

Parc Solar Caenewydd, Swansea

Consultation Report

Development of National Significance in the Renewable Energy Sector
Application Submission





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1. Introduction

- 1.1. This document and its accompanying appendices¹ constitute the Consultation Report. It supports a planning application for a Development of National Significance for the construction, operation, management and subsequent decommissioning of a solar and battery storage energy facility on land fronting the A484 and Swansea Road (B4560) between Gorseinon and Fforest Fach, Swansea ("Application Site"). The Proposed Development is called 'Parc Solar Caenewydd'.
- 1.2. For Developments of National Significance, applicants are required to undertake pre-application consultation for a period of not less than 42 days in accordance with The Developments of National Significance (Procedure) (Wales) Order 2016.
- 1.3. This document details how the Applicant, Taiyo Power & Storage Limited (herein referred to as "the Applicant"), has complied with the provisions of the Order and associated legislation in relation to its statutory duties for pre-application consultation for the proposed renewable energy scheme. A full description of development is included within the accompanying Planning Statement and the Design and Access Statement ('DAS') which should be read in conjunction with this document.

Overview of the Consultation Process

- 1.4. The table below provides an overview of the phased approach the Applicant adopted for the pre-application consultation process, and these are detailed in the subsequent sections of this document.

Consultation Overview

Non Statutory Informal Consultation Phase	Key Dates	Description
Environmental Impact Assessment Screening Direction	29 April 2022 to 17 August 2022	Applicant submitted request for a Screening Direction under Regulation 6 (1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 on 29 April 2022. PEDW issued their Screening Direction on 17 August 2022.

¹ Presented as a separate volume.

Non-statutory Informal Consultation	21 December 2020 to April 2023	The non-statutory pre-application consultation commenced on 26 September 2022 and ended in March 2023
Project website	Project website went live in September 2022.	
Two walk-in consultation events at Rechabite Community Hall in Gowerton	9 and 10 September 2022	A total of 24 attendees who were a mix of members of the public and community consultees.
A walk-in consultation event at the Ty Newydd Community Centre in Gorseinon	5 October 2022	A total of 5 attendees who were a mix of members of the public and community consultees.
Presentations to Gorseinon Town Council and Gowerton Community Council	5 October 2022	
Field walk with Swansea Council Landscape & Public Right of Way Officers	6 October 2022	24 attendees
Presentation to Llchwyr Town Council	7 November 2022	
Notification	11 January 2023	On 11 January 2023, the Applicant gave formal notification to Planning and Environment Decisions Wales ("PEDW") of its intention to submit a planning application.
Acceptance Period	From 16 January 2023 to 15 January 2024	Notice of Acceptance provided by PEDW on 16 January 2023. Notice of acceptance is valid for 12 months and the statutory

		consultation and submission of application must be made by 15 January 2024.
Update presentation to Gowerton Community Council	1 February 2023	Presentation of latest refinement to the scheme. Revised cable route and proposed improvements to the PRow footpaths traversing the application site.
A walk-in consultation event at the Welfare Hall in Loughor	6 March 2023	
Update presentation to Llchwyr Town Council	6 March 2023	Presentation of latest refinement to the scheme.
Field walk with Llchwyr Council and Gowerton Community Council	6 March 2023	9 Councillors attended.
Statutory pre-application consultation	8 June to 3 August 2023	The first statutory pre-application consultation was carried out for 56 days, starting on 8 June 2023 and finishing on 3 August 2023.
Walk-in public exhibition at Welfare Hall	17 July 2023	21 people attended the exhibition.
Statutory pre-application re-consultation	10 October to 22 November 2023	Second round of statutory consultation to reflect changes in application boundary and development description. This started on 10 October and finished on 22 November 2023.
Presentation to Gowerton Community Council	1 November 2023	Presentation of latest refinement to the scheme.

Legislative Context

15. Following the notification stage and prior to submitting a DNS application to the Welsh Government, the proposed application must be publicised and consulted on for a period of at least six weeks. Detailed guidance on the requirements for pre-application consultation is contained in the Welsh Government's Developments of National Significance: Procedural Guidance, February 2016. The Applicant carried out two rounds of statutory consultation and this reflect the changes introduced to the design and application boundary following first statutory consultation phase.
16. The minimum consultation requirements are set out in The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended); Articles 7, 8 & 9.
17. In accordance with Article 8 of the Order the applicant must publicise a proposed application by: –

(a) giving requisite notice –

(i) by site display in at least one place on or near the land to which the proposed application relates for not less than 42 days;

(ii) in writing to any owner or occupier of any land adjoining the land to which the proposed application relates; and

(iii) by publication of the notice in a newspaper circulating in the locality in which the land to which the proposed application relates is situated; and

(b) publishing the following information on a website maintained by the applicant, for not less than 42 days beginning with each day on which each of the notices referred to in subparagraph (a) or article 9(2) are given –

(i) the draft application form published by the Welsh Ministers under article 12(1)(a) (or a form substantially to the like effect), including the particulars specified in or referred to in the form;

(ii) a plan which identifies the land to which the proposed application relates;

(iii) any other plans, drawings and information necessary to describe the development which is the subject of the proposed application;

(iv) a copy of the notice required by article 6 which has not lapsed under paragraph (3) of that article;

(v) the design and access statement required by article 14;

(vi) subject to article 12(3), the particulars or evidence required by the Welsh Ministers under section 62(3) of the 1990 Act (applications for planning permission);

(vii) where applicable, a statement referred to as the environmental statement for the proposed development; and

(viii) a written statement about any secondary consent connected with the proposed application in respect of which the applicant considers a decision on that consent is to be

made or should be made by the Welsh Ministers, together with the draft application form and documents associated with such consents.

1.8. In accordance to Article 9 of the Order, the applicant must: –

(1) The following persons or descriptions of persons are specified for the purposes of section 61Z(4) of the 1990 Act –

- (a) any community consultee;
- (b) any specialist consultee; and
- (c) any relevant person.

(2) Where an applicant is required to consult a community consultee or a relevant person, the applicant must give the community consultee or the relevant person requisite notice in writing of the proposed application.

(3) Where an applicant is required to consult a specialist consultee, the applicant must give the specialist consultee requisite notice in writing of the proposed application and enclose each of the documents referred to in article 8(1)(b) or provide a link to a website on which those documents can be found.

(4) The applicant must have complied with paragraphs (2) and (3) and have given the specialist consultee time to respond in accordance with article 10(1) before an application is submitted.

1.9. Article 9 of the Order stipulates: –

(1) The following persons or descriptions of persons are specified for the purposes of section 61Z(4) of the 1990 Act—

- (a) any community consultee;
- (b) any specialist consultee; and
- (c) any relevant person.

(2) Where an applicant is required to consult a community consultee or a relevant person, the applicant must give the community consultee or the relevant person requisite notice in writing of the proposed application.

(3) Where an applicant is required to consult a specialist consultee, the applicant must give the specialist consultee requisite notice in writing of the proposed application and enclose each of the documents referred to in article 8(1)(b) or provide a link to a website on which those documents can be found.

(4) The applicant must have complied with paragraphs (2) and (3) and have given the specialist consultee time to respond in accordance with article 10(1) before an application is submitted.

(5) In this article, “requisite notice” (“hysbysiad gofynnol”) means—

(a) in relation to a community consultee or a relevant person notice in the appropriate form set out in Schedule 1; and

(b) in relation to a specialist consultee notice in the appropriate form set out in Schedule 2, or in a form substantially to the like effect.

1.10. This document duly provides: –

- An account of the non-statutory and statutory consultation, publicity, deadlines set, and activities undertaken, including:
 - I. Copies of all notices and publications used during consultation;
 - II. Declarations that the relevant notices and publication requirements comply with the Act and Order;
 - III. The addresses of those given notice of the proposed application;
- A summary of all issues raised by any person consulted under Section 61Z(3) of the Act and Articles 8 and 9(2), including confirmation of whether these issues have been addressed and, if so, how; and
- The particulars of all responses received from persons consulted under Section 61Z(3) or (4) of the Act, including copies of responses from specialist consultees; and the account taken of these.

1.11. The remainder of this document is structured as follows:

- Section 2 – Non-statutory Consultation and Engagement
- Section 3 – Informal Consultee responses and consequences actions

Statutory Consultation

- Section 4 – Statutory Consultation – List of Statutory Consultees
- Section 5 – Statutory Consultation Responses and Consequences Actions

Statutory Re-consultation

- Section 6 – Statutory Re-Consultation, Responses and Consequences Actions
- Section 7 – Conclusion

2. Non-Statutory Consultation and Engagement

2.1. The preliminary work undertaken by the Applicant included a pre-application request and discussions with Swansea Council (the "Council") and an EIA screening request to PEDW. This section provides a summary of these consultations, as well as of the Community and Specialist Consultees consulted and informal pre-application activities undertaken prior to the statutory pre-application Formal Consultation between May and July 2023.

Swansea Council

2.2. An initial request for pre-application advice was issued to the Council on 21 December 2020 by SLR Consulting Limited on behalf of the Applicant. This initial informal pre-application proposed a layout up to 70 hectares from which the scheme of the Proposed Development has since evolved. The Council issued their Pre-Application Advice on 29 April 2021 (Appendix 1). Phone calls and emails were had between the Applicant and the Council Principal Planning Officer from 21 June 2021 until a formal Pre-Application Advice conference was held on 6 September 2021 between the Applicant and Tom Evans (Strategic Planning), Steve Smith (Placemaking), Rachel Willis (Strategic Planning) and Kathryn Jones (Ecologist). An agreement was reached that the proposal would include the following:

- Prioritising minimising adverse impacts upon the key elements of the green wedge allocation;
- Preserving and enhancing the SiNC priority habitats;
- Extending and planting new copses & tree belts;
- Conforming with Council and national renewable and carbon strategies and policies; and
- Including relevant stakeholders engaged with and impacted by the adopted proposed Strategic Development Areas for this section of the Afon Llan valley.

2.3. A meeting and follow up phone call was held with the Council's Planning Ecologist on 26 July 2021. Discussions included the ecological survey scope of works, findings to date and the initial mitigation approach. There was a general agreement with the approach from the Applicant, who highlighted the Stepwise Approach in the Biodiversity and Development SPG.

2.4. A further request for informal Pre-Application Advice was submitted to the Council on 27 September 2022 and the Council issued their Pre-Application Advice on 22 November 2022 (Appendix 2).

2.5. The Applicant recognises that the invitation of a site visit is a critical part of the pre-application phase as the DNS front-loading process is all about resolving and agreeing matters with prescribed consultees at the outset (and before the application is submitted to the Welsh Government). This approach is in line with the DNS guidance which sets out how the Council provides an important local perspective at the pre-application stage. As such, a field walk was undertaken with the Council's Landscape & PRoW Officers on 6 October 2022, of which array offsets (minimum 10m) from PRoW routes crossing the Application Site were agreed with the PRoW Officer.



Environmental Impact Assessment Screening Direction

2.6. On 29 April 2022, the Applicant submitted to PEDW a request, made under regulation 31(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) ("the Regulations"), for PEDW to make a screening direction as to whether or not the development proposed is "EIA Development" within the meaning of the Regulations. On 17 August 2022, PEDW released its Screening Direction which deemed the development to be Non-EIA development (Appendix 3).

2.7. 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 concluded that:

"The application fronts the A484 and Swansea Road (B4560) at Gowerton, Swansea. The site is to the southwest and northwest of residential settlements, and the site is allocated as both a Green Wedge and Special Landscape Area. To the Northwest and south of the site lies two Strategic Development Areas, as allocated in the Adopted LDP. The site is within 3 km of Burry Inlet RAMSAR / Special Protection Area (SPA) site, as well as Carmarthen Bay and Estuaries Special Area of Conservation (SAC). The proposed development is for a solar farm of c. 44 MW capacity, along with associated infrastructure and battery storage facilities. Due to the topography, hedgerows and vegetation coverage, coupled with the surrounding site constraints, the impacts of the proposed development are limited in EIA terms. Initially NRW raised concerns regarding the potential for ground nesting birds in the area as little information was provided. However, upon additional information being provided by the applicant, NRW are content that the impacts generated from the proposal can be appropriately mitigated. Based on the information before me, I am led to conclude that the proposed development is not likely to cause significant environmental impacts, and an Environmental Impact Assessment is not required."

2.8. The Screening Direction was based on a circa 44MW ground mounted solar scheme with containerised batteries. The Cable Route and Point of Connection have since changed together with the applicant removing fields 23 and 24 from the scheme.

Community Consultees

2.9. The application proposal is located in the sole administrative area of Swansea Council.

2.10. In addition to discussions with the Council, a number of community consultees have been consulted by the Applicant and a schedule of these consultees are provided below (and these consultees are together referred to as the "Community Consultees"). It is noted that following the Local Government Elections on 5 May 2022, some of the ward boundaries in Swansea have changed. Each Councillor was identified using the Council's website: –

Community Council
Llwchwr Town Council (as main host community council)
Gowerton Community Council (adjoining council sharing a common boundary with application site)

Gorseinon Town Council
Swansea Council
Electoral Ward Councillor
Councillor Adam Davis (Llwchwr)
Councillor Kelly Roberts (Llwchwr)
Councillor Robert Smith (Llwchwr)
Councillor Wendy Lewis (Wanarwydd)
Councillor Susan Jones (Gowerton)
Councillor Dai Jenkins (Gowerton)
Member of Parliament
Tonia Antoniazzi MP (Gower)
Geraint Davies MP (Swansea West)
Assembly Member
Luke Fletcher Assembly Member (South West Wales)
Tom Giffard Assembly Member (South West Wales)
Altaf Hussain Assembly Member (South West Wales)
Sioned Williams Assembly Member (South West Wales)
Rebecca Evans Assembly Member (Gowerton)
Julie James Assembly Member (Swansea West)

Specialist Consultees

- 2.11. Under Article 2 of The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended), the interpretation of 'specialist consultees' is defined as: -

“specialist consultee” means, in circumstances where the development to which the application or proposed application relates falls within a category set out in the Table in Schedule 5, the authority, person or body mentioned in relation to that category.

2.12. Schedule 5 of The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended) provides the following schedule or authorities, bodies or persons: –

Paragraph	Description of Development	Potential Specialist Consultee	Consult?
(a)	Development within an area which has been notified to the Welsh Ministers by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances (otherwise than on a relevant nuclear site) and which involves the provision of—	The Health and Safety Executive NSIP.Applications@hse.gov.uk	Threshold not applicable to development, but consultee was consulted as a matter of good practice.
	(i) more than 500 square metres of office floor space; or		
	(ii) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area		
(b)	Development within an area which has been notified to the Welsh Ministers by the Office for Nuclear Regulation for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances on a relevant nuclear site and which involves the provision of—	The Office for Nuclear Regulation	No – Threshold not applicable to development.
	(i) more than 500 square metres of office floor space; or		
	(ii) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area		

(c)	Development likely to result in a material increase in the volume or a material change in the character of traffic—		Yes, The Welsh Ministers were consulted as threshold (i) is pertinent.
	(i) entering or leaving a trunk road; or	The Welsh Ministers (i.e. Transport Directorate of the Welsh Government.)	
	(ii) using a level crossing over a railway	The operator of the network which includes or consists of the railway in question, and the Welsh Ministers (i.e. Transport for Wales and the Transport Directorate of the Welsh Government)	
(d)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned	Yes
(e)	Development likely to prejudice the improvement or construction of a classified road or proposed highway	The local highway authority concerned	Yes
(f)	Development which involves the provision of a building or pipe-line in an area of coal working notified by the Coal Authority to the Welsh Ministers	The Coal Authority	Yes
(g)	Development involving or including mining operations	The Natural Resources Body for Wales	No - Threshold not applicable to development (consulted under another category).
(h)	(i) Development which has a direct physical impact on a scheduled monument.	The Welsh Ministers i.e. Cadw: Cadwplanning@gov.wales	Yes, as thresholds (i) and (ii) are pertinent
	(ii) Development likely to be visible from a scheduled monument and which meets one of the following criteria—		
	a) it is within a distance of 0.5 kilometres from any point of the		

	<p>perimeter of a scheduled monument;</p> <p>b) it is within a distance of 1 kilometre from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more;</p> <p>c) it is within a distance of 2 kilometres from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more;</p> <p>d) it is within a distance of 3 kilometres from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more; or</p> <p>e) it is within a distance of 5 kilometres from the perimeter of a scheduled monument and is 100 metres or more in height, or has an area of 1 hectare or more.</p> <p>(iii) Development likely to affect the site of a registered historic park or garden or its setting;</p> <p>(iv) Development within a registered historic landscape that requires an Environmental Impact Assessment; or</p> <p>(v) Development likely to have an impact on the outstanding universal value of a World Heritage Site</p>		
(i)	Development involving the carrying out of works or operations in the bed of or on the banks of a river or stream	The Natural Resources Body for Wales	Yes
(j)	Development for the purpose of refining or storing mineral oils and their derivatives	The Natural Resources Body for Wales	No – Threshold not applicable to development (consulted under another category).
(k)	Revoked by 2019 amendment	N/A	N/A

(l)	Development relating to the retention, treatment or disposal of sewage, trade-waste, slurry or sludge (other than the laying of sewers, the construction of pumphouses in a line of sewers, the construction of septic tanks and cesspools serving single dwellinghouses or single caravans or single buildings in which not more than ten people will normally reside, work or congregate, and works ancillary thereto)	The Natural Resources Body for Wales	No - Threshold not applicable to development (consulted under another category).
(m)	Development affecting the use of land as a cemetery	The Natural Resources Body for Wales	No - Threshold not applicable to development (consulted under another category).
(n)	Development—	The Natural Resources Body for Wales	Yes, as thresholds (i) and (ii) are pertinent
	(i) in or likely to affect a site of special scientific interest; or		
	(ii) within an area which has been notified to the Welsh Ministers by the Natural Resources Body for Wales and which is within two kilometres, of a site of special scientific interest of which notification has been given, or has effect as if given, to the Welsh Ministers by the Natural Resources Body for Wales, in accordance with section 28 of the Wildlife and Countryside Act 1981 (sites of special scientific interest) F3		
(o)	Development involving any land on which there is a theatre	The Theatres Trust	No - Threshold not applicable to development
(p)	Development which is not for agricultural purposes, is not in accordance with the provisions of a development plan and involves—	The Welsh Ministers i.e. Welsh Government's Agriculture Directorate. LQAS@gov.wales	Yes, as thresholds (i) and (ii) are pertinent
	(i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or		

	<p>was last used) for agricultural purposes; or</p> <p>(ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more</p>		
(q)	<p>Development within 250 metres of land which—</p> <p>(i) is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and</p> <p>(ii) has been notified to the Welsh Ministers by the Natural Resources Body for Wales for the purposes of this provision</p>	The Natural Resources Body for Wales	No – Threshold not applicable to development (consulted under another category).
(r)	<p>Development which –</p> <p>(i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or</p> <p>(ii) is on land which has been</p> <p>(aa) used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or</p> <p>(bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or</p> <p>(iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface</p>	The Sports Council for Wales	No – Threshold not applicable to development

(s)	Development likely to affect–	The Canal & River Trust (Map of managed waterways available online: https://canalrivertrust.org.uk/about-us/where-we-work/wales-and-south-west)	No – Threshold not applicable to development.
	(i) any inland waterway (whether natural or artificial) or reservoir owned or managed by the Canal & River Trust; or		
	(ii) any canal feeder channel, watercourse, let off or culvert,		
	which is within an area which has been notified for the purposes of this provision to the Welsh Ministers by the Canal & River Trust		
(t)	Development –	<p>a) The control of major accident hazards competent authority; and</p> <p>b) in relation to development falling within paragraph (iii), any person who is the person in control of the land on which any existing establishment in question is located either–</p> <p style="padding-left: 40px;">(i) according to the register held by the hazardous substances authority under regulation 22 of the Planning (Hazardous Substances) (Wales) Regulations 2015; or</p> <p style="padding-left: 40px;">(ii) where the control of major accident hazards competent</p>	No – Threshold not applicable to development.
	(i) involving the siting of new establishments;		
	(ii) consisting of modifications to existing establishments covered by Article 11 of Directive 2012/18/EU; or		
	(iii) which is new, including transport routes, locations of public use and residential areas in the vicinity of existing establishments, where the siting or development may be the source of or increase the risk or consequences of a major accident		

		authority has notified the local planning authority pursuant to regulation 34(3) of those Regulations.	
(u)	Development—	The Natural Resources Body for Wales	Yes, as thresholds (i), (iii) and (iv) are pertinent.
	(i) on land designated as Flood Zone C2;		
	(ii) involving or including emergency services development or highly vulnerable development on land designated as Flood Zone C1 or on land that has been notified to the local planning authority by the Natural Resources Body for Wales for the purpose of this provision NB, as of 1 December 2021 the above is amended to (iii) on land within Rivers and Sea — Flood Zone 3; (iv) on land within Rivers and Sea — Flood Zone 2; (v) on land within TAN 15 Defended Zones.		
(v)	Any development	The water and sewerage undertaker concerned https://www.water.org.uk/adv-ice-for-customers/find-your-supplier/	Yes
(w)	Development – i. involving waste development; ii. involving the provision of a building or buildings where the floor space	The Fire and Rescue Authority concerned https://gov.wales/find-your-local-fire-and-rescue-service	Yes



	<p>to be created by the development is 1,000 square metres or more; or</p> <p>i. carried out on a site having an area of 1 hectare or more.</p> <p>NB, this paragraph comes into force on 24 January 2022 but does not apply to:</p> <p>a. proposed applications notified to the Welsh Ministers and local planning authorities in accordance with article 5 of the 2016 Order before 24 January 2022;</p> <p>b. applications made to the Welsh Ministers under section 62D of the 1990 Act before 24 January 2022.</p>	<p>Mid & West Wales –</p> <p>bregs@mawwfire.gov.uk</p>	
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2.13. With reference to Schedule 5 of the Order and taking into consideration the specific parameters of the development, it was decided to consult with the following organisations (which are together referred to as the "Statutory Consultees"): –

Specialist and other Consultees
Swansea Council
Natural Resources Wales
Cadw
Elgan Jones – Casework Officer the Society for the Protection of Ancient Buildings
The Glamorgan–Gwent Archaeological Trust (“GGAT”)
Dwr Cymru (“Welsh Water”)
Sustainable Drainage Approval Body (“SAB”) – Swansea Council
National Grid Plant Protection
The Health and Safety Executive
The Coal Authority
Mid and West Wales Fire and Rescue Service
Wales West & Utilities
Agricultural Land Use & Soil Policy Advisor, Welsh Government
Network Management Division, Welsh Government
Highways Department, Swansea Council
Minister for Economy, Vaughn Gething Assembly Member
Minister for Rural Affairs and North Wales and Trefnydd, Lesley Griffiths Assembly Member



Written Notice

- 2.14. Letters together with a Site Location Plan and Layout of the Proposed Development were sent out to Community Consultees on 27 September 2022. An example of the community consultees letter is provided in Appendix 4.
- 2.15. Letters together with consultation packs were sent out and emailed to Specialist Consultees on 27 September 2022. Each received a consultation pack via OneDrive link and USB Stick containing: –
- Covering Letter – the letter set out the details of the Proposed Development, provided a list of the enclosed draft documents and a deadline of 21 October 2022 for consultation responses
 - Site Location Plan
 - Proposed Layout and Proposed Elevations
 - Draft Landscape Strategy Plan
 - Draft Green Infrastructure Plan
 - Draft Ecological Mitigation and Enhancement Plan
 - Draft Landscape and Visual Impact Assessment Report
 - Draft Heritage Desk-Based Assessment Report
 - Draft Phase 1 Ground Conditions & Coal Risk Assessment Report
 - Draft Flood Consequence Assessment Report, including draft Drainage Strategy plans
 - Draft Economic Benefits Statement
 - Draft Ecological Report
 - Draft Arboricultural Report
 - Draft Construction Traffic Management Plan
 - Draft Geophysical Survey Report
 - Draft Geophysical Survey Report Non-Technical Summary
 - EIA Screening Direction issued by PEDW.
- 2.16. An example of the specialist consultee letter is provided at Appendix 5.

