol ar gyfer creu ardal llawr caled ar dir yn / Application to determine whether prior approval is required for the construction of a hardstanding area on land at Plas Llechylched Farm, Bryngwran. Permission Required – 12/07/2012

## **2014 – 2018**

32C191/RE/SCR - Cais am farn sgrinio ar gyfer lleoli parc arae heulol 49MW ar dir yn / Application for screening opinion for the siting of a 49MW solar array parc on land at Llanfair yn Nhowyn. EIA Required – 10/09/2014

16C151A - Cais llawn ar gyfer ail-leoli'r modurdy a ganiatâwyd yn flaenorol dan ganiatâd cynllunio 16C151 ynghyd âg addasu'r annedd presennol yn / Full application for the re-siting of the garage previously approved under planning permission 16C151 together with alterations to the existing dwelling at Plas Llechylched, Bryngwran. Permit – 10/10/2014

16C204 - Cais llawn i newid defnydd yr adeiladau allanol i 5 annedd a 2 uned gwyliau ynghyd a gosod paced trin carthffosiaeth yn / Full application for conversion of outbuildings into 5 dwellings and 2 holiday letting units together with the installation of a package treatment plant at Plas Llechylched, Bryngwran. Permit – 07/06/2016

16C204A/DIS - Cais i ryddhau amodau (06) (cynlunn rheoli chynnal a chadw ar gyfer y system gymunedol dwr wyneb a dwr budr), (07) (cofnod ffotograffig llawn) a (11) (copi o Drwydded Rhywogaeth a Warchodir gan Ewrop) o ganiatâd cynllunio 16C204 yn /Application to discharge conditions (06) (management and maintenance for the communal foul and surface water system), (07) (full photographic record) and (11) (copy of an European Protected Species Licence) of planning permission 16C204 at Plas Llechylched, Bryngwran. Condition Discharged – 10/01/2017

## **Policy Considerations**

In terms of Policy it may be useful to set out the following by way of context against which the proposal will be weighed;

On 31st July 2017 the Anglesey and Gwynedd Joint Local Development plan (JLDP) was adopted. Following the Plan's adoption the previous local planning policy framework for the Plan area was superseded.

In relation to Anglesey this means the Gwynedd Replacement Structure Plan (1993) and the Ynys Môn Local plan (1996). In addition the stopped Ynys Môn Unitary Development Plan (UDP) (2005) and the Interim Planning Policies on Large Sites and Rural Clusters were also superseded. All of these are no longer a material planning consideration in dealing with current applications.

The Council resolved that the Supplementary Planning Guidance documents, which were adopted to support policies in the development plans listed above, continue to remain as material planning considerations in determining planning applications, until they are superseded or are withdrawn.

The indicative site boundaries map with the pre-application discussion document shows 7 separate parcels of land. A formal application should outline the connectivity between these sites to justify a single solar farm application and provide clarification as to why they are not submitted as a number

of separate applications. Site 6 is especially detached with the settlement of Llanfihangel yn Nhowyn separating it from the other sites.

All the parcels of land lie outside any development boundaries in the JLDP and none of the sites area allocated for a specific use in the JLDP. The sites lie in the open countryside outside the Ynys Môn AONB.

The key policies for a solar farm application within the JLDP are Strategic Policy PS 7 'Renewable Energy Technology' and Policy ADN 2 'PV Solar Energy'.

Strategic Policy PS 7 promotes renewable energy technologies provided that they comply with the criteria within the Policy. For this specific proposal regard should be given towards criteria (4) and (5) of this Policy.

*4. Ensuring the installations in accordance with PS 19 do not individually or cumulatively compromise the objectives of international, national and local nature conservation designations;*

*5. Supporting installations outside designated areas provided that the installation would not cause significant demonstrable harm to landscape character, biodiversity or amenity of residential or holiday accommodation, either individually or cumulatively.*

Policy ADN 2 states that applications for Solar PV Farms of 5MW or more should be directed to the potential search areas shown on the proposals map. Proposals on this scale will only be permitted in other locations in exceptional circumstances when the need for the scheme can be justified and there are specific locational circumstances. In addition to this requirement proposals should satisfy the criteria within the Policy.

As part of the evidence base for the JLDP the Council had to undertake a study over the potential of allocating areas of opportunity for renewable energy schemes or other low carbon technologies. This was in response to the letter dated the 10 December 2015 by the Minister for Natural Resources in light of an update to the 'Practice Guidance: Planning for Renewable and Low Carbon Energy – A toolkit for Planners' (Sept 2015).

Initial work which used a site threshold of 0.5MW or more identified 36 potential sites within the Plan area a revised threshold size of 5MW or more (which is the size used in the toolkit) meant that 11 sites were identified and these appear within Table 11 in the Explanation text to Policy ADN 2 as potential opportunity areas. These areas are not allocations but rather areas where such proposals should be directed to.

Since none of the parcels of land within this proposal lie within these potential opportunity areas such a proposal should only be permitted at such locations in exceptional circumstances where the need for the scheme can be justified and there are specific locational circumstances.

Need for the scheme - As clarified by Lesley Griffiths (Cabinet Secretary for Environment and Rural Affairs) in a letter dated the 7 August 2017: "The issue of demonstrating need for renewable energy has never been highlighted as a material consideration in the planning process and the over-riding imperatives to produce more renewable energy to reduce the impact of climate change and meet our decarbonisation targets are crucial in this regard." The need for the proposal in terms of Policy ADN 2 refers to the requirement to justify an alternative to the potential opportunity areas identified in the Plan rather than questioning the specific need for additional solar PV farms.

Specific Locational Circumstances - This refers to the need to justify how this specific site has been identified by the applicant through a site selection process.

In light of this a formal submission should be supported with justification over the need for the scheme outlining why the potential opportunity areas were not considered by the applicant and/or issues affecting the implementation of these opportunity areas. In addition, such justification should also outline the specific locational circumstances that led to the identification of the specific parcels of land subject to the application based upon a site selection process.

Due to close proximity / slight overlap with both natural and built environment designations a formal application should have regard to the following Policies within the JLDP:

PS 19 'Conserving and where appropriate enhancing the Natural Environment'

AMG 3 'Protecting and Enhancing features and qualities that are distinctive to the local landscape character'

AMG 5 'Local Biodiversity Conservation'

AMG 6 'Protecting sites of regional or local significance'

PS 20 'Preserving and where appropriate enhancing heritage assets'.

