

Parc Solar Caenewydd, Swansea

Statement of Common Ground
Agreed with Swansea Council & NRW

Development of National Significance in the Renewable Energy Sector
Variation Submission



PARC SOLAR CAENEWYDD

DEVELOPMENT OF NATIONAL SIGNIFICANCE

**STATEMENT OF COMMON GROUND WITH
SWANSEA COUNCIL AND NATURAL RESOURCES
WALES**

STATUS: AGREED

Date: June 2024

PEDW Ref: CAS-01900-VOJ7C7



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1. INTRODUCTION

1.1. This Statement of Common Ground (SoCG) is between the Applicant, Swansea Council and Natural Resources Wales. This document is to present a final and agreed schedule of conditions in the form of a SoCG as requested by the appointed Planning Inspector within his Regulation 15(2) of the DNS Regulations. The schedule of agreed conditions is presented in a tabulated format at Section 3.

2. DECLARATION

Body	Delegated Authority
Applicant	Signed: <i>Gareth Roberts</i> Name: Gareth Robers On behalf of: Pegasus Group for the Applicant Date: 11/06/2024
Swansea Council	Signed: <i>Lucy Kelly</i> Name: Lucy Kelly On behalf of: Swansea Council Date: 10/06/24
Natural Resources Wales	Signed: <i>Anna Fracchiolla</i> Name: Anna Fracchiolla On behalf of: Natural Resources Wales Date: 11/06/24



3. SCHEDULE OF CONDITIONS

3.1. Schedule of planning conditions agreed by the Applicant, Swansea Council and Natural Resources Wales is set out below. All conditions are agreed.

No	PLANNING CONDITION
LPA1	<p>The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.</p>
LPA2	<p>The development shall be carried out in accordance with the details of the following approved plans and documents, except where amended by conditions attached to this planning permission:</p> <p>PLANS LIST as per the final DNS submission.</p> <p>Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.</p>
LPA3	<p>The authorised development shall cease operating 40 years after the date on which electricity is first exported to the National Grid (excluding any testing or commissioning).</p> <p>This planning permission authorises the decommissioning of the development and shall expire on the date that the site has been decommissioned in accordance with the approved Decommissioning Environmental Management Plan.</p> <p>The date on which the development first exports electricity to the national grid shall be notified in writing to the local planning authority within 28 days of first export.</p> <p>Reason: The proposal is time limited and in the interests of visual amenity and to comply with Policy 18 of Future Wales and PS2 and EU1 of the Swansea LDP.</p>

No	PLANNING CONDITION
LPA4	<p>No later than 12 months before the end of the 40 year operating period (or within 12 months of the permanent cessation of electricity production) a Decommissioning Environmental Management Plan (DEMP) shall be submitted for the written approval of the local planning authority. The DEMP shall include the following:</p> <ul style="list-style-type: none"> i) Surveys and assessments to identify the existing ecology and habitat status at the time of decommissioning to inform the DEMP. ii) Method Statement detailing the process and extent of removal of surface elements of the photovoltaic solar farm and associated development and any foundations, anchor systems, trackways and subsurface cabling and associated works; iii) Proposals for effective recycling and disposal of decommissioned elements; iv) Traffic management plan to address likely traffic impacts arising from decommissioning operations; v) Measures to ensure environmental protection at the site to cover all decommissioning operations; vi) Measures to ensure ecological protection at the site to cover all decommissioning operations informed by the surveys and assessments under i) above; vii) Implementation timescales and schedules for all elements of the DEMP; viii) Reporting and monitoring responsibilities and delivery mechanisms for all elements of the DEMP; and, ix) Site restoration measures following all decommissioning operations, informed by the surveys and assessments under i) above and a soil assessment; including aftercare for a period of 12 months from completion of restoration. The DEMP shall be implemented in accordance with the approved details. <p>Reason: The proposal is time limited and in the interests of visual amenity and to comply with Policy 18 of Future Wales and PS2 and EU1 of the Swansea LDP.</p>
LPA5	<p>No development shall take place until a detailed layout plan of the development has been submitted to and approved in writing by the local planning authority. This shall include the precise location of the arrays, transformer buildings, sub-station, battery energy storage systems, telecoms mast, cabins, fencing, CCTV, lighting. . The location of the infrastructure shall</p>

No	PLANNING CONDITION
	<p>substantially accord with its location as illustrated within the plans approved under condition 2. The scheme shall be implemented in accordance with the approved details, except where amended or approved by other conditions attached to this planning permission.”.</p> <p>Reason: In the interests of visual amenity, residential amenity and ecology and to comply with Policies 9 and 18 of Future Wales and Policies PS2, EU1, ER2, ER5, ER6, ER8, ER9 and ER11 of the Swansea LDP.</p>
LPA6	<p>No development shall take place until a Final Construction Traffic Management Plan (“CTMP”) has been submitted to and approved in writing by the local planning authority. The CTMP shall be implemented in accordance with the approved details.</p> <p>Reason: In the interests of highway safety, residential amenity and biodiversity, and in compliance with Policies 9 and 18 of Future Wales and Policies EU1, T1, T2 and T5 of the Swansea LDP.</p>
LPA7	<p>No development works or site clearance works shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include:</p> <ul style="list-style-type: none"> - Construction methods (including method of piling), details of materials, how waste generated will be managed; - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain. - Identify any surrounding watercourses, including intermittent drainage from highways, that could run across the site. Clarify what measures, if any, could be implemented to ensure that water could be prevented from running across the site, so that it could carry on its journey without becoming contaminated from the construction activities. - Propose measures to ensure how any water that could not be prevented from running across the site, would be protected from becoming contaminated with sediment - Propose how to manage water arising from the site, such as rainfall, in such a way that it does not become contaminated with sediment.