Project Website

- 2.17. A website was created (www.parc solarcaenewydd.co.uk) which went live in September 2022 and remained live and updated during the pre-application Formal Consultation.

2.18. The website features a project email address and postal address details which allows members of the public to get in touch with the consultation team. A screenshot from the website consultation webpage can be found in Appendix 6. The documents made available on the website during the non-statutory consultation period include: –

- i. Site Location Plan
- ii. Viewpoint Location Plan
- iii. Green & Solar Infrastructure Layout Plan
- iv. Ecological Mitigation & Enhancement Plan

Consultation Events

2.19. The Applicant has undertaken consultation events as part of the non-statutory Informal Consultation phase, details of which are provided below: –

- Two walk-in consultation events were held on 9 and 10 September 2022 at Rechabite Community Hall in Gowerton between 10.00am and 2.00pm. The website was updated to advertise the event and a notice was published in The South Wales Evening Post on 7 September advertising the event, a copy of which can be found in Appendix 7. The two events were attended by a total of 24 attendees who were a mix of members of the public and community consultees.
- A walk-in consultation event was held on 5 October 2022 at the Ty Newydd Community Centre in Gorseinon. The website was updated to advertise the event and the Applicant provided Gorseinon Town Council with A4 Posters advertising the event for publishing electronically and physically, A copy of the poster can be Found in Appendix 8. The event was attended by a total of 5 attendees who were a mix of members of the public and community consultees.
- A walk-in consultation event was held on 6 March 2023 at the Welfare Hall in Loughor. The website was updated to advertise the event and the Applicant provided Llŷchwr, Gowerton and Gorseinon Council with A4 Posters advertising the event for publishing electronically and physically, a copy of which can be found in Appendix 9. Additionally, the Applicant issued a press release on 21 February 2023 to advertise the event, a copy of which can be found in Appendix 10. The Applicant appointed Community Energy Wales to support consultation on Shared Ownership, of which two Officers attended in order to speak to any individuals or organisations who would be interested in investing in the Proposed Scheme. The event was attended by a total of 24 attendees.
- On 5 April 2023, the Applicant advised that Community Energy Wales had invited various stakeholders to three stakeholder events to consider options for an element of shared community ownership of the Proposed Development. These comprised:
 - An in-person Round Table Discussion which took place from 2.00pm–4.00pm on 20 April 2023 in Room 2 at the Ty Newydd Community Centre, West Street, Gorseinon, SA4 4AA.



- A Study Tour to the Eco-Farm at Killan Fach and Gower Regeneration Solar Farm (a community owned solar farm, including battery storage, developed by Gower Power which took place on 18 May 2023
- An Online Round Table Discussion which is set for 30 May 2023 from 11.00am-1.00pm.

The round table discussions consisted of presentations on shared ownership by Community Energy Wales, a question and answer session, and an open forum to draw together an initial list of options and preferences for a shared ownership deal. To date, the Applicant has advised that an existing local community owned renewable power entity has expressed an interest in engaging in the Shared Ownership of the Proposed Development.

- 2.20. A series of boards and banners illustrating the Proposed Development were on display at the consultation events together with draft documents available for members of the public to view. The boards and banners used for the 9 and 10 September 2022 and 5 October 2022 walk-in consultation events are provided in Appendix 11. The 6 March 2023 walk-in consultation event included banners which illustrated the Green Infrastructure Plan and Photomontages to be used as part of the Statutory Consultation. A copy of the Green Infrastructure Plan can be found in Appendix 12.

Community Councils

- 2.21. The Clerks of Llwchwr, Gorseinon and Gowerton Council were contacted to arrange discussions of the proposal through in-person meetings with local councillors, details of which are provided below: -
- On the evening of 5 October 2022, and following the walk-in consultation event also held on the same day, the Applicant gave a presentation at two separate community councils' meetings, these were:-
 - At 5.30pm, the Applicant gave a presentation to the Gorseinon Town Council.
 - Then, at 7.30pm, the Applicant gave a similar presentation to Gowerton Community Council. Following the meeting, the Clerk of the Community Council provided a list of questions local councillors had regarding the scheme, which the Applicant responded to via email. These questions and the Applicant's responses can be found in Appendix 13.
 - The Applicant discussed the proposal with members of Llwchwr Town Council on 7 November 2022 at the Town Council's monthly meeting.
 - The Applicant provided an update on the proposal to members of Gowerton Community Council and highlighted the changes to the scheme on 1 February 2023 at the Community Council's monthly Meeting. Key topics of which the Applicant discussed were the revised cable route, removal of panel areas from the SINC and south of the river and proposed improvements to the PRoW footpaths traversing the application site.



- Once the 6 March 2023 informal consultation event had concluded, the Applicant discussed the proposal with members of the Llŵchwr Town Council and highlighted how the scheme had evolved as part of their Monthly Town Council Meeting. The meeting followed and was held at the same venue as the exhibition. In Addition, a member of Community Energy Wales discussed with Council Members in relation to shared ownership and how this could be incorporated into the proposal.

2.22. Once the meetings had taken place, the Applicant remained in regular verbal contact with the clerks of each community council to ensure they were adequately consulted. The Applicant offered to promote the scheme through additional social media formats which would direct members of the public towards the website.

Site Field Walk

2.23. All Community Consultees were invited to attend a field walk of the site on 6th March 2023. A total of 9 Councillors attended the field walk from Llŵchwr Council and Gowerton Community Council.

2.24. Also there was a site field walk with Swansea Council's Landscape and PRow Officers on the 6th October 2022. This had 24 attendees.

3. Informal Consultee Responses and Consequent Actions

3.1. This section of the report sets out the informal responses received from consultees and consequent actions undertaken by the Applicant.

3.2. Responses were provided by: –

- Swansea Council – Initial Request Response (Appendix 1)
- Swansea Council – Further Request Response (Appendix 2)
- Swansea Council – Comms Registration Officer (Appendix 14)
- Swansea Council – Highways Department (Appendix 15)
- Natural Resources Wales (Appendix 16)
- Cadw (Appendix 17)
- GGAT (Appendix 18)
- Dwr Cymru (Welsh Water) (Appendix 19)
- Sustainable Drainage Approval Body (SAB) (Appendix 20)
- National Grid Plant Protection (Appendix 21)
- The Health and Safety Executive – NSIP Consultation Team (Appendix 22)
- The Coal Authority (Appendix 23)
- Agricultural Land Use & Soil Policy Advisor, Welsh Government (Appendix 24)
- Richard Jones – Route Engineer, Network Management Division (Appendix 25)
- Network Management Division – Welsh Government (Appendix 26)
- Mid & West Wales Fire & Rescue Service (Appendix 27)

Swansea Council – Initial Request Response

3.3. Swansea Council's response to the initial high-level request was issued under their pre-application service on 29 April 2021. This high-level pre-application advice request was prepared by SLR on behalf of The Applicant. The purpose of the request was to ascertain if the principle of the Proposed Development was or can be made acceptable to the Council. The pre-application request was based on a smaller development area, as identified in Appendix 28.

3.4. The Council's response included comments in relation to the Development Plan & Relevant Policies and provided an initial assessment of the proposed development and consideration

of the planning merits. The response concluded that the principle of renewable energy development is strongly supported in Welsh Government policy and guidance, including Future Wales the national tier of development plan. This will be a significant material consideration in determining whether the development of this large solar farm can be justified within the Garngoch Special Landscape Area (SLA), a Green Wedge and adjacent to the proposed residential development area of strategic site allocation SD H.

Swansea Council, Natural Resources Wales and PEDW – Ecology

- 3.5. Discussions were held with the Planning Ecologist at Swansea Council, Natural Resources Wales and PEDW in relation to the following:
- An update email regarding ecology surveys undertaken to date and the remaining ecology surveys to be completed (5 October 2021)
 - Emails and calls in relation to the EIA screening (17th June 2022 to 26th June 2022)
 - A letter was sent to Request for Additional Information – Ground Nesting Birds, confirming that Natural Resources Wales have confirmed in the enclosed response that the further information submitted on 8th July 2022 has satisfied their concerns regarding ground nesting birds.

3.6. The Applicant spoke with the Ornithologist and the information submitted has satisfied their concerns regarding ground nesting birds. No further comments were required on this matter.

Swansea Council – Detailed informal pre-application submission dated 22 November 2022.

- 3.7. As mentioned in paragraphs 2.6 and 2.24, a field walk was undertaken with Swansea Council Landscape & Public Right of Way Officers on 6 October 2022 prior to the non-statutory Informal Consultation Phase, of which array offsets (minimum 10m) from PRow routes crossing the Application Site were agreed with the PRow Officer.
- 3.8. As part of the Applicant's continued discussion with the Council, a detailed pre-application submission was submitted to and received by the Council on 28 September 2022. The Council issued their response on 22 November 2022.
- 3.9. Regarding the Principle of the Proposed Development, the Council's response stated that the full planning application will need to demonstrate clear justification as to the proposed location over less sensitive locations.
- 3.10. Nevertheless, Swansea Council accepted in their response to the Pre-Application enquiry that they accepted the Principle of the Development. A site search paper was prepared by SLR on behalf of the Applicant and is available to view in Appendix 5 of the Planning Statement.
- 3.11. Key comments and issues regarding Landscape and Visual Impact are summarised below.

Summary of Landscape Matters	How Response Has Been Addressed
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<p>The LVIA for this proposal is required to fully consider the spatial impact of the proposed solar farm on openness and not just the visual dimension.</p>	<p>Potential effects on perception of openness and settlement separation are assessed separately within Section 10 of the Landscape and Visual Impact Assessment ("LVIA").</p>
<p>The design, scale and location of development should respect the special landscape context. In particular, design should reflect the building traditions of the locality in its form, materials and details and aim to assimilate the development into the wider landscape.</p>	<p>Local landscape character is outlined in section 2 of the LVIA. Mitigation proposals and the design are set out in LVIA section 6.</p>
<p>There is scope to further enhance the landscape scheme and management to mitigate harmful impacts when considering the cumulative impacts of the overall development proposals.</p>	<p>Enhancement measures are outlined on the Landscape Strategy Plan which has evolved through an iterative design process and through on-going consultation with the LPA.</p>

- 3.12. In relation to renewable energy, the pre-application advice stated that The Economic Benefits Statement will need to fully set out and describe the social, environmental, economic and cultural benefits to the local communities in line with the requirements of FW policy. The Applicant intends to update the Economic Benefits Statement to address these points and has taken note of these comments.
- 3.13. The section on renewable energy goes on to state that the impacts of Glint and Glare must be thoroughly assessed by the Applicant at the pre-planning stage. A Glint and Glare report has been prepared and is provided as part of the pre-application Formal Consultation phase.
- 3.14. The section on flood risk stated that Proposed Development in C2 areas would need to be justified under the exceptions tests in Section 6.2 of the TAN as part of the FCA. The Applicant has taken note of this and the pre-application Formal Consultation FCA reports detail the assessment against the exception test. Subsequently to these comments the areas in the C2 Flood Areas have been removed from the Scheme. The design evolution is discussed in more detail in sections 4, 5, 6 and 7 of this Report and in the Design and Access Statement.
- 3.15. Key comments and issues regarding Ecology are summarised below.

<p>Summary of Ecology Matters</p>	<p>How Response Has Been Addressed</p>
<p>The Penyfodau Fawr to Llewitha and Alcoa Wet Meadows Sites of Importance for Nature Conservation (SINCs) are within the Application Site. Full details of mitigation, compensation and enhancement measures will need to be included in any full</p>	<p>The updated Ecological Appraisal report details proposed mitigation and enhancement. A detailed strategy is provided as part of the statutory consultation and will be within the application submission. The updated</p>

application in order that the application complies with Policy ER 6.	Ecological Appraisal report confirms that the priority habitats within the SINCs have been removed from the solar facility layout and are included in the proposed green infrastructure areas. Furthermore, a number of areas that do not currently meet priority habitat standard have been removed from the solar facility layout yet remain within the application site boundary as part of the green infrastructure and proposed habitat restoration and enhancement proposals.
The desk study records of protected/notable species have not been discussed in the appraisal. This will need to be amended for any full application submission.	The updated Ecological Appraisal report includes desk study records of protected/notable species.
An INNS Management Plan will be required to support any full application due to the presence of Japanese knotweed and Himalayan balsam. It should detail methods of avoidance, containment or removal in order to avoid the spread of INNS.	An INNS Management Plan will be provided as part of the statutory consultation and application submission, including an updated survey for the extent of INNS across the site, and methods to avoid the spread of INNS.
A sensitive lighting strategy for the site will be required to support any application.	A CEMP with details on proposed lighting will be provided as part of the statutory consultation and application submission, outlining methods to minimise any lighting required during construction and operation, including duration and shielding. This will include identification of dark corridors for bats which will remain unlit at all times.
A CEMP for the site will be required to support any application.	The Applicant intends to submit a CEMP as part of the application submission.
A LEMP for the site will be required to support any application.	The Applicant intends to submit a LEMP as part of the application submission.

3.16. Key comments and issues relating to Trees & Ancient Woodland are summarised below.

Summary of Trees & Ancient Woodland Matters	How Response Has Been Addressed
It is noted that there appears to be an incursion into the buffer zone around the	Panels would be offset from areas of Ancient Woodland by a 15m buffer with appropriate mitigation provided as

ancient woodland which needs to be addressed.	recommended by arboricultural British Standard (BS 5837:2012) as the maximum root protection area.
The full arboricultural impact assessment should also consider shading of panels and cable runs, neither have been considered in the draft.	The full Arboricultural Impact Assessment includes design guidance and general advice in relation to shade.
Impacts on retained trees would need to be assessed in line with Policy ER11.	Impacts on retained trees are assessed within the Arboricultural Impact Assessment.

3.17. Key comments and issues on the Impact on Strategic Development Area SD H are summarised below.

Summary of Strategic Development Area SD H Matters	How Response Has Been Addressed
<p>This co-location of uses would appear to offer multiple benefits and the planning application documentation should demonstrate that such investigations have taken place.</p>	<p>Negotiations for supplying renewable power to three existing neighbouring businesses which consume significant MWh of power, plus prospective developers of the allocated housing estates, have been carried out by the Applicant since Summer 2021. The Applicant may be in a position to affirm any confidential details alongside the final submission of the application.</p>
<p>The findings of the Draft LVIA should be considered together with proposals for the SD H site in order to establish, as far as is reasonable given the progression of each separate project, how the solar farm may impact on future proposals for residential development.</p>	<p>An agreement with the housing developer has been reached regarding the joint use of the riparian field east of Fairwood Terrace / south of the waste water treatment works. Further information will be provided as part of the final submission package.</p> <p>Subsequent to this response, the Applicant has removed the field in discussion from the proposal. This is discussed in greater detail in sections 4, 5, 6 and 7.</p>
<p>Specialist advice should be sought as to the extent to which any landscape impact can be justified in and the appropriateness of any mitigation and enhancement measures proposed in relation policy.</p>	<p>Swansea Landscape & Public Rights of Way Officers walked the Application Site with the Applicant and Agent on 6 October 2022. The advice from the officers has been incorporated into both the designs of</p>

	the green infrastructure elements and solar arrays & ancillary equipment.
Requirements of Policy SD H should be taken into account.	The application proposal has evolved following detailed non statutory and statutory pre-application consultation with Swansea Council, local stakeholders, and statutory consultees. Details of how the project team have continuously refined the scheme's design to encompass the Council's and other stakeholder feedback at numerous junctures is provided in this Consultation Report and Design and Access Statement and as such are not repeated here.

3.18. Key comments and issues raised by the Council in relation to Public Rights of Way and Active Travel Links are summarised below.

Summary of PROW Matters	How Response Has Been Addressed
The application proposal should deliver enhanced active travel connections having regard to relevant existing PROW links.	The Council's Rights of Way Officer confirmed on the 6 October 2022 field walk that the PROW which currently runs through the Application Site only require rolling and re-seeding. No active travel surfacing is required along any stretches of the PROW through the proposed site boundary.
The north-south PROW refs LC26 and LC71 – as well as link CO600 – will need to be minimum 3m width and would be envisaged to be used by walkers.	The widths are more than 7m.
The east west PROW connections – refs LC101 and LC72 in particular – are links that should function as part of the strategic, accessible open space proposals that the LDP concept plan for site SD H identifies as being complementary, multi-functional green infrastructure that connects development areas.	South of the river, the arrays are set respectively 20m and 25m South and North of the PROW. The sense of accessible open space is maintained due to the extensive riparian flood plain and bird feeding areas surrounding the small areas of PV arrays within the site boundary. Subsequently in the design evolution of the site there will no longer be arrays located in the fields to the south of the River Llan as they have been removed from the scheme.

<p>Cycle routes should be delivered in these areas where possible for day to day travel, recreation and also to connect very significant numbers of existing and future residents to key services, including an enhanced Gowerton rail station.</p>	<p>The Council's Rights of Way Officer confirmed on the 6 October 2022 field walk that the PRow running through the Application Site only require rolling and re-seeding. No active travel surfacing is required along any stretches of the PRow through the proposed site boundary.</p>
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3.19. Key comments and issues raised by the Council in relation to Placemaking Principles are summarised below.

<p>Summary of Placemaking Principles Matters</p>	<p>How Response Has Been Addressed</p>
<p>Further discussion with the Council and the landowners/developer of the adjacent strategic site allocation is encouraged.</p>	<p>The Applicant has been directly liaising with the housing developers and industrial facility owners and investors who propose to build out on the adjacent allocated strategic sites. However, a joint strategy could not be agreed.</p>
<p>There is potential to explore provision of ground level GI beneath solar panels.</p>	<p>A Grazing Seed Mix will be used in the fields which contain solar arrays in order to support sheep grazing beneath and around the solar arrays.</p>
<p>These PRow routes between the solar farm fencing need to be sufficiently wide with resting points. The security fencing should be set back from the PRow's and active travel route to allow for softening planting and spaces for benches etc.</p>	<p>Arrays would be offset (minimum 10m) from PRow routes crossing the site.</p>

3.20. A key comment in relation to Green Infrastructure is that the planning application will need to be supported with a GI strategy for the development to ensure GI requirements are addressed in a holistic manner. In response to this, the Applicant will be submitting a Green Infrastructure Plan to accompany the application submission.

3.21. A key comment in relation to Biodiversity Enhancement is that opportunities should be explored to achieve ecological enhancements within the design and layout of a site, or a contribution to offsite enhancements. An Ecological Appraisal has been prepared which includes details of ecological mitigation and enhancement measures.

3.22. Key comments and issues from the Highways Authority are summarised below.

Summary of Swansea Council Highways Authority Response	How Response Has Been Addressed
<p>There is a need for a Transport Statement to be prepared and submitted.</p>	<p>It is noted that a Transport Statement (TS) has been requested by Swansea Council to cover access to the site for all modes. Given the type of development proposed, it is considered that the provision of a CTMP is most appropriate. However, if ultimately considered necessary, a short TS can be provided.</p>
<p>The CTMP Provided does not quantify the traffic movements nor assess the adequacy of the accesses in sufficient detail.</p>	<p>Section 7 of the CTMP details approximate vehicle movements, identifying individual activities and the type of vehicles associated with them. A indicative construction programme forms part of the CTMP.</p> <p>Section 6 of the CTMP provides full details of the proposed accesses including locations, dimensions and Swept Path Assessments (SPA) of construction vehicles.</p> <p>A Stage One Road Safety Audit has been carried out for the proposed accesses.</p>
<p>The new access proposed to the northern development area is not likely to be supported due to the swept paths in the CTMP. The swept paths appear to show inadequate width and inability to turn right out of the site, which would be required to follow the prescribed CTMP route to the M4. There is insufficient information to enable formal assessment, junction visibility splays have not been set out and it is not evidenced that this is a safe appropriate access for the level of traffic expected.</p>	<p>The proposed construction route would have vehicles accessing the northern development from the east and existing to the west only, as set out in the construction route.</p> <p>Visibility splays have been added to Figure 3.3 which shows the proposed access arrangements. Details of warning signage to be displayed at the access to increase safety have also been included on the plan and within the CTMP.</p>
<p>A further new access is also proposed to the south east to provide secondary access to the central development area. There is insufficient information to enable formal assessment, no visibility splays have been presented in detail, and given the lack of footway it is not evidenced that this is a safe</p>	<p>Appendix D shows appropriate visibility splays and tracking for a 16.5m HGV has been included. There is no exiting footway provision on this side of the carriageway, nor is there any pedestrian access proposed. Therefore, no footway provision is proposed.</p>

appropriate access for the level of traffic expected.	
A full construction period needs to be confirmed.	This has been confirmed by the Applicant as approx. 8-9 months (up to 39 weeks) and is also referred to in the Planning Statement.
A more detailed assessment will be required in terms of movements in the peak hours, for average daily trips and also the peak of construction activity, together with a light and heavy vehicular breakdown. Once this has been established, we would need to see the vehicular distribution and impact at each access junction proposed.	Section 6 of the CTMP details approximate vehicle movements, identifying individual activities and the type of vehicles associated with them based on the Applicants experience with other projects elsewhere at this stage. An indicative programme also forms part of the CTMP.
Swept path assessments need to be shown more clearly.	The Swept Path Assessments have been updated to be clearer.
An independent Road Safety Audit will be required to be commissioned for any new vehicular access.	Quotes are being obtained for Stage One Road Safety Audit, which has been carried out and details are submitted as part of the CTMP.
Development needs to take into consideration the committed development of the adjacent strategic housing site at Garden Village, and any others in the immediate vicinity.	The Garden Village committed development has been considered in the CTMP and it is not considered to have a material effect on the local highway network in combination with the proposed scheme.