Other general Policies within the JLDP that the application should have regard to are:

PS 5 'Sustainable Development'

PS 6 'Alleviating and adapting to the effects of climate change'

PCYFF 1 'Development Boundaries'

PCYFF 2 'Development Criteria'

PCYFF 4 'Design and Landscaping'

PCYFF 5 'Carbon Management'

Consultation responses from specific consultees will highlight specific issues in relation to natural or built environment matters that need to be addressed with the formal application. These are discussed in greater detail within the main body of this response.

In addition to the above, given the scale of that under consideration and the specific criteria contained within Policy ADN 2 and PCYFF 2 in respect of residential amenity it is also requested that any future submission is accompanied by a full and comprehensive Residential Impact Assessment. The applicants' intention to continue with its programme of community involvement (p.2.3 Pre-Application Discussion Document) is duly noted and actively encouraged throughout the iterative design process.

## **Planning Policy Wales 10th Edition**

In light of the Well-being of Future Generations (Wales) Act 2015 which places a duty on public bodies to carry out sustainable development, the updated version of Planning Policy Wales (10th Edition, Dec 2018) clarifies and strengthens this fundamental objective. The PPW has been re-structured into policy themes around the well-being goals with policies updated to reflect new Welsh Government strategies and policies.

Paragraph 3.54 of Planning Policy Wales (10th Edition, Dec 2018) seeks to protect Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC). Development at such locations should only be developed if there is an overriding need for the development. A formal application should indicate the grade of agriculture land at each of the locations. In addition it should also confirm whether the land will still be used for agriculture after the implementation of the panels.

[http://lle.gov.wales/map/alc?\\_ga=2.248126087.1033320282.1559564540-448280703.1554712590#m=-4.32251,53.25861,11&b=europa&l=908h;893h;1326;](http://lle.gov.wales/map/alc?_ga=2.248126087.1033320282.1559564540-448280703.1554712590#m=-4.32251,53.25861,11&b=europa&l=908h;893h;1326;)

Chapter 5 of PPW sets out the Welsh Government's (WG) policy for Productive and Enterprising Placemaking and Well-being across Wales. One of the key aims in relation to Energy is to:

- reduce the amount of energy we use in Wales;
- reducing our reliance on energy generated from fossil fuels; and
- actively managing the transition to a low carbon economy

Paragraph 5.7.8 highlights the benefits and paramount importance of renewable and low carbon energy as part of the overall commitment to tackle climate change and increasing energy security.

The support for renewable energy is further emphasised in paragraph 5.7.16 which sets out the Welsh Government's targets for the generation of renewable energy as follows:

- for Wales to generate 70% of its electricity consumption from renewable generation by 2030
- for one Gigawatt of renewable electricity capacity in Wales to be locally owned by 2030; and
- for new renewable energy projects to have at least an element of local ownership by 2020

With respect to locational policies for Renewable and Low Carbon Energy Developments, paragraph 5.9.8 states that Planning authorities should support and guide renewable and low carbon energy development to ensure their area's potential is maximised. Paragraph 5.9.9 expands upon this point with respect to proposals which might lie outside identified areas.

Paragraph 5.9.9 – Outside identified areas, planning applications for renewable and low carbon energy developments should be determined based on the merits of the individual proposal. The local need for a particular scheme is not a material consideration, as energy generation is of national significance and there is a recognised need to optimise renewable and low carbon energy generation. Planning authorities should seek to ensure their areas renewable and low carbon energy potential is achieved and have policies with the criteria against which planning applications outside of identified areas will be determined.

Further support to low carbon energy generation is provided within paragraphs 5.9.17, 5.9.19 and 5.9.20 which state the following:

5.9.17 Planning authorities should give significant weight to the Welsh Government's targets to increase renewable and low carbon energy generation, as part of our overall approach to tackling climate change and increasing energy security. In circumstances where protected landscape, biodiversity and historical designations and buildings are considered in the decision making process, only the direct irreversible impacts on statutorily protected sites and buildings and their settings (where appropriate) should be considered. In all cases, considerable weight should be attached to the need to produce more energy from renewable and low carbon sources, in order for Wales to meet its carbon and renewable targets.

Paragraph 5.9.20 goes on to state;

5.9.20 Prior to an application being submitted, developers for renewable and low carbon energy developments should, wherever possible, consider how to avoid, or otherwise minimise, adverse impacts through careful consideration of location, scale, design and other measures.

### **Technical Advice Notes (TAN's)**

TAN's provide detailed planning advice on individual subjects. TAN's must be taken into account by the LPA when they are preparing their LDP. The following TAN's are considered relevant to this pre-application request:

#### **TAN 6- Planning for Sustainable Rural Communities (July 2010)**

The purpose of this TAN is to provide practical guidance on the role of the planning system in supporting the delivery of sustainable rural communities. This TAN provides guidance on how the planning system can contribute to sustainable rural economies, sustainable rural services and sustainable agriculture.

It emphasises the need to support working and living in rural communities by helping to ensure that a higher proportion of energy can be obtained from renewable sources. At paragraph 2.1 it states that;

'Simultaneously, the planning system must respond to the challenges posed by climate change, for example by accommodating the need for renewable energy generation'

It goes further at paragraph 3.7.2 stating that;

'Many economic activities can be sustainably located on farms. Small on-farm operations such as food and timber processing and food packing, together with services, sports and recreation services, and the production of non-food crops and renewable energy, are likely to be appropriate uses'

#### **TAN 8- Planning for Renewable Energy (July, 2005) (as amended)**

The purpose of this Tan is to provide practical guidance on the land use planning considerations for renewable energy, including onshore renewable energy technologies. This TAN supplements the policy set out in PPW.

Whilst TAN 8 does not extend much in the way of prescriptive technical advice regarding solar PV installations, it does add emphasis and favour towards their development. Specifically, it states that:

'Other than in circumstances where visual impact is critically damaging to a listed building, ancient monument or a conservation area vista, proposals for appropriately designed solar thermals and PV systems should be supported'

#### **TAN 15 – Development and Flood Risk (July, 2004) (as amended)**

TAN 15 provides technical guidance which supplements the policy set out in PPW in relation to development and flooding. It advises on development and flood risk as this relates to sustainability principles and provides a framework within which risks arising from both river and coastal flooding, and from additional run-off from development in any location, can be assessed.

The general approach of PPW, supported by the TAN, is to advise caution in respect of new development in areas at high risk of flooding by setting out a precautionary framework to guide planning decisions. The overarching aim of the precautionary framework is, in order of preference, to:-

Direct new development away from those areas which are at high risk of flooding.

Where development has to be considered in high risk areas (zone C) only those developments which can be justified on the basis of the tests (outlined in Sections 6 and 7 of TAN 15) are located within such areas

The applicants' intention to undertake a Justification Test in accordance with the requirements of TAN 15 is duly noted. (p.15 Pre-Application Discussion Document) Subject to satisfying the relevant criteria within paragraph 7.3 of TAN 15 a Flood Consequences Assessment would be required in support of a formal submission which was appropriate to the size and scale of the development.