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	<ul style="list-style-type: none"> - Propose measures which ensure how any water contaminated with sediment will be prevented from leaving the site before it is clean. - Propose how any drains that have been laid are going to be protected from sediment laden water entering them. - Biodiversity Management: appropriate good practice, details of tree and hedgerow protection; invasive species management; species and habitats protection, reasonable avoidance measures for vegetation clearance concerning potentially suitable dormouse habitats (e.g. pre-construction checks, timing of works, vegetation clearance methodology etc) and mitigation measures. - Soil Management: details of topsoil strip, storage and amelioration for re-use. - CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures. - Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies. - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use. - Traffic Management: details of plant on site and wheel wash facilities. - Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. - Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details. - The CEMP shall be implemented as approved during the site preparation and construction phases of the development. - Surface Water Management Plan: A detailed surface water management plan should be provided for the installation process, to include the location and type of measures that will be used to control/contain and treat any contaminated surface water

No	PLANNING CONDITION
	<p>that is generated due to site activity/from haul roads, eliminate the risk of polluted water, notably sediment/suspended solids from leaving the construction area</p> <ul style="list-style-type: none"> - Water Quality Monitoring Plan: To manage any potential adverse impacts of construction on water quality in all watercourses. The Water Quality Monitoring Plan should include: Details of the monitoring methods; Timescales for submission of monitoring and interpretative reports during construction; Details of triggers for specific action and any necessary contingency actions, for example the need to stop work, introduction of drip trays, make use of spill kits and shut-off valves - Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations. <p>Reason: To ensure the site is developed in a sensitive manner that respects the surrounding environment with regards to pollution, contamination, water resources and ecology in compliance with Policies 9, 17 and 18 of Future Wales and PS2, RP1, RP2, RP3, RP4, EU1, ER2, ER5, ER6, ER8, ER9 and ER11 of the Swansea LDP.</p>
LPA8	<p>No development works or site clearance works shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include:</p> <ul style="list-style-type: none"> i) All landscape and ecological objectives including the eradication of invasive non native species; and management, maintenance and monitoring proposals to deliver the objectives as set out within the Ecological Appraisal, Outline Landscape an Ecological Management Plan, Green Infrastructure Strategy, Green Infrastructure Plan and the Landscape Strategy, ii) Schedules and timescales for delivery of the LEMP, iii) reporting and monitoring responsibilities and delivery mechanisms for all elements of the LEMP. <p>The LEMP shall be implemented in accordance with the approved details. A written report of the effectiveness of the LEMP shall be submitted to the local planning authority every 5 years on the anniversary of the first exportation of electricity to the national grid. The report shall include proposed measures to address any failings for written approval by the local planning authority and the approved measures implemented to a timetable to be agreed in writing by the local planning authority.</p> <p>Reason: In the interests of biodiversity and visual amenity, and in compliance with Policies 9 and 18 of Future Wales and Policies PS2, EU1, ER2, ER5, ER6, ER8, ER9 and ER11 of the Swansea LDP.</p>

No	PLANNING CONDITION
LPA9	<p>No development shall take place until a written scheme of historic environment mitigation for the site has been submitted to and approved in writing by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements, standards and timescales of the approved written scheme.</p> <p>Reason: In order to afford appropriate protection to potential archaeological features in accordance with Future Wales Policy 18 and Swansea LDP policies PS2, HC1 and HC2.</p>
LPA10	<p>No development shall take place until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the local planning authority. The AMS shall include details of tree protection measures (including ground protection measures), a method statement for the implementation of the cable route, and any requirements for the pruning of retained trees as set out within the Arboricultural Impact Assessment (Dec 2023). The development shall be implemented at all times in accordance with the approved AMS. Any tree protection measures (including ground protection measures) shall be in place prior to the commencement of development (including any clearance or change in levels) on that part of the site and shall be retained for the duration of the construction phase.</p> <p>Reason: In order to afford appropriate protection to important trees at the site in the interests of biodiversity and visual amenity in accordance with Policies 9 and 18 of Future Wales and Policies PS2, EU1, ER2, ER5, ER6, ER8, ER9 and ER11 of the Swansea LDP.</p>
LPA11	<p>No development works shall take place until a scheme to secure the provision of public access through the site, including management measures for the footpaths network, has been submitted to and approved in writing by the local planning authority. The approved scheme and any necessary infrastructure to facilitate public access, shall be implemented within 12 months of energisation and shall thereafter be retained and maintained as approved for the lifetime of the development.</p> <p>Reason: In order to facilitate public access to the site to provide a community benefit in accordance with Policies 17 and 18 of Future Wales and Policies T7 and EU1 of the Swansea LDP.</p>
NRW2	<p>Unsuspected Contamination: If, during development, contamination not previously identified is found to be present at the site then no further development within that part of the site where contamination is found shall be carried out until a remediation</p>

No	PLANNING CONDITION
	<p>strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority . The remediation strategy shall be carried out as approved.</p> <p>Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.</p>
CA1	<p>No development hereby approved shall take place until an appropriate scheme of intrusive site investigations, which shall accord with the requirements and methodologies set out in the Phase 1 Coal Mining Risk Assessment, has been carried out. The results of the site investigation and a scheme detailing any remedial works required shall be submitted to and approved in writing by the Local Planning Authority before any development begins.</p> <p>The remedial works approved shall be fully implemented before any development commences.</p> <p>A signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing the Local Planning Authority before any development commences. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p> <p>Reason: In order to protect those constructing and operating he development hereby permitted and future users of the land in accordance with Policy 17 of Future Wales.</p>

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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