- 3.23. Drainage have stated that the Applicant is required to submit a 'SuDS Compliance Statement'. The Applicant has addressed this through the preparation of a Drainage Strategy Report.
- 3.24. Cadw have stated that the Heritage Assessment will need to be revised to include consideration of the impact on the registered Penllergaer historic park and garden and the statement given in section 5.57 of the report revised. In line with guidance issued by Cadw, consideration was made as part of the Heritage Assessment as to whether any of the designated historic assets within a 5km radius of the site include the site as part of their setting and therefore may be affected by the proposed development.
- 3.25. GGAT have recommended that a pre-determination field evaluation be conducted and depending on the results of the evaluation, further archaeological mitigation may be required, either pre or post-determination, as appropriate. In response to this, the Applicant has undertaken a series of surveys approved by GGAT, comprising a geophysical survey of the entire Application Site area (as accessible and surveyable) and a targeted trenched evaluation, approved by GGAT, based on the results of the geophysical survey in areas of greater potential within the site. An Archaeological Field Surveys Overview Report, Archaeology Trench Evaluation Report and Geophysical Survey Report have all been prepared which detail the above.

3.26. The Application Site lies within a mineral safeguarding area, therefore it will need to be demonstrated that the proposal will be implemented, and the site restored within a timescale that the mineral is likely to be needed. However, as referred to in the Planning Statement, solar panels are considered to be temporary development, therefore in accordance with Policy RP13, such development will only be permitted where it can be demonstrated that the proposal will be implemented, and the site restored within a timescale that the mineral is likely to be needed.

Swansea Council – Commons Registration Officer

3.27. The Commons Registration Officer responded stating that any restricted works on common land will require the consent of the Welsh Ministers under Section 38 of the Commons Act 2006 as a secondary or related consent Examining Local Development Plans (gov.wales) to the DNS application. The Applicant confirms that no part of the Proposed Development will be undertaken on the Common Land.

Swansea Council – Highways Department

3.28. Swansea Council Highways Department queried with the Applicant if they were happy to accept the comments that Highways make as part of the Swansea Council Pre-Application, which the Applicant confirmed were acceptable.

Natural Resources Wales

3.29. Natural Resources Wales responded on 10 January 2023. Key comments and issues raised by Natural Resources Wales are summarised below:

Summary of Natural Resources Wales Response	How Response Has Been Addressed
<p>The FCA presents quite a basic flood risk assessment at present. Section 8.4 of the report states that further details will need to be discussed and agreed with NRW, and we agree this needs to be done and/or our comments within this review taken on board, prior to an updated version of the FCA being produced.</p>	<p>Further details, notably cross sections / long sections will be discussed with the NRW at full application stage.</p>
<p>The FCA is informed using the Development Advice Map (DAM) flood map data and we note no hydraulic modelling has been used to inform the FCA. Please note that we have a hydraulic model for the River Llan (which we note runs through the site) and therefore you may wish to contact our Data Distribution team by emailing datadistribution@cyfoethnaturiolcymru.gov.uk to ascertain what modelling data is available and of its suitability to inform an FCA. If at the very least the Flood Map for Planning (FMfP) outline is used (not just the DAM maps), with more details</p>	<p>Response from NRW highlights no modelling data available. Topographical levels within Flood Zone 1 areas used as maximum flood height.</p>

<p>provided of your proposals within the flood plain, then we may be able to agree on the impacts of the development without the need for further modelling.</p>	
<p>The FCA offers minimal reference to TAN15 and does not demonstrate the proposed development's compliance with TAN15. Section 4.1 lists NRW's criteria for the requirement of an FCA – we are not familiar with this list and are unclear where it originated from. Flood risk to the development should be assessed in line with TAN15 Appendix 1.</p>	<p>Further reference to TAN15, including comments on how the Proposed Development complies with TAN15, have been added to FCA Report.</p>
<p>The FCA correctly identifies the proposed development is in DAM Flood Zones A, B and C2, but no reference is made to our most up to date Flood Map for Planning (FMfP), which shows a slight increase in flood risk from rivers (Flood Zone 3) on site. Reference should therefore be made to FMfP.</p>	<p>References updated and cross referenced within FCA Report.</p>
<p>Section 6.1 is incorrect in stating that NRW will consider all the listed sources of flooding, as some will be for the Lead Local Flood Authority (LLFA) to consider (in this instance, that is the City and County of Swansea Council). Figure 6.1 should be correctly titled as showing the DAM. Figure 6.2 appears to show the Flood Risk Assessment Wales (FRAW) map but we identify the map as the FMfP (please note that the FRAW maps have no official status for planning purposes and therefore shouldn't be used in this instance).</p>	<p>References to NRW and LLFA Swansea updated within FCA Report.</p>
<p>The FCA refers to other matters including conservation features and Sustainable Drainage Systems (SuDS) which we advise should be separated from the FCA to make it more specific to TAN15 requirements. References to surface water run-off issues would be better separated out as part of a SuDS report for the Sustainable Drainage Approval Body (SAB) to review.</p>	<p>FCA and Drainage Strategy Reports now separate documents.</p>
<p>The FCA correctly identifies River Llan, a main river, flows through the site, east to west and Gors Fawr Brook along southern boundary (outside of</p>	<p>The Applicant has taken note of these comments. Panels south of the river and immediately north have been</p>

<p>development site). Flood risk is from these fluvial sources.</p>	<p>removed and the boundary of the application site adjusted accordingly</p>
<p>It is unclear why flood compensation in section 8 of the report is proposed in terms of loss of fluvial storage, as solar panels are proposed within the flood plain, rather than buildings. Notwithstanding this, not enough information is presented to understand the reasoning behind the provision of the flood compensation. No assessment of the potential impact of these measures on the existing or proposed site during flood events, or detriment to third parties has been presented. Consideration needs to be given to the potential effects of failure of these measures, particularly as there is a Sewage Treatment Works and houses to the east and downstream of the development site.</p>	<p>Flood compensation has been removed as unnecessary.</p>
<p>Consideration needs to be given to safe access/egress, production of a flood evacuation plan, and the occupiers/owners signing up to NRW's Flood Warning Service if applicable (further information at: Natural Resources Wales / Sign up to receive flood warnings). Please note we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users. This role falls under the remit of the Local Planning Authority (LPA).</p>	<p>There will be no occupation of areas within Flood Zones other than for maintenance.</p>
<p>We note that the land is currently agricultural land and has been for about 100 years when mining ceased in the late 19th century. We advise that there is the potential for land contamination from the mining activities, and although this risk to controlled waters could be considered to be low, the risk would still need to be considered during the development of the solar farm. We advise that due to the risk level being low, this could be controlled via an appropriately worded condition on any planning permission granted.</p>	<p>The Applicant has taken note of these comments.</p>
<p>We note that there are potentially shallow mine workings on site; if these require remedial work to stabilise the ground, then we should be consulted</p>	<p>The Applicant has taken note of these comments.</p>

<p>as there will be additional requirements for considering the risk to controlled waters when using some ground stabilisation methods, for example, if grouting is being used.</p>	
<p>It is currently unclear if the cabling used on site will be fluid filled. If they are then we direct you to follow our groundwater position statement 'C5 – Pipelines and high voltage fluid filled cable' in the Approach to Groundwater Protection, available here: The Environment Agency's approach to groundwater protection (publishing.service.gov.uk) which has been adopted by NRW.</p>	<p>The Applicant confirms that no conduit pipes nor cables will contain any fluids</p>
<p>The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.</p>	<p>The Applicant has taken note of this comment.</p>
<p>Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.</p>	<p>The Applicant has taken note of these comments.</p>
<p>Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, NRW should be contacted for advice at an early stage to avoid any delays.</p>	<p>The Applicant has taken note of these comments.</p>
<p>Due to the direct hydrological link between the development site and protected sites above (all but the Penplas Grasslands SSSI), there is the potential for a pollution pathway. However due to the distance between the sites, we advise the development may not result in an adverse effect on the sites' integrity if a robust Construction Environmental Management Plan (CEMP) is implemented.</p>	<p>The Applicant has taken note of these comments.</p>
<p>We advise that all trees used for the additional tree planting pockets as per the proposed</p>	<p>The Applicant confirms that native species will be used and intends to</p>

<p>landscaping plan should be native species, locally sourced trees. The landscaping plan could also include wetland enhancement features such as ponds and scrapes wherever possible, these could be utilised for surface water management during the construction phase and habitat improvement post construction phase. This matter should be discussed and agreed with the LPA, who lead on priority habitats and ecological enhancements.</p>	<p>provide an Arboricultural Method Statement. Where the feasibility of the Proposed Development has been agreed upon by the Local Planning Authority, this detail can be agreed and submitted later as part of a pre-commencement planning condition.</p>
<p>We advise the CEMP should be provided upfront in support of any planning application, to assess its content and suitability, and should include the following:</p> <ul style="list-style-type: none"> • Construction Methods: 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; • Surface Water Pollution: In order to install the framework for the solar panels and the groundworks to accommodate the electrical cabling, there will be a lot of vehicular traffic across the site and much bare soil generated. There is a significant potential for contaminated surface water to be generated, with dirty water run-off into the onsite Surface Water Pollution: In order to install the framework for the solar panels and the groundworks to accommodate the electrical cabling, there will be a lot of vehicular traffic across the site and much bare soil generated. There is a significant potential for contaminated surface water to be generated, with dirty water run-off into the onsite streams. As this is a large site the work may need to be carried out during periods of sustained wet weather. With this in mind, the site plans should 	<p>The Applicant has prepared a CEMP and has taken note of these comments. In addition, relevant aspects are also shown on the updated Site Layout Plan, Landscape Strategy Plan and also covered in the Agricultural Considerations document and the updated Ecological Appraisal.</p>

look to include attenuation/settlement ponds to cater for road run off at strategic points. A detailed management plan for the management of surface waters during the installation process should be provided, to include the location and type of measures that will be used to control/contain and treat any contaminated surface water that is generated due to site activity/from haul roads. The 'Draft Geophysical Survey Report' by Magnitude Surveys, dated September 2022 has highlighted mudstone, siltstone and clay on site. Treatment methods should therefore reflect the requirements of these sediment types;

- Biodiversity Management: Details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures. Please note that existing hedgerows should remain untouched wherever possible, especially on downslope sides of fields as they will help provide surface water control.

An appropriate riparian buffer strip (minimum of 5m) should be left between all streams and field ditches and any development including access tracks/haul roads; this will allow for natural filtration of any contaminated surface water runoff and prevent overtopping of mud from roads into watercourses. This is also in accordance with policy RP4: Water Pollution and the Protection of Water Resources of the City and County of Swansea Council's Local Development Plan. There should be no ford crossings of streams on site by vehicles. Should access across a streams be needed then appropriate piped bridge constructions need to be installed to protect the watercourse;

- It is difficult to tell from the site plan colour scheme however we advise there should be swale bunds on the downslope side of any installations bordering the

<p>River Llan, and preferably on the downslope side of each field block, especially if there is no hedge boundary. It is also not possible to assess where the access point is for the fields on the south side (left hand bank) of the River Llan on the plans provided. Please be advised that main river crossing with vehicles and cabling should be avoided at all costs. This section will need to be accessed independently from the block on the right hand bank;</p> <ul style="list-style-type: none"> • 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 site deliveries, plant on site, wheel wash facilities; • Pollution Prevention: Demonstrate how relevant Guidelines for Pollution Prevention (available on the NetRegs website) and best practice will be implemented, including details of emergency spill procedures and incident response plan; 	
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<ul style="list-style-type: none"> • Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details; • Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations. The CEMP shall be implemented as approved during the site preparation and construction phase(s) of the development. 	
<p>For the protection of fish and fish habitat, the following advice should be followed:</p> <ul style="list-style-type: none"> • No in river works should be carried out between 15 October and 15 April in any year. • All machines and plant to use biodegradable hydraulic oil and engine oil. • Ensure full pollution prevention measure are in place as detailed above. • The Applicant should notify the start date of works to NRW's Swansea Environment Team (the local team), prior to any bankside work. • The Environmental Permitting Regulations (2016) require the Applicant to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the River Llan, a designated main river. 	<p>The Applicant has taken note of these comments. No solar arrays proposed south of the river or in the immediate vicinity of the northern river banks.</p>
<p>Due to the risks posed from large solar farms, we advise that a water quality monitoring plan is provided upfront in support of the application. This will need to be submitted to ensure necessary monitoring measures are agreed prior to commencement of development and implemented to manage any potential adverse impacts of construction on water quality in all watercourses. The water quality monitoring plan should include:</p>	<p>The Applicant has taken note of these comments.</p>

<ul style="list-style-type: none"> • 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. • The water quality monitoring plan shall be carried out in accordance with the approved details during the site preparation and construction phases of the development. 	
<p>Due to the nature of the topography and the built form around the site, the solar farm is very unlikely to be viewed from the AONB, as also indicated in the Zone of Theoretical Visibility (“ZTV”) and LVIA provided. We advise that the proposal in its current form would have no effect on the Gower AONB.</p>	<p>The Applicant has taken note of these comments. The Applicant ensured that potential views from the AONB were considered as part of the LVIA.</p>

Cadw

3.30. As stated in their external consultee response within Swansea Council's pre-application response, Cadw stated that the desk-based heritage assessment submitted has considered the impact of the Proposed Development on the listed designated historic assets including consideration of the impact on the registered Penllergaer historic park. Cadw concur that the Proposed Development will not have any impact on the setting of any historic assets.

GGAT

3.31. Archaeological Planning Officer Rob Dunning stated that an archaeological field evaluation is appropriate and would be GGAT's pre-determination recommendation to the LPA. He also stated that neither the geophysics report nor the Heritage Desk-based Assessment, are suitable for deposition into the HER as they do not conform to the Guidance for the Submission of Data to the Welsh Historic Environment Records (HERs). The Applicant has prepared updated reports which are in conformity and provide executive summaries in Welsh.

Dwr Cymru (Welsh Water)

3.32. A public sewer record was provided by Dwr Cymru (Welsh Water). The Applicant's civil and electrical engineering consultants walked the original cable routing on 17 February 2023 with Dwr Cymru officers and agree in principle that the cable between the proposed substation and National Grid tower could be tunnelled under the Dwr Cymru assets adjacent to the Afon

Llan. It is noted that the as part of the re-consultation, the cable routing was revised to follow the adopted highway.

Sustainable Drainage Approval Body (SAB)

3.33. The Sustainable Drainage Approval Body responded on 21st February 2023. Key comments of the Sustainable Drainage Approval Body are summarised below:

Summary of SAB response	How response has been addressed
<p>A significant amount of detailed design drawings including SuDS features Cross-Sections and Drainage General Arrangements with supporting calculations and feature specifications will be required in order to consider at Full App stage.</p>	<p>Full design calculations to be provided to SAB as part of the final application.</p>
<p>The 30% betterment from existing Green Field Run-Off will need to be demonstrated; as will the preclusion of infiltration as a suitable method in the standards hierarchy in the form of infiltration testing to BRE 365 standards.</p>	<p>This has been noted in Drainage Strategy Report – the underlying bedrock is noted as Mudstone and overlain by superficial deposits of Sand and Gravel Member. Infiltration is unlikely to be feasible given the underlying geology is Mudstone and not of a permeable nature, however, the overlying sand and gravels are likely to offer some near-surface percolation zones.</p>
<p>I'd suggest you enter into a discussion with Natural Resources Wales (NRW) to attain an Approval in Principle for the proposed discharge in to the Afon Llan, as a main river and ultimately the Burry Inlet RAMSAR; SSSI; SPA etc. designation would fall under their jurisdiction.</p>	<p>Discussions to be had with the NRW at full application stage.</p>
<p>I'd suggest that further to a detailed design of the access junction and road construction to the site from the (B4620) Swansea Road would require a Sec 278 agreement via the authorities Network Management section as a separate but inclusive consideration at the Full-App stage.</p>	<p>Full design of access to be provided at full application stage.</p>

<p>I'd suggest that you satisfy yourself that no existing ordinary watercourses will be affected traversed, culverted or re-directed either temporarily or permanently such that further Ordinary Watercourse Consent application be required by this drainage authority as a separate but inclusive consideration at Full-App stage.</p>	<p>This has been noted, the details of any new crossings of field ditches to be provided to SAB at full application stage.</p>
<p>With reference to the statement in sec 9.12. I advise that this application, the development and its associated SuDS features are considered to be under single curtilage and thus private ownership. As such SAB would not consider adoption of the site or its associated features and its inherent maintenance liabilities. This will require consideration and suitable mitigation by the provision of a detailed maintenance schedule at full application stage and the ultimate responsibility to implement the agreed schedule lies with the land owner. Any agreement to sub-contract this element out to a private entity is an agreement between them.</p>	<p>This has been noted, details of Operations and Maintenance Schedule to be provided to SAB at full application stage.</p>

National Grid Plant Protection

- 3.34. National Grid Plant Protection responded on 6 October 2022 and stated that there are no National Grid gas assets affected in the development area proposed.

The Health and Safety Executive – NSIP Consultation Team

- 3.35. The NSIP Consultation Team Health and Safety Executive stated that the easternmost edge of the redlined area the proposed development falls within HSE public safety consultation zones, but the redlined area(s) do not currently fall within the consultation distances of any Major Accident Hazard Installation(s) The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC). No further action is required provided no hazardous substances are found on site.

The Coal Authority

The Coal Authority stated that the Application Site falls within the defined Development High Risk Area and that the Application Site has been subject to historic recorded and unrecorded underground coal mining at shallow depth. The recommendation would be no objections, subject to the imposition of a condition to ensure the investigations and the completion of any necessary remedial/mitigatory measures. The Applicant agrees with this approach.

Agricultural Land Use & Soil Policy Advisor, Welsh Government

3.36. The advice provided stated that as per the flowchart on page 2 of the published guidance, if the site does not contain Predicted (or previously field surveyed) BMV agricultural land, a detailed field survey is not required, and the Predictive Map grades can be taken as best available information. The Agricultural Land Use & Soil Policy Advisor concluded in his response on 30 September 2022 that a detailed ALC field survey is not recommended for the Application Site and that the Department does not consider BMV land to be present at the Application Site. Therefore, Planning Policy Wales paragraph 3.58 and 3.59 would not apply.

Network Management Division – Richard Jones, Route Engineer

3.37. The Welsh Government as highway authority for the M4 does not object or have further comments to make at this stage, and subject to the principles being followed through to a final CTMP is unlikely to have any further comments to make at a later planning stage.

Network Management Division – Welsh Government

3.38. The strategic roads network team responded stating that they had no comments to make on the development.

Mid & West Wales Fire & Rescue Service

3.39. Mid & West Wales Fire and Rescue Service requested further details of the Fire Service vehicle access and further details of the water supplies to be used for Fire Fighting.

Other Informal Community Responses and Consequent Actions

3.40. This section provides a summary of the representation provided by the community during the non-statutory Informal Consultation period.

3.41. From the walk-in consultation events, a total of fifteen representations were received:

- 7 representations were in support of the development
- 8 representations objected to the development.

3.42. Representations received are set out below.

Representation A (in support)

It is vital to develop sustainable low carbon energy sources, and this scheme should contribute to this.

The scheme is on a larger scale than I had anticipated. I was pleased to see that some effort is being made to mitigate the impact on biodiversity and to ensure that footpaths and through routes for pedestrians and cyclists are being preserved.

The only reservation is regarding the visual impact on nearby housing – the loss of green landscape features and possible light reflection from the panels.

Representation B (in support)

I am all for the use of solar panels. The scheme is very large, but some effort has been made to mitigate its impact.

I am concerned of its visual impact on nearby houses and the possibility of light reflection, but on the whole I am for the scheme.

Representation C (in support)

Very good, all questions answered.

Representation D (in support)

Very informative chat with exhibitions.

Did not realise so much other infrastructure involved with site.

Representation E (in support)

Interesting to find out more about the proposal and the potential impact and benefits for the residents of Gowerton. I look forward to finding out more information in due course. Will stay updated on progress.

Representation F (objects)

Didn't realise it would cover such a large area of green, lush fields that are utilised for farming of arable crops and a beef cattle farm. I have concerns about the Penyfodau Fawr Farm, its residents and the existing farm shop.



Representation G (objects)

The display does not show enough of the “before”. Yes to the future but not lying to the community of what is the sacrifice. It is false information. Saying 11,500 homes are generated does not state through private investment! Not Joe Bloggs in the cul de sac.

The commercial energy company is not briefed properly. Talking “when” – again false info for people unaware.

Low Carbon Alliance / Taiyo reps still could not answer questions despite their confrontational answers. Bias Company representing estates and not representing Penyfodau Fawr Farm.

Representation H (objects)

I don't like the fact farm fields are being used instead of brown field areas. Solar Panels only work in sunlight. None are powered in rain or cloudy times. I have them on my roof.

Very informative information from the reps, but I am against the plans.

Representation I (objects)

I have concerns about the use of farmland for the development and would prefer to see solar panels installed on factory roofs / commercial buildings.

Representation J (objects)

I'm not happy about this. We have bought our home, spent an absolute fortune to get it how we want it, but mainly bought it for the views and the fact that the cows come up close to our garden and now it's all going! Purely for greed!

There are only four houses on our row, all with balconies and the least that could be done is remove the panels from the field at the side of no. 4, also replace the cows with other animals, possibly sheep?

Representation K (in support)

I support solar power and renewable energy.

These plans are covering a larger area than expected and although we are not directly impacted, I can see that for people whose properties back out/back onto this it would have an impact, and consideration given to this. I would also like to see transparency of information about how energy is used locally and if/what benefits to the locals?

I would hope to see opportunities for community investment promoted and it was good to see Cyfrani at the engagement event.

Representation L (objects)

A concern is made on multiple levels. The size of the proposed site is expensive! It not only changes the look of the area but will have a detrimental impact on wildlife, the farms ability to function as they have been and the overbearing look from homes! We are at risk of losing local business and our sense of community. While I value the need for new ways to generate energy, we have had multiple estates build in recent years – none of them solar fitted. We have multiple industrial units that could also accommodate solar panels on the roof. I wonder why the focus continues to be to take away the little land we have left. I am concerned at how many were totally unaware of the consultation meeting held in March.

Representation M (in support)

Fully support the proposal as clean energy is a priority. It is a necessary sacrifice of the current land use which is of detrimental value agriculturally speaking.

So long as the current tenants are not compromised, there shouldn't be too many issues.

Representation N (objects)

While I am not against the solar farm/panels and I do think renewable energy is good, I am against the use of all of the farmland being used.

The plans etc. all look good and the explanations have been good.

I know this will go ahead, hopefully you keep the local communities involved.

Representation O (objects)

As the whole array will be facing a potential 1,000 residents, I am shocked this has not been advertised in Waunarlwydd, Cockett Villages, advertised in the Ward of people it would have an impact on visually and not benefit to any local community.

3.43. The main issues put forward by objectors are summarised below.

Issue: Impacts with regards to the loss of agricultural land

3.44. The Welsh Government has developed a web-based Predictive Agricultural Land Classification (ALC) map for Wales. The predictive ALC map shows that the quality of agricultural land within the application site mostly comprises land of Subgrade 3b and Grade 5, with small areas of non-agricultural land. The Welsh Government Soil Advisor has confirmed that a detailed ALC survey is not required, and the application site does not contain any Best or Most Versatile Land.