### **General duty as regards listed buildings in exercise of planning functions.**

'In considering whether to grant planning permission...for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

Whilst no explicit instruction is given regarding the suitable location of solar PV developments, the applicants' attention is drawn to the fact that there are three listed buildings and Scheduled Monument AN088 Castellor Hut Group located within the proximity of indicative solar plot area 3. Further detail in this respect is provided within the main body of IACC's response and the applicants are advised to pay particular cognisance to these matters early in the process as the results of evaluation work could influence the final design of the proposed development.

On balance, it is evident that the policies listed above provide a presumption in favour of renewable energy developments in meeting the identified targets for low carbon energy generation. As detailed in the policies listed however there are a number of environmental, economic, social and cultural considerations which also need to be assessed as part of the consultation/determination process.

In an effort to provide further clarity and direction in these matters an internal consultation exercise has been undertaken within the Council. The responses received can be summarised as follows'

### **Ecological and Environmental Adviser**

#### **Ecological Data, Survey and Mitigation**

Advises that the amount of ecological information given in the document is very limited, and any subsequent applications presented should be informed by appropriate survey covering habitats, species records (from Cofnod local records centre) and any relevant specialist surveys for protected species which include crested newt, common lizard, water vole, otter and bats and it is expected that the works methodology and enhancements should be included to support these (informed by baseline data).

The ecological notes on p19-21 of the Discussion Document are limited in coverage, and mainly focused on birds. It is advised that due consideration should be given to other wildlife likely to be (or have potential to be) in the areas of the proposal, including amphibians, reptiles and mammals.

## SAC and SSSI designations

The inclusion of part of the proposal area within the Llynau y Fali/ Valley Lakes SSSI and SAC sites is potentially problematic. Any adverse impacts on the sites are likely to be unacceptable, particularly in terms of the SAC designation, where, under the Habitat Regulations 2017 (as amended) the applicant would have to provide necessary material to allow an Appropriate Assessment to be carried out under the Regulations' requirements.

This Assessment would have to determine whether proposals could lead to any significant effects on the SAC designated features.

The Appropriate Assessment would probably also have to consider the application as a whole, to ensure that no other aspects of proposals would have adverse impacts on the SAC designation. It would be advisable for the Applicant to carefully consider potential for impacts on all relevant protected sites (including the local Wildlife Sites detailed below), and seek to ensure that proposals clearly avoid adverse impacts on the sites. For the SAC, providing a 'shadow' Appropriate Assessment with the application would be a means to show how impacts could be avoided (though the actual AA would have to be undertaken by the determining body).

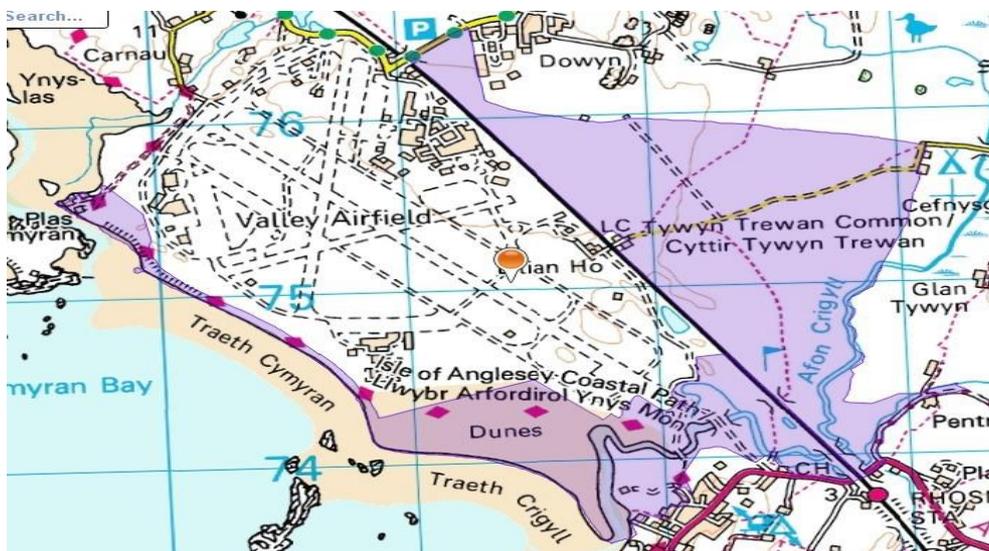


Fig 1 – Location of Tywyn Trewan

## Local Wildlife Sites

The Discussion Document has not acknowledged that several of the site areas border on local Wildlife Sites, and that these are covered under LDP Policy AMG6. The local Wildlife sites are E11 Tywyn Trewan and E14 Cors Plas. The citations for these sites are given below:

E11 Tywyn Trewan Grid ref 3275

*A very large area including an extensive sand dune system with salt marsh and heath/grassland mosaic at the northern end. The sand dune system exhibits all of the zones of dune succession: fore, yellow and grey dune with dune grassland, scrub, heath and slacks. The heath grassland mosaic is present on the landward side of this dune system.*

*Where the dunes are stabilising marram and sand couch are dominant with abundant sea holly. In the dune grassland, some of which is closely mown for golf links, red fescue, cock's foot and carline thistle are also abundant. Other plant species of particular interest, especially in the dune slacks,*

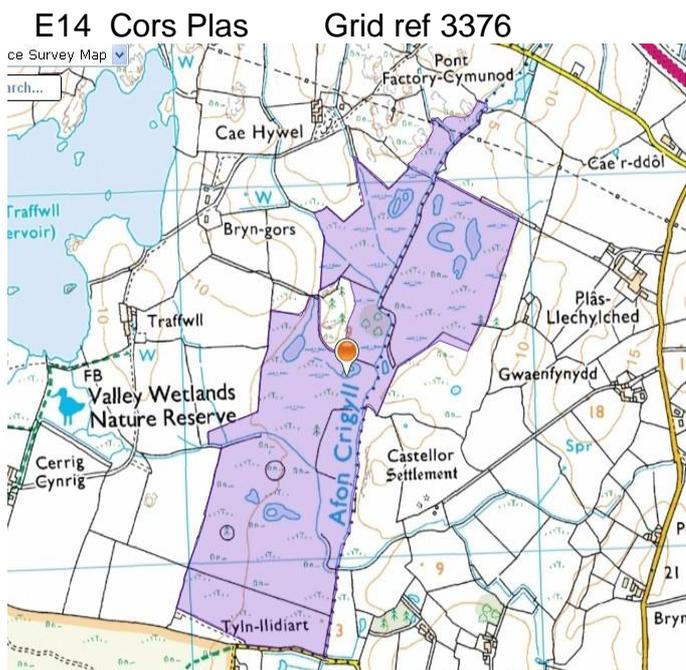
include many species of orchids such as pyramidal, bee, early marsh and northern marsh and marsh helleborine. Nationally rare species present are early sand-grass and sea heath in its only Welsh locality. The latter is abundant where the dunes grade into salt marsh.

