

AT/P19-2023/PL

9th September 2021

Nina Kinsey
Major Casework Team
Planning Inspectorate Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ
Via email only dns.wales@planninginspectorate.gov.uk

Dear Ms Kinsey,

**Town and Country Planning Act 1990 (as amended)
The Developments of National Significance (Wales)
regulations 2016 (as amended) ['the DNS Regulations']
The Town and Country Planning (Environmental Impact
Assessment) (Wales) Regulations 2017 (as amended)
['the EIA Regulations']**

**Ref: DNS/3247619 Elwy Solar Energy Farm, Land at Gwernigron Farm,
The Rose, St Asaph, Denbighshire**

Please find enclosed application documents submitted on behalf of Solar Century Holdings Ltd (the Applicant), at the above site. The applicant seeks planning permission for a Development of National Significance for the Construction of a solar farm and energy storage hybrid park, together with all associated works, equipment, and necessary infrastructure.

The documents are submitted further to the 'Notification of Intention to Vary Development of National Significant (Wales) Application' submitted on behalf of the applicant on 10th August 2021 and following confirmation received from the Inspectorate on 12th August 2021 of the acceptance of the proposed variation.

The purpose of the varied layout proposed is to positively and proactively respond to representations received by Natural Resources Wales; Clwydian Range and Dee Valley AONB; Welsh Government Climate Change; Welsh Government Department of Economy and Infrastructure; and the design comments put forward by Denbighshire Council within the Local Impact Report.

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The revised layout presented has removed panels from the layout to reduce the combined area of coverage of the solar panels and battery storage area from 106 hectares as previous to approximately 63ha. The proposed installed capacity of the scheme has subsequently reduced from 65MW to 47.5MW.

The reduction in the scale of the scheme has been proposed in direct response to comments received by consultees to achieve the following main objectives:

- Reduce the coverage of the built elements affecting Best and Most Versatile Land. The revised layout reduces the coverage on Best and Most Versatile Land from 41ha to 19ha (0.85ha Grade 2, 17.9ha, Grade 3a).
- Remove panels to increase the set back of the solar farm from residential and commercial properties located off the A525 to the east of the site boundary.
- Remove panels to increase the amount of set back from designated heritage assets present at Gwernigron Farm and to enable the provision of a significant amount of additional planting in this area to provide enhanced screening of views, reduce the potential impact of glint and glare effects, and break up views of the site from within the AONB.
- Increase the set back of panels from the A55 to minimise the potential for impacts on users of the highway as well as to minimise the potential flood risk impact.
- Set back panels from the eastern boundary to enable the incorporation of significant additional landscape screening adjacent to the eastern boundary.
- Introduce a significant amount of additional woodland and hedgerow planting to provide additional screening of the site, break up areas of panels, and filter longer distant views achievable from the AONB. The photomontage representation submitted at Figure 5.12 of the ES have been updated to reflect the proposed planting plan and additional images have been provided to illustrate the effect of the planting at Years 1 and 15 of the operational phase to assist with the appraisal of the effect of this.

The additional planting proposed has further enhanced the biodiversity enhancements at the site which will be achieved by the scheme which will give rise to a significant biodiversity benefit at the local/site scale.

The extent of the reduction proposed has negated the need for a second site access as previously proposed during the construction phase and also facilitated the removal of one of the temporary compounds.

The construction compound situated to the south west of the existing farmhouse

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has been amended to provide a temporary as opposed to permanent site compound which will further minimise the potential impacts of the scheme.

The construction traffic movements associated with the construction phase will also reduce in accordance with the reduced scale of the scheme. The updated figures are presented within the updated Construction Traffic Management Plan included at ES Chapter 7 Appendix 7.1

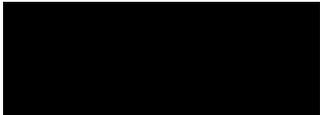
Appendix 1 enclosed provides a detailed schedule of the supporting documents which have been amended and how as part of this submission.

The principal purpose of this submission is to update the documentation to reflect the revised layout where this has the potential for consequential effect(s) and to update the assessment of effects and impacts accordingly.