3.45. Page 97 of Future Wales states (inter alia) *“The Welsh Ministers have considered alternatives to the need for new large-scale electricity generation infrastructure, including building-mounted installations and energy efficiency measures. Although we believe that these measures have an important part to play in meeting our energy, decarbonisation and climate change targets, they will not enable us to meet these objectives on their own”*. Accordingly, The Welsh Government recognises that agricultural land is required to deliver renewable energy that in turn will allow Wales to reach its energy, decarbonising and climate change targets. However, the developer and Estate landlord intend to continue agricultural use by way of sheep grazing during the operational lifetime of the development.

Issue: Is solar the most inefficient technology for Wales

3.46. With regards to efficiency, solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation worldwide. Solar farms can be built quickly and, coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels, large-scale solar is now viable in some cases to deploy subsidy-free and at little to no extra cost to the consumer. The government has committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions. As such solar is a key part of the government’s strategy for low cost decarbonisation of the energy sector.

Issue: Concerns with regards to the visual impacts of the development

3.47. The ZTV for the application site reflects the undulating topography and treecover and theoretical visibility which is generally contained by built form within 5km of the application site. The ‘actual’ visibility of the application site is less than illustrated in the ZTV mapping as demonstrated by the representative viewpoints. The reduced extent and pattern of visibility of the proposed development is due to the visual containment provided by the steeply rising topography and treecover within the Afon Llan Valley and surrounding settlement. The entire application site is not intervisible with itself and it is therefore not possible to view the entirety of it within a single field of view thus reducing the perceived scale of the proposed development in the wider landscape.

- 3.48. There would be limited to no effects on the majority of residential receptors due to factors such as orientation, intervening landform, built form and vegetation. There are likely major effects at year 1 on residential receptors on high ground Waunarlwydd (Viewpoint 20, Junction of Heol Will George and Sardis Close). However, mitigation measures, which are proposed to be put in place (such as new lengths of hedgerows to break up the series of panels along the visible slopes of the application site) would help to reduce potential effects at year 15.
- 3.49. Based on the location of some of the properties close to the application site, their orientation, number of storeys, nature and character of their curtilage it is predicted that major visual effects may occur at Penyfodau Fawr Farm, and properties along Swansea Road (B4560) overlooking the eastern corner of the proposed development. Boundary mitigation measures have been proposed to help mitigate against these effects, reducing them by year 15.
- 3.50. Considering the intervening boundary vegetation and low-lying profile of the proposed development, it is assessed that views from the surrounding network of PRoW would be considerably screened and visual effects would not be adverse. Views from small sections of the PRoW footpaths which cross or are close to the site including LC26 (Viewpoint 1) which runs south from Swansea Road (B4560), west of Days Motors to the Afon Llan, LC101 (Viewpoint 4) north and south of Afon Llan, and CO60 south of Afon Llan, would be subject to adverse visual effects due to the proposed developments proximity causing a high magnitude of change to existing views at year 1.
- 3.51. Due to boundary vegetation, there would be no major effects on road users along Swansea Road/A484, Titanium Road, Statutory Access land users north and west of the site, or long distance footpath users (Wales Coast Path and the Gower Way).
- 3.52. More than half of the proposed development (63%) 57 acres will form the green infrastructure across the application site. The proposed solar PV element of the proposed development would result in a degree of harm to the landscape character and visual amenity of the part of the application site fronting the A484 and Swansea Road (B4560). However, the landscape and visual effects would be localised owing to the sloping landform of the Afon Llan valley, the surrounding built form, woodland and high sided hedgerows. For these reasons, the proposed development is not considered to materially conflict with criteria 3 of Policy 18.

Issue: Concerns with regards to the impact on wildlife

- 3.53. It is noted that potential impacts of the proposed development include the loss or alteration of grassland habitat beneath the solar arrays, particularly within the footprint of the SINC, and the loss of open habitat for ground-nesting birds. However, the enhancement measures carried out within the large mitigation field and farmland bird mitigation area will mitigate these impacts, as will the proposed sympathetic grassland management within and around the solar arrays.
- 3.54. Habitat retention, creation and enhancement measures are designed to increase the extent and quality of habitat on key corridors within and through the application site. These measures will strengthen habitat connectivity through the application site, including creation of buffer zones. This will include native wildflower seeding/green hay from a donor site (likely to be from retained habitat to the south) and alteration of grassland management to extend and enhance priority habitat.

- 3.55. Planting of native hedge, tree and scrub, and creation of wild bird cover plots will aim to extend the habitat mosaic and enhance habitat value for a range of species including bats and farmland bird species. Enhancement of rhos pasture and creation of butterfly banks will enhance habitat and connectivity for butterfly species.
- 3.56. A wildlife corridor will be created along the public right of way linking the site from north to south. This will comprise a habitat mosaic of grassland, scrub and hedgerow planting. Additional woodland and hedgerow creation and infill planting will also strengthen habitat connectivity across the wider site.
- 3.57. The river corridor and adjacent SINC are considered to be a key component of the mitigation approach; a continuous wide corridor of habitat creation and enhancement will be created along the river corridor within the redline boundary, extending and linking valuable habitats as an ecological network. Open riparian habitats will be retained as part of the mosaic, but with a wider buffer zone than at present. An area of farmland bird mitigation will also be created adjacent to the river. Treatment and removal of extensive Japanese Knotweed will also provide habitat enhancement.
- 3.58. The proposed development will provide a series of enhancements such as swales, basins, leaky dams and filter trenches along arrays rows and in existing drainage ditches, as part of a SuDS betterment which will provide additional wetland habitat diversity. The additional hedgerows and the Rhos grassland field provide flood betterment once the cattle poaching has stopped, and the meadow grasses recover.
- 3.59. It is anticipated that net biodiversity gain of 24% can be achieved at the application site, particularly with regards to the uplifting condition of priority habitats, and habitat connectivity along the river corridor. These proposals for green infrastructure, ecological connectivity and enhancement have been designed to meet Policy 9 of Future Wales, Resilient Ecological Networks and Green Infrastructure. A Green Infrastructure map is presented in Appendix 6 to illustrate these proposed linkages and enhancements.

Email Address Responses

- 3.60. The parcsolarcaenewydd@pegasusgroup.co.uk email address received over 50 emails during the non-statutory Informal Consultation period. Emails that were not related to planning matters or relevant material considerations have been noted by the Applicant. Responses provided are summarised below.

Email Received	Response Provided
<p>Please could you kindly explain why the:</p> <ul style="list-style-type: none"> • Viewpoint Location Plan <p>Is fundamentally different to the</p> <ul style="list-style-type: none"> • Afan Llan Valley LDP Concept Master Plan 	<p>Thank you for your email and showing an interest in our scheme. The Afon Llan Valley LDP Concept Masterplan has been put forward by Swansea Council and does not form part of our proposal.</p> <p>The Applicant is working closely with Swansea Council to ensure that the proposed development adds to the delivery of the wider masterplan. As part of our Landscape and Visual Impact Assessment, we need to</p>

<p>Presumably both plans should share the same boundaries.</p>	<p>present the scheme from public vantage viewpoints.</p> <p>I hope this answers your query. Please don't hesitate to contact me with further questions if you have any.</p>
<p>I was very disappointed to see the scale of the proposed solar panels development on the site of a working productive farm despite my concerns for the effects of climate change and the costs and dangers of fossil fuels. I accept that the development of Renewable Energy is the way forward.</p> <p>The suggestion is that the land could still be used for rearing sheep but the land is known to be more suitable for beef rearing.</p> <p>I live to the south of the proposed development and enjoy walking up the hill behind my house to see the panoramic view of this site and the surrounding countryside. The proposed site is the main part of the green wedge of land between the housing developments of Kingsbridge, Garden Village, Penllergaer, Fforestfach, Waunarlwydd and Gowerton. The development would replace this pleasant area with one huge black hole.</p> <p>To me, this outrageous proposed development should not be allowed to go ahead when there are brown field sites and land of poor quality available for this type of development.</p>	<p>Thank you for sharing your concerns. The proposed scheme is intending to keep agricultural practices and promote high level biodiversity measures.</p> <p>Regarding alternative sites, we will be submitting an Alternative Site Assessment Report which will detail other sites which we have considered, including brownfield sites.</p>
<p>The plans look good, however we live just further on from the planned main solar panels, but there is a red line there, see far right of photo.</p> <p>The red line, site boundary, is anything being done in that area?</p> <p>As you're dependent on the Welsh Government, we'll wait & see if things progress, ie. work ever starts.</p>	<p>Thank you for your email and showing an interest in our scheme. The section of the red line which you are referring to is associated with the proposed underground cable route along Swansea Road (B4560). The location of the underground cable route has since been revised and an updated plan detailing the new cable route will be published online as part of the pre-application Formal Consultation process.</p>

	<p>Our public exhibitions have now ended for the Informal Consultation phase. However, we will be running further public exhibitions in the new year, which will include the updated plans and draft documentation for the proposed scheme. For the latest project information, please refer to our website (www.parc solarcaenewydd.co.uk).</p> <p>I hope this answers your question. Please don't hesitate to contact me with further questions if you have any.</p>
<p>I am a local electrical contractor in the Gorseinon area.</p> <p>Would the Solar Parc be employing local contractors to help with the installation and ongoing maintenance work at the parc?</p> <p>If so we would love to be a part of the project.</p>	<p>Thank you for your enquiry. Any tenders issued by the principal contractor, should this proposed project become consented by a Welsh Government Minister in coming months, would be advertised locally with details of any required formal bidding process.</p>
<p>I am raising concerns with your development. The farm shop and surrounding land has been an asset to the community. Growing their own crops and rearing cattle. What good is a farm shop with no farm. With food shortages increasing wouldn't it be better use of the land to enable the farm to continue growing their crops and selling them in the farm shop. I appreciate there is a need for clean energy but why take all of the farm.</p>	<p>Thank you for sharing your concerns. The Applicant can secure ongoing agricultural activities whilst increasing biodiversity and reducing flooding. Please read the project reports as they become available on the project website.</p>
<p>I would like to formally and fully object to this project, as this is planned to go directly behind me and my neighbours property, massively impacting on our views of the valley, countryside and Gower.</p> <p>We bought our property for a change in lifestyle and to be closer to the countryside and cattle that graze on it not to see the backside of a money and greed driven solar farm that will not help Swansea but put a dent on its landscape.</p>	<p>Thank you for sharing your additional concerns in relation to the project. The next stage of public consultation will be accompanied by various reports which should re-assure you regarding the minimal impacts upon your and your neighbours' views. These documents will be available to view on the website.</p>

<p>This is also going to have a huge impact on my mental health as I use our balcony as a place to relax and soak up the views we paid to live around.</p> <p>If this is not to formal way of objection please can you put me onto the relevant path.</p>	
<p>Does the proposal include any battery storage for the Solar Farm?</p> <p>If not, why was this not an option?</p>	<p>Thank you for your email and showing an interest in our scheme. I can confirm that a Battery Energy Storage System is a key component to the development proposal. Further information will be available to view in the various reports which will be uploaded to the website as part of the next stage of public consultation.</p>
<p>How will this affect the local farm?</p> <p>Will there be a loss of arable land?</p> <p>What is the planning application number with local authority?</p> <p>What stage of planning is this at?</p>	<p>Thank you for your email and showing an interest in our scheme.</p> <p>The proposed scheme is intending to keep agricultural practices associated with the farm and promote high level biodiversity measures.</p> <p>The next round of consultation will be accompanied by various reports including confirmation from the Welsh Government that there will be no loss of best and most versatile land.</p> <p>Due to the application being a Development of National Significance, the application will be submitted to The Welsh Government and not the Local Authority. Once the application is submitted and validated, the application will be publicised on the Welsh Government website.</p>

4. STATUTORY CONSULTATION – LIST OF STATUTORY CONSULTEES

- 4.1. Section 61Z(3) of the Act requires applicants to publicise the proposed application in such a manner as is reasonably considered likely to bring it to the attention of a majority of the persons who own or occupy premises in the vicinity of the land. The Applicant advertised a consultation period running from Wednesday 30th June 2023 to Wednesday 25th August 2023. The formal consultation lasted for 56 days and Applicant continued with the post statutory consultation up to the time of application submission.
- 4.2. In accordance with Article 8 of the Order the applicant has:
- Displayed up to 8 bilingual site notices from 7 June 2023 for a minimum of 42 days;
 - Served written notice on owners or occupiers of land adjoining the site;
 - Published a bilingual notice in the local newspaper, South Wales Evening Post, appearing in the edition published on 8 June 2023.
 - Published all documents specified in Article 8(1)(b) on a website for a period of not less than 42 days.

Requisite Site Notices

- 4.3. Pursuant to Section 8(1)(a)(i), which requires the display of a site notice, in at least one place on or near the land to which the proposed application relates, a total of eight notices were erected on Wednesday 30th June 2023.
- 4.4. A copy of the bilingual site notice is provided below

The Development of National Significance (Procedure) (Wales) Order 2016
**PUBLICITY AND CONSULTATION BEFORE APPLYING FOR
PLANNING PERMISSION NOTICE UNDER ARTICLES 8 AND 9(2)**

PURPOSE OF THIS NOTICE:

This notice provides the opportunity to comment directly to the developer on a proposed Development of National Significance (DNS) prior to the submission of a planning application to the Welsh Ministers. Planning applications for DNS will be publicised by the Welsh Ministers and the relevant local planning authority; any comments provided in response to this notice will not prejudice your ability to make representations to the Welsh Ministers on any related DNS planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at **LAND FRONTING THE A484 AND SWANSEA ROAD (B4560) AT GOWERTON, SWANSEA, SA4 4LN**

I give notice that **TAIYO POWER & STORAGE LIMITED** is intending to apply to the Welsh Ministers for planning permission in respect of Development of National Significance which is: **a renewable energy scheme with the main elements comprising construction, installation, operation and decommissioning of a solar farm with battery storage, together with green infrastructure and wildlife habitat improvements**

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at www.parcolarcaenewydd.co.uk

Anyone who wishes to make representations about this proposed development must write to Pegasus Group by **3 August 2023** at:

Email: parcolarcaenewydd@pegasusgroup.co.uk

Write: Pegasus Group, First Floor, Equinox North, Great Park Road, Bristol, BS32 4QL

Date: 8 June 2023

Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016

**CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM
GANIATAD CYNLLUNIO HYSBYSIAD O DAN ERTHYGLAU 8 A 9(2)**

DIBEN YR HYSBYSIAD HWN:

Mae'r hysbysiad hwn yn rhoi cyfle i wneud sylwadau yn uniongyrhol i'r datblygwr ynglŷn a Datblygiad o Arwyddocâd Cenedlaethol (DAC) cyn bo oais am ganiatad cynllunio wedi ei gyflwyno i Weinidogion Cymru. Bydd oesiadau cynllunio ar gyfer DAC yn cael eu hysbysebu gan Weinidogion Cymru a'r awdurdod cynllunio lleol perthnasol; ni fydd unrhyw sylwadau a ddarperir gennych wrth ymateb i'r hysbysiad hwn yn lleihau dim ar eich gallu i gyflwyno sylwadau i Weinidogion Cymru ar unrhyw gais cynllunio DAC oysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

Datblygiad Arfaethedig yn **TIR GER YR A484 A Ffordd Abertawe (B4560), TREGWYR, ABERTAWE, SA4 4LN**

Rwyfyn hysbyseu bod: TAIYO POWER & STORAGE LIMITED yn bwriadu gwneud cais i Weinidogion Cymru am ganiatâd cynllunio mewn oysylltiedig â Datblygu o Arwyddocâd Cenedlaethol sydd cynllun ynni adnewyddadwy gyda'r **prif elfennau yn cynnwys adeiladu, gosod, gwellthredu a datgomisiynu fferm solar a system storio batri, ynghyd â seilwaith gwyrdd a gwelliannau i gynfainoedd bywyd gwylt**

Gallwch archwilio copïau o'r canlynol:

- y cais arfaethedig;
 - y planiau; a
 - dogfennau ategol eraill
- ar-lein yn www.parcolarcaenewydd.co.uk

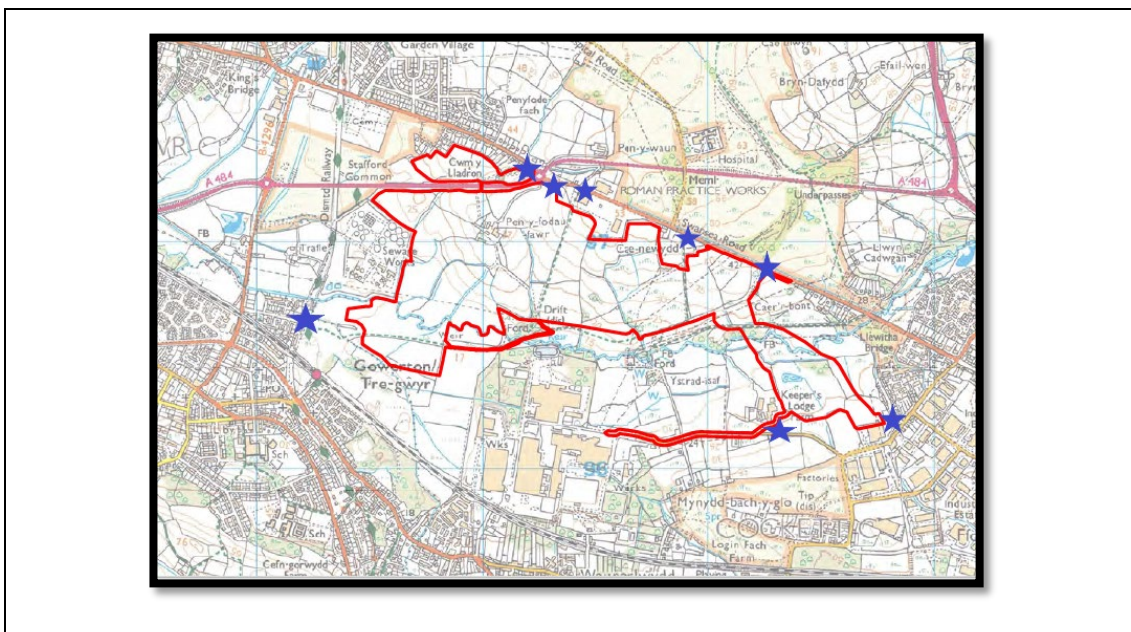
Dylai unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig hwn ysgrifennu at yr asiant, Pegasus Group, **erbyn 3 Awst 2023**:

Eboost: parcolarcaenewydd@pegasusgroup.co.uk

Cyfeiriad: Pegasus Group, First Floor, Equinox North, Great Park Road, Bristol, BS32 4QL




Dyddiad: 8 Mehefin 2023


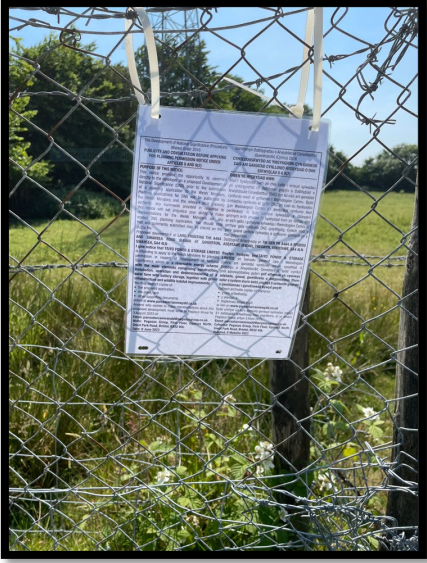

4.5. The locations are shown on the illustration below (illustrated with blue star)-



4.6. Photographs of the notices are set out below along with their coordinates.

No	Location (coordinates)	Photo
1	E – 259226 N – 196637	
2	E 260210 N 197321	

3	E 260253 N 197248	
4	E 260413 N 197235	
5	E 260886 N 197031	

6	E 261222 N 196884	
7	E 261780 N 196227	
8	E 261301 N 196145	

Written Notice

4.7. As required under article 8(1)(a)(ii) and 9(2) and 9(3) Letters and Notices were sent out to owners or occupiers of land adjoining the land to which the proposed application relates together with community, relevant persons and specialist consultees. The consultation packs were posted on 7 June 2023.

4.8. Specialist consultees, relevant persons and community consultees each received consultation packs containing: -

- Covering letter – the letter gave details of the project, the link to the website where the project documents were on display, and the statutory deadline for consultation response. Documents were also made available via sharedrive.
- Relevant Notice

4.9. The circulation list is set out below:-

Name or Address	Consultee type
Swansea Council	Specialist consultee
Sustainable Drainage Approval Body (SAB) – Swansea Council	Specialist consultee
Llwchwr Town Council	Community consultee
Gowerton Community Council	Community consultee
Gorseinon Town Council	Community consultee
Chief Executive of Swansea Council	Community consultee
Adam Davis - Councillor (Llwchwr)	Community consultee
Kelly Roberts - Councillor (Llwchwr)	Community consultee
Robert Smith - Councillor (Llwchwr)	Community consultee
Wendy Lewis - Councillor (Waunarlwydd)	Community consultee
Susan Jones - Councillor (Gowerton)	Community consultee

Dai Jenkins - Councillor (Gowerton)	Community consultee
Mike Durke - Councillor (Cockett)	Community consultee
Oliver James - Councillor (Cockett)	Community consultee
Elliott King - Councillor (Cockett)	Community consultee
Luke Fletcher MS	Community consultee
Tom Giffard MS	Community consultee
Altaf Hussain MS	Community consultee
Sioned Williams MS	Community consultee
Rebecca Evans MS	Community consultee
Julie James MS	Community consultee
Tonia Antoniazzi MP	Community consultee
Geraint Davies MP	Community consultee
Swansea Council - Highways Department Control	Specialist consultee
Sustainable Drainage Approval Body (SAB) - Swansea Council	Specialist consultee
Swansea Council - AONB Team	Specialist consultee
Natural Resources Wales	Specialist consultee
Cadw	Specialist consultee
Society for the Protection of Ancient Buildings	Specialist consultee
Glamorgan-Gwent Archaeological Trust Ltd	Specialist consultee
Dwr Cymru (Welsh Water)	Specialist consultee

National Grid Plant Protection	Specialist consultee
The Health and Safety Executive	Specialist consultee
The Coal Authority	Specialist consultee
Agricultural Land Use & Soil Policy Advisor, Welsh Government	Specialist consultee
Network Management Division, Welsh Government	Specialist consultee
Minister for Economy, Vaughn Gething Assembly Member	Specialist consultee
Minister for Rural Affairs and North Wales, and Trefnydd, Lesley Griffiths Assembly Member	Specialist consultee
Mid & West Wales Fire and Rescue Service	Specialist consultee
Wales & West Utilities	Specialist consultee
Cadent	Specialist consultee
Design Commission for Wales	Specialist consultee
Wildlife Trust of South and West Wales	Specialist consultee
Swansea Airport	Specialist consultee

4.10. Owners / Occupiers within and on land adjoining the application site received the following information pack: –

- Covering Letter – the letter gave details of the project, the link to the website where the project documents were on display, and the statutory deadline for consultation response.
- Relevant Notice
- Site Location Plan

4.11. A list of owns & occupiers can be provided upon request. They are not listed in this document due data protection.

4.12. Example of the specialist consultees letters are provided at Appendix 29.

4.13. Example of the community consultee letters are provided at Appendix 30.

4.14. Example of the owner / occupier letters are provided at Appendix 31.

Published Documents

4.15. As required under Article 8(1)(b) a website was created (parcsoalrcaenewydd.co.uk). The project website, which initially went live in September 2022, and was updated with the formal pre-application documents on 7 June 2023.