The salt marsh is dominated by sea-rush and common salt marsh grasses and has the locally rare salt marsh flat-sedge and lax-flowered sea-lavender amongst three species of sea-lavender present. There are also brackish pools and runnels fringed by sea and grey club-rushes. On the eastern edge is a small reed bed.

The heath grassland mosaic is dominated by western and common gorse with heather, bell heather, fescue and mat-grass. In the wetter parts glaucous sedge, cross-leaved heath and creeping willow are abundant amongst purple moorgrass and black bog-rush.



**Fig 2 – Aerial Image of Tywyn Trewan**



**Fig 3 – Location of Cors Plas**



**Fig 4 – Aerial Image of Cors Plas**

Croeso i chi ddelio gyda'r Cyngor yn Gymraeg neu'n Saesneg. Cewch yr un safon o wasanaeth yn y ddwy iaith. You are welcome to deal with the Council in Welsh or English. You will receive the same standard of service in both languages.

*An extensive area of marshy grassland with several excavated pools and some willow scrub, shire fog, creeping bent and reed canary-grass. Marshy species occurring include meadowsweet, bogbean, yellow flag and marsh thistle. Common reed is locally dominant. There are two areas of dense willow scrub with locally dominant common reed and reed canary-grass. Other area of scrub are dominated by common gorse.*

*The site is important mainly for its wildfowl. In winter there are large numbers of teal, mallard, wigeon and shoveller on the site with smaller numbers of pintail, pochard, gadwall and tufted duck. There are also breeding populations of heron, greylag goose, Canada goose, grasshopper warbler, sedge warbler and reed bunting*

### **Gwynedd Archaeological Planning Service (GAPS)**

GAPS have been in ongoing discussions with Archaeology Wales, who have been commissioned by the applicant as their archaeological contractor, and have recently received a draft desk-based archaeological assessment of the proposed development sites for curatorial review. GAPS have not yet had an opportunity to read the assessment, but based on the scale of the proposed scheme and preliminary discussions held with Archaeology Wales about the known and potential archaeological resource of the site, it can be confirmed that an archaeological evaluation will need to be undertaken. This will entail two stages of work, geophysical survey followed by trial trenching, and the results of both stages would need to be submitted as supporting documentation, along with the final desk-based assessment, should an application be forthcoming.

It is recommended that the evaluation work is undertaken early in the process as the results will inform not only the submission itself, but also the design of the proposed development. Design modification is the most effective means of mitigating archaeological impact for solar farms. In addition, there is potential for overlapping or conflicting interests between archaeology and mitigation that may be proposed for ecological or landscape and visual constraints. Obtaining a sufficient understanding of the archaeological resource of the site is necessary to ensure that these are appropriately resolved before final submission.

Due to the proximity of the proposed development sites to scheduled monument AN088 Castellor Hut Group, Cadw must be consulted on this proposal. We would recommend that an assessment of the potential impact of the proposed development on the setting of the monument is prepared as a matter of good practice, following the guidance document Setting of Heritage Assets in Wales (Cadw, May 2017). The Landscape and Visual Impact Assessment is likely to be able to contribute to this assessment, and should include relevant photomontages of the proposed development from the scheduled area.

### **Built Environment and Landscape (Cultural Heritage)**

Advise that there are 3 Grade II listed buildings adjacent to the proposed development sites which have been marked in red on the attached plan below. Presently the site layout of the proposed sites are unknown and consequently the impact of the development on the setting of the listed buildings is difficult to assess.

Whilst there is not an abundance of designated built heritage assets there may well be significant archaeological remains in the area in addition to the Castellor Hut Group SAM which has been marked in orange on the attached plan. Advice on such sites should be sought from GAPS/Cadw.



**Fig 5 – Location of SAM and Listed Buildings**

### **Built Environment (Landscape)**

The comments presented relate to the Landscape and Visual Impact Assessment (LVIA). As noted in paragraph 2.4.1 of the applicants' submission the LVIA is part of the iterative design process. The document assessment process itself should follow the Guidelines for Landscape and Visual Impact Assessment, 3rd edition and should also note any other relevant guidance on the visual representation relevant to the proposal. It is recommended that in proposing and agreeing viewpoints, proposed locations are accompanied by indicative photographs. IACC would confirm or query the locations following a site visit. A cut-off date for assessment of cumulative effects should also be agreed as part of this process.

The 5km and 2.5km study area radii proposed appear suitable. As noted the viewpoints should be agreed with interested parties including IACC. The Landscape Baseline however should also include LANDMAP data particularly the Visual and Sensory and Cultural Aspect Areas. The applicants' attention is drawn to <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/evidence-to-inform-development-planning/landmap-the-welsh-landscape-baseline/?lang=en>

In terms of impacts upon residential properties a greater level of detail should be provided on how an assessment of residential effects will be undertaken. Will all properties within 1km be evaluated to a similar degree? What degree of assessment / visits to properties affected will be undertaken?

Greater detail should also be provided on the form of modelling to be used in the visualisations. It is recommended that the images illustrate the position of the panels within the enclosure and their orientation. The simple rendering of an image e.g. to show the area occupied would normally be inadequate except for viewpoints at the edge of the study area. Wireline images and photomontages should also be provided.

In terms of 'Scheme Design' the ability of new screen planting to address visual effects will be limited by local soil and climatic conditions. Willow, gorse, blackthorn and hawthorn are all present locally but their suitability will be site specific. Growth in most locations across the application site area will be slow. The sites are dispersed and any cabling or connections between the site and effects on field boundaries should form part of the assessment. Avoidance of significant effects through careful

design is preferable to mitigation of effects. This applies to the layout, positioning of battery storage, materials, colour and appearance of buildings, signage, gates and lighting.

### **Public Rights of Way Officer**

Confirm there are 3 public footpaths located within the site. The solar panels will need to be positioned well away from the paths to ensure that there is no interference with access.

### **Coastal Footpaths Officer**

Confirm that as the proposed development does not alter the route of the coastal footpath they have no observations to offer.

### **Chief Engineer (Network)**

Have no observations or recommendations to offer in relation to site drainage or local flood risk at this stage. However it is noted that the proposed site is partly within a C2 designated flood zone. IACC therefore request that the suitability of the proposal with regard to this flood risk is discussed with NRW and that a Flood Consequences Assessment accompany the formal submission.

