

# **BLACKBERRY LANE SOLAR PARK**



**Policy Addendum**

**March 2021**

**Document Reference: BL016**

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## **Annex I – Detailed Policies**

## Introduction

1. This document provides an addendum to the submission made to PINS Wales for the proposed Blackberry Lane Solar Park. It is required as in the time since our application was lodged the Welsh Government has made changes to policy that are relevant to the proposed development.

## Changes in Welsh Government Policy

2. The Welsh Government has confirmed that the National Development Framework (Future Wales: the national plan 2040) [‘the NDF’] was published on 24<sup>th</sup> February 2021. The NDF is the highest tier of the development plan hierarchy in Wales, and therefore is afforded the status conferred by Section 38 of the Planning and Compulsory Purchase Act 2004 (as amended) by the Inspector when making their recommendation to the Welsh Ministers when determining this application.
3. The Welsh Government have also published edition 11 of Planning Policy Wales (PPW) alongside the NDF. The result of this is that Technical Advice Note (TAN) 8: Renewable Energy has been revoked.

## Future Wales: The National Plan 2040

4. The National Plan was in draft at the time of the original planning submission. It is now in final form and sets out where the Welsh Government think the country should try to grow and the types of development needed over the next twenty years to help Wales be a sustainable and prosperous society. It also states that Wales now seeks to go beyond 95 per cent carbon reduction to reach net zero by 2050.
5. In the introduction to the document the Government state.... *“We face a climate emergency which is actively changing our environment and directly affecting communities; we have an ecological emergency, where the behaviours and decisions of the human race are causing harm to the resilience of ecosystems and species; we have suffered the effects of a global health pandemic and must re-energise our economy in a sustainable way, demonstrating that we have learnt from previous excesses that have resulted in inequitable wealth and access to services. The Welsh Government will face these challenges and find the opportunities for a better Wales with every mechanism at our disposal. Our national development framework, in this context, is an important lever to deliver the change we need.”*
6. With specific regard to climate change the plan states that.... *“It is vital that we reduce our emissions to protect our own well-being and to demonstrate our global responsibility. Future Wales together with Planning Policy Wales will ensure the planning system focuses on delivering a decarbonised and resilient Wales through the places we create, the energy we generate, the natural resources and materials we use and how we live and travel.”*
7. Regarding Renewable Energy the document states..... *“Wales can become a world leader in renewable energy technologies. Our wind and tidal resources, our potential for solar generation, our support for both large and community scaled projects and our commitment to ensuring the planning system provides a strong lead for*

*renewable energy development, mean we are well placed to support the renewable sector, attract new investment and reduce carbon emissions.”*

8. As a national level document the content is relevant mostly in broad terms. Of particular relevance to the proposed Blackberry Lane Solar Park are the following policies which are replicated in full in Appendix A:
  - Policy 17 – “Renewable and Low Carbon Energy and Associated Infrastructure”;
  - Policy 18 – Renewable and Low Carbon Energy Developments of National Significance
9. It is considered that the project is supported by these policies which require that projects do not give rise to unacceptable environmental impacts, something which is demonstrated by the various studies that are detailed within the Environmental Statement and supporting documentation.

### Planning Policy Wales (PPW) edition 11

10. The Planning Policy Wales (PPW11) edition 11 has been published in the time since the application for the Blackberry Lane Solar Park was first lodged. It sets out the land use planning policies of the Welsh Government.
11. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. PPW, the TANs, MTANs and policy clarification letters comprise national planning policy. These various support documents are already referenced where relevant in the
12. It contains land use planning policies for Wales and sets out the framework for Local Authorities to prepare their development plans and is a material consideration in the determination of planning applications.
13. The document makes significant references to the need to move to a low carbon, renewable energy-based economy in Wales and strongly recognises the issues associated with our changing climate.
14. It also sets a renewable energy target for Wales to generate 70 per cent of its electricity consumption from renewable energy by 2030, something that will require rapid deployment of projects such as the proposed Solar Park if it is to be achieved.
15. The document identifies the benefits of renewable and low carbon energy, as part of the overall commitment to tackle climate change and increase energy security recognising it to be of “paramount importance”. It goes on to say that:

*“The planning system should:*

- *integrate development with the provision of additional electricity grid network infrastructure;*
  - *optimise energy storage;*
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- *facilitate the integration of sustainable building design principles in new development;*
  - *optimise the location of new developments to allow for efficient use of resources;*
  - *maximise renewable and low carbon energy generation;*
  - *maximise the use of local energy sources, such as district heating networks;*
  - *minimise the carbon impact of other energy generation; and*
  - *move away from the extraction of energy minerals, the burning of which is carbon intensive.”*
16. With specific regard to renewable energy the document states that: *“Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this. In doing so, planning authorities should seek to ensure their area’s full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved. Planning authorities should seek to maximise the potential of renewable energy by linking the development plan with other local authority strategies, including Local Well-being plans and Economic/ Regeneration strategies.*
- .....In order to facilitate local and regional energy planning, local authorities must develop an evidence base (which can include LAEP) to inform the development of renewable and low carbon energy policies. Planning authorities should:”*
- *take into account the contribution their area can make towards the reduction of carbon emission and increasing renewable and low carbon energy production;*
  - *recognise that approaches for the deployment of renewable and low carbon energy technologies will vary;*
  - *identify the accessible and deliverable renewable energy resource potential for their area, including heat, and consider the likely utilisation of this resource over the plan period;*
  - *assess the social, economic, environmental and cultural impacts and opportunities arising from renewable and low carbon energy development;*
  - *take into account the cumulative impact of renewable and low carbon energy development and their associated infrastructure, for example grid connections;*
  - *identify criteria for determining applications for sites based on their installed capacity;*
  - *engage with the renewable energy development industry and consider the deliverability of schemes;*

- *take into account issues associated with grid connection (see Grid Infrastructure section) and the transportation network; and*
  - *consider local and strategic priorities for renewable energy.”*
17. It is clear PPW in principle strongly supports the fight to combat climate change through the uptake of renewable energy generation such as the proposed Solar Park.

## TAN8

18. Commentary included in the planning statement and Environmental Statement regarding TAN8 can be disregarded. This does not impact on the conclusions of either document.

## Summary

The planning submission made by Wessex Solar Energy included commentary on draft National Development Framework documentation and the previous version of PPW.

There are changes in the texts of the two documents. However, this does not significantly change the way that these documents relate to the proposed development. Both documents strongly support renewable energy projects such as the proposed Blackberry Lane Solar Park.

The fact that TAN8 has been revoked has no material impact upon the conclusions of the various studies that support the application.

[Annex I – Detailed Policies](#)

Policy	Policy Text	Commentary
<p>Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure</p>	<p>The Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs. In determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales’ international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency. In Pre-Assessed Areas for Wind Energy the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development (including repowering) in these areas, subject to the criteria in policy 18. Applications for large-scale wind and solar will not be permitted in National Parks and Areas of Outstanding Natural Beauty and all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment. Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities. New strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities. The Welsh Government will work with stakeholders, including National Grid and Distribution Network Operators, to transition to a multi-vector grid network and reduce the barriers to the implementation of new grid infrastructure.</p>	<p>The proposed development is supported by the policy which seeks to significantly increase the uptake of renewable energy.</p> <p>The project is outside any AONB or National Park and impacts to such designations have been considered in the various support studies and found to be acceptable.</p> <p>As required by the policy the net benefits of the proposed development are detailed in full in the supporting planning documentation.</p>

<p>Policy 18 – Renewable and Low Carbon Energy Developments of National Significance</p>	<p>Proposals for renewable and low carbon energy projects (including repowering) qualifying as Developments of National Significance will be permitted subject to policy 17 and the following criteria:</p> <ol style="list-style-type: none"> <li>1. outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty);</li> <li>2. there are no unacceptable adverse visual impacts on nearby communities and individual dwellings;</li> <li>3. there are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons of Overriding Public Interest (IROPI) and appropriate compensatory measures have been secured);</li> <li>4. there are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species;</li> <li>5. the proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity;</li> <li>6. there are no unacceptable adverse impacts on statutorily protected built heritage assets;</li> <li>7. there are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance;</li> </ol>	<p>In accordance with the policy the project is located outside AONB / National park controlled area and does not have an unacceptable impact on the setting of such designations or to the surrounding landscape.</p> <p>It is considered after detailed studies that there are no impacts that would be unacceptably adverse to communities or nearby dwellings. This is demonstrated within the Environmental Statement (BL001).</p> <p>There are no impacts to international designations such as RAMSAR sites or to ecology sites. What is more the proposals allow for net benefits to biodiversity during the lifetime of the project (BL001: Section 9 and BL002: A9.1-A9.5).</p> <p>Assessments have demonstrated that there are no significant impacts to buildings that are culturally significant (BL001: Section 10 and BL002: A10.1-A10.4).</p> <p>The planning application includes details of the transportation of materials to and from site and highlights that no significant issues will be encountered in this regard (BL001: Section 13 and BL002: A13.1-A13.2).</p> <p>There are plans included that detail the decommissioning process. (BL002: A6.1)</p>
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	<ol style="list-style-type: none"><li>8. there are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T);</li><li>9. there are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation;</li><li>10. the proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources;</li><li>11. there are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration. The cumulative impacts of existing and consented renewable energy schemes should also be considered.</li></ol>	
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