

Adeilad y Crown Buildings Ffôn/tel: 0303 444 5941  
Goron Cathays Park  
Parc Cathays Cardiff  
Caerdydd CF10 3NQ e-bost/e- [policy.wales@planninginspectorate.gov.uk](mailto:policy.wales@planninginspectorate.gov.uk)  
CF10 3NQ mail:

---

Rachel Gaffney Eich Cyf / Your Ref: P19-2023  
Pegasus Group Ein Cyf / Our Ref: DNS/3247619  
via email Dyddiad / Date: 17/03/2020

---

Dear Ms Gaffney

Town and Country Planning Act 1990  
The Developments of National Significance (Procedure) (Wales) Order 2016 (As Amended)  
Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (**'the Regulations'**)

Potential DNS Application by: Solarcentury  
Site Address: St Asaph, Denbighshire  
Proposed Development: Construction of a solar farm and energy storage hybrid park, together with all associated works, equipment and necessary infrastructure.

On 21 February 2020, the Planning Inspectorate received a request made under regulation 31(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) **Regulations 2017 ("the Regulations")**, for the Welsh Ministers to make a screening direction as to whether or not the development proposed is "EIA Development" within the meaning of the Regulations.

The Planning Inspectorate is authorised by the Welsh Ministers to provide that screening direction.

The project, as described above, falls within the description at paragraph 3(a) in column 1 of the table in Schedule 2 to the Regulations and exceeds the applicable threshold in column 2 of that table.

As the proposal is a potential Development of National Significance (DNS) application, the attached screening assessment identifies the key areas which have been considered. Having taken into account the selection criteria in Schedule 3 to the Regulations and the

advice in Welsh Office Circular 11/99: Environmental Impact Assessment on establishing whether EIA is required, the assessment concludes that:

*This Solar Farm will lead to effects on a number of aspects of the environment, but due to the nature of solar developments, most effects are unlikely to be significant. However, in light of the information available in the Screening Report provided by the Applicant, its Appendices, and the consultation responses by Denbighshire Council, Natural Resources Wales, and Cadw, I consider that significant effects are likely in relation to protected species, landscape character and visual amenity. In addition, without further assessment, significant cumulative landscape and visual effects must be considered likely. As such, the Proposed Development is EIA development, and an ES is required to accompany any future DNS application.*

Therefore, in exercise of the powers conferred by Regulation 4 of the Regulations and the authority referred to above, the Welsh Ministers hereby direct that the development subject of this appeal is EIA development within the meaning of the Regulations.

Consequently, this application must be accompanied by an Environmental Statement. Under regulation 17(1) of the Regulations an Environmental Statement must contain, for the purpose of assessing the likely impact on the environment, the information specified in that regulation. It is recommended that you refer to the Regulations and the accompanying Circular, Welsh Office Circular 11/99, before and during the preparation of the Environmental Statement. In the meantime, you may wish to have regard to the particular environmental topics identified in the attached screening assessment.

I am copying this letter to the Cadw and NRW, as well as the Local Planning Authority, so that this screening direction is placed on Part 1 of the Planning Register in relation to the application in question, in accordance with the Regulations.

Yours sincerely

*Ifan Gwilym*

Ifan Gwilym  
Planning Officer

The Planning & Environment Team  
The Planning Inspectorate

## STAGE 1 – INITIAL EIA SCREENING ASSESSMENT

1 Case Details	
A	Appeal case reference 3247619
B	Brief description of development Construction of a solar farm and energy storage hybrid park, together with all associated works, equipment and necessary infrastructure
2 EIA Screening Details	
2A	Schedule 1
	Is the project Schedule 1 development as described in Schedule 1 of the EIA Regulations? No
	<i>If Yes, under which description of development? If No, consider whether project is 'Schedule 2' development below in part 2(B).</i>
2B	Schedule 2
(i)	Is the project listed as a description of development under Column 1 of Schedule 2 of the EIA Regulations? Yes <i>If Yes, under which description of development? If No, EIA is not required.</i> 3(i)
(ii)	Does the project change or extend development described in paragraphs 1 to 12 of Column 1 of schedule 2, where the change or extension may have SIGNIFICANT* adverse effects on the environment? N/A <i>If Yes, provide reasons for your answer below. *If unsure, discuss with PET. Proceed to point (iii).</i> N/A - not a change or extension
(iii)	<b>Is the project located wholly or partly within a 'Sensitive Area' as defined by Regulation 2 of the EIA Regulations?</b> No <i>If Yes, state which area and more to Question 3. If No, proceed to point (iv) below.</i>
(iv)	Are the applicable thresholds/criteria in Column 2 exceeded / met? Yes <i>If Yes, note which applicable threshold/criteria. If No, EIA is not required.</i> Exceeds 0.5ha threshold
3 LPA / Welsh Ministers' Screening	
(i)	Has the LPA issued a Screening Opinion (SO)? N/A
(ii)	Have the Welsh Ministers issued a Screening Direction (SD)? N/A

4 Environmental Statement (ES)		
	Has the applicant/appellant supplied an ES for the current or previous (if reserved matters or conditions) application?	N/A

Is a detailed screening assessment (Section 5) required?  
 If Yes has been answered in response to either 2B(iii) or 2B(iv), send to relevant team to undertake detailed screening assessment.  
 If No has been answered for both questions, or the questions are not applicable, start appeal.