### **Chief Engineer (Highways)**

Have expressed concerns with regards to the detrimental impact it may cause the local highway network. The public highway surrounding the site is very narrow in places with poor horizontal and vertical alignment leading to restricted forward visibility with also limited passing places.

As part of a detailed application, the applicant is requested to submit a detailed traffic management plan for the construction and operational phases of the proposed development for approval.

The Construction Phase Traffic Management Plan shall include:-

- i. The routing to and from the site of construction vehicles, plant and deliveries, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme including any advance, preparatory and demolition works;
- ii. The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;
- iii. The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;
- iv. Identification of the routing strategy and procedures for the notification and conveyance of indivisible "out of gauge" loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;
- v. Measures to minimise and mitigate the risk to road user's in particular non-motorised users;
- vi. The arrangements to be made for on-site parking for personnel working on the Site and for visitors;
- vii. The arrangements for storage of plant and materials and the loading and unloading of plant and materials

- viii. Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;
- ix. Proposals for communicating information and advance notice relating to the approved plan to the Council and other stakeholders;

The Operational Phase Management Plan shall include:-

- i. The routing to and from the site of service and operational vehicles, plant and deliveries, including Traffic Management Measures necessary to facilitate safe operation, including any subsequent demolition or decommissioning of the development
- ii. The type size and weight of service and delivery vehicles to be used in connection with the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;
- iii. The timing and frequency of service and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and access routes to the site including regard for sensitive receptors e.g. schools and network constraints;
- iv. Measures to minimise and mitigate the risk to road users in particular non-motorised users;
- v. Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

**(NB:** In addition to this it is also requested that details are presented to illustrate how each parcel of the application site is to be accessed during the construction phase as this is not readily apparent following visits to the locality)

### **Chief Public Protection Officer**

Confirm that the development should cause no nuisance by dust, fumes, noise, odour or artificial light. It is also requested that any construction works should be carried out between the following times 0800-1800 hrs (Monday to Friday) 0800hrs – 1300hrs (Saturdays) and no working on Sunday's and Bank Holidays. In addition it is recommended that the construction works should be carried out in accordance with CIRIA Document C 650 & 741 (2015) Environmental Good Practice On Site (4th Edition).

Where it is necessary to prepare the site using pneumatic rock machinery the developer will be required to take all reasonable steps to prevent nuisance being caused to current occupiers of surrounding residences from noise vibration and dust. Rock breaking should be confined to the hours of 0800 hrs to 1800 hrs Monday to Friday and 0800 hrs to 1300 hrs on Saturday. No works should be undertaken on Sunday's or Bank Holidays. Surrounding residents should be pre-notified of any noisy work and the likely duration of those works. Suitable and sufficient controls should be in place to control wind-blown dust arising from rock stock piles and no waste material should be burnt on site.

The applicant is also requested to provide additional information to indicate that an assessment has been undertaken of any likely noise impacts that may result from construction works and on site solar and associated electrical equipment and its likely impacts on any surrounding properties.

### **Destination Management (Countryside)**

Anglesey's Area of Outstanding Natural Beauty (AONB) is predominantly a coastal designation covering most of Anglesey's 201 kilometre coastline.

Part of the policy framework established to conserve and enhance this protected landscape and habitat is an AONB Management Plan which evaluates and determines what the special qualities of the AONB are, then determines what actions are required to ensure that these qualities are conserved and enhanced for future generations. A copy of the plan including all relevant appendices can be accessed through the following link: <https://www.anglesey.gov.uk/en/Residents/Countryside/Areas-of-Outstanding-Natural-Beauty-AONBs/Anglesey-AONB-Management-Plan.aspx>

Policies of relevance contained within the plan which should be reviewed as part of the applicant's assessments in moving forward include;

Paragraph 4.6 Anglesey Energy Island. From an AONB perspective all proposed development as part of the Energy Island Programme should have regard to the AONB designation in terms of the AONB's primary purpose of conserving and enhancing natural beauty.

Leading on from this, paragraph CCC 3.1 also states that... 'all development proposals within and up to 2km adjacent to the AONB will be rigorously assessed to minimise inappropriate development which might damage the special qualities and features of the AONB or the integrity of European designated sites'.

Paragraph CCC 3.2 further adds that... 'all new developments and re-developments within and up to 2km adjacent to the AONB will be expected adopt the highest standards of design, materials and landscaping in order to enhance the special qualities and features of the AONB. Proposals of an appropriate scale and nature, embodying the principles of sustainable development will be supported'.

It is also noted that there are 3 Public Rights of Way running through the site. In accordance with the requirement of VE 4.2 it is imperative that... 'the PRoW network is maintained at a high standard and that appropriate information and clear signage conserves and enhances the special qualities and features of the AONB and the integrity of the European sites'. (Natura 2000)

The applicants attention is drawn to Appendix A attached at the end of this correspondence which provides 3 annotated maps detailing environmental designations which lie in proximity to the application site. These include the Anglesey AONB, Heritage Coast, SSSI's, SAC, SPA, Ramsar sites as well as Local and National Nature Reserves.

## **Economic Development Unit**

The comments presented advise that the information submitted within the Pre-application Discussion Document lacks the expected references and statements in respect of the proposals alignment to the Energy Island Programme and potential socio-economic benefits. The proposal as it stands does not provide the necessary confidence and certainty on how a potential development of this scale would generate any estimated positive local impacts. This applies both to the construction and operational phases.

The Traffwll proposal is a significant development which will provide enough generating capacity to power 12,250 homes for 40 years and covers an area measuring 117 hectares. As a result, IACC would have expected a detailed Economic Impact Assessment to have been prepared and submitted as part of the application. This document should outline the quantifiable socio-economic benefits for individuals, businesses and the community, good-practice examples from other similar developments, and policies and procedures to be adopted by the applicant/ developer to ensure positive local economic outcomes are realised. It is only with a detailed Economic Impact

Assessment that IACC's Regulation & Economic Development Service (R&ED Service) can reach an informed view (with the necessary confidence and certainty) in respect of aspects such as:

1. Local supplier development thereby ensuring contracts (building and operational) are secured by companies based within the sub-region;
2. Identification of future skill requirements to ensure local training providers, careers advisors, and individuals are made aware of likely future employment opportunities/ requirements;
3. Consideration and development of any potential for associated traineeship and apprenticeship opportunities

The absence of detailed socio-economic information makes it difficult to reach an evidence-based view on the likelihood, and robustness of any positive local outcomes generated by the proposed development and how its activities could contribute towards the achievement of all relevant economic and energy related policies including the Energy Island Programme Framework.