4.16. The website features an online comments form as well as an explanation of how to make comments and to get in touch with the consultation team.

4.17. The draft planning application form, documents and relevant notices were available for download during the entire statutory consultation period. The documents made available on the website during the statutory consultation included²:-

4.18. Procedural Document: -

- Copy of the Notice of Acceptance by the Planning Inspectorate
- Copy of the Notice

4.19. Draft Planning Application Drawings: -

- Pre-Application Formal Consultation Layout Plan
- Pre-Application Formal Consultation Site Location Plan
- Pre-Application Formal Consultation Layout Cross Section
- Proposed BESS Compound Cross Section
- Proposed Temporary Construction Bridge
- Proposed Outdoor 132KV Switchgear Compound
- Proposed Cable Trenches
- Palisade Fencing 132KV Substation
- Site Road Cross Section
- PV Array Details 3 Modules Vertical
- Control Room 132KV Substation
- CCTV Details

² All draft documents can be made available to the Welsh Government upon request.

- Spare Parts Container
- Fence & Gate Section Details
- Pre-Application Formal Consultation Layout Plan at scale of 1:500 and split across multiple sheets (25 sheets)

4.20. Draft Planning Application Document: –

- Draft Application Form
- Design and Access Statement
- Planning Statement
- Preliminary Consultation Report
- Economic Benefit Statement
- Landscape and Visual Impact Assessment
- Landscape Planting Plan
- Green Infrastructure Plan
- Flood Consequence Assessment
- Surface Water Drainage Strategy
- Construction Traffic Management Plan
- Outline Construction Environmental Management Plan
- Ecological Appraisal³
- Confidential Badger Report (document available to relevant consultees only)
- Heritage Desk-Based Assessment
- Geophysical Survey Report
- Archaeological Field Evaluation
- Archaeological Field Surveys Overview Report
- Arboricultural Impact Assessment

³ At the request of National Resource Wales, the Ecological Appraisal was supplemented with additional information during the statutory consultation process.

- Agricultural Considerations Report
- Phase 1 Geoenvironmental Report and Coal Mining Risk Assessment
- Noise Assessment
- Glint and Glare Study

Newspaper Notice

- 4.21. The South Wales Evening Post is a daily publication which covers the locality. A bilingual notice was published the paper, appearing in their weekly edition published on 8 June 2023.

Consultation Event

- 4.22. As part of the statutory consultation, the applicant hosted a public exhibition at the Welfare Hall on 17 July 2023 from 3pm to 8.30pm. 21 people attended the event. A photograph of the exhibition is presented below. All draft documentation was made available to view at the exhibition. The Applicant invited all community stakeholders to the event by way of email. It was also shared on social media.



Declaration of Compliance with Act / Order

- 4.23. Appendix 32 presents the Applicants declaration confirming: -

- That the site notice was displayed around the site to which the proposed development relates for a period in excess of 42 days; and
- That all owners of land within and adjoining the application site have been notified of the proposed development.

Number of Responses Received During Statutory Consultation

4.24. This section details the number of responses received during the statutory consultation period.

Specialist Consultees and Relevant Persons

4.25. Statutory responses were provided by: –

- Swansea Council – as local planning authority, the council advised how their previous pre-application advice remained relevant and that they would not be providing any additional comments as part of the statutory consultation process.
- Natural Resources Wales (Appendix 33)
- Cadw (Appendix 34)
- The Health and Safety Executive (Appendix 35)
- The Coal Authority (Appendix 36)
- Agricultural Land Use & Soil Policy Advisor, Welsh Government (Appendix 37)
- Network Management Division, Welsh Government (Appendix 38)
- Dwr Cymru (Welsh Water) (Appendix 39)
- Mid & West Wales Fire and Rescue Service (Appendix 40)
- Wales & West Utilities (Appendix 41)
- Wildlife Trust of South and West Wales (Appendix 42)

4.26. 14 representations were received from the local community. These included emails, letters and feedback forms completed and returned during the exhibition.

5. Statutory Consultation Responses and Consequent Actions

5.1. This section of the report provides a summary of the responses received during the consultation and consequent actions undertaken by the Applicant.

5.2. It is noted that as the Applicant was in position to resolve a number of consultee comments prior to the start of the formal consultation and this is related in the design evolution as set out in the accompanying Design and Access Statement.

Swansea Council

5.3. As stated elsewhere in this statement, the Council advised the Applicant that they would not be providing any additional comments as part of the statutory consultation.

Agricultural Land Use & Soil Policy Advisor

5.4. The Agricultural Land Use & Soil Policy Advisor provided comments on 16 June 2023. They provided the following key advice :-

- The Department does not consider BMV land to be present at this site and therefore Planning Policy Wales (PPW) 11, paragraph 3.58 and 3.59 would not apply.
- the Department states that, as a specialist consultee, it has no objection to the proposed development and refers the applicant to the technical advice above on agricultural land quality.

Mid and West Wales Fire and Rescue Service

5.5. The Mid and West Wales Fire and Rescue Service provided their consultee comments on 14 June 2023.

Summary of response	Applicant position
<p>The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development :</p> <ul style="list-style-type: none"> • The Fire Authority has no comment to make on access for fire appliances or water supplies. • the Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation. 	<p>The Applicant acknowledges that the fire authority has no objection to the development.</p> <p>The Applicant has provided a dedicated vehicle access directly from Swansea Road. The access serves both the battery compound and the substation compound.</p>

Coed Cadw Woodlad Trust

5.6. The Woodland Trust provided comments in the 3 August 2023. The salient points are set out below.

Summary of response	Applicant position
<p>Dear Project Team,</p> <p>The Woodland Trust holds concerns regarding the proposed solar project on account of potential detrimental impact to a number of ancient woodlands within/adjacent to the site boundary:</p> <p>We are particularly concerned about the following impacts to ancient woodland from the siting of a solar farm and associated infrastructure within close proximity:</p> <ul style="list-style-type: none"> • Root encroachment of ancient woodland boundary trees. • Noise, and dust pollution occurring from adjacent development, during both construction and operational phases. • Where the wood edge overhangs the solar panel area, trees can become safety issues and be indiscriminately lopped/felled, resulting in a reduction of the woodland canopy and threatening the long-term retention of such trees. • Any effect of development can impact cumulatively on ancient woodland – this is much more damaging than individual effects. <p>Mitigation</p> <p>Detrimental edge effects have been shown to penetrate woodland causing changes in ancient woodland characteristics that extend up to three times the canopy height in from the forest edges. As such, it is necessary for mitigation to be considered to alleviate such impacts. Potential mitigation approaches for the protection of ancient woodland can help ensure that development meets policy requirement and guidance. Such mitigation may include, but is not limited to, the following:</p>	<p>The applicant has provided appropriate mitigation measures into the design. To define the solar compound and the periphery of the site, it is proposed that security fencing (2 – 2.5m high deer fence) be erected to run outside the RPA of existing arboricultural features. This fence will act as an effective tree protection barrier if erected before any construction works commence on site and mitigate the need to install temporary BS5837:2012 fencing along the outer perimeters of the site. In order to avoid potential impact on trees within the interior of the site during the construction phase of the Development, temporary protective fencing is proposed around the moderate-quality trees as detailed in the accompanying Arboricultural Impact Assessment.</p> <p>Two cabling routes are currently proposed, the proposal is to route the cable trench along the existing local highway (namely Swansea Road, Carmarthen Road, Ystrad Road and Denver Road). It may be necessary to install the cable close to and occasionally within the RPAs of significant trees and tree groups. Both routes, are feasible from an arboricultural point of view since there would be little to no tree removal. The preferred approach is to avoid RPAs through the realignment of apparatus. <i>‘Whenever possible apparatus should always be diverted or re-aligned outside the Prohibited or Precautionary Zones. Under no circumstances can machinery be used to excavate open trenches within the Prohibited Zone’.</i></p> <p>If, due to the constraints of the site, the two proposed indicative cable routes as identified in the Tree Protection Plan is not achievable the preferred solution is to use trench-less techniques such as directional drilling. NJUG states that where necessary ‘trench-less techniques should be used. The launch and receiver pits should be located outside the Prohibited or Precautionary Zones (as defined within the NJUG guidance). In order to avoid damage to roots by percussive boring techniques, it is recommended that the depth of run should be below 600mm. Techniques involving external lubrication of the</p>

<ul style="list-style-type: none"> • Adhering to BS 5837:2012 to provide adequate tree and root protection. • Measures to control noise, dust and other forms of water and airborne pollution. • Retaining and enhancing natural habitats around ancient woodland to improve connectivity with the surrounding landscape. • Implementation of an appropriate monitoring plan to ensure that proposed measures are effective over the long term and accompanied by contingencies should any conservation objectives not be met. <p>This development should allow for a buffer zone of at least 15 metres to avoid root damage and to allow for the effect of pollution from the development. The buffer should be planted before construction commences on site. HERAS fencing fitted with acoustic and dust screening measures should also be put in place during construction to ensure that the buffer area does not suffer from encroachment of construction vehicles/stockpiles, and to limit the effects of other indirect impacts.</p> <p>Trenchless crossings</p> <p>The Trust understands that two areas of ancient woodland are likely to be subject to trenchless crossings in order to limit the removal of irreplaceable ancient woodland soils during construction. The Trust would primarily advocate for the redirection of any cabling through ancient woodland areas, however if such works are likely to occur should consent be granted, then we would appreciate further clarification on the technique and any potential impacts posed.</p> <p>Given that the irreplaceable nature of ancient woodland is bound to their soils, we hold concerns that detrimental impact is likely to occur from the construction of the cable under the ancient woodland. We would seek further evidence that this would not be the case. We'd also be concerned about the potential for hydrological changes as a result of the works.</p> <p>Furthermore, if maintenance works will require access into the woodland, this could lead to surfacelevel disturbance and damage. It is not clear what works will be proposed in terms of direct access to the cable, or whether any</p>	<p>equipment with materials other than water (e.g. oil, bentonite, etc.) must not be used when working within the Prohibited Zone.</p> <p>As trench-less techniques may not be practical for sections of installation that are less than circa 50m in length, it is likely that the installation will utilise open trench excavation that will work around the RPAs of individual trees, where this is deemed to be a practical solution. There are also certain factors that will have historically abated the growth of tree roots beneath the highway, such as the previous installation of services/ apparatus which may have already severed tree roots and the presence of a drainage ditch or steep embankment at the highway edge. The working methods, as set out above, will therefore need to be applied to the installation of the cable connection within the highway. If excavation is required to be carried out within RPAs, a schedule of arboricultural monitoring will need to be agreed with the project arboriculturist.</p>
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<p>maintenance works can be undertaken remotely from the surface as a result of this technique.</p>	
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Wales and West Utilities

- 5.7. Wales and West Utilities provided comments on 26 June 2023. 16 June 2023. Summary of their key advice is set out below.

Summary of response	Applicant position
<p>Dear</p> <p>YOU WILL NOTE THE PRESENCE OF OUR INTERMEDIATE / HIGH PRESSURE GAS MAIN(S) IN PROXIMITY TO YOUR SITE. NO EXCAVATIONS ARE TO TAKE PLACE ABOVE OR WITHIN 10m OF THE CONFIRMED POSITION OF THESE MAINS WITHOUT PRIOR CONSULTATION WITH WALES & WEST UTILITIES</p> <p>The Wales & West Utilities Intermediate / High Pressure Network may be affected by your proposals and a copy of the information you have provided has been forwarded to Asset Management for their comment. They will then contact you as necessary. Please note, 7 days notice is required if you require a site visit from an Engineer.</p> <p>Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.</p>	<p>The Applicant is in discussion with Wales & West to agree the methodology for laying of cable under their assets. This will be carried out by directional drilling and the scope of works is detailed in the accompanying Outline Construction Environmental Management Plan.</p>

Natural Resource Wales

- 5.8. Natural Resources Wales provided comments on 26 June 2023. 16 June 2023. Summary of their key advice is set out below.

Summary of response	Applicant position
<p>1. Flood Risk</p>	

<p>We have previously provided advice on this proposal under our discretionary advice service (DAS) (within our letter dated 10th January 2023, our reference: CAS-203435-W6D8), which included a review of a draft Flood Consequences Assessment (FCA). Following this advice, two further queries were received on flood risk directly from Luke Johnson at Pegasus Group, with advice from NRW issued on 7th February 2023 and 26th May 2023 respectively.</p> <p>The planning application proposes less vulnerable development (LVD) (solar farm). Our Flood Risk Map confirms the site to be within Zones A, B and C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 Rivers.</p> <p>The FCA advises that no flood modelling data is available for the proposed development boundary and we note that following consultation with our Development and Flood Risk Team, it was previously agreed that topographical levels could be used to enable assessment of flood risk to the proposed development (Section 1.10 of the FCA).</p> <p>We have the following comments to make on the FCA;</p> <ul style="list-style-type: none"> • The FCA correctly identifies the proposed development as LVD and located in DAM Flood Zones A, B and C2 and FMfP Flood Zone 3 Rivers. We note the FMfP outlines show a slight increase in flood risk extent. • The FCA is informed using a topographical survey of the site. We would like clarification on how this survey has been used to calculate and estimate predicted flood water levels. Please can you provide a clear explanation of how the predicted flood water levels have been calculated – these relate to figures presented in Sections 7.2, 7.3 and 7.4 of the FCA. • Please can you present a clear presentation of compliance with TAN15 section A1.14 (1% AEP plus climate change (cc) event) and section A1.15 (0.1% AEP, tolerable conditions table) as the FCA doesn't current include this. We will need this to assess compliance with TAN15. • In areas of the development that are at risk of flooding it is proposed to elevate the solar panel arrays to a maximum top height of 4.4m above ground level. It is stated that they are then positioned above the maximum flood level of 12.5m above ordnance datum (AOD). We would support this proposition if (when) the flood 	<p>Following the statutory consultation, the Applicant amended and removed any temporary or permanent works associated with crossing over or under Afon Llan. The Applicant notes how NRW support the Applicant's proposition of placing arrays within the flood risk area. The applicant further notes how, for the final application submission, the quantum of development within the flood risk area has been significantly reduced, this includes the removal of all arrays to the south of Afon Llan.</p>
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<p>water level query clarification above is received from yourselves and/or the FCA is updated.</p> <ul style="list-style-type: none"> • The FCA states that on the solar panels, the electrical equipment which is susceptible to flood water would be placed behind the panels at the top of the array and therefore not at risk of flooding. There will also be the facility to isolate arrays affected by a flood event and therefore not impact the power generation from the remainder of the power plant. We would support these proposals. • The proposed infrastructure, substation, batteries and transformers are to be located outside of C2 flood zone of the DAM and to be raised 150mm above existing ground level. We approve of this proposal. • The FCA states a temporary bridge over the River Llan, a main river, is required for the duration of the construction works. We note from the drawing entitled 'Proposed Temporary Construction Bridge' by Taiyo Power and Storage, provided within the • Design and Access Statement (by Pegasus Group, dated 25th May 2023) that this is a single span bridge and whilst this is a preferable design, we would still expect the FCA to assess the effect of any temporary bridge on flood risk to the development and third parties. The FCA therefore needs to be updated to include this along with an assessment of blockages and debris build up. • The plans show a considerable length of fencing along the River Llan; the FCA will need to assess the potential flood risk this poses and include any blockage/potential debris build up, and how this is to be monitored and managed. • The site is adjacent to sewage treatment works, which would be classed at critical infrastructure. The works are already shown to be at risk therefore it would need to be ensured that the risk is not increased by the proposed development. • The FCA states that the proposal has a lifetime of 40 years. Climate Change allowances for LVD development is 75 years, therefore PEDW will need to confirm what lifetime is to be used. • As per the Environmental Permitting Regulations (2016), any works or structures located in, under, 	
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<p>over or within 8 metres of the bank top of the River Llan, a designated main river will require a bespoke Flood Risk Activity Permit (FRAP). We therefore advise that the temporary bridge over the river Llan will require a FRAP. Further advice and guidance is available on our website: http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/flood-risk-activity-permits-information/?lang=en. You may also wish to contact the local Development and Flood Risk Team to discuss this further by emailing DFRSouthPlanning@cyfoethnaturiolcymru.gov.uk</p> <p>In summary, we require the clarifications and additions set out above to be provided in any final FCA, in order to provide a better informed response on flood risk and whether the scheme is in compliance with TAN15, including any third party detriment.</p>	
<p>2. Ecology</p> <p>2.1. Non-Avian Ecology</p> <p>We have reviewed the report entitled <i>‘Ecological Appraisal’</i> by Devon Wildlife Consultants, dated May 2023 (reference: P21/2998).</p> <p>Section 4.3.2. ‘Woodland, Hedgerows and Riparian Habitats’ of the report states that <i>“All woodland, hedgerows and riparian habitat will be retained, buffered and enhanced as part of the proposed works. This will ensure that there are no direct impacts from the scheme to populations of dormice, otters and roosting/commuting/foraging bats which may/have been confirmed to utilise these features.”</i></p> <p>This is also reiterated in section 3.3.4 ‘Dormice’ and used as justification as to why dormouse surveys were not carried out on site, despite the report assessing the habitats within the survey area to have high potential to support them.</p> <p>We however note that the drawing entitled <i>‘Green Infrastructure Plan’</i> by Pegasus Design, dated 1st March 2023 (Drawing no. P21-2998_13, Revision F) includes areas where habitats will be removed e.g. <i>“Existing vegetation to be cut back to allow adequate swept path for</i></p> <p>2.2. Ornithology</p> <p><i>vehicular access”</i>. Clarification should therefore be provided as to whether all the woodland, hedgerows and riparian habitats will be retained, buffered and enhanced or if indeed there are areas to be removed. If any areas are to be removed, the ecology surveys should be revisited as information on impacts to protected species from any</p>	<p>Pre-Application Consultation response requesting further information pertaining to non-avian ecology, ornithology and protected sites. This information has been included in the final application submission.</p>

vegetation removal will be required to be provided upfront to support any planning application.

We note a walkover survey of the cabling route was carried out in November 2022. Section 4.5.1 of the report identifies that the cable route will result in a temporary loss of habitats, however no detail has been provided on their extent. It is unclear if the cabling will result in the removal of boundary features (woodland, hedgerows and/or riparian habitats) and therefore this should be clarified. Any impacts of any vegetation removal on protected species should be clarified and provided in support of any planning application.

Notwithstanding the matter raised above, we note and welcome the recommendations made within the report and advise you consult with the Local Planning Authority's (LPA) Ecologist to discuss and agree any site planting, habitat creation and enhancement measures.

The majority of the ecological surveys were carried out in 2021. Best practice guidelines suggest that ecological surveys have an expiry date of two years, therefore updated surveys may be required to be carried out on site depending on the proposed timeframe of the application.

In relation to ornithology and in addition to the ecology report, we have reviewed the report entitled '*Solar Photovoltaic Glint and Glare Study*' by PagerPower Urban & Renewables, dated February 2023, and the information provided within an email from Li-Lian Williams of Devon Wildlife Trust to NRW, dated 14th July 2023 (which included 4 pages of missing raw ornithological data from the Ecological Appraisal).

We are unable to provide complete comments on ornithological impacts at this stage as the current submission lacks detail, and further information is required to be submitted upfront in support of the application, as follows:

- More detail is required on the timings of the bird surveys (to include start time, end time, weather conditions etc), the route walked, and map(s) of registrations should be provided with the application;
- We note that the scheme will likely result in a net-loss of habitat for breeding lapwing. More detail should be provided on how the proposed mitigation has been assessed to ensure it will deliver for three pairs of breeding lapwing. Any management should be secured for the lifetime of the scheme.
- As highlight previously and below, the development site lies approximately 1.8km from the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Ramsar and Special Protection Area (SPA), and the Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI), which are protected for features including birds. Further

information is required to be able to assess any potential effects of the proposed development on the protected sites. Detailed information on the overwintering bird surveys is required (a copy of the full bird survey report (not

- just the raw data), as this is not currently included as an appendix to the ecological appraisal). This should include more details on the methodology used, including maps showing transect and vantage point locations, and the experience level of surveyors in identifying coastal and wetland birds. Furthermore this should also include dates and times of surveys as well as information on the tidal conditions at Burry Inlet to ensure that surveys encompass a full range of tidal conditions. Justification should also be provided for only carrying out one year of overwintering bird surveys rather than two or more, especially given that the ecology report states that *“there is potential for the arable or wet grassland fields to be used”* (by overwintering birds), and that *“It is possible that some species may have been overlooked in the field or were not recorded because they were not evident at the time of survey”*. We also recommend that when supplying this further information, it is confirmed if desk studies (e.g. Local Record Centre data searches) covered overwintering birds, or if attempts have been made to source overwintering bird data from other sources. Our general advice on Habitats Regulations Assessment (HRA) is provided below, which we note will include an assessment against the relevant protected site’s conservation objectives – this information is therefore also required upfront to inform the HRA. 2.3. Protected Sites

As previously advised within our DAS response, the development site lies approximately 1.8km to the east of the Carmarthen Bay and Estuaries SAC, Burry Inlet Ramsar and SPA, and the Burry Inlet and Loughor Estuary SSSI. The site is on a southwards slope with many small streams arising on this land which drain southwards directly into the River Llan, a main river, which runs through the south of the site before ultimately discharging into these sites. The Penplas Grasslands SSSI lies approximately 1.7km to the north east of the site.

In relation to the Penplas Grasslands SSSI, we note that section 3.1.2 of the Ecological Appraisal states that *“There are no identified pathways to this site, and it is not anticipated that the Penplas Grasslands SSSI will be affected by the proposed works. Therefore, this site will not be considered further within the current assessment”* – we agree with this assessment.