Sign-off	
Signature	Ifan Gwilym
Date	5 March 2020

## STAGE 2 – DETAILED EIA SCREENING ASSESSMENT

As per Schedule 3, Para 3: When considering the potential impact, take into account; (a) magnitude / spatial extent / population likely to be affected; (b) nature of impact; (c) transboundary nature; (d) intensity & complexity; (e) probability; (f) expected onset / duration / frequency & reversibility; (g) cumulation with existing and / or approved development; (h) the possibility of effectively reducing the impact.

5 Detailed Screening Questions		
Questions to be considered	Yes/No/Unknown – provide description	<b>For 'Yes/Unknown', are effects likely to be significant?</b> <i>Include consideration of features or measures to avoid or prevent what might otherwise be significant effects</i>
<b>CRITERION 1. CHARACTERISTICS OF DEVELOPMENT</b>		
<b>Question 1(a) Size and design of the Development</b>		
Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	Yes – the use of the site would be altered from solely agricultural use to that of a solar park, with some use for grazing of animals. A number of physical works, including minor earthworks, would form part of the scheme.	Due to the scale and nature of the Proposed Development, I do not consider significant effects in this respect to be likely.
<b>Question 1(b) Cumulation with Existing and/or Approved Development</b>		
Are there any other factors which should be considered such as: <ul style="list-style-type: none"> <li>consequential development which could lead to environmental effects?</li> <li>the potential for cumulative impacts with other existing or planned activities in the locality?</li> <li>any plans for future land uses on or around the location which could be affected by the project?</li> <li>transfrontier impacts?</li> </ul>	The Screening Report acknowledges a number of relatively small-scale applications as well as some applications relating to underground cabling associated with the Gwynt Y Mor and the Burbo Bank extension offshore windfarms, but that these are unlikely to result in a cumulation of impacts with the Proposed Development. The LPA highlight proximity to St Asaph, St Asaph Business Park (including existing energy infrastructure), and sites allocated in the Denbighshire LDP – Bodelwyddan Key Strategic Site and an extension to St Asaph Business Park.	The LPA and NRW have raised concerns about significant effects on landscape character and visual amenity from the coalescence of Bodelwyddan and St Asaph. Considering the Landscape and Visual Appraisal and the advice from the consultees, I consider significant cumulative effects on landscape character and visual amenity to be likely.
<b>Question 1(c) Use of Natural Resources, in particular land, soil, water and biodiversity</b>		

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	<b>For 'Yes/Unknown', are effects likely to be significant?</b>
Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Yes, some resource use would be involved in the construction and operation of the proposed development.	Due to the scale and nature of the Proposed Development, I consider the effect on natural resources is unlikely to be significant.
Question 1 (d) Production of Waste		
Will the Project produce solid wastes during construction or operation or decommissioning?	Yes, some waste will be produced during construction, and the decommissioning of the equipment at the end of its lifespan would result in solid waste.	Due to the scale and nature of the Proposed Development, I consider the effect on waste generation is unlikely to be significant.
Question 1 (e) Pollution and Nuisances		
Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	No.	N/A
Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes - a degree of noise and vibration would be likely during construction, with minimal noise during the operational phase.	Due to the scale and time limited nature of the construction phase, I consider the effect on noise and vibration is unlikely to be significant.
Will the Project release pollutants or any hazardous, toxic or noxious substances to air, or lead to risks of contamination of land or water (including surface waters, groundwater, coastal waters or the sea)?	No.	N/A
Question 1 (f) Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge		
Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?	Yes - some small risk of accident during construction and decommissioning.	Due to the scale and nature of construction and decommissioning, the risk of accidents is unlikely to be significant in EIA terms.
Question 1 (g) Risks to Human Health (for example due to water contamination or air pollution)		

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	<b>For 'Yes/Unknown', are effects likely to be significant?</b>
Will there be any risk to human health during the construction and/or operation of the development	No.	N/A
<b>CRITERION 2. LOCATION OF DEVELOPMENT</b>		
<b>Question 2(a) Existing and Approved Land Use</b>		
Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?	No.	N/A
Are there any routes or facilities on or around the location, which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes – two sections of the site are intersected by Public Rights of Way (PRoW) which will need to be diverted. There may be disruption to PRoW users in the local area during construction.	In their response, the LPA state that they have previously advised they would not support the proposed diversions as shown on the indicative layout plan. The Applicant is advised engage with the <b>LPA's</b> PRoW team to discuss the diversion, as this will aid the Examination of the DNS. However, for the purposes of EIA Screening, considering the scale and nature of the Proposed Development any effect on PRoW is unlikely to be significant.
Are there any transport routes which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes – the A55 runs along the southern site boundary and the A525 to the east. Site access for construction will be via the A525 to the southeast.	Due to the scale and time limited nature of the construction phase, I consider the effect on transport routes is unlikely to be significant.
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	Yes – the site is currently greenfield land in agricultural use.	The nature of the Proposed Development means that the site can still be used for grazing animals, and can be restored to greenfield following decommissioning. Significant effects are unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	<b>For 'Yes/Unknown', are effects likely to be significant?</b>
Are there any areas on or around the location occupied by land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	Yes – there are a number of residential properties around the site, with Gwernigrion Farm House located in the middle of the site (not within the red line boundary).	The residential properties surrounding the site, including those in St Asaph and Bodelwyddan may be affected as identified elsewhere in this matrix (particularly LVIA), but effects on land use are unlikely to be significant.
Question 2(b) Relative Abundance, Availability Quality and Regenerative Capacity of Natural Resources in the Area and its Underground		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes – the site is a mix of Grade 3a and 3b agricultural land. Most of the proposed site is safeguarded for minerals, sand and gravel in the Denbighshire LDP.	The Applicant will need to justify the choice of site during the Examination of the DNS, but due to the nature of the Proposed Development, significant effects on agricultural land or mineral safeguarding areas are unlikely in EIA terms.
Question 2(c) Absorption Capacity of the Natural Environment		
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, or are used by protected, important or sensitive species of fauna or flora, which could be affected by the project?	Yes – no designated sites are located within the site boundary but Elwy Woods SSSI/SAC, Liverpool Bay SPA, the Dee Estuary SSSI/Ramsar/SPA/SAC and Coedydd ac Ogofau Elwy a Meirchion SSSI are considered in the Screening Report.	NRW and the LPA have identified the potential for significant effects on protected species. In particular, NRW identify potential effect on Great Crested Newts, Bats, Hazel Dormouse, Water Voles, and Otters. Based on the information in the Preliminary Ecological Appraisal and the advice by the consultees, I consider significant effects on protected species likely.
Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No.	N/A
Are there any areas or features of high landscape or scenic value on or around the	Yes – the site is approximately 3.65km from the Clwydian Range and Dee Valley AONB to the east.	NRW and the LPA were consulted, and both state that based on the information available, the Proposed