This submission does not comprehensively address the matters raised in the correspondence requesting further information requested under Regulation 24 of the EIA Regulations and under Regulation 15(2) of the DNS Regulations in our letter of 10th August 2021 due to the fact that further detailed information and analysis of these matters is currently in production and the findings pending. Consequently, it is proposed that further detailed written submissions will be submitted by the 21st September, to be read alongside this submission where overlap occurs and will be cross referenced accordingly.

I trust that this submission fulfils the requirements set out in your correspondence dated 12th August 2021 however, please do not hesitate to contact me should you require any further clarification or information.

Yours sincerely,



Paul Burrell
Executive Director



Enc.

Appendix 1: Detailed Schedule of Amendments

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Document	Prepared by	Detail of amendments
Application Plans		
Site Layout	Pegasus Group	P19-2023_15K Updates the site layout to reflect the revised layout
Detailed Planting Plan	Pegasus Group	P19-2023_26L Presents the updated detailed site planting plan
PRoW Plan	Pegasus Group	P19-2023_33 Explains the public rights of way as existing and the plans to temporarily and permanently divert in association with the delivery of the scheme.
Temporary Access Tracks and Compounds	Pegasus Group	P19-2023_34 Plan illustrating the reduced scale of temporary compound areas and access tracks.
Archaeologically Sensitive Areas	Pegasus Group	P19-2023_35 Illustrates the identified archaeologically sensitive areas where ballast frame construction and non-intrusive construction methods will be enacted.
Reports		
Planning Statement	Pegasus Group	<p>Content updated to reflect revised Layout Plan and associated planting, access and set back amendments.</p> <p>Please note whilst some of the updated chapters and ES reports submitted at this stage consider matters raised by consultees at the post-submission stage the Planning Statement has NOT been updated to provide a detailed response to the schedule of topics identified as requiring the submission of further information in correspondence dated 10th August 2021 namely, in respect of Character and Appearance; Best and Most Versatile Land; Flood and Highway Safety; Other Matters and Planning Considerations as well as the items listed in Annex B. Further detailed information is pending receipt regards these topics and in light of this further detailed written submissions are intended to be submitted which fully addresses these topics as part of the submission in response to the Request for Further Information to be submitted to the Inspectorate by 21st September.</p>
Design and Access Statement	Pegasus Group	Content updated to reflect the revised Layout Plan and associated planting, access, and setback amendments.
Glint and Glare	Pager Power	<p>Updated report to replace the previous version of the Glint and Glare Report submitted in May.</p> <p>The report has been prepared to provide an updated assessment of the potential for glint and glare effects associated with the finalised layout and landscaping plan and</p>

		<p>provides additional analysis of the potential effects of the scheme on AONB receptors.</p> <p>The AONB receptors selected to be modelled correspond with Photo viewpoints 8, 9, 19, 11, 12 as contained in Figure 5.10 of ES Chapter 5 – Landscape and Visual.</p> <p>The assessed result of the impact of the scheme on dwellings is considered to be low due to the existing and proposed screening that is predicted to significantly reduce the duration of effects.</p> <p>The overall impact upon observers in the AONB is concluded to be low.</p> <p>No impacts are predicted on road users along the A55 or A525 and therefore no mitigation is required.</p> <p>In comparison with the previous Glint and Glare report issued the main difference in the findings relative to the revised is that no impacts are now predicted towards Gwernigron Farm due to the revised woodland planting.</p>
Flood Consequence Assessment	Calibro	<p>The updated Flood Consequences Assessment considers the flood risk associated with the revised layout to include the potential consequences of the stimulated breach of the Afon Elwy defences during the 1 in 100 year +30% and 1 in 100 year +75% events as advised by NRW in correspondence further to the issue of the original report.</p> <p>Section 2.3 describes the 'Report Updates' as follows:</p> <p>"2.3.1 Revision 03 of this FCA has been updated following comments received from NRW on the 9th October 2020.</p> <p>2.3.2 The NRW comments are included in Appendix F, with the subsequent report additions included in Section 6.2.</p>