However, and as previously advised, due to the direct hydrological link between the development site and protected sites above (all but the Penplas Grasslands SSSI), there is the potential for a pollution pathway. Noting the distance between the sites, we advise the development may not result in an adverse effect on the sites’ integrity if a robust Construction Environmental Management Plan (CEMP) is

<p>implemented. Please note this aspect is further discussed below under Section 3 'Pollution Prevention'. Our comments on any effects on the bird features of the protected sites are provided under 'Ornithology' under Section 2.2. above.</p> <p>Further information on the CEMP and Ornithology is required to be provided upfront in support of any application, which will also be required to enable PEDW to carry out a HRA under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).</p> <p>PEDW, as the Competent Authority in this instance under the Conservation of Habitats and Species Regulations 2017 (as amended), must, before deciding to give consent for a project which is likely to have a significant effect on a national site network site and Ramsar, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. They must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the above listed sites.</p>	
<p>3. Pollution Prevention</p> <p>3.1. Construction Environmental Management Plan (CEMP)</p> <p>Noting our comments under section 2.3 above, we have reviewed the report entitled '<i>Outline Construction Environmental Management Plan</i>' (CEMP) by Pegasus Group, dated 25th May 2023.</p> <p>This outline CEMP does not include site specific measures and therefore sufficient detail has not been provided at this stage. We have reiterated our advice below on what the CEMP should contain, which was provided in our DAS response, and provided additional comments based on the outline CEMP. The CEMP should therefore be reviewed and amended accordingly, and provided upfront in support of any planning application. As advised above, this will also be required to inform the HRA.</p> <ul style="list-style-type: none"> • Construction Methods: 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; the work should be phased to ensure that the area of disturbed 	<p>The Applicant has prepared an Outline Construction Environmental Management Plan to accompany the application submission. The outline Construction Environmental Management Plan details the appropriate pollution protection techniques that will be adopted by the appointed contractor team. The purpose of the document is to demonstrate the measures that could be used during the build out phase to adequately protect the environmental resources including potential impact upon human receptors. The detailed CEMP will be submitted for approval subject to whether the scheme is granted permission. The Applicant notes that the works near, over or under Afon Llan is no longer part of the development proposal.</p>

<p>ground/soil stripping that is being worked on at any given time is minimised;</p> <ul style="list-style-type: none"> • Surface Water Pollution: In order to install the framework for the solar panels and the groundworks to accommodate the electrical cabling, there will be a lot of vehicular traffic across the site and much bare soil generated. There is a significant potential for contaminated surface water to be generated, with dirty water run-off into the onsite streams. As this is a large site the work may need to be carried out during periods of sustained wet weather. With this in mind, the site plans should look to include attenuation/settlement ponds to cater for road run off at strategic points. A detailed surface water management plan during the installation process should be provided, to include the location and type of measures that will be used to control/contain and treat any contaminated surface water 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. The <i>'Draft Geophysical Survey Report'</i> by Magnitude Surveys, dated September 2022 has highlighted mudstone, siltstone and clay on site. Treatment methods should therefore reflect the requirements of these sediment types. The volume of water running off any working areas must be kept as low as possible and measures must be put in place to ensure that any polluted runoff is contained and not discharged into a water course; a detailed technical justification should be included to explain the means by which this is to be achieved. Special attention must be paid to cable routes/trenches which are at risk of providing preferential pathways for the escape of polluted water from the site. We note the proposal to enhance the site and manage surface water with numerous swales, with leaky dams and check dams. If these features are created in the first stages of construction they could be used to mitigate against any silt pollution that may subsequently arise; • Biodiversity Management: Details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures. Please note that existing hedgerows should remain untouched wherever possible, especially on downslope sides of fields as they will help provide surface water control. An appropriate riparian buffer strip (minimum of 5m) should be left between all streams and field ditches and any development including access tracks/haul roads; this will allow for natural filtration of any contaminated surface water runoff and prevent overtopping of mud from roads into watercourses. This is also in accordance with policy RP4: Water Pollution and the Protection of Water Resources of the City and 	
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<p>County of Swansea Council's Local Development Plan. There should be no ford crossings of streams on site by vehicles. Should access across a streams be needed then appropriate piped bridge constructions need to be installed to protect the watercourse (we recognise that a temporary construction bridge is proposed over the River Llan);</p> <ul style="list-style-type: none"> • 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 site deliveries, plant on site, wheel wash facilities; • Pollution Prevention: Demonstrate how relevant Guidelines for Pollution Prevention (available on the NetRegs website) 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; • Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations. <p>The CEMP shall be implemented as approved during the site preparation and construction phase(s) of the development.</p> <p>Section 8.2 of the Outline CEMP infers that mitigation will only be installed in high risk areas. We advise however that mitigation should be in place in any place where there is a risk of pollution, not just high risk areas. The higher risk areas should have more robust mitigation.</p>	
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<p>Section 8.3 suggests that major construction will be minimised during heavy precipitation. This is good practice however once soil is exposed, run-off will occur during heavy rainfall even when no work is being carried out. Mitigation measures and careful planning need to be put in place before it rains and before risks arise. Trying to stop silt pollution after the conditions for it to arise have been created is extremely difficult, can stop construction and be expensive to implement.</p> <p>In relation to the proposed cabling routes, which we note is proposed as part of the application, we advise that information on this is lacking. The risk of pollution arising from this activity is high and therefore this needs to be considered in the CEMP.</p> <p>Additionally within our DAS response, we also advised that the submission should be supported with a water quality monitoring plan, however this does not appear to have been submitted at this stage.</p> <p>This was required due to the risks posed from large solar farms and this will still need to be submitted to ensure necessary monitoring measures are agreed prior to commencement of development and implemented to manage any potential adverse impacts of construction on water quality in all watercourses. To reiterate our previous advice, the water quality monitoring plan should include:</p> <ul style="list-style-type: none"> • 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. <p>3.2. Temporary Construction Bridge</p> <p>The water quality monitoring plan shall be carried out in accordance with the approved details during the site preparation and construction phases of the development.</p> <p>As detailed above, we note a temporary bridge is proposed over the River Llan, for the duration of the construction phase. Due to the risk of pollution from its construction, we advise that a bespoke CEMP should be produced for the bridge, based on our advice on the general CEMP above. This should also be provided upfront in support of any planning application.</p>	
<p>4. Foul Drainage</p>	

The report entitled 'Surface Water Drainage Strategy' by Pegasus Group, dated May 2023 states in Section 1.5 that "No foul water will be produced by the development". However the Outline CEMP states in section 5.24 that a cess pit is proposed, and section 8.7 mentions the use of portalooos (or equivalent) for the construction phase. The whole site is within a mains foul drainage catchment (Gowerton) and foul drainage proposals for the development should be clarified in any subsequent application.

We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer.

Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of PEDW that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered. Applicants wishing to operate a private sewerage system will need *either* to apply to us for an environmental permit or register with us for an exemption from the permit requirement. Septic tanks and small sewage treatment works that meet certain criteria may be registered as exempt. A step by step guide to registering an exemption can be found on our website.

If the septic tank or private sewage treatment system is not eligible for an exemption, the Applicant will need to apply for an environmental permit, further details can be found here. Should a permit be required further information may be needed as part of that application process. The Applicant is therefore advised to contact us for pre-application advice at the earliest opportunity to try to ensure that there is no conflict between any planning permission granted and the permit requirements. Further details on how to access our pre-application advice service can be found here.

It is important to note that a grant of planning permission does not guarantee that a permit will be granted. A proposal may be deemed unacceptable either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible. Applicants are encouraged to ensure they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the NetRegs website, which provides further information.

Please note that within the 'Approach to Groundwater Protection' guidance (issued by the Environment Agency in

The Applicant confirms there are no foul drainage proposals for the operational phase of the development. The portalooos (or equivalent) will be required during the temporary construction and decommissioning periods.

<p>2018 and adopted by Natural Resources Wales), Position Statement G6 states <i>“Natural Resources Wales does not encourage the use of cesspools or cesspits, other than in exceptional circumstances. A cesspool or cesspit is a sealed unit that is used for the storage of untreated sewage. There must be no discharge to the environment. Poorly managed cesspools and cesspits present a considerable risk of causing pollution, which can be difficult to monitor and correct”</i>.</p> <p>The use of cesspools/cesspits is discouraged. In exceptional circumstances, where a cesspool/cesspit can be justified, the Circular advises that a full and detailed consideration be given the to the environmental criteria listed under paragraph 2.6.</p> <p>It is essential that any cesspit is installed correctly. Incorrectly maintained cesspools can cause pollution by contamination of the ground, groundwater and, sometimes surface water. Any damage to the fabric of the cesspool, such as cracks or holes, is difficult to detect but needs to be rectified immediately in order to prevent pollution. The cesspit should meet the requirement of British Standard BS 6297. It should be fitted with a level warning device to indicate when the tank needs emptying.</p>	
<p>5. Contaminated Land</p> <p>5.1. General Advice</p> <p>We have reviewed the report entitled <i>‘Phase 1 Geoenvironmental Report and Coal Mining Risk Assessment’</i> by Hydrogeo, dated May 2023. As previously advised in our DAS response, we do not comment on Coal Mine Risk Assessments – this would be for the Coal Authority to review and provide comment on.</p> <p>Based on the information provided, we accept that the historical land contamination risk is low and would ask PEDW to include the following condition on any planning permission granted.</p> <p><i>Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with PEDW) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by PEDW. The remediation strategy shall be carried out as approved.</i></p> <p><i>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.</i></p>	<p>The Applicant agrees to the imposition of an appropriate worded condition to deal with contamination at the site. The Applicant will seek to agree the wording of conditions with the LPA and other relevant consultees following the publication of the Council’s Local Impact Report</p> <p>Following the statutory consultation, the Applicant amended and removed any works associated with crossing over or under Afon Llan. Directional drilling is still proposed under the utilities located within the application site and a generic method statement for the proposed works is presented within the Outline Construction Environmental Management Plan.</p>

<p>5.2. Cable Trenching</p> <p>The use of trenchless (non-open trenches) or direction drilling is mentioned for the cabling under the River Llan and mains sewers at the site, however no details have been provided on the method or an assessment of risk to controlled waters from these proposals. The supporting documentation implies a full assessment will be included in the final DNS application however we advise that details should be provided prior to this point in the application in order to complete our review. These details should therefore be provided upfront, and include details of trenchless methods, locations and a risk assessment for controlled waters.</p>	
<p>6. Landscape</p> <p>We have reviewed the report entitled '<i>Landscape and Visual Impact Assessment</i>' (LVIA) Pegasus, dated 6th June 2022 (Version 001) and confirm our previous advice issued in the DAS remains accurate.</p> <p>The Gower Area of Outstanding Natural Beauty (AONB) lies approximately 3.5km to the south west at its closest point to the proposed development site. It is very unlikely the development would be visible from within it due to the nature of the topography and presence of above ground features (e.g., existing buildings and vegetation) between the site and the AONB. This conclusion is supported by the findings of the Zone of Theoretical Visibility (ZTV) analysis attached as Figure 2 to the LVIA. We agree with the conclusion of the LVIA that the proposal in its current form would have no effect on the Gower AONB.</p>	<p>The Applicant notes NRW position that the development would not have no effect on the AONB. Since the first statutory consultation, the Applicant also notes how the development has been scaled back and reduced in term of development footprint</p>
<p>Other Matters</p> <p>Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.</p> <p>Our comments above only relate specifically to matters included on our checklist, <i>Development Planning Advisory Service: Consultation Topics</i> (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.</p> <p>In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our website for further details.</p> <p>Further advice on the above matters could be provided prior to your planning application being submitted, however there</p>	<p>The Applicant notes the informative matters raised by NRW.</p>

<p>would be a charge for this service. Additional details are available on our website.</p> <p>Advice for the Developer</p> <p>Contaminated Land Informative</p> <p>The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.</p> <p>Excavated materials that are recovered via a treatment operation can be re-used on-site under the <i>CL:AIRE Definition of Waste: Development Industry Code of Practice</i>. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.</p> <p>Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.</p> <p>If you have any queries on the above, please do not hesitate to contact us.</p>	
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Dwr Cymru

- 5.9. Dwr Cymru issued their statutory response on 28 June 2023. The salient points are discussed below.

Summary of response	Applicant position
<p>We advise that the proposed development site is crossed by several strategic assets in the form of a 300mm combined rising main in the south-west corner, as well as a 950mm combined sewer, and a 900mm combined sewer which traverses the site from east to west and upsizes to a 1200mm sewer, as well as a 450mm combined sewer in the south-east corner, with their approximate positions being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the accompanying 'Pre-application Formal Consultation Layout Plan' (Drawing No. PSC 100 001), it appears the proposed</p>	<p>The Applicant is in discussion with Dwr Cymru to agree the methodology for laying of cable under their assets. This will be carried out by directional drilling and the scope of works is detailed in the accompanying Outline Construction Environmental Management Plan. The Applicant confirms that no solar array panels shall be permitted within the protection zones of Dwr Cymru's assets.</p>

<p>development will comprise of solar array panels and cabling routes which are situated directly above and within the protection zone of the 300mm combined rising main and 450mm combined sewer, measured 3 metres either side of the centreline, as well as the 900 – 1200mm sewer, measured 6 metres either side of the centreline.</p> <p>It may be possible to divert assets if the developer applies under Section 185 of the Water Industry Act 1991; however, given the strategic nature of some assets, we advise that this would be unviable for the purposes of this development and therefore recommend the proposed development is repositioned to accommodate for the required protection zone. Alternatively, with respect to prior pre-application discussions, we would advise that it may be viable to consider an acceptable cabling route that crosses the assets, and we request the developer contact us to discuss further. For completeness, no solar array panels shall be permitted within the respective protection zones of the aforementioned assets.</p> <p>The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p>	
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Network Management Division, Welsh Government

- 5.10. WSP acting on behalf of the Welsh Government provided their response on 27 July 2023. The consultee response noted that: –
- I refer to your consultation of 03/07/2023 regarding the above pre-planning application and advise that the Welsh Government as highway authority for the M4 motorway would not issue a direction in respect to a future planning application.

The Coal Authority

5.11. The Coal Authority released its consultee response on 20 July 2023.

Summary of response	Applicant position
<p>Our records indicate that within the site there are recorded coal mining features present at surface and shallow depth including; in excess of 30 mine entries, coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety.</p> <p>The pre-application submission is supported by a Phase 1 Geoenvironmental report and Coal Mining Risk Assessment, dated May 2023 and prepared by Hydrogeo. This report has been informed by a range of sources of information.</p> <p>Within the assessment of risks posed by past coal mining activity the report authors conclude that shallow mine working require further investigation in order that the findings can inform any remedial works necessary. In respect of the numerous mine entries recorded to be present the report authors state that they advise that all remaining mine entries are identified and located on a Site plan to assess their present-day condition. They comment that once identified and marked these entries should either be secured through the fencing of the entry and its entire zone of influence (stability and drainage) or subject to treatment works to ensure safety and stability, such as capping.</p> <p>The report authors state that the proposed development layout has considered the location of historic mine entries on the site and has included no development zones within the proposal to avoid these recorded entries. They comment that ongoing drainage from mine entries should be investigated and characterised to prevent disruption during site development. The report authors note that the mine entries and zones of influence should be maintained as devoid (panels and supporting infrastructure) and inaccessible for the lifetime of the proposed development, in order to ensure no risks arise to safety.</p> <p>The report authors comment that should the use of all land be required then it will be necessary to design and construct adequate capping for the mine entries. They note that the design of such features should be completed by an adequately experienced Chartered Engineer and that this will incur a significant cost to the project due to the number of mine entries on site. They state that the identified site Investigations should be progressed at an early stage in order to inform development layout and construction works.</p>	<p>The Applicant confirms that the development has been informed by the location of mine entries and that further investigatory works are proposed to establish and inform any remedial work necessary to address risks posed by coal mining features. This can be secured by a suitably worded pre-commencement condition.</p>

<p>We are pleased to see that the development layout appears to have been informed by the location of mine entries within the site and that further investigatory works are proposed to establish and inform any remedial work necessary to address risks posed by coal mining features. The coal mining information reviewed (Phase 1 Geoenvironmental report and Coal Mining Risk Assessment) should be provided to support any formal submission for this project.</p>	
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The Health and Safety Executive

- 5.12. The Health and Safety provided their response on 22 June 2023. They provided standard advice. In line with their standard advice, the applicant is in discussions with the relevant operators regarding the construction methodology to cross over pipelines that run through the application site.

Third party responses


- 5.13. A total of 14 responses were received from the community during the statutory consultation period, these comprised

- 7 emails responses
- 4 standardised objection letters posted to the Applicant, and
- 3 feedback forms handed over during the consultation event.

- 5.14. These are identified in turn below: -

- 5.15. 7 representations were received via email during the first statutory consultation period and these comprised of a mixture of objections or requests for additional information. Due to the limited numbers, the representations are provided in full below. The Applicant will be writing to all respondents listed below in January 2024 to advise them of the latest position of the application. Four standardised objection letters were also submitted to the applicant.

Respondent 1	<p>It's a crying shame to think about siting your solar panels on a thriving farm which offers It's produce and more to the local Community. People look forward to the produce they can buy, all seasonal and without the carbon footprint of supermarket produce.</p> <p>Surely there are other sites suitable for solar farms without ruining the livelihood of hard-working farmers who support their local community</p>
Respondent 2	<p>I wish to place on record my objection to the proposal at Penyfodau Farm. This farm supplies fresh produce to the local community and is prime agricultural land.</p>

<p>Respondent 3</p>	<p>Please note my objection to this development on a number of grounds:-</p> <ol style="list-style-type: none"> 1. Wales already produces over twice the amount of power it uses, we have no use for additional power. 2. Wales can easily be fully sustainable with off-shore wind alone. 3. Over 1000 acres of agricultural land has been lost already to renewable energy in Wales. 4. Wales has a food deficit in that it imports more food than it produces, we need more food producers not more power. 5. This development would have a detrimental effect on a number of small local businesses and jobs. 6. This development would not enhance drainage as suggested. 7. This development would not increase carbon storage as suggested. 8. This development would not improve biodiversity as suggested. 9. This development would take money from the local economy and give it to private investors. 10. This development would be a visual blot on the stunning landscape and views of Carmarthen Bay. 11. This development would be a noise nuisance – the inverters are extremely noisy. 12. This development would take money out of the local economy.
<p>Respondent 4</p>	<p>I'd like to raise a complaint about Parc Solar Caenewydd in Gowerton, Swansea being built.</p> <p>I shouldn't be happening and you're putting profits over people.</p> <p>Please rectify this disastrous decision ASAP.</p>
<p>Respondent 5</p>	<p>My name is James Bowen, I own property 1B Swansea Road, SA4 4HF. I would like to confirm some of the details regarding the portion of the plan which lies just north of the A484, between the A484 and Swansea road (B4620) which is highlighted as Cwm y Lladron on Pre-application formal consultation layout plan drawing number PSC100 024.</p> <p>I see on the drawing listed above, the solid green line is identified as a Temporary Construction Track:</p>  <p>However, in the landscape strategy section, I see the same track, this time highlighted in grey is identified as an access track:</p>

	<p>Landscape Strategy Parc Solar, Caenewydd</p> <p>Client: Twp Power & Storage Ltd DREFS No: P21-2198_12 Drawn by: LAM/SHW Date: 01/03/2023 Scale: 1:2000 Pegasus</p> <p>REV 01 Approved by: SHW</p> <p>Site Boundary Public Footpaths Solar Panel Modules Access tracks Transformer</p> <p>Is it possible to confirm whether this track is planned for temporary use during the construction phase only, or whether it is intended for on-going use?</p> <p>Secondly, with reference to the zone identified as G106-A2 (see below) in the Tree Retention/Removal & Protection Plan, drawing number BHA_4439_O2 taken from the Arboricultural Impact Assessment (AIA) and the larger surrounding area within the orange broken line, which is identified as <i>Ancient tree/woodland or Veteran tree buffer: As per published standing advice from Natural England and the Forestry Commission.</i> I understand these zones should be protected, Can you please confirm this area of woodland will not be subject to tree removal?</p> <p>Thank you for your consideration, I look forward to receiving your feedback and would be happy to discuss further by telephone if necessary.</p>
<p>Respondent 6</p>	<p>I am a customer of Penyfodau Fawr Farm shop and saw your notice on their gate when I went to buy some produce. I do not live locally however I do voluntary work at the Wildfowl and WetlandsTrust (WWT) in Llanelli and the farm shop is on my way there. I have looked at your proposal online and have the following comments:</p> <p>Your notice makes no reference to the proposed site being on productive farm land. There is a plan of the farm on the website.</p> <p>This is a productive farm and a well run business. I object to the proposal as we need such land to produce food. Too much productive land in Wales is being covered with solar and trees. We will have to import more food if we do not grow our own so how is this green?</p> <p>Just up the road is a trading estate with large buildings which could easily accommodate solar panels. This is a far more sensible way to produce energy than using productive farmland and this is what happens in the Netherlands. There the energy company pays a rent to the owner of the building so it is a win - win situation.</p>

Respondent 7	<p>We have perused your planning proposal with alarm and dismay. We state that the current farm is an asset of community value.</p> <p>We don't believe that the benefits that you espouse in the proposed application are of equal or greater value to the benefits already offered.</p> <p>Furthermore, we will lose valuable green space in our community. We don't want to lose or change the use of this asset of community value.</p> <p>We reject any suggestion that the solar panel power generated will be more advantageous to the community than the present farm. Green space is important. The present mixed use of the farm is very valuable to the community and to the environment too.</p> <p>A large PV farm will be an eyesore and a blight on our community. We have experience of such developments in our locality already.</p> <p>The land will certainly degenerate, if it is no longer farmed in the current manner. A mixed use farm is valuable for the environment and for food production. Gower produced beef is some of the best in the world.</p> <p>Your application looks like a blatant attempt to make the land only fit for future building development and commercial use.</p> <p>My wife and I oppose this proposal on every ground proposed by your company.</p> <p>Please kindly register our comments and our support for the present use of the farm.</p>
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- 5.16. During the consultation event held at the Welfare Hall on 17 July 2023 from 3pm to 8.30pm, 3 completed questionnaire forms were handed to the project team.

Respondent 8	Very upset about an enormous solar factory on farm land, should be on a brownfield site e.g. Velindre steel works site.
Respondent 9	The usual money making land grab – immediately adjoining the property of a vast acreage of redundant roof space it is this - together with road verges central reservations et al should be utilised for power generation
Respondent 10	Disgusting, its all about the greedy landowner making money

- 5.17. A copy of the standardise objection letter is provided at Appendix 43. Four copies of the letter were submitted to the applicant.

Welsh Parliament Petition Committee

- 5.18. Following the start of its original statutory consultation, the Applicant became aware of a petition registered on the Welsh Parliament website in relation to the development. The petition was created by Richard Lake and called for the planning permission for the development to be declined. On 23 June 2023, the Applicant submitted correspondence



to the Welsh Parliament's Petitions Committee to inform them of how the Petition Grounds contain grossly inaccurate statements and the Petition itself is based on false information defamatory to the Applicant, and have no basis in fact. Notwithstanding the factual inaccuracies in the Petition Grounds, the Petitions Committee decided to allow the petition to continue, subject to minor modifications.