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	<b>For 'Yes/Unknown', are effects likely to be significant?</b>
location which could be affected by the project?		Development has the potential to have significant effects on the AONB, with particular concern for glint and glare. Considering the Landscape and Visual Appraisal and the advice from the consultees, I consider significant cumulative effects on landscape character and visual amenity to be likely.
Is the project in a location where it is likely to be highly visible to many people?	Yes – the site is located north of the A55, and between the settlements of Bodelwyddan and St Asaph.	Considering the Landscape and Visual Appraisal and the advice from the consultees, I consider significant cumulative effects on landscape character and visual amenity to be likely.
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	Yes – there are a number of residential properties around the site, with the site located between the settlements of Bodelwyddan and St Asaph.	Due to the scale and nature of the Proposed Development, the effects on nearby areas that are densely populated are unlikely to be significant.
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	As the site is in proximity to a number of designated historic assets, and the Screening Report identifies a number of non-designated archaeological assets on site.	Cadw have been consulted, and advise that the Proposed Development will not have sufficient impact on designated or non-designated heritage assets and their settings to require an EIA. Based on the Heritage Desk-Based Assessment and the advice by Cadw I am satisfied that any significant effects are unlikely.
Are there any areas on or around the location which are already subject to pollution or	No.	N/A

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?		
Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	Yes – the site lies partially within Flood Zone C1. The Inspectorate consulted the LPA and NRW.	The LPA highlight that no Flood Consequences Assessment (FCA) has been prepared, and note that based on the information available, there is potential for significant effects. NRW have engaged in pre-application discussions in relation to a FCA that is required to inform the Proposed Development. Based on the information available NRW do not consider significant effect likely. Considering the consultation responses and the Screening Report, I agree that although there is potential for significant effects, these are not likely.
Has there already been a failure to meet environmental quality standards that is relevant to the project?	No.	N/A

*Statement of reasons – insert into Screening Direction*

*This Solar Farm will lead to effects on a number of aspects of the environment, but due to the nature of solar developments, most effects are unlikely to be significant. However, in light of the information available in the Screening Report provided by the Applicant, its Appendices, and the consultation responses by Denbighshire Council, Natural Resources Wales, and Cadw, I consider that significant effects are likely in relation to protected species, landscape character and visual amenity. In addition, without further assessment, significant cumulative landscape and visual effects must be considered likely. As such, the Proposed Development is EIA development, and an ES is required to accompany any future DNS application.*

6		Outcome of assessment	
(ii)	If a SO/SD has been provided do you agree with it?	N/A	
(iii)	Is EIA required?	Yes	
Outcome		Action	✓
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area but not likely to have significant effects on the environment		Issue direction stating EIA Not Required (Letter 1)	
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area and likely to have significant effects		Issue direction stating EIA Required (Letter 2)	✓
Project does not fall within the EIA Regulations as either: (a) it is listed within the descriptions of development Column 1 of Schedule 2 of the EIA Regulations but does not meet relevant threshold/criterion; or (b) it does not fall within the categories of development in Column 1 of Schedule 2 of the EIA Regulations.		EIA Not Required - Issue direction stating either: (A) project listed within descriptions of development in Column 1 of Schedule 2 of the EIA Regs but does not meet relevant threshold/criterion; or (B) project does not fall within the categories of development in Column 1 of Schedule 2 of the EIA Regs (Letter 3)	
Schedule 2 development but effects not clear at this stage – file to be reviewed at a later stage		No action – review when appropriate i.e. on receipt of new information/case progress	
Schedule 2 development – appeal is at an advanced stage – referred for Direction; likely to have significant effects		Issue direction stating EIA Required (Letter 4)	
Development relates to a Report case, i.e. where the Welsh Ministers will make the final decision.		Ensure Welsh Government are copied in to Screening Direction when it is issued.	
Name and Job Title of Assessor	Ifan Gwilym, Planning Officer		
Date of Assessment	16 March 2020		

Eich cyf / Your ref

Ein cyf / Our ref : 46/2020/0156

Dyddiad / Date : 10 March 2020

Rhif union / Direct dial : [REDACTED]



Dear Sir / Madam

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) (Wales) Order 2012**

CAIS / 46/2020/0156  
APPLICATION:

CYNNIG / DNS Solar Farm EIA Screening Direction Consultation (Elwy Solar Energy)  
PROPOSAL:  
LLEOLIAD / Land at Gwernigron Farm The Roe, St. Asaph  
LOCATION:

I write on behalf of Denbighshire County Council as local planning authority in relation to your letter dated 26 February 2020 inviting comments from the Council on a request for a Screening Direction in relation to the above development.