		<p>2.3.3 All vulnerable infrastructure will be located at least 0.3m above the 1 in 100 year +30% breach levels as previously agreed with NRW. This approach along with raising the small substations above existing ground levels will effectively mitigate the risk of flooding during the predicted breach during the 1 in 100 year +75% event. Specified levels have been provided as drawings in Appendix G. With the exception of the small substation platforms, no ground level changes are proposed.</p> <p>2.3.4 Revision 06 reflects amendments to the proposed development, which include a reduction of the extent of panels in the southwest, the northeast and alongside the A525. Revision 06 also responds to NRW comments on tolerable conditions and access and egress."</p> <p>The removal of panels from the east has improves the previous situation regards the 'tolerable conditions'. No development is proposed in areas with depths in excess of 1m (6.3.8).</p> <p>The removal of panels in the south west has addressed concerns about the proximity of works to the Pengwern Drain. No infrastructure will be situated within 20m of the top of the bank of Pengwern Drain which will mitigate the risk of flooding from it where no modelled outlines exist (8.1.7).</p> <p>Section 6.0 'Acceptability of Consequences' provides additional discussion regard the management of flood risk factors associated with the proposed development.</p>
Built Heritage Addendum	Pegasus Group	<p>The Built Heritage Addendum provides additional information to be read alongside the Heritage Statement previously submitted. The addendum is intended to clarify the impacts of the proposed temporary construction compound and the updated proposed planting strategy upon the heritage significance of the Grade II Listed Gwernigron Farmhouse and the adjacent Grade II* listed Dovecote.</p> <p>The Built Heritage Addendum concludes in respect of the re-assessment of impacts of the proposed impact of the temporary construction compound on Gwernigron Farmhouse that the additional planting proposed would screen the solar arrays in the southern part of the site in the views from the south-facing primary elevation of the</p>

		<p>Farmhouse and would also screen the solar arrays in the central and northern parts of the site in the views from the north-facing rear elevation of the Farmhouse. The temporary and indirect use of the temporary compound to the south would not change the overall level of harm previously identified within the Heritage Statement</p> <p>The re-assessment of the impacts from the temporary construction compound and planting on the Dovecote describes that the additional proposed planting will screen the solar arrays from the Dovecote and any peripheral visibility of the solar arrays in the backdrop of these views would not compromise the experience of the asset. The disturbance from the construction compound is concluded to give rise to the potential for a very small degree of harm but this would be only a temporary and indirect effect.</p>
ES Chapters, Figures and Appendices		
Statement of Competence	Pegasus Group	Reaffirms that the ES chapters have been prepared by competent experts.
ES Contents	Pegasus Group	Figures updated to reflect the additional plans submitted.
ES Chapter 1 - Introduction	Pegasus Group	Updated to reflect the revised scale of the scheme.
ES Chapter 2 - Assessment of Scope and Methodology	Pegasus Group	Updated.
ES Chapter 4 – Proposed Development and Alternatives Considered	Pegasus Group	Updated.
ES Figure 4.1 Site Layout	Pegasus Group	Updated.
ES Figure 4.2 PRow Plan	Pegasus Group	Separated from previous combined plan.
ES Figure 4.3 Temporary Access Compounds	Pegasus Group	Separated from previous combined plan and updated to reflect revised proposed arrangements.
ES Figure 4.4 Archaeologically Sensitive Areas	Pegasus Group	Separated from previous combined plan, no change to detail.
ES Chapter 5 Landscape and Visual	Pegasus Group	Addresses the impacts of the design variation, principally relating to the removal of panels from several land parcels within the site (6.1.2).

