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-
- Spring Dev 02 Ltd (c/o Agent)
 - Carmarthenshire County Council
 - Natural Resources Wales
 - National Grid

Ein Cyf / Our Ref: DNS/3227364

Dyddiad / Date: 15/01/2021

(Sent via email)

Town and Country Planning Act 1990

The Developments of National Significance (Wales) Regulations 2016

Application by: Spring Dev 02 Ltd

Site: Land to the east of the A48 (Coordinates E257386, N 209389) and Land to the south west of Tycroes (coordinates E259219, N209551; & E259904, N209590)

The appointed Inspector, Joanne Burston BSc (Hons) MA MRTPI AIPROW, has asked me to contact you regarding this Development of National Significance (DNS) application.

This communication constitutes official notification of important matters related to this DNS application. Please read the following information in its entirety. If anything is unclear, please contact us.

This letter should be treated as:

- 1. Notice under Section 62L(5) of the Town and Country Planning Act 1990 (as amended) of suspension of the determination period**
- 2. A formal request under Regulation 15(2) of the DNS Regulations for further information from the parties named in the relevant section**

1. Notice under Section 62L(5) of the Town & Country Planning Act 1990 (as amended) of suspension of the determination period

In line with the published Guidance on the DNS process, the Inspectorate considers it appropriate to suspend the determination of the application to allow time for the submission of additional information and to allow the Inspectorate to undertake a 5 week publicity and consultation period in respect of the additional information.

I hereby suspend the determination period for this application by a period of 24 weeks, i.e. the determination period will resume on Friday 30 July 2021.

2. Formal Request for further information under Regulation 15(2) of the DNS Regulations from the parties named in the relevant section (see Annex A)

The Inspector considers that the application is not accompanied by sufficient information to enable the Welsh Ministers to complete an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended). The applicant should have regard to the detailed advice regarding shadow Appropriate Assessments contained within the Planning Inspectorate's 'Advice Note Ten: Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects'; whilst written for the NSIP regime, the principles regarding Appropriate Assessment remain relevant to this DNS application. The Advice Note is available online:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

There are also other matters which the Inspector requires further information on. As the information specified in the Annex below includes work that must be undertaken at a specific time of year, the Inspector has set the suspension period to account for this. It is open to the Inspector to terminate, reduce or extend the suspension period by serving further notice.

The responses to the Inspector's request for information will be published to the DNS Portal website:

<https://dns.planninginspectorate.gov.uk/projects/wales/tycroes-solar/>

Yours sincerely

N Kinsey

Nina Kinsey
Case Officer

(Annex A appended below)

ANNEX A: Formal request for further information under:

Regulation 15(2) of the Developments of National Significance (Wales) Regulations 2016 (as amended) for further information.

This information must be submitted **no later than Monday 17 June 2021**.

From Spring Dev 02 Ltd:

1. Further information in response to matters raised in Natural Resources Wales (NRW) consultation response dated 6 January 2021:
 - i. NRW state that "*We are not in agreement with the conclusion that a Likely Significant Effect, alone or in-combination, on Caeau Mynydd Mawr SAC can be screened out.*" Consequently, in order for the Inspector to undertake a Habitats Regulation Assessment (HRA) further information is required:
 - Clarification on the footprint of the cable route and construction area;
 - Detailed habitat information of the area affected, particularly is the Devil's-Bit Scabious present, its population and location;
 - An assessment of the potential size of the meta-population of Marsh Fritillary Butterfly affected in a worst case scenario;
 - A revised shadow HRA assessment containing mitigation measures and their effectiveness to ensure no Likely Significant Effect on the conservation objective of the SAC; and
 - A Statement of Common Ground between Spring Dev 02 and NRW focusing on the revised shadow HRA assessment and the effectiveness of the mitigation measures proposed.
2. Further Information in Response to Matters Raised in National Grid Consultation response:
 - i. National Grid in their representation dated 29 December 2020 state that "*We are issuing an Objection to this project due to the potential of interference between the pipeline and the solar*". Consequently, in order for the Inspector to ascertain the impact of the proposal on the High Pressure Gas Pipeline (HPGP) further information is required:
 - Clarification on the footprint of the cable route and construction areas where they are located on or close to the HPGP; and
 - A Statement of Common Ground between Spring Dev 02 and National Grid.

3. Revised CEMP and LEMP: Revised/updated Construction and Environmental Management Plan (CEMP) Landscape and Ecology Management Plan (LEMP) documents reflecting the additional assessments and information arising from items 1-2 above.