Our comments are based on the information set out in the Screening Direction Request Report (Doc Ref: Pegasus Group doc ref: P19-2023 February 2020 on behalf of Solarcentury), having regard to the provisions of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (the 2017 Regulations).

Please note, due to time and resource constraints, technical specialists within the Council have not provided an input into this response to the Screening Direction consultation and the comments on the relevant chapters in the Report set out below are limited to the views of planning officers only, however the project promotor has already sought pre-application advice from the Council and we have drawn upon the detailed pre-application responses from technical specialists previously:

**COMMENTS ON SCREENING DIRECTION REQUEST REPORT:**

**1 Introduction**

No comments.

**2 Location of development**

No comments

**3. Development Proposals**

The development proposal includes a description of the elements of the proposal to be included within the application.

Appendix 1 includes an indicative layout for the proposed solar park, however no elevational or cross section plans have been provided, and no dimensions have been provided for the various elements of the proposal (in particular the battery storage facility, inverter / transformer units and boundary fencing / pole mounted CCTV which are components which are all likely to exceed the height of the solar arrays themselves), and accordingly the full scale of the proposal is difficult to determine at this stage.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: [REDACTED]

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: [REDACTED]

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



It is noted that the proposed grid connection is proposed to form part of the development, which would form an underground cable connecting the site to an unidentified substation.

It is not clear from the information provided whether a new off-site substation would be required to serve the proposed development, or if the underground cable would connect directly to an existing DNO / National Grid substation. This needs to be clarified and the cable route and grid connection point need to be clearly identified.

Accordingly, full details of the nature and form of the grid connection should be clearly set out, and the Council consider the route for the underground cable and any other off-site infrastructure required to connect the solar park to the grid (e.g. new substation or any other infrastructure required to facilitate the grid connection) should be included within the red line boundary for the proposal.

The exact components of the proposal should be clearly defined and the impact of the proposal in combination with all necessary off-site grid connection infrastructure should be fully assessed in the environmental assessments.

If elements are proposed to be finalised at later stage (e.g. the exact grid connection alignment / specific infrastructure upgrades requires at the existing substation) then all options should be included within the environmental assessments to ensure a worst case scenario is assessed.

#### **4 EIA Regulations**

The Council does not agree with all the conclusions of table contained in 4.7 in terms of likelihood of significant effects for the reasons set out in the sections below.

#### **5. Natural Resources**

The proposal would result in the loss of high grade agricultural land, however the proposal would also harness energy from a renewable energy source.

Further comments are proposed under the land use chapter below.

The Council has no other comments to make on this topic.

#### **6. Pollution and Nuisances**

The full scale of the proposal has not been defined, and no details are provided regarding the construction works, however the proposal will nevertheless be a very large major development project which has the potential to release pollutants into the environment, and it should be noted that watercourses are present on the site.

3.10 states the cable route will involve horizontal directional drilling (HDD) under the A55, however this is not stated in Chapter 6. HDD has the potential to give rise to adverse effects on the environment.

The Council consider insufficient information has been provided with the Screening Direction Request to enable significant effects from pollution and nuisance to be ruled out at this stage.

#### **7. Pollution and Human Health**

The site would surround a number of resident dwellings including dwellings at Gwernigron Farm, Hen Waliau, and Plas Coch Nursing Home amongst others and the amenity current enjoyed by residents of these dwellings could be significantly impacted by the development in terms of residential visual amenity, overbearing impact, glint and glare, noise and disturbance.

Whilst the solar panels themselves are inert, the ancillary electricity infrastructure could generate noise which could adversely impact on human health.

Not details of the construction works have been provided, and the exact scale and nature of the various elements of the proposal have not been clearly defined at this stage, and therefore the potential impacts during the construction and operational phase on human health is unknown, and the Council cannot rule out the potential for the proposal to have significant effects on pollution and human health.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: [REDACTED]

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: [REDACTED]

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



## 8. Water Resources

The site is a greenfield site which lies within a C1 Flood Risk area as defined by TAN15 and there are a number of water bodies within the boundary of the site.

Whilst the Report states the project promotor is currently consulting with NRW and flood mitigation and SUDS features will be installed within the site, It has to be noted that a flood consequence assessment has not yet been undertaken and not details of ground / soil conditions have been provided, and therefore the capacity of the soil to store and infiltrate water is unknown at this stage.

Having regard to the nature, scale and location of the development and the lack of information regarding ground conditions and flood risk, the Council consider the proposal has potential to give rise to significant effects with respect to water resources and flooding.

## 9. Biodiversity (Species and Habitats)

Section 3.3 of the Preliminary Ecological Appraisal submitted as Appendix 2 identifies protected and notable species potentially impacted by the proposal, and confirms Cofnod data has been accessed to inform the assessment.

The Appraisal states bird surveys have been carried out between October 2019 and January 2020, however resultant survey data has not been provided. It is noted that no other protected or notable species specific surveys have not been carried out to date.

With respect to bats, the Appraisal identifies 331 records of nine species of bats within 20m of the site, and this site includes a range of habitat features suitable for roosting and ranging bats.

With respect to badger, the report states badgers are considered highly likely to be present in the local area and to use land within and around the sit.

With respect to Hazel dormouse, there are 2 records so this species within the site boundary, and several dormouse nesting tubes were found within the main woodland and that site provided suitable habitat for these species.

With respect to Water Vole, the Appraisal sates watercourses / ditches could provide potentially suitable habitat for this species.

With respect to Otter, it is noted that the grid connection corridor may provide suitable habitat for otter.