- 5.19. The petition closed on 23 November 2023. It ultimately collected 8,274 signatures online and 2,092 signatures on paper making a total of 10,356 signatures collected (no assessment has been undertaken by the Petitions Committee if there has been double counting of collected / online signatures). The Petitions Committee discussed the petition on 11 December 2023 and it was proposed that the petition remained open until the decision was made on the planning application by the Welsh Ministers.
- 5.20. The applicant notes that the number of responses generated by the local community to the formal DNS statutory consultation has been the polar opposite to the numbers collected for the Welsh Parliament petition.

6. STATUTORY RE-CONSULTATION, RESPONSES AND CONSEQUENCES ACTIONS

- 6.1. Following the first statutory consultation, the applicant reflected upon the community and technical feedback received and progressed to further refine the scheme.
- 6.2. Following the initial statutory consultation, the layout was further refined to reflect technical matters raised by the project team, latest policy guidance and DNS decisions and consultee advice. The key changes include: –
- All solar arrays were removed from the fields located to the south of the Afon Llan. This is due to ecology stepwise considerations and flood risk. These fields will therefore be retained for full continued agricultural use. These proposed modifications have reduced the development areas within the planning application boundary. By removing the arrays to the south of Afon Llan, the Applicant has also taken out the need for any associated directional drilling works under Afon Llan. Solar arrays have also been removed from a further two fields located due south of Glasfryn Terrace due to ecological stepwise considerations (SINC considerations).
 - Following the exclusion of five land parcels (as described above), the Applicant has sought to relocate some of the PV modules within the retained fields, thus achieving a more efficient use of the retained fields.
 - The proposals presented during the first round of statutory consultation showed three cable routing options, all of which traverse the agricultural fields to the south of the river Afon Llan. However, following further technical and land option considerations, alternative cabling route were progressed to be proposed. To this end, the Applicant introduced a design change by rerouting the cable route along the existing local highways (namely Swansea Road, Carmarthen Road, Ystrad Road and Denver Road). In addition, a second point of connection option is being introduced to the scheme and this is located to the north off Carmarthen Road. The planning application boundary was amended and extended to accommodate these changes.

Regulatory Requirements

- 6.3. In accordance with Article 8 of the Order the applicant has:
- Displayed up to 8 bilingual site notices from 10 October 2023 for a minimum of 42 days;
 - Served written notice on owners or occupiers of land adjoining the site;
 - Published a bilingual notice in the local newspaper, South Wales Evening Post, appearing in the edition published on 10 October 2023.
 - Published all documents specified in Article 8(1)(b) on a website for a period of not less than 42 days.




Requisite Site Notices


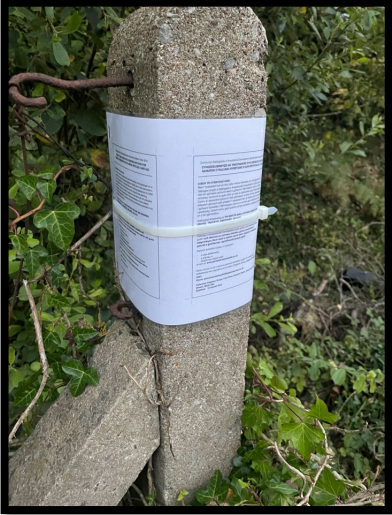
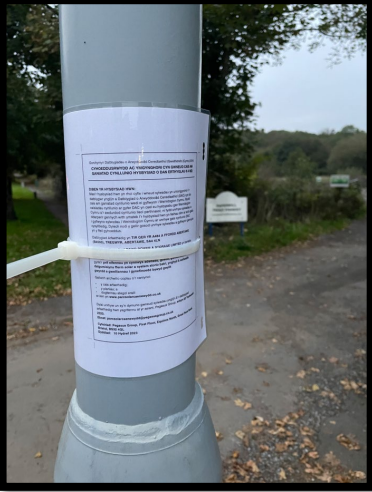
- 6.4. Pursuant to Section 8(1)(a)(i), which requires the display of a site notice, in at least one place on or near the land to which the proposed application relates, a total of six notices were erected on 10 October 2023..
- 6.5. A copy of the site notice is provided at Appendix 44.
- 6.6. The locations are shown on the illustration below (illustrated with blue star):





- 6.7. The locations are set out below along with a photograph of the notice on display.

No	Location (coordinates)	Photo
1	E – 259226 N – 196637	

2	E 260210 N 197321	
3	E 260253 N 197248	
4	E 260413 N 197235	

<p>5</p>	<p>E 260886 N 197031</p>	
<p>6</p>	<p>E 261222 N 196884</p>	
<p>7</p>	<p>E 261889 N 196590</p>	

8	E 261841 N 196219	
9	E 261301 N 196145	

Written Notice

- 6.8. As required under article 8(1)(a)(ii) and 9(2) and 9(3) Letters and Notices were sent out to owners or occupiers of land adjoining the land to which the proposed application relates together with community, relevant persons and specialist consultees. The consultation packs were posted on 10 October 2023.
- 6.9. Specialist consultees, relevant persons and community consultees each received consultation packs containing: -
- Covering letter – the letter gave details of the project, the link to the website where the project documents were on display, and the statutory deadline for consultation response.
 - Relevant Notice
- 6.10. The circulation list is set out below: -

Name or Address	Consultee type
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Swansea Council	Specialist consultee
Sustainable Drainage Approval Body (SAB) – Swansea Council	Specialist consultee
Llwchwr Town Council	Community consultee
Gowerton Community Council	Community consultee
Gorseinon Town Council	Community consultee
Chief Executive of Swansea Council	Community consultee
Adam Davis - Councillor (Llwchwr)	Community consultee
Kelly Roberts - Councillor (Llwchwr)	Community consultee
Robert Smith - Councillor (Llwchwr)	Community consultee
Wendy Lewis - Councillor (Waunarlwydd)	Community consultee
Susan Jones - Councillor (Gowerton)	Community consultee
Dai Jenkins - Councillor (Gowerton)	Community consultee
Mike Durke - Councillor (Cockett)	Community consultee
Oliver James - Councillor (Cockett)	Community consultee
Elliott King - Councillor (Cockett)	Community consultee
Luke Fletcher MS	Community consultee
Tom Giffard MS	Community consultee
Altaf Hussain MS	Community consultee
Sioned Williams MS	Community consultee
Rebecca Evans MS	Community consultee

Julie James MS	Community consultee
Tonia Antoniazzi MP	Community consultee
Geraint Davies MP	Community consultee
Swansea Council - Highways Department Control	Specialist consultee
Sustainable Drainage Approval Body (SAB) - Swansea Council	Specialist consultee
Swansea Council - AONB Team	Specialist consultee
Natural Resources Wales	Specialist consultee
Cadw	Specialist consultee
Society for the Protection of Ancient Buildings	Specialist consultee
Glamorgan-Gwent Archaeological Trust Ltd	Specialist consultee
Dwr Cymru (Welsh Water)	Specialist consultee
National Grid Plant Protection	Specialist consultee
The Health and Safety Executive	Specialist consultee
The Coal Authority	Specialist consultee
Agricultural Land Use & Soil Policy Advisor, Welsh Government	Specialist consultee
Network Management Division, Welsh Government	Specialist consultee
Minister for Economy, Vaughn Gething Assembly Member	Specialist consultee
Minister for Rural Affairs and North Wales, and Trefnydd, Lesley Griffiths Assembly Member	Specialist consultee

Mid & West Wales Fire and Rescue Service	Specialist consultee
Wales & West Utilities	Specialist consultee
Cadent	Specialist consultee
Design Commission for Wales	Specialist consultee
Wildlife Trust of South and West Wales	Specialist consultee
Swansea Airport	Specialist consultee

- 6.11. A total of 320 owners & occupiers of land or properties located within and on land adjoining the application site received the following information pack: –
- Covering Letter – the letter gave details of the project, the link to the website where the project documents were on display, and the statutory deadline for consultation response.
 - Relevant Notice
 - Site Location Plan
- 6.12. A list of owns & occupiers can be provided upon request. The number of people consulted significantly increased in comparison to the first round of statutory consultation due to the changes introduced to the planning application boundary (specifically, the revised cable routing along the public highway).
- 6.13. Example of the specialist consultees letters are provided at Appendix 45.
- 6.14. Example of the community consultee letters are provided at Appendix 46.
- 6.15. Example of the owner / occupier letters are provided at Appendix 47.

Published Documents

- 6.16. As required under Article 8(1)(b), the project website was updated with the re-consultation materials on 10 October 2023.
- 6.17. The website features an online comments form as well as an explanation of how to make comments and to get in touch with the consultation team.

6.18. The draft planning application form, documents and relevant notices were available for download during the entire statutory consultation period. The documents made available on the website during the statutory consultation included⁴:-

6.19. Procedural Document: -

- Copy of the Notice of Acceptance by the Planning Inspectorate
- Copy of the Notice

6.20. Draft Planning Application Drawings: -

- Pre-Application Formal Consultation Layout Plan
- Pre-Application Formal Consultation Site Location Plan
- Pre-Application Formal Consultation Layout Cross Section
- Proposed BESS Compound Cross Section
- Proposed Outdoor 132KV Switchgear Compound
- Proposed Cable Trenches
- Palisade Fencing 132KV Substation
- Site Road Cross Section
- PV Array Details 3 Modules Vertical
- Control Room 132KV Substation
- CCTV Details
- Spare Parts Container
- Fence & Gate Section Details

6.21. Draft Planning Application Document: -

- Draft Application Form
- Design and Access Statement
- Planning Statement
- Economic Benefit Statement

⁴ All draft documents can be made available to the Welsh Government upon request.

- Landscape and Visual Impact Assessment Addendum
- Landscape Planting Plan
- Green Infrastructure Plan
- Flood Consequence Assessment
- Surface Water Drainage Strategy
- Construction Traffic Management Plan
- Outline Construction Environmental Management Plan
- Ecological Appraisal⁵
- Confidential Badger Report (document available to relevant consultees only upon request)
- Heritage Desk-Based Assessment
- Geophysical Survey Report
- Archaeological Field Evaluation
- Archaeological Field Surveys Overview Report
- Arboricultural Impact Assessment
- Agricultural Considerations Report
- Phase 1 Geoenvironmental Report and Coal Mining Risk Assessment
- Noise Assessment
- Glint and Glare Study Addendum

Newspaper

- 6.22. The South Wales Evening Post is a daily publication which covers the locality. A bilingual notice was published the paper, appearing in their weekly edition published on 10 October 2023.
- 6.23. A copy of the notice / page extract is presented at Appendix 48.

⁵ At the request of National Resource Wales, the Ecological Appraisal was supplemented with additional information during the statutory consultation process.

Declaration of Compliance with Act / Order

6.24. Appendix 49 presents the Applicant's declaration confirming: -

- That the site notice was displayed around the site to which the proposed development relates for a period in excess of 42 days; and
- That all owners of land within and adjoining the application site have been notified of the proposed development.

Number of Responses Received During Statutory Re-Consultation

6.25. This section of the report provides a summary of the responses received during the re-consultation and consequent actions undertaken by the applicant.

Specialist Consultees and Relevant Persons

6.26. Statutory responses were provided by: -

- Dwr Cymru (Appendix 50)
- Cadw (Appendix 51)
- Mid and West Wales Fire and Rescue Service (Appendix 52)
- The Coal Authority (Appendix 53)
- Agricultural Land Use & Soil Policy Advisor (Appendix 54)
- Design Commission Wales (Appendix 55)
- Llŵchwr Town Council (Appendix 56)

6.27. 14 representations were received from the local community.

6.28. During the statutory re-consultation, Swansea Council did commit to providing a pre-application response as part of their Planning Performance Agreement. However, no response was provided at the time of writing this report.

Mid and west Wales Fire and Rescue Authority

6.29. The Mid and west Wales Fire and Rescue Authority responses to the re-consultation on 12 October 2023. They noted that

- The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development:

- The Fire Authority has no comment to make on access for fire appliances or water supplies.
- The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

Dwr Cymru

- 6.30. Dwr Cymru responded on 20 October 2023 and they provide standard advice over the application proposal. The Applicant is holding direct discussion with Dwr Cymru to agree scope of works for development in close proximity to their assets.

Cadw

- 6.31. Cadw submitted their response to the re-consultation on 16 November 2023. Cadw advise that the modifications to the scheme did not alter their previously 'no objection; advice over the development proposal.

The Coal Authority

- 6.32. The Coal Authority submitted their response on 22 November 2023. The salient points are set out below: –
- We have previously commented on this pre-application proposal, in a letter to the LPA dated 20th July 2023, at the pre-application stage. On the basis of the information submitted, and the nature of the development proposed, we noted that we would have no objections to the proposal subject to the coal mining information reviewed being submitted to support any formal application for the project.
 - As the scheme has been amended the submission is now supported by a Phase 1 Geoenvironmental Report and Coal Mining Risk Assessment dated October 2023 and prepared by Hydrogeo. This report draws the same conclusions as the previous information submitted; that the development layout has been informed by the location of mine entries within the site, and that further investigatory works are required to establish the risks posed by coal mining features, and to inform any remedial work necessary.
 - The coal mining information reviewed, the Phase 1 Geoenvironmental Report and Coal Mining Risk Assessment dated October 2023, should be provided to support any formal submission for this project. The recommendations within the report should be incorporated into appropriately worded conditions should the project get formal approval.
- 6.33. The Applicant accepts an appropriately worded condition to secure the implementation of an appropriate mitigation strategy for coal risk.
- 6.34. The Agricultural Land Use & Soil Policy Advisor submitted their response on 18 October 2023. Their response confirmed that their original preapplication response of 16 June 2023 remains valid for the amended proposal.

Llŵchwr Town Council

6.35. Llchwyr Town Council gave their consultee response on 16 November 2023. The Town Council sustained their original objection to the development based on adverse visual impact and scale.

Design Commission Wales

6.36. The Design Commission Wales provided their response on 20 November 2023, their standard advice stated; –

- The Design Commission will be publishing updated guidance to support Future Wales Policies 17 & 18, which you can find here: [Designing for Renewable Energy in Wales](#). The guidance promotes a design-led approach to renewable energy development and emphasises the importance of responding to the landscape as a guiding consideration.
- The Design Commission recommends all developers and promoters make early use of its strategic Design Review Service, which provides site specific expert design input at key stages in the evolution of proposals. The comment and input of our independent panel of experts provides opportunities to capture the value of good design and represents a material consideration in the planning process. Please refer to our website for more information: [Design Review Service – Design Commission for Wales \(dcfw.org\)](#).

6.37. 14 representations were submitted during the statutory consultation period and these comprised of a mixture of objections or requests for additional information. Due to the limited numbers, the representations are provided in full below. The Applicant will be writing to all respondents listed below in January 2024 to advise them of the latest position of the application.

Respondent 1	<p>A few questions on this please, as I am a resident of Heol Islwyn, Fforestfach.</p> <ol style="list-style-type: none"> 1. How long will construction take? 2. Is there likely to be disruption to residents in the area? 3. Has there been a consideration of compensation to residents as a result of any noise / disruption while construction takes place? 4. The cabling to the existing pylon appears to be right next to my house – are there any associated health risks with the pylon being so close to my house and with the addition of other things connecting to it? 5. I work from home a lot of the time – am I likely to be without internet / disturbed by noise as a result of the work?
Respondent 2	<p>My family live on Denver Road and I have noted the changes in your proposed cable route as part of the re-consultation package. I am not opposed to the project as a whole, so was just looking for some further information on the planned works on and leading up to the Denver Road area.</p> <ol style="list-style-type: none"> 1. What is your planned programme duration of the works from switchgear compound to Denver Road, then the excavation works from Denver Road to the pylon? 2. I assume access to Denver Road can still be maintained during the works? depending on the depth and width of the excavation required? 3. Your noise survey assessment has been updated as of October 2023, but I can't see any data relating to the impact from works on Denver Road during the work, can you advise? 4. The Construction Traffic Management Plan also does not seem up to date

	<p>with the works to Denver Road. What is the anticipated impact of this in terms of plant, equipment and access? And how will it be managed to minimise disruption?</p> <p>Should the scheme go ahead as planned then it would be good to have a clear point of contact with the principal contractor managing the works in our area. To allow for consultation and feedback in the design and construction phase.</p>
Respondent 3	<p>As residents of a property on Swansea Road (B4560), we're interested to learn as things further progress of the Parc Solar Caenewydd project.</p> <p>The larger part of the solar farm development is off the A484 & B4560 ending before it reaches our homes on Swansea Road. I see however red lines in a narrow area by our homes. What do you propose doing there?</p> <p>Whether the development ever happens, depends on whether you get the sponsorship from private businesses. It's a shame Drakeford & members of the Senedd didn't contribute to something like this, instead of wasting huge sums on reducing the speed limit to 20 mph.</p> <p>I await your reply.</p>
Respondent 4	<p>I have a few queries regarding the alternative proposed high voltage underground cable routing along Carmarthen road and ystrad road, are these proposed to be inserted into the roadway or pavements?</p> <p>And if pavements, which side or sides?</p>
Respondent 5	<p>I hope this email finds you well. I am writing to express my strong objection to the proposed solar farm project that is planned to be built behind my home in Garngoch. While I understand the significance of transitioning towards renewable energy, I believe there are crucial considerations that must be addressed before proceeding with this project.</p> <p>One primary concern revolves around the potential impact on property values. Research has shown that proximity to industrial-scale solar facilities can lead to a reduction in property values. According to a study conducted by the Lawrence Berkeley National Laboratory in 2015, homes within a mile of large-scale solar projects sold for nearly 4% less than comparable homes further away. This data underscores the tangible economic implications for homeowners in close proximity to such developments.</p> <p>Furthermore, it is imperative to conduct a thorough environmental impact assessment. The proposed location is ecologically sensitive, with diverse wildlife habitats and valuable native vegetation. The disruption caused by the construction and operation of a solar farm may pose a threat to these delicate ecosystems. According to the Environmental Protection Agency (EPA), solar farms can lead to soil erosion and degradation if not managed properly. Moreover, potential water runoff issues need to be addressed to prevent contamination of local water sources.</p> <p>The project's impact on local wildlife is a significant concern. The area behind my home is known for its diverse range of bird species, some of which are protected or endangered. The construction and operation of a solar farm may disrupt nesting and feeding habits, potentially leading to a decline in local wildlife populations. Studies have shown that solar farms can pose a threat to avian species, and it is crucial that these risks be thoroughly evaluated.</p> <p>Additionally, the proposed project may have a substantial impact on local traffic patterns. The transportation of equipment, materials, and personnel during the construction phase, as well as ongoing maintenance activities, could lead to increased traffic congestion in our community. This not only poses an inconvenience to residents but also raises safety concerns, particularly for pedestrians and cyclists.</p> <p>I implore you to explore alternative sites that could have a reduced impact on residential areas. There are often underutilized industrial zones or brownfield sites that could be repurposed for such projects. This would not only alleviate concerns of local residents but also potentially streamline the approval process.</p>

	<p>In light of these concerns, I request a comprehensive environmental impact assessment be conducted and that the findings be made available for public review and scrutiny. It is crucial that the community be fully informed and engaged in the decision-making process.</p> <p>Thank you for your attention to this matter, and I trust that our community's concerns will be given the weight they deserve in the decision-making process.</p>
Respondent 6	<p>I am a home owner in glasfryn terrace Garngoch - the row of 4 houses that you are planning to put this eyesore on the back of me!</p> <p>We bought our home 3 years ago , we have put all of our savings into it which we don't mind because it's a place we love , we have been coming back and forth the farm for the last 20 years with our children and now with our grandchildren and now it's going!</p> <p>We bought our house mainly for the views at the back and we love the fact that we have the cows come so close to the garden , the children love them too and now it's going to be ruined .</p> <p>I know the panels are not going in the field directly behind our house but the cows will obviously go . Also to the right of us at the moment we have the views of the fields and lougher estuary and now that's going to be hidden by ugly panels and extra trees to block the view!</p> <p>We are also concerned that the panels will de value out property or at least later on in life put off potential buyers if we did ever decide to sell , I certainly wouldn't have bought this property if I had known that this was happening</p>

	<ol style="list-style-type: none"> 3. The farm is farmed by a tenant who will be forced to cease his livelihood and shut his farm shop which will result in a net loss of jobs than the 5 full-time equivalent jobs claimed. 4. Sheep will not be able to graze amongst the panels as you claim as the grass will not grow in the shadow of the panels and without maintenance the land will quickly become sour. 5. Currently the farm & shop supplies local produce to local people. What is not grown on the farm is grown, produced or processed locally so reducing pollution to the environment through transport. 6. Family farm, shop and local suppliers spend the vast percentage of their profits locally where as a Japanese firm will not be spending it's profits locally so a loss to the local economy. 7. Materials and labour for the solar power station will not be local. 8. The shocking "State of Nature Report" published in October 2023 found that more than half of the UK's biodiversity is now gone due to human activity. 9. 43% of British birds, 31% of amphibians and reptile, and 26% of land mammals are facing extinction whilst only 14% of habitats are considered important – I believe that Penyfodau farm is an important habitat. 10. A full EIA needs to be properly carried out. 11. The view as you pass Penyfodau Fawr farm heading west is spectacular and will be ruined with solar panels either side of the road. 12. The noise for near neighbours, ramblers and others enjoying the area via public rights of way from the inverters will be significant at times. 13. The consultation documents provided by yourselves are from desk research only. You have not even bothered to carry out any onsite research or studies. 14. The threats of legal action to locals who oppose your development and silencing of others in an attempt to get this project through the planning process with little opposition are shameful to say the least. 15. The local community councils are against this project. 16. Swansea County Council are against this project. 17. The local MP has supported opposition to the development by sharing of the online petition on social media pages. <p>The online petition to the Welsh Government has reached 7,675 signatures at the time of writing which shows the strength of opposition to this proposal.</p> <p>I suggest you advise your clients that they should not waste their shareholders money any further on this project and withdraw it immediately.</p>
<p>Respondent 9</p>	<p>We are residents of 1 Caerbont, Llewitha. We currently have some concerns which the planning permission development planned proposed as Parc Solar Caenewydd; on farm land at the farm known as Penyfodau Fawr Farm, Swansea, SA4 4LN.</p> <p>As we are local residents, supporting small businesses all of which will be affected by the loss of the farm and farm shop. Not to mention that a family will be losing their home after being a tenant on the farm for 3 generations and will have to sell all of their animals and lose their lively hood.</p> <p>The main reason that we bought our property is for the view. Our property backs on to a field with a public path that runs from Llewitha to Waunarwydd. We are very concerned that this piece of land will be acquired and become</p>