		<p>The response to the landscape character has been updated to describe the areas of panels which have been removed from the developable area and addition of substantial areas of tree and woodland planting and new hedgerow to enhance the existing hedgerow structure (5.4.11).</p> <p>The rationale and impact of the additional impact of mitigation planting measures is described as breaking up areas of panels and filtering longer distance views within the AONB as well as providing additional screening from the highways adjoining the site (5.4.12. 5.4.71).</p> <p>The location of the temporary construction compounds is updated to accurately describe all of the temporary construction compounds required (5.4.15).</p> <p>The type and quantity of change to the ground cover and planting scheme has been updated to reflect the revised layout and planting plan (5.4.23, 5.4.30)</p> <p>The amount of existing vegetation required to be removed as part of the revised plan has been updated at paragraph 5.4.27.</p> <p>The impact of the additional mitigation planting on <i>Viewpoint 4: view from PRow footpath 201/13, looking south west</i> is updated to consider the addition of substantial woodland planting along the eastern boundary with the A525 (5.4.79).</p> <p>The description of the impact on <i>viewpoint 6: View from Twt Hill, looking south</i> is updated to reflect the woodland planting proposed (5.4.82).</p> <p>The impact of the increased hedgerow planting and woodland on the view from <i>Viewpoints 8 and 9 from PRow footpaths within the AONB</i> is incorporated at paragraph (5.4.84).</p> <p>The updated impact on <i>Viewpoint 11</i> is described at 5.4.88.</p>
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		<p>The updated effect of planting to provide screening from residential receptors is described at 5.4.92.</p> <p>The updated mitigation planting measures to include the management of the land beneath the panels as grazed grass/flower mix; and the provision of tree and understorey planting to the south to provide screening of the battery storage element from longer distance views from the AONB; and proposed revised management to allow hedgerow trees to mature to a natural height; and provision of native woodland including understorey planting, are described at 5.5.10.</p> <p>The description of the residential effects of the proposed planting, to include native woodland, is updated at 5.5.12.</p> <p>Table 5.8: Mitigation is updated to reflect the provision of native woodland planting.</p> <p>The impact of the additional mitigation planting of native woodland on likely significant effects during the operational phase is updated at 5.7.10.</p> <p>5.7.12 which describes the mitigation and enhancement measures is updated to include the provision of native woodland as part of the measures proposed.</p> <p>The revised planting has not resulted in any alteration to the overall assessment of the significant effects, mitigation and residual effects associated with the development.</p>
Figure 5.11 Planting Plan	Pegasus Group	Figure 5.11 has been updated to reflect the revised planting plan.
Figure 5.12 Photomontage Viewpoints 3,6,7, 9 and 10	Pegasus Group	The photomontage representations have been updated to reflect the revised layout and planting plan. Photomontage representation of Years 1 and 15 are also provided in addition to the previous submission to assist with the appraisal and evaluation of effects.
ES Chapter 6 – Biodiversity Chapter	Avian Ecology	The Biodiversity Chapter of the ES has been updated to reflect the impact of the proposed variation to the layout and planting proposed as part of the scheme.