With respect to great crested newt (GCN) it should be noted that this area of North East Wales is home to nationally important numbers GCN, and it is the Council's understanding that the neighbouring St Asaph Business Park is currently being considered for SSSI designation.

The Appraisal notes a total of 150 records of GCN have been recorded within 2km of the site, including record from within the site. In addition, there are seven ponds onsite, of which two have been assessed as having good potential for newts.

The Council consider it is highly likely that GCN will be present on the site.

With respect to other protected and notable species, the Appraisal notes a range of invertebrates may utilise the site, including butterfly and moth priority species. Hedgehog and brown hare are also known to be locally present.

The site therefore provides suitable habitat for a range of protected and notable species, and in particular GCN. In the absence of species specific surveys being carried out and any necessary mitigation measures being put forward as part of the proposal, the Council would have to conclude the proposal has the potential to give rise to significant effects on biodiversity interests.

## 10. Landscape and Visual

The site area extends to approximately 117 hectares, and is therefore a very large development site.

The site is located along the A55, which is the main highway route into Denbighshire and is the gateway to North Wales, and there are a range of sensitive receptors within 5km of the site including

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: [REDACTED]

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: [REDACTED]

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



the Clwydian Range and Dee Valley AONB, heritage assets, settlements and residential areas, public rights of way and roads.

A Landscape and Visual Appraisal is included as Appendix 3 to the Report.

The Appraisal includes an overview of the development proposal, but again the exact dimensions of the various elements of the proposal have not been clearly defined.

Figure 3: Screened Zone of Theoretical Visibility map shows the Zone of Theoretical Visibility (4m). It is not clear from the information provided what the 4m height represents.

It is however noted in 6.2 it states the ZTVs were modelled at a 'worse case' maximum panel weight of 3m above current ground levels.

The 4m height should be clearly explained – does this representation the maximum height of the solar array or the tallest infrastructure on the site? It is noted that the proposal includes other infrastructure such as inverter and transformer blocks, battery storage facility, CCTV system, containers etc., as well as any necessary offsite grid connection infrastructure, which may have a height greater than 4m.

In the absence of further information above the scale and form of the development proposed and its component parts, the Council do not agree the ZTV mapping as shown represents a worst case scenario.

The Council consider the LVIA should assess the impact of the proposal in its entirety (including all onsite infrastructure and offsite grid connection infrastructure) should be assessed and not just the solar arrays themselves.

The conclusion set out in 10.3 states that existing and proposed mitigation planting around the site will limit the potential for significant effects. However, at this stage the layout has not be fixed and details of planting and screening have not been provided and therefore it cannot be concluded that any potential for significant effects can be successfully mitigated through planting, and this should be discounted in the assessment of likely significant effects.

Having regard to the nature, scale and location of the development and the proximity to a range of sensitive receptors within 5km of the site, the Council consider the proposal has potential to give rise to significant effects on landscape character and visual amenity.

Cumulative effects should also be considered in the proposal. The solar farm, would result in the gap between the St. Asaph settlement boundary and the Bodelwyddan key strategic site becoming development, which in combination may result in more significant impacts on landscape character and visual amenity than indicated in the Appraisal (please also see comments under cumulative effects chapter below).

## 11. Cultural Heritage

There are a number listed buildings immediately adjacent to the site boundary, with further heritage assets in close proximity to the site including Bodelwyddan. The site is undeveloped greenfield land and there may be sub-surface archaeological remains within the site which may be disturbed during construction which also need to be assessed.

A heritage desk based assessment is provided as Appendix 4.

The Council has no comments to make on the substance of the heritage desk based assessment and would instead defer to Cadw and the Clwyd Powys Archaeological Trust (CPAT) with respect to the conclusions of the assessment and the potential for the proposal to give rise to significant effects on cultural heritage.

## 12. Transport and access

The site is located along side A525 and new access points are proposed to serve the site. The Council do not envisage the proposal would give rise to significant effects with respect to traffic and transport, however Welsh Government are the relevant Trunk Road Highway Authority, and the Council would defer to Welsh Government in terms of impact of the proposal on the A55.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: [REDACTED]

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: [REDACTED]

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



With respect to public rights of way, public footpaths and a bridleway traverse the site, and the indicative site layout plan shows these routes are to be diverted.

For the avoidance of doubt, the Council have previously advised the project promoter that the Council would not support the proposed public right of way diversions as shown on the indicative layout plan, and the project promoter has been advised to engage with the Councils Public Rights of Way team to discuss alternative diversion options.

### 13. Land Use

#### Agricultural land

The site is agricultural land outside of defined settlement limits. Based on the Council's mapping data, the site is a mix of Grade 3a and 3b agricultural land, and therefore includes agricultural land to be considered the best and most versatile. Planning Policy Wales Section 3.54 and 3.55 indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

A case would therefore need to be made to demonstrate an overriding need for the development in this location in accordance with the tests set out in PPW, however having regard to the scale and nature of the development, the Council do not consider the loss of high grade agricultural land would result in significant effects.

#### Mineral safeguarding

The majority of the proposed site is safeguarded for minerals, sand and gravel in the Denbighshire LDP. Policy PSE 15 in the LDP safeguards minerals from development that would result in its permanent loss or hinder future extraction. Development will only be permitted where it can be demonstrated that the development outweighs the need to protect the mineral resource or would not have a significant impact on the viability of that mineral being worked or where the mineral is extracted prior to the development.