	<p>part of the solar farm. Not only would we lose our amazing view but we would lose all the animals and wildlife that we witness daily coming into our garden because their habits would be destroyed.</p> <p>By looking at the solar farm paperwork we can see that the Battery and Substation would be near our property. Our 3 children where all born prematurely and because of this they have suppressed immune systems. It has come to our attention that high voltage cables will be run along Swansea Road, Carmarthen Road, Ystrad Road and Denver Road. These high voltage cables will emit massive magnetic fields. Electromagnetic fields increase the chances of childhood Leukaemia. Also, lithium-ion batteries are prone to runaway fires and emit hydrogen fluoride which is toxic to all humans. If the solar farm does go ahead then this will decrease the value of our property and in the future, we may be unable to sell.</p> <p>We believe that renewable energy could be better acquired other than wasting 222 acres of good quality farm land, destroying a family's lively hood, destroying wildlife habitats and destroying Welsh heritage, family traditions and the wider community who will also suffer from the installation of these solar panels.</p>
<p>Respondent 10</p>	<p>I wish to raise an object to this ludicrous plan to install solar panels on this prime agricultural land.</p> <p>All objections will if course be ignored as decisions have already been made. My objections are the location of batteries and wiring which will be ran and located in residential areas. Which isn't safe.</p> <p>But one of my biggest objections is that there is no need to install any solar panels on agricultural land when there are plenty of brown field sites located locally, for example the old 3M site.</p> <p>I hope you consider all objections that have been made and reconsider your decision.</p>
<p>Respondent 11</p>	<p>As requested in your communication being an affected party, I would indicate my opposition to the siting of a solar farm on the land currently occupied by both Caenewydd and Penyfodau Farms near Swansea on the following grounds:</p> <p>The reduction in /removal of/ arable farming land in the locality reduces the ability to produce locally-grown or sustained food requirements.</p> <p>The secondment renders a family with a long farming tradition without an alternative site or income derived from service to the community via a valuable shopping availability for fresh farm products.</p> <p>The landowner seemingly places little value on his tenants where profit is a significant motif. Typical of absentee landlords and their managing agents, unlike their forefathers on the Penllergaer Estate, who placed a strong emphasis on community spirit, involvement and support.</p> <p>The effect on wildlife in the vicinity of the proposed site</p> <p>The proposed high voltage cable route running a bare 90cm below surface level is immediately outside our property. It is considered detrimental to the resale value of both our, and countless other properties along its intended route,</p> <p>The potential noise factor emanating from the generating site. The larger the site the greater the noise potential whilst lithium batteries and not free from emitting toxic fumes – another hazard form.</p> <p>Alternative sites exist in nearby mountain areas where energy production in the form of windfarms should provide a suitable and ready-made junction for output to join the national grid hence why build adjacent to already populated neighbourhoods?</p>

	<p>Wales currently uses less than half the energy it produces and therefore bears a disproportionate contribution to green energy needs.</p> <p>The World Health Organisation has officially classified electromagnetic fields as a likely cause of childhood Leukemia. What legacy are we inflicting on our younger generation and have we no conscience on this issue where profit is the motif?</p> <p>Whilst the need for greener energy is conceded it is a matter of situating such sites in more suitable areas which do not conflict with local habitation and ways of life. It is noted that several concessions have already been made to the original plans reducing the proposed area/generation capability due to local pressures and would urge the planning committees to do likewise in this instance.</p> <p>I make this objection freely and in the interests of community life as well as on a personal level due to its closeness to our home along with the dangers and inconveniences it afflicts.</p>
<p>Respondent 12</p>	<p>To whom it may concern,</p> <p>I, Kayleigh Roberts am emailing today to object to the ridiculous idea of solar panning the majority of Penyfodau farm Swansea (or any farm for that matter) rendering it almost completely useless for anything that it currently does.</p> <p>Three generations of that family have made it a fantastic place for all of Swansea to enjoy via local events alongside the changing seasons as well as food produce on the daily.</p> <p>Stripping them of their heritage and robbing the future generation of theirs for solar panels that can easily be fitted elsewhere is a wicked road to take.</p> <p>I have signed the petition to stop this. I hope with everything that the deciding vote is in our objecting favor.</p> <p>I implore you to please vote against solar panning/stop the plan of solar panning the fields immediately.</p> <p>Please find a better suited area</p>
<p>Respondent 13</p>	<p>Please see below my concerns and questions having reviewed the consultation documents.</p> <p>Application proposal P21-2998,</p> <p>2.6 Design flexibility for cable route "to address potential opportunities to deliver a power facility integrated with neighbouring developments as well as exporting through the grid infrastructure". - what "potential opportunities do you envisage"</p> <p>2.7 you state that biodiversity will be enhanced within and around the arrays - how will you do this? What is your plan for this and how can you guarantee that these plans will result in "enhancement"</p> <p>You also state that "appropriate offset will be provided between the development and the public rights of way running through the site.-what do you propose is the "appropriate" offset and how do you determine this?</p> <p>This proposal is in direct dispute with the current adopted LDP plan for the caenewydd farm lands, where the land was dedicated as Green Wedge in line with policy ER3 of the LDP.</p> <p>The farmers don't farm sheep they are cattle farmers, yet I keep reading that you will have sheep grazing on the lands, who do you propose will be responsible for these sheep and their welfare?</p> <p>I believe your consultation process to be fundamentally flawed. I would like to understand what efforts you went to alert the community to the first consultation process and how do you evidence this. I only received a letter from you to my home address in relation to the re-consultation why did! not receive one prior to this? Why did you not afford people the opportunity to attend an in person meeting at re-consultation stage? Those who have only</p>

	<p>been written to at re-consultation stage have not been afforded a fair opportunity to attend an in person public meeting. Why is it that it that the original 3 cable routing options traversing the agricultural fields and local highways south of the river were no longer available? The volume of disruption caused to homeowners, road users and pedestrians cannot be underestimated. Who holds you to account should you fail to deliver on aspects project which you have committed I look forward to hearing from you in response to my questions and comments.</p>
Respondent 14	<p>I live just down the road from this in garden village. My main concerns are: Will the solar plant generate noise at all as I don't want any additional noise being made when considering this land has been farmland up till this point. Secondly as I live close by would I potentially the see benefit myself in terms of getting money off my energy bills in form of a grant for having this energy plant so close to my home. My other concern is how it will look when compared to for the Welsh scenery. I enjoy walking and I don't want this massive dirty eyesore. It needs to be implemented right so tin fits in.</p>

6.38. The majority of the comments put forward by the objectors were also provided during the informal consultation stage and are discussed elsewhere. The main issues put forward are summarised below.

Issue: Concerns over the Principle and Need of Development.

6.39. There is a plethora of Government legislation, guidance and policy which support the transition to a low carbon future and the continued roll out of renewables and low carbon energy and associated infrastructure.

6.40. The Welsh Government adopted the "Future Wales – the National Plan 2040" in February 202. Future Wales provides a spatial context for facilitating the delivery of development in Wales over the next 20 years and this includes renewable energy. It promotes the delivery of renewable energy including large scale ground mounted solar. On the issue of alternatives to ground mounted solar, page 97 of Future Wales states (inter alia) *"The Welsh Ministers have considered alternatives to the need for new large-scale electricity generation infrastructure, including building-mounted installations and energy efficiency measures. Although we believe that these measures have an important part to play in meeting our energy, decarbonisation and climate change targets, they will not enable us to meet these objectives on their own"*.

6.41. The amplification to policies 17 and 18, at page 96 of Future Wales, identifies how *"Wales is abundant in opportunities to generate renewable energy and the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of our commitment to decarbonisation and tackling the climate emergency"*. It goes on to state how *"As set out in legislation, applications for Developments of National Significance must be determined in accordance with Future Wales, which is the national development plan for Wales"*

6.42. Turning to Planning Policy Wales (PPW), the document states how legislation secures a presumption in favour of sustainable development in accordance with the development plan

unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated. Section 5.7 of PPW specifically relates to Energy and renewable energy. Paragraph 5.7.3 identifies how the planning system plays a key role in delivering clean growth and the decarbonising of energy, as well as being crucial in building resilience to the impacts of climate change. Paragraph 5.7.6 identifies how *"The planning system should secure an appropriate mix of energy provision, which maximises benefits to our economy and communities whilst minimising potential environmental and social impacts. This forms part of the Welsh Government's aim to secure the strongest economic development policies, to underpin growth and prosperity in Wales, recognising the importance of decarbonisation and the sustainable use of natural resources, both as an economic driver and a commitment to sustainable development"*.

6.43. Renewable energy targets are discussed at paragraph 5.7.14 of PPW, to recap the Welsh Assembly will seek that: –

- for Wales to generate 70% of its electricity consumption from renewable energy by 2030;
- for one Gigawatt of renewable electricity capacity in Wales to be locally owned by 2030; and

6.44. With regards to decision taking, paragraph 5.9.14 states how *"Planning authorities should give significant weight to the Welsh Government's targets to increase renewable and low carbon energy generation, as part of our overall approach to tackling climate change and increasing energy security. In circumstances where protected landscape, biodiversity and historical designations and buildings are considered in the decision making process, only the direct irreversible impacts on statutorily protected sites and buildings and their settings (where appropriate) should be considered. In all cases, considerable weight should be attached to the need to produce more energy from renewable and low carbon sources, in order for Wales to meet its carbon and renewable targets"*.

6.45. At a local level, Swansea Council made its own Climate Change Emergency Declaration in 2019. As part of its commitment to a Net Zero Swansea by 2050, the Council adopted its Charter on Climate Change in December 2020.

6.46. The South West Wales Energy Strategy (published in March 2022) sets out the need to deliver 840MW of ground mounted solar with the region by 2050. The City and County of Swansea Cabinet discussed the draft South West Wales Region Energy Strategy plan during its meeting on 20 January 2022. At the meeting the Cabinet Member for Economy, Finance & Strategy and Cabinet Member for Climate Change & Service Transformation jointly submitted a report that sought approval to adopt the South West Wales Regional Energy Strategy. The minutes of the Cabinet recorder the following resolutions: –

- The 'draft' version of the South West Wales Regional Energy Strategy, as set out in Appendix 57 of the report be approved.
- Authority be delegated to the Director of Place and Cabinet Member for Climate Change and Service Transformation to make any final changes to the Strategy in line with the approval process of the four Local Authorities.

- The onward submission of the draft South West Wales Regional Energy Strategy to the Regional Corporate Joint Committee (CJC) once formally constituted be approved.

6.47. The South East Wales Energy Strategy was discussed at the South West Wales Corporate Joint Committee on Tuesday 15 March 2022. The minutes of the committee confirmed that “members resolved That the South West Wales Regional Energy Strategy be adopted as the framework for the CJC’s work programme with further reports to be brought forward in due course identifying how it is proposed that the strategic intent will be delivered”.

6.48. All local authorities located within the catchment area of the south east energy strategy have therefore given their full support to the need to deliver 840MW of ground mounted solar with the region by 2050.

6.49. The Government’s latest Renewable Energy Planning Database Quarterly extract database (October 2023)^{6,7} shows that Swansea Council have been underperforming in terms of renewable energy provision, with only 72MW installed within Swansea administrative area since 2007 with a further 30MW either under construction or awaiting construction (as at preparation of this report in December 2023). Notably, a further 85.50MW of potential generation capacity have either been refused permission, abandoned or permissions have expired. The relevant extract of the database shown all projects within Swansea’s administrative area is set out below.

Site Name	Planning Application Reference / Appeal Ref	Technology Type	Installed Capacity (MWelec)	Application submitted	Development Status
Kings Dock Biomass	2007/2684 & APP/B6855/A/09/2111230	Biomass (dedicated)	49.90	27/11/2007	Application Refused
Clydach Refinery	2012/0452	Advanced Conversion Technologies	10.30	27/03/2012	Abandoned
Cefn Betingau Farm	2013/0865	Solar Photovoltaics	9.00	10/06/2013	Operational
Pencefnarda Uchaf Farm	2014/0761 & APP/B6855/A/15/3005095	Solar Photovoltaics	3.60	03/06/2014	Application Refused
Brynwhilach Solar Park	2014/1022	Solar Photovoltaics	4.00	16/07/2014	Operational
Webbsfield	2014/0876 & APP/B6855/A/14/2226732	Solar Photovoltaics	1.00	18/06/2014	Application Refused
Gelliwern Isaf Farm	2014/0739	Solar Photovoltaics	6.00	21/05/2014	Operational
Rhyd-y-Pandy Solar Farm	2013/1639	Solar Photovoltaics	6.00	15/11/2013	Operational

⁶ The Renewable Energy Planning Database (REPD) tracks the progress of UK renewable electricity projects over 150kW through the planning system. It provides as accurate and comprehensive a snapshot as possible of projects, and of progress across the technology sectors.

⁷ <https://www.gov.uk/government/publications/renewable-energy-planning-database-monthly-extract>

Site Name	Planning Application Reference / Appeal Ref	Technology Type	Installed Capacity (MWelec)	Application submitted	Development Status
Timet UK	2003/1860	Wind Onshore	2.00	15/09/2003	Application Refused
Mynydd Y Gwair Wind Farm	2012/1221	Wind Onshore	32.80	11/09/2012	Operational
Gwenlais Uchaf Farm	2014/1620 & APP/B6855/A/A5/3124709	Solar Photovoltaics	4.00	29/10/2014	Revised
Cockett Valley	2014/1837	Solar Photovoltaics	4.00	05/12/2014	Operational
Land at Llty Morphil Farm	2015/1529 & APP/B6855/A/15/3139869	Solar Photovoltaics	5.00	22/07/2015	Abandoned
Killan Farm Solar Array Extens	2015/1209	Solar Photovoltaics	1.00	17/07/2015	Operational
Carn Nicholas Farm	2015/1546	Solar Photovoltaics	5.00	10/08/2015	Under Construction
Castell Ddu Solar Farm	2015/1786	Solar Photovoltaics	5.00	09/09/2015	Planning Permission Expired
Carn Nicholas Farm	2015/1646	Solar Photovoltaics	5.00	07/08/2015	Application Withdrawn
Carn Nicholas Farm (Extension)	2020/0173/FUL	Solar Photovoltaics	10.00	31/01/2020	Operational
Eurofoods Building	2019/0331/FUL	Solar Photovoltaics (roof)	0.60	13/02/2019	Awaiting Construction
Tir John Solar Farm	2022/1907/FUL	Solar Photovoltaics	3.00	03/10/2022	Awaiting Construction
Brunel Way, Pentrechwyth - Solar Panels	2022/0087/FUL	Solar Photovoltaics (roof)	0.74	03/02/2022	Awaiting Construction
John Green Frog Power Compound, John North Road - Battery System	2022/2356/FUL	Battery	20.00	17/10/2022	Awaiting Construction
Brynwhilach Solar Farm, Morryston - Battery Storage	2022/2922/FUL	Battery	1.00	06/01/2023	Awaiting Construction

6.50. The United Kingdom has withdrawn from the European Union Internal Energy Market (IEM). The IEM allows harmonised, tariff-free trading of gas and electricity across Europe (through interconnectors), leading to lower prices and greater security of supply. As wholesale gas and electricity prices in the UK are generally higher than elsewhere in Europe, interconnection has caused a reduction in wholesale prices, and hence consumer prices in the UK. Leaving the IEM has the potential to impact the trade of energy through interconnectors. The Government's Briefing Paper on Energy, Climate Change and Brexit identifies how one potential impact of leaving the IEM is an increase in the cost of energy imports and this in turn would be passed on to UK's householders and businesses. In terms of energy security, it notes how the interest of the United Kingdom should be to increase the flexibility and resilience of the grid, especially with increasing intermittent renewables. The development proposal would contribute towards the objectives set out in the briefing note.

Issue: Is solar the most inefficient technology for Wales.

- 6.51. With regards to efficiency, solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation worldwide⁸. Solar farms can be built quickly and, coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels⁹, large-scale solar is now viable in some cases to deploy subsidy-free and at little to no extra cost to the consumer. The government has committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions. As such solar is a key part of the government's strategy for low cost decarbonisation of the energy sector.
- 6.52. The annual output from a PV solar park in the UK will be directly related to the location of that park. This is due to the variation of solar irradiance levels across the UK – see UK Solar Irradiance map in Appendix 26. A 1MWp PV solar park constructed using the exact same equipment on land with the same topographical features will produce c 20% more electricity in South Wales than the same solar park will produce in Scotland. The House of Parliament POSTnote No. 398 on Solar Photovoltaics¹⁰ states (inter alia) *“The amount of solar irradiation available in the UK ranges from 960 kilowatt hours per metre squared (kWh/m²) in the far north, to 1240 kWh/m² in the south-west”*. The technology is very appropriate for Wales.

Issue: Concerns with impacts on property values

- 6.53. Reference is also made to the approved DNS scheme at Ty Croes, at IR 227, the Inspector acknowledged that there is no evidence that existing or proposed solar farm has/would affect property values, and in any event, would not be material in determining planning applications and proposals.

Issue: Concerns with regards to the visual impacts of the development

- 6.54. The LVIA submitted in support of the application submission conforms that the landscape elements that constitute the landscape character of the Site would remain largely unaffected by the proposed development. Site topography, field pattern and enclosure, woodlands, hedgerows, and trees would generally remain physically intact with the solar arrays and supporting infrastructure in place. Enhancements to landscape elements would be made in terms of the maintenance and infilling of hedgerows to enhance visual screening, species diversity, age structure, health, and the long-term contribution to the character of the Site.
- 6.55. New hedgerows are proposed to provide an overall net gain of the Site's hedgerow resource (proposed hedgerow circa 3km, tree planting circa 1.9ha). The existing hedgerows would be managed to improve the visual screening of the solar panels and security fencing, and to enhance the landscape character and biodiversity of the Site. Owing to the ease of removal of all the above ground structures, ground fixings and associated infrastructure, any effects upon landscape elements resulting from the proposed development are reversible with the land being returned to agricultural land use on decommissioning.

⁸ Please refer to National Policy Statement for Renewable Energy Infrastructure (EN-3) consultation draft, paragraph 2.47.1

⁹ BEIS electricity generation cost report

¹⁰ <https://post.parliament.uk/research-briefings/post-pn-398/>

Potential Effects on Visual Amenity

- 6.56. As described in the LANDMAP Aspect Area, the valley floor has Afon Llan flowing through it, with urban areas surrounding it, some being immediately adjacent. Pylons cross the area as do a number of roads with the A484 forming part of the northern boundary. Visual detractors within include a sewage works, roads, pylons. Factories and urban areas border it in places. There are some hedgerow field boundaries but the area has a distinct urban edge character. Change was in evidence in 2014 as expansion of Swansea edged into this area. There would be limited to no effects on the majority of residential receptors due to factors such as orientation, intervening landform, built form and vegetation. There are likely major effects at year 1 on residential receptors on high ground Waunarlwydd. Mitigation measures in place, such as new 3km of hedgerows and 1.9ha of tree planting to break up the series of panels along the visible slopes of the Site, would all help to reduce potential effects at year 15. to an acceptable level
- 6.57. Based on the location of some of the properties close to the Site, their orientation, number of storeys, and nature and character of their curtilage it is predicted that major visual effects may occur at Pen-y-fodau-fawr Farm, and properties along Swansea Road (B4560) overlooking the eastern corner of the proposed development. Boundary mitigation measures have been proposed to help mitigate against these effects, reducing them by year 15.
- 6.58. Considering the intervening boundary vegetation and low-lying profile of the proposed development it is assessed that views from the surrounding network of PRoW would be considerably screened and visual effects would not be adverse. Views from small sections of the PRoW footpaths which cross the Site including LC26 which runs south from Swansea Road (B4560), west of Days Motors to the Afon Llan, would be subject to adverse visual effects due to the proposed developments proximity causing a high magnitude of change to existing views at year 1.
- 6.59. There would be no major effects on road users along Swansea Road/A484, Titanium Road, Statutory Access land users north and west of the Site, or long distance footpath users (Wales Coast Path and the Gower Way). Overall, the applicant considers that the development can be accommodated within the site and integrated into the context of the surrounding landscape with appropriate mitigation measures to avoid creating substantial landscape or visual effects.

Issue: Impacts with regards to the loss of agricultural land

- 6.60. Respondents questioned why agricultural land was being used for the development of a solar farm. As stated elsewhere in this statement, on the issue of alternatives, page 97 of Future Wales states (inter alia) *“The Welsh Ministers have considered alternatives to the need for new large-scale electricity generation infrastructure, including building-mounted installations and energy efficiency measures. Although we believe that these measures have an important part to play in meeting our energy, decarbonisation and climate change targets, they will not enable us to meet these objectives on their own”*.
- 6.61. Accordingly, Welsh Government recognises that agricultural land is required to deliver renewable energy that in turn will allow Wales to reach its energy, decarbonising and climate change targets. Following consultation the scheme’s development footprint was reduced and this allowed for the rescinded agricultural fields to be retained for full agricultural use. Furthermore, whilst the application site is agricultural land, the Welsh Government have confirmed that it is not categorised as best and most versatile agricultural land.



Local Politicians and Councillors

- 6.62. Following the close of the re-consultation period and having made aware that constituents approached local MP/MS Rebecca Evans with a number of concerns, the Applicant contacted relevant local politicians and councillors with an update and position statement in order to respond to the points raised by constituents. A copy of the letters issued can be viewed in Appendices 58 and 59.
- 6.63. A response was received from Julie James MP/MS on the 24 November 2023 (Appendix 60).
- 6.64. A response was also received from Rebecca Evans on the 11 December 2023 (Appendix 61). The Applicant intends to provide a further response in the new year, once the application is submitted/validated.

7. Conclusion

- 7.1. This Consultation Report demonstrates that the Applicant has carried out the necessary post notification publicity and consultation as set out by Article 8 of the Development of National Significance (Procedure) (Wales) Order 2016.
- 7.2. Stakeholders have been engaged through the process which is summarised below:
- Environmental Impact Assessment Screening Direction – Request for a Scoping Direction under Regulation 6 (1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 on 29 April 2022. PEDW issued their Screening Direction on 17 August 2022.
 - The preliminary enquiries with the City & Council of Swansea began on 21 December 2020. The non-statutory PEDW-related Informal Consultation was carried out from 26 September 2022 to March 2023.
 - Letters together with consultation packs were sent out and emailed to Community and Specialist Consultees on 27 September 2022.
 - A project website was created (www.parcsoarcaenewydd.co.uk) which went live in September 2022.
 - Four walk-in consultation events were held on 9 September, 10 September, 5 October and 6 March 2023.
 - Community Energy Wales were appointed by the Applicant to support consultation on shared community ownership and invited various stakeholders to three stakeholder events to consider options for an element of community ownership of Parc Solar Caenewydd.
 - All Community Consultees were invited to attend a field walk of the site on 6 March 2023.
 - Six in-person meetings with members of Gorseinon, Gowerton and Llŵchwr Council took place to discuss the proposal.
 - First round of statutory consultation started on 8 June 2023
 - Due to changes in the application boundary and development proposal, statutory re-consultation was started on 10 October 2023.
- 7.3. The consultation responses have been documented and considered throughout the design evolution of the project during the non-statutory & statutory consultation process. This has resulted in stakeholders having a clear understanding of and influence on the development proposal, and this is especially prevalent with regards to the final field selection and positioning of the arrays and any associated infrastructure within the individual field enclosures/application site.



Bristol

First Floor, South Wing, Equinox North,
Great Park Road, Almondsbury, Bristol, BS32 4QL
T 01454 625945
E Bristol@pegasusgroup.co.uk
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