		<p>The 'Legislative and Policy Framework' has been updated to reflect changes arising from Brexit.</p> <p>The 'Scoping Criteria' set out in para. 6.2.42 have been updated to include reference to the NRW Consultation response to the Planning Inspectorate dated 27/07/2021 (ref: AS-156267-T3J6).</p> <p>Section 6.5 'Assessment of Likely Significant Effects' has been updated to include reference to the removal of panels from the site as per the recent layout in paragraphs 6.5.8, 6.5.20, 6.5.23.</p> <p>Paragraph 6.5.41 describes that the revised design removes panels in the vicinity of ponds reducing the potential for localized disturbance of Great crested Newts at these locations.</p> <p>The creation of new habitats and strengthening of existing features provided by the revised planting plan is integrated into the description at 6.5.59.</p> <p>The creation of additional habitat favourable for bird foraging and breeding where panels have been removed is described at 6.5.61 and 6.5.65.</p> <p>The increased prey and enhanced foraging opportunities for bats provided by the revised plans are described at 6.5.70.</p> <p>The 'Additional Mitigation' section has updated that all Reasonable Avoidance Measures (RAMs) will form part of the CEMP and will be secured via a planning Condition in line with the consultation response received from NRW (letter to the Planning Inspectorate dated 27/07/2021).</p> <p>Paragraph 6.6.15 has been updated to describe that the BMP may be secured through Condition.</p>
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		<p>The quantum of proposed habitat enhancement measures have been updated in paragraph 6.6.16.</p> <p>Table 6.8: Mitigation has been updated to summarise how the mitigation measurements will be delivered and secured as part of the planning process in response to the comments made by NRW.</p> <p>The provision of woodland understorey planting and associated benefits of this is described at 6.6.31.</p> <p>The conclusions have been updated to reflect the positive effects on biodiversity that the updated planting will have at para. 6.8.27 which states that "New habitats will be created and existing features strengthened as part of the operational solar farm which, with appropriate long-term management in place, is considered to result in a medium positive effect on local habitat diversity and a significant benefit to the local populations of great crested newts at a Local/Site scale, contributing to resilience and strengthening ecological networks.</p> <p>Paragraph 6.8.28 is also updated to confirm that specific mitigation will be set in place to safeguard the favourable conservation status of the great crested newt population.</p>
ES Chapter 7 Traffic and Transport	Pegasus Group	<p>Section 7.5 clarifies the uses of the site accesses proposed.</p> <p>7.5.9 updates the routing information in accordance with the request made by WG for vehicles exiting the site westbound.</p> <p>7.5.19 describes the effects of the provision of vegetation will have on screening views of the development from the highway as per the updated planting plan</p> <p>7.6.1 details the assessment mitigation measures which will be put in place including the provision of additional information to drivers of the exist route required.</p>

<p>Appendix 7.1 Construction Traffic Management Plan</p>	<p>Pegasus Group</p>	<p>The CTMP submitted replaces the previous version submitted in May to respond to comments issued by the Welsh Government Department of Economy and Infrastructure dated 14th July.</p> <p>The CTMP includes an additional Appendix which presents the relevant correspondence.</p> <p>Para. 3.5 updates the arrangements for exiting the site to require westbound vehicles to proceed to Junction 27 of the A55 North Wales Expressway and Figure 2 -Proposed Routing Plan is updated to reflect this.</p> <p>Construction vehicles exiting the site will not use the A547 Ffordd/Abergele/Rhuddland Road route as previously referenced within the CTMP. Paragraphs 3.16-3.19 have been removed to update this route change.</p> <p>The description of the 'Proposed Accesses' has been updated at 4.3 to provide clarification that the existing agricultural access will not be used during the construction and operational phases of the proposed development but will be retained to serve the agricultural use of the site which will resume after decommissioning.</p> <p>Paragraph 4.3 confirms that a DMRB CD 377 compliant Risk Assessment will be provided at the application stage (to follow on 21st September in response to the 'Request for Further Information').</p> <p>Paragraph 4.31 describes that the potential impact of glint and glare associated with the revised site layout upon users as the A55 has been assessed and vegetative screening provided to ensure that there will be provided and traffic on the A55 will not be affected by glint and glare arising from the proposed solar panels.</p> <p>Paragraph 4.32 provides clarification that the fields adjacent to the A55 are used for grazing animals as existing and the additional planting proposed will push grazing animals further back from the A55 than existing.</p>
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		<p>Paragraph 4.33 confirms that no form of external not be installed and that temporary or permanent lighting illumination gear will not be permitted to be visible to motorists using the public highways.</p> <p>Section 5 'Site Compounds and Internal Routing' is updates to accurately describe the provision of temporary compounds at the site.</p> <p>Table 6.1 – Forecast Construction Traffic Movements has been updated to reflect the reduced amount of movements associated with the construction phase due to the reduced scale of the scheme.</p> <p>Section 8 'Proposed Mitigation Measures' has been updated to include the provision of leaflets and display posters which inform all drivers of the exit route.</p>
ES Chapter 11 - Summary	Pegasus Group	Updated to reflect amended layout and associated effects.
ES NTS - Welsh	Pegasus Group	Updated to reflect revisions to the scheme.
ES NTS - English	Pegasus Group	Updated to reflect revisions to the scheme.