The North Wales Minerals and Waste Planning Service has advised they would not raise an objection to the proposal on minerals safeguarding grounds for the following reasons:

- Solar Farms are a temporary use of land which does not sterilise the mineral in perpetuity.
- The solar panel infrastructure can be comparatively easily removed should access to mineral be required.
- There is no recent economic exploitation of the particular sand and gravel resources in this, or near-by locations.
- There is no information on the quality of the deposit to indicate that they are of a particularly high quality.
- The need to de-carbonise the generation of electricity outweighs the short term sterilisation of the mineral.
- The mineral will remain in place for future generations to exploit.
- The land take of safeguarded sand and gravel is modest and other safeguarded sand and gravel resource remain in place capable of meeting any short to medium term (year zero to say 50 years) need to exploit the mineral.

The proposal therefore would not give rise to significant effects on mineral reserves.

### 14. Land Stability and Climate

No comments.

### 15. Cumulative Effects

The Council consider the potential in-combination effects of the proposal have not been fully considered.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: [REDACTED]

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: [REDACTED]

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



Whilst there is no other solar parks within the vicinity of the site, the site is close to existing energy infrastructure in the St. Asaph Business Park / Glascoed Road area of St. Asaph, and is close to the St. Asaph settlement and the St. Asaph Business Park.

The Denbighshire LDP has also allocated the land immediately to the west of the site for mixed use development (Bodelwyddan Key Strategic Site (KSS) which also benefits from extant outline consent) and land to the south of the site on the opposite side of the A55 has been allocated for employment use as an extension to the St. Asaph Business Park.

The County also hosts a number of wind energy developments of varying scales, including offshore and onshore windfarms, and individual turbine developments and other renewable energy and energy infrastructure developments. Electrical transmission and distribution infrastructure (overhead lines and substations) are also present in the north of the County, and in particular in the St. Asaph area. This has not been acknowledged in the Screening Direction Request Report and the Council consider the cumulative effects of the proposal in combination with other renewable energy and energy infrastructure developments should also be assessed, as well as the cumulative effects of the proposal with any other major development in the vicinity of the site which are built, consented, allocated in the LDP or currently in the planning system.

Other energy generation and infrastructure projects which converge in the St. Asaph Business Park / Glascoed Road area of St. Asaph include existing high voltage overhead lines (National Grid pylons and DNO overhead lines); high voltage underground cables (export cables for offshore windfarms lead from the coast to substations south of Glascoed Road); DNO (Scottish Power Energy Networks) substation on St. Asaph Business Park; flexible gas fired power station on the St. Asaph Business Park; National Grid substation to south of Glascoed Road; Gwynt y Mor offshore windfarm substation to the south of Glascoed Road; and the Burbo Bank Extension offshore windfarm substation to the south of Glascoed Road.

Please see the plan attached which shows the approximate location of site relative to the 4 no. substations, flexible gas fired power station; National Grid pylons; Bodelwyddan KSS; St. Asaph development boundary; St. Asaph Business Park and allocated extension to the Business Park and Glascoed Road.

## 16. Transboundary Effects

No comments

## 17. Conclusion.

The Council does not agree with the conclusions.

Having regard to the selection criteria for screening Schedule 2 development contained in Schedule 3 of the 2017 Regulations, for the reasons set out above, it is the opinion of the Council that the proposed development is likely to have significant effects on the environment by virtue of factors such as its nature, size and location. Consequently the Council consider the proposed development should be subject to Environmental Impact Assessment.

I would advise that this response is based on the information available. Any opinions contained herein are those of the officer concerned and cannot be held as binding on the Council or its elected members.

Yours sincerely

Denise Shaw MRTPI

Planning Officer

(on behalf of Denbighshire County Council).

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: [REDACTED]

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

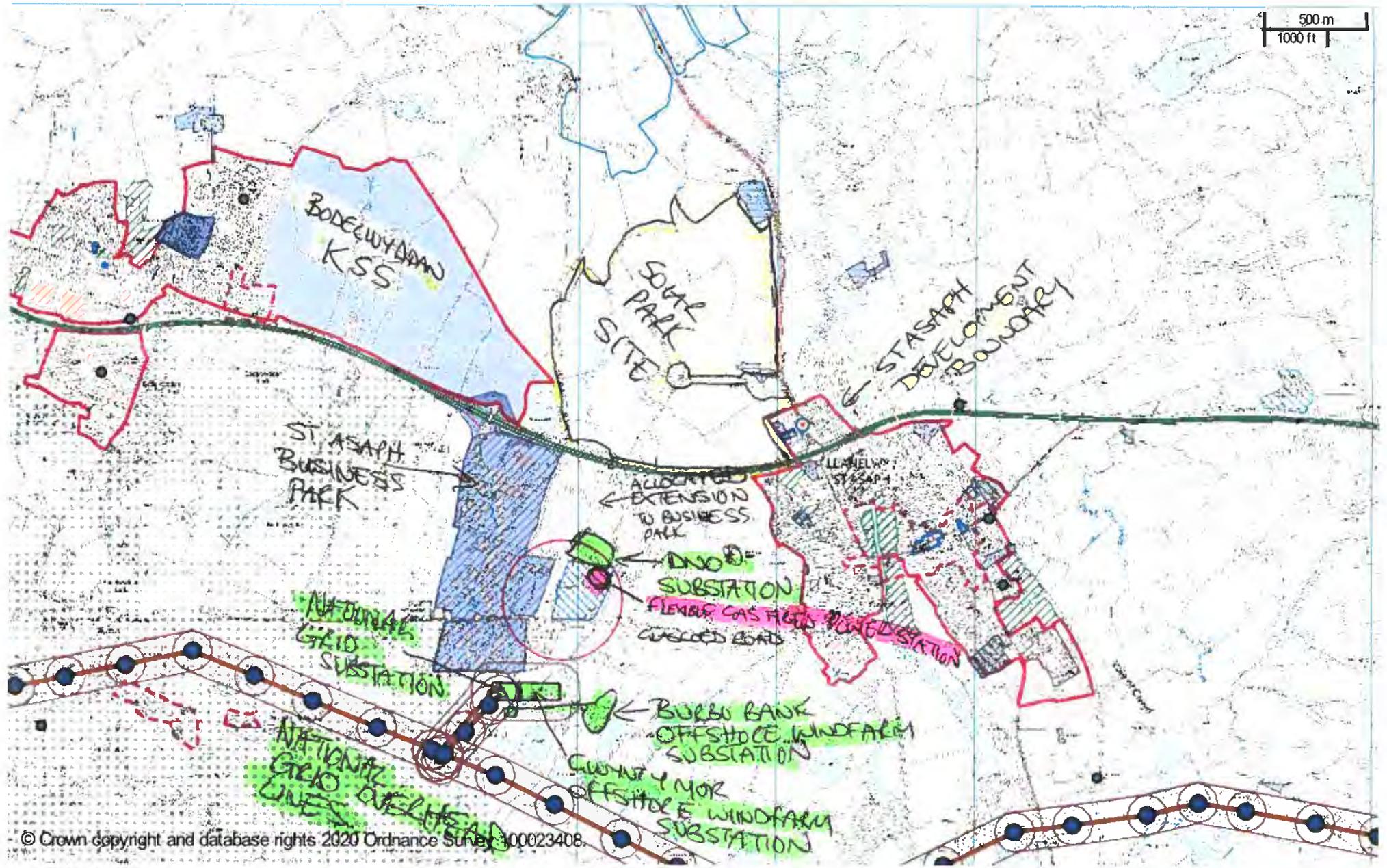
Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: [REDACTED]