The request for this additional information is based on sound planning policies and practices which is wholly consistent with the approach the R&ED Service has adopted with previous economic development planning applications of this scale.

### **Welsh language and Culture**

The Planning (Wales) Act 2015 which came into force on the 6<sup>th</sup> July 2015 gives greater weight to the Welsh language as a material planning consideration when determining planning applications. In response to these legislative requirements IACC would expect the applicant to demonstrate that consideration has been given towards the impact which this proposal will have upon Welsh speaking local communities from construction workers involved in the construction works by way of a Welsh Language Statement.

Notwithstanding the legislative framework which supports this requirement, IACC would expect the applicant to develop the Traffwll Solar farm project in a way which respects and protects the islands Welsh language and culture. IACC would wish to see the applicants taking steps to mitigate any adverse effects and to realise opportunities to enhance beneficial effects on the Welsh language and culture in relation to its proposals. The approach to the assessment of effects should not merely be siloed as a standalone document but should also be embodied as the 'golden thread' within all documents submitted in support of the proposal. Furthermore, any assessment should be informed although not limited to, the following national and local planning policy guidelines, all of which are adopted:

- Supplementary Planning Guidance: Planning and the Welsh language (2015); and
- TAN 20: Planning and the Welsh language (2017)

### **Bryngwran Community Council**

No response received at time of writing. Any response received subsequently will be forwarded to the applicants for information.

### **Llanfair Yn Neubwll Community Council**

Wish to note that 4 of the 7 proposed solar farm sites included in the pre-application consultation document submitted by Sirius planning, i.e. Areas 1,6,8 and 9 fall within the Llanfair Yn Neubwll Community Council area. The Community Council are aware that many of their residents are totally opposed to the solar farm project. Their concerns are listed as follows;

- (i) Visual Impact
- (ii) Too many sites in the vicinity
- (iii) Impact on immediate residents and devaluation of properties
- (iv) Impact on the roads, community and public footpaths
- (v) Impact on farmland
- (vi) Health and Safety, wind impact and how this risk is dealt with
- (vii) The sites have listed/ancient buildings or are within AONB and SSSI's
- (viii) Changes in ecology under the panels
- (ix) Impact on tourism

The community councils closing statement emphasises that a successful outcome to this proposal (in terms of gaining an approval for the development) would undoubtedly cause major upset to those living in the immediate vicinity. Therefore, should the application be successful the Council would hope to receive a generous community benefit settlement to help compensate for the negative impact of the development.

### **Cllr Richard Dew and Cllr Gwilym Jones**

In a joint response the County Councillors have expressed concern on several levels. The first concern relates to the fact that as the proposed development is on several sites it will have an effect on more than one area. If the development goes ahead it would have a visual impact for many properties, more so on those in the immediate vicinity with the possible consequences of devaluation of their properties.

Another concern is the loss of farmland as there would be minimal value in the land under the panels.

There is also concern as to the impact on the local roads which service the various sites.

The County Councillors response concludes by stating that if the development is permitted then an adequate community benefits package must be secured as part of any approval which might be forthcoming.

### **Voluntary Community Benefits**

Leading on from the above in terms of the reference to community benefits packages, IACC would wish to clarify that it is committed to ensuring that all communities benefit directly from the use of their local resources and environment by all major projects on Anglesey. The County Council expects all major projects to deliver a positive "legacy" for Anglesey, with their development, operation and construction making a positive contribution to the well-being, quality of life and sustainability of the Island and its communities.

Voluntary community benefit contributions provide a legitimate opportunity for major project developers to provide meaningful rewards (be it financial and/or in-kind contributions) in recognition of the burden, disruption and inconvenience being imposed on the communities hosting their developments.

The County Council acknowledges that it has no powers to compel developers to provide voluntary community benefit contributions; and that they must be seen by developers to be affordable in terms of the overall costs and profits of their projects over their lifecycles. However, there remains a clear and strong expectation from both the County Council and the local community for the proposed solar

farm to provide a significant and long term level of voluntary benefits (primarily for the communities in closest proximity) for the lifetime of the project .

For the avoidance of misunderstanding; or uncertainty, the County Council notes that voluntary community benefit contributions are not a mechanism to make a major project/ development acceptable in planning terms, and they are not taken into account when determining an application for planning consent. These comments on “discretionary” issues are provided to ensure the County Council’s pre application response is complete and comprehensive.

## **Summary of Responses**

### **- Planning Policy**

Planning policies in Wales encourage the provision of green energy sources, specifically in this case PPW (2018) and TAN 8: Renewable Energy (2005). These policies are also supported in principle within the local planning policy framework for the Plan area through the Anglesey and Gwynedd Joint Local Development Plan (JLDP) which was adopted in July, 2017.

Whilst acknowledging the general encouragement and support for renewable energy developments, planning applications must be determined in accordance with the PPW and JLDP unless material considerations indicate otherwise. Notwithstanding the fact that all of the issues identified above will need to be satisfactorily addressed (and acknowledging the fact that a number of surveys will need to be carried out to inform the case before a full answer can be given to some aspects), in terms of the main issues and concerns which have been identified following preliminary consultations conducted with the Authority’s own in-house consultees these can be summarised as follows;

### **- Ecology and Environment**

Limited information currently presented in terms of ecology and habitat. The scope should also be extended to include amphibians, reptiles and mammals as well as birds likely to be (or have potential to be) in the areas of the proposal whilst making full use of ‘Cofnod’ local records. Any adverse impacts upon Natura 2000 sites are likely to be unacceptable and would be subject to the provisions of the Habitats Regulations ACT 2017 (as amended). In this regard the applicants particular attention is drawn to the recent CJEU ruling in the matter of *People over Wind & Sweetman* case. The Discussion document also omits any reference to local wildlife sites.

### **- Gwynedd Archaeological Planning Service**

Notwithstanding the known archaeological record there is considerable potential for presently unknown archaeology given the scale and location of the site. A full archaeological assessment will be required for each part of the site. Geophysical surveys and trial trenching will also be required. Attention is drawn to the proximity of Scheduled Ancient Monument AN088 ‘Castellor Hut Group’ and the need to consult with CADW. In accordance with good practice it is also recommended that a HIA be prepared in support of the proposal.

### **- Built Environment and Landscape (Cultural Heritage)**

Advise that there are 3 Grade II Listed Buildings in the vicinity of the proposed development sites as well as the Castellor Hut Group SAM. In line with the advice from GAPS and recognised good practice it is recommended that a HIA accompany the proposed submission.