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



500 m  
1000 ft



© Crown copyright and database rights 2020 Ordnance Survey 100023408

DCC addendum plan  
Scale: 1:25000  
Printed on: 10/3/2020 at 10:11 AM

DNO\* = SCOTTISH POWER ENERGY NETWORKS



Llywodraeth Cymru  
Welsh Government

Plas Carew, Uned 5/7 Cefn Coed  
Parc Nantgarw, Caerdydd CF15 7QQ  
Ffôn 0300 025 6000  
Ebost [cadw@llyw.cymru](mailto:cadw@llyw.cymru)  
[cadw.gov.wales](http://cadw.gov.wales)

Plas Carew, Uned 5/7 Cefn Coed  
Parc Nantgarw, Caerdydd CF15 7QQ  
Ffôn 0300 025 6000  
Ebost [cadw@llyw.cymru](mailto:cadw@llyw.cymru)  
[cadw.gov.wales](http://cadw.gov.wales)

Ifan Gwilym  
The Planning Inspectorate

[dns.wales@planninginspectorate.gov.uk](mailto:dns.wales@planninginspectorate.gov.uk)

Eich cyfeirnod  
Your reference

3247619

Ein cyfeirnod  
Our reference

Dyddiad  
Date

9 March 2020

Linell uniongyrchol  
Direct line

Ebost  
Email:

[cadwplanning@gov.wales](mailto:cadwplanning@gov.wales)

Dear Mr Gwilym,

## POTENTIAL DNS APPLICATION

**PROPOSED DEVELOPMENT: Construction of a solar farm and energy storage hybrid park, together with all associated works, equipment and necessary infrastructure**

**LOCATION: St Asaph, Denbighshire**

Thank you for your email of 26 February 2020 consulting us on the screening direction in relation to the above development.

Cadw, as the Welsh Government's historic environment service, has assessed the characteristics of this proposed development and its location within the historic environment. In particular, the likely impact on designated or registered historic assets of national importance. In assessing if the likely impact of the development is significant Cadw has considered the extent to which the proposals affect those nationally important historic assets that form the historic environment, including scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes.

These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

Our records show that the following historic assets are potentially affected by the proposal.

### Scheduled Monuments

FL004 Rhuddlan Castle  
FL015 Twthill (Further and Additional Areas)

### Listed Buildings

Grade II Listed Gwernigrion Farmhouse and Grade II\* Listed Dovecote, surrounded by the site;

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.  
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



Grade II Listed Plas Coch, located outside the eastern boundary of the site;  
Grade II\* Listed building and historic park and garden of Bodelwyddan Castle, c.2km and c.1.1km west of the site;  
Grade II Listed Pengwern Hall, c.750m north of the site; and  
Grade I Listed Rhuddlan Castle, c.1.8km north of the site.

### **Non-Designated Archaeological Sites**

Cropmarks of a possible medieval field system in the north-eastern corner;  
Possible location of a First World War temporary tented camp in the south-western area;  
A Royal Observer Corps monitoring post in the southwestern area.

### **Advice**

A heritage desk-based assessment for the proposed development has been prepared by the Pegasus Group. This has identified the significance of the heritage assets that will be directly affected by the proposed development and also those whose setting will be changed. In general we agree with this assessment of significance: however, in our current opinion the likely impact of the development on some of these heritage assets is higher than has been assessed, in particular the impact on Gwernigron Farmhouse and the cropmarks of a possible medieval field system in the north-eastern corner of the development area. These will be issues that can be further considered during the Development of National Significance process: However, our current opinion is that the proposed development will not have sufficient impact on the designated and non-designated heritage assets and their settings to require an environmental impact assessment to be produced.

Yours sincerely,

Nichola Davies  
Casework Manager

Maes Y Ffynnon,  
Penrhosgarnedd,  
Bangor,  
Gwynedd  
LL572DW

ebost/email:  
northplanning@cyfoethnaturiolcymru.gov.uk  
Ffôn/Phone: [REDACTED]

11/03/2020

Annwyl Ifan Gwilym,

**BWRIAD / PROPOSAL: CONSTRUCTION OF A SOLAR FARM AND ENERGY STORAGE HYBRID PARK, TOGETHER WITH ALL ASSOCIATED WORKS, EQUIPMENT AND NECESSARY INFRASTRUCTURE.**

**LLEOLIAD / LOCATION: ELWY SOLAR ENERGY, ST ASAPH, DENBIGH**

Thank you for your letter dated 26/02/2020 requesting Natural Resources Wales' (NRW) views on whether the above proposed development is likely to have a significant environmental effect.

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, any environmental permit, the submission of more detailed information, or an Environmental Statement.

We note the submission of the Screening Direction Request document (ref: P19-2023 February 2020) and appendices.

We consider that the proposed development is likely to have adverse effects on the environment. However, in light of the information available to us we cannot confirm the significance of all these effects. We therefore cannot rule out that some of these effects may be significant. In the absence of further information, we consider that the proposed development has the potential to have significant environmental effects.

Our view on the likelihood of significant environmental effects is set out below:

### **Protected Landscape**

In the absence of further information, we consider that the proposed development has the potential to have significant environmental effects on the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

The scale of the solar farm is similar in landcover area to St. Asaph – a nearby large village. Bodelwyddan is a major Local Development Plan site allocation for residential development lying just to the west of the proposed solar site. There is potential for the solar farm to add to the extent and coalescence of development already planned for this area. Urbanising effects, if clearly visible from the AONB, could erode its setting.

The distance of 3.5km between the site and the AONB has the potential to moderate the prominence of visual change. However, we would require further information about glint and glare effects upon elevated AONB viewpoints to the east and south-east of the proposed development to confirm this.

To be able to review a planning submission, we would require a landscape and visual impact assessment (LVIA), using guidelines for LVIA edition 3, a glint and glare assessment (included within the LVIA or as a standalone assessment but cross-referenced in the LVIA and using the same viewpoints for assessment purposes). Viewpoint photos will need to clearly indicate the site area visible within the view. Photomontage images are not anticipated to be necessary but may be required once we have had the opportunity to consider the viewpoint photos.

### **Protected Species**

In the absence of further information, we consider that the proposed development has the potential to have significant environmental effects on the following protected species:

- Great Crested Newts
- Bats
- Hazel Dormouse
- Water Voles
- Otters

We require further assessment with regards to the above-named species as we are unable to rule out significant environmental effects due to habitat loss and disturbance from the proposed development.

From the information provided and proposed mitigation to complete any clearance works outside of the bird nesting season and maintain and protect trees/hedgerows we consider that the proposed development is unlikely to have a significant environmental effect on birds.

Furthermore, we note that the ongoing winter bird surveys have so far suggested very limited opportunities for non-breeding waterfowl to be present at the site, which appears to be mostly arable farmland.

We note that Section 9 of the submitted Screening Direction Request document only refers to construction phase impacts and not any potential operational phase impacts caused by displacement from the current habitat. However, we understand that an Ecological Impact Assessment is to be submitted with the application (para. 1.1.3 of the Preliminary Ecological Assessment) and this should consider both construction and operational phase impacts, as well as the full results of the overwintering bird surveys. This information should also be used to inform any Habitat Regulations Assessment required to be completed by the Competent Authority.

## Protected Sites

From the information provided we consider that the proposed development is unlikely to have a significant environmental effect with respect to Internationally designated sites, European protected sites and Sites of Special Scientific Interest (SSSIs).

We concur with the requirement for consideration of Elwy Woods SSSI/SAC, Liverpool Bay SPA, the Dee Estuary SSSI/Ramsar/SPA/SAC and Coedydd ac Ogofau Elwy a Meirchion SSSI.

However, please note that Coedydd ac Ogofau Elwy a Meirchion is a SSSI for Semi Natural Broadleaved woodland, assemblage of rare and scarce plants, *veronica spicata*, lesser horseshoe bat, mixed bat assemblage and geology (not just geology as is stated in Appendix 2 - Table 3.1) and the SSSI underpins the SAC woodland.

## Flood Risk

At this stage, in the absence of more detailed information in relation to flood risk, we do not anticipate that the proposals will result in likely significant flood risk effects.

However, the applicant has acknowledged that a full Flood Consequences Assessment (FCA) will be required to support and inform development proposals on this site. The site lies partially within Zone C1 as defined by the Development Advice Map (DAM) referred to in TAN15: Development & Flood Risk. NRW has engaged in some pre-application discussions in relation to the FCA for this development including providing advice on the scope of the FCA. NRW will provide appropriate flood risk advice to the decision-making body when consulted on any future planning applications for the site.

## Geoscience

From the information provided we consider that the proposed development is unlikely to have a significant environmental effect with respect to surface or groundwaters.

The Site sits on Secondary A Superficial and Bedrock Aquifers with High Vulnerability to surface pollution. The nearest groundwater abstraction is at Bryn Gwyn Farm (NGR 302509, 376700), approximately 500 m north of the Site. It will be important to ensure that no pollutants enter the ground during or following construction activities, and that both surface water (including drainage ditches) and groundwaters are not impacted.

## Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours sincerely,

Siôn M. Williams  
Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning  
Cyfoeth Naturiol Cymru / Natural Resources Wales