### **- Built Environment (Landscape)**

Confirm that an LVIA will be required as part of the iterative design process which follows the latest guidelines laid down within the GLVIA (3<sup>rd</sup> Edition). The proposal should be supported by a Residential Impact Assessment and the avoidance of significance of effects is preferable to mitigation. This applies to all elements of the proposal. Greater detail should be provided on the form of modelling to be used in the visualisations and viewpoints should be agreed with all interested parties, including IACC.

- **Public Rights of Way Officer**

The solar panels will need to be positioned away from the 3 public footpaths located within the site

- **Coastal Footpaths Officer**

Confirm that as the proposed development does not alter the route of the coastal footpath they have no observations to offer. It is imperative however that the visual effects of the proposed development are ameliorated such that they do not adversely affect the enjoyment of users of the Coastal Footpath.

- **Chief Engineer (Network)**

No specific recommendations at the preliminary stage however it is requested that a FCA accompany the submission given the fact that the propose site is partly located within a C2 designated flood zone.

- **Chief Engineer (Highways)**

Highlight the narrow width of the road network serving the site coupled with the poor horizontal and vertical alignment. A detailed TMP is requested to cover both the construction and operational phases of the development together with details illustrating how each parcel of the application site is to be accessed during the construction phase.

- **Chief Public Protection Officer**

Request the imposition of limits in terms of days and hours of operation and confirm that there should be no nuisance by dust, fumes, noise, vibration, odour or artificial lighting. The response also stipulates the requirement to comply with Environmental Good Practice On-site (4<sup>th</sup> Edition) and submit an assessment of likely noise impacts as a result of construction works.

- **Destination Management**

All proposed development as part of the Energy Island Programme should have regard to the AONB designation in terms of the AONB's primary purpose of conserving and enhancing natural beauty.

- **Economic Development Unit**

Acknowledge the fact that the proposal is a significant development. As a result, IACC would expect a detailed Economic Impact Assessment to support the application which would explain how the project would contribute towards the achievement of all relevant economic and energy related policies (supply chain, jobs and skills) including the Energy Island Programme Framework.

- **Welsh language and Culture**

Croeso i chi ddelio gyda'r Cyngor yn Gymraeg neu'n Saesneg. Cewch yr un safon o wasanaeth yn y ddwy iaith.  
You are welcome to deal with the Council in Welsh or English. You will receive the same standard of service in both languages.

Aligning with the requirements of the Planning (Wales) Act 2015 IACC would expect the applicants' submission to be accompanied by a Welsh Language Statement which demonstrates that consideration has been given towards the impact which this proposal will have upon Welsh speaking local communities from construction workers involved in the construction works. In addition, IACC would wish to see the applicants taking steps to mitigate any adverse effects and to realise opportunities to enhance beneficial effects on the Welsh language and culture in relation to its proposals.

- **Bryngwran Community Council**

No response at time of writing.

- **Llanfair Yn Neubwll Community Council**

Note that 4 of the 7 sites fall within the community council area and emphasise that many of the residents are totally opposed to the project. Although 9 separate concerns are listed in objection to the proposal the response concludes by stating that the community council would hope to receive a generous community benefit settlement in the event that the application were approved.

- **Cllrs Richard Dew and Gwilym Jones**

The Councillors issued a joint response which expressed concern on several levels which amplified that which had been raised by a number of consultees. The response concluded by stating that any approval which might be forthcoming for the site should be accompanied by an adequate community benefits package.

- **Community Benefits Contribution**

Notwithstanding the fact that CBC's are discretionary and not a material planning consideration, IACC is committed to ensuring that all communities benefit directly from the use of their local resources and environment by all major projects on Anglesey. The County Council expects all major projects to deliver a positive legacy for Anglesey, with their development, operation and construction making a positive contribution to the well-being, quality of life and sustainability of the island and its communities.

## **Conclusions**

To close, it can be confirmed that the proposal under consideration is a major development in close proximity to sensitive receptors and any application will inevitably need to be informed and supported by a number of various assessments. On the basis of the limited information presented to date, IACC has presented a number of high-level comments provided by its own in-house consultees on various points in an effort to provide guidance and a basis for further discussion on some of the main areas of potential concern.

The above comments are offered in the form of pre-application advice in the context of a consultee and are made at officer level only. They shall not be taken as being any determination by the Council as local planning authority or binding upon the Authority or any of its officers. In addition to the above the applicants are also advised to carry out further enquiries with other authorities, organisations and stakeholders who will also wish to comment on the proposal.

I would like to take this opportunity to thank Low Carbon for providing IACC with an opportunity of commenting upon its latest submission and influencing its proposals; and to this end I would like to

re-emphasise IACC's commitment to the project and our commitment to ongoing collaboration and engagement.

I hope that the above is of some assistance with the progression of your proposal and look forward to discussing these matters further in due course.

Yn Gywir / Yours Sincerely

A handwritten signature in black ink, appearing to read 'Dylan J. Williams', with a stylized, cursive script.

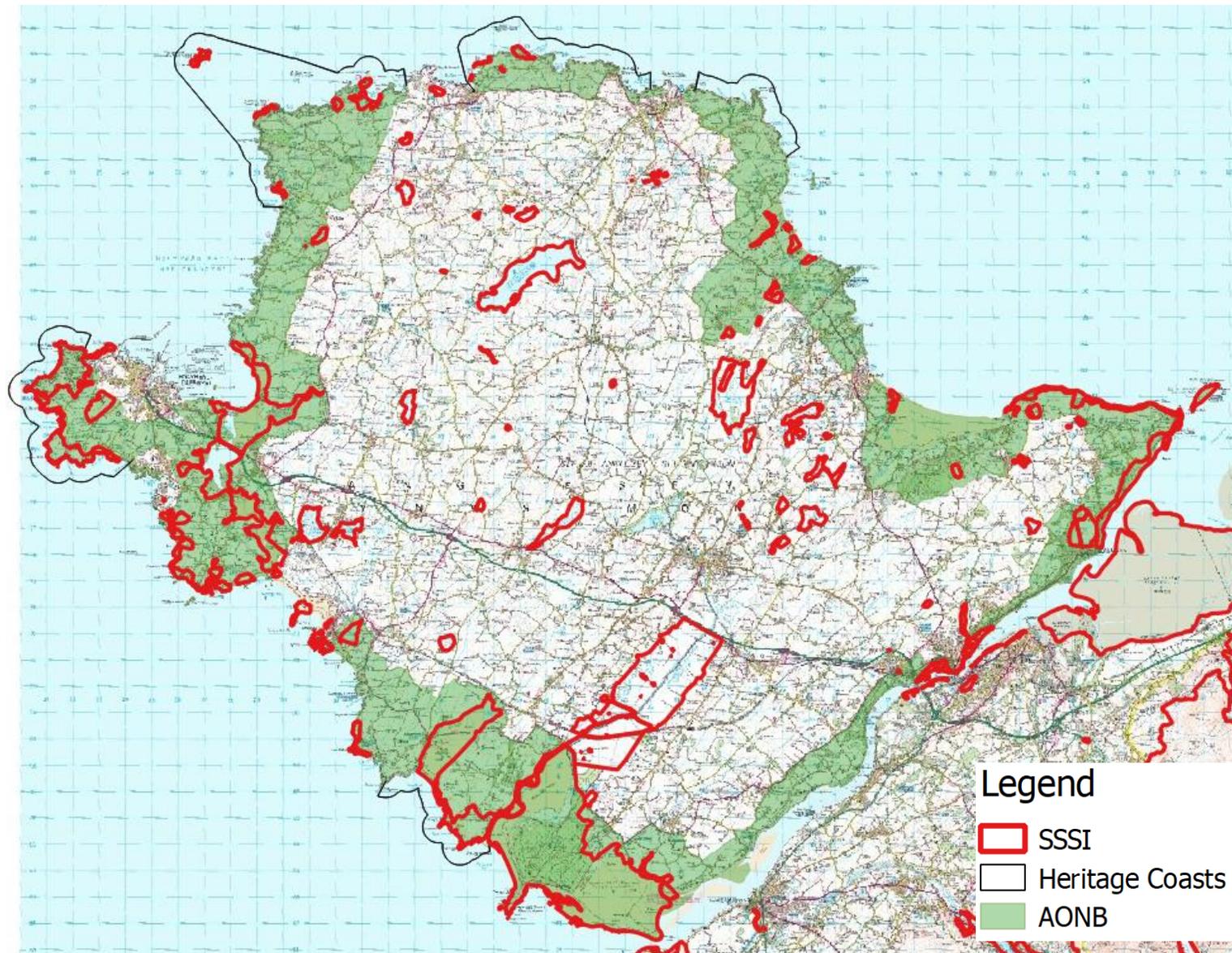
**DYLAN J. WILLIAMS**  
**Pennaeth Gwasanaeth – Rheoleiddio a Datblygu Economaidd**  
**Head of Service - Regulation and Economic Development**

(i) Encs- Appendix A- Environmental Designation Maps

(ii) Copies to- Cllrs Richard Dew, Nicola Roberts, Llinos Medi Huws, Kenneth P Hughes, John Griffith, Gwilym O Jones, Dylan Rees, Bob Parry.

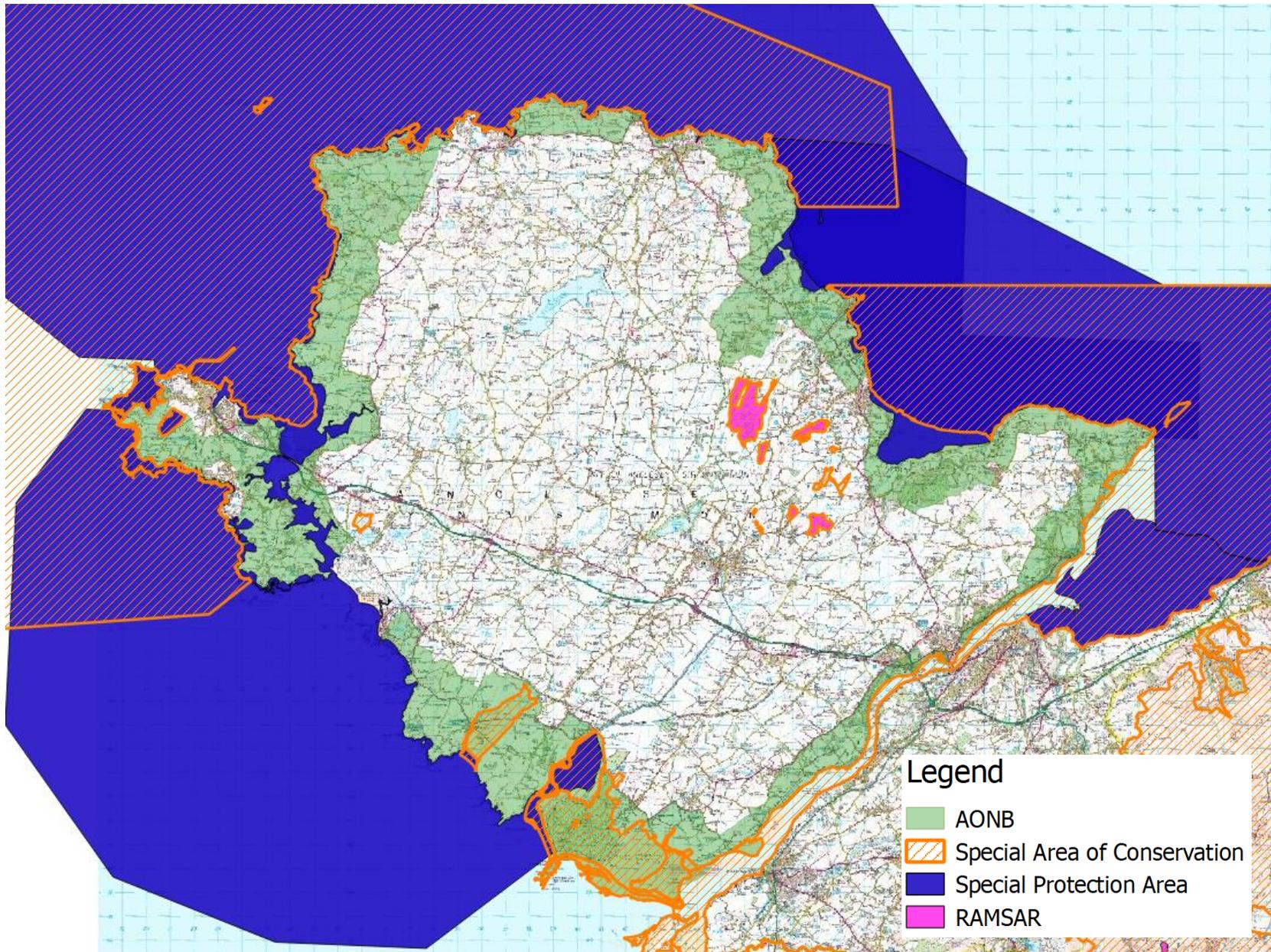
APPENDIX A

**Anglesey AONB - Heritage Coast and SSSI designations.**



APPENDIX A

**Anglesey AONB – SAC, SPA and RAMSAR designations.**



APPENDIX A

**Anglesey AONB – Local and National Nature Reserves.**

