

Ask ior/Gofynnwch am Geraint N Roberts  
Our Rei/Ein Cyf P/19/00090  
Your Rei/Eich Cyf  
Tel/Ffôn 01633 656656  
Direct Dial/Rhif Union  
DX 99463 Newport (Gwent) 3  
E-Mail/E-Bost planning@newport.gov.uk

Regeneration, Investment and Housing  
Adfywio, Buddsoddi a Thai



Civic Centre/Canolfan Ddinesig  
Newport/Casnewydd  
South Wales/De Cymru  
NP20 4UR

Ben Lewis  
Renplan Planning Consultants

**By email only**

14 November 2019

Dear Mr Lewis

**PROPOSAL: PRE-APPLICATION PLANNING ENQUIRY FOR INSTALLATION OF A 49.9MW SOLAR PARK**

**SITE: Land Adjacent To And South Of, Rush Wall, Redwick, Newport**

**REF NUMBER: P/19/00090**

I refer to your recent request for pre-application advice in respect of the above. In formulating this response I have had regard to comments obtained from the parties listed below:

- Newport City Council – Highways
- Newport City Council – Landscaping
- Newport City Council – Ecology
- Newport City Council – Trees

Outlined below is a preliminary assessment of the proposal, including an indication of the main issues that should be addressed should you choose to submit a formal application. Please note that the views expressed in this letter represent officer opinion only and cannot be taken to prejudice any formal decision of the Council in respect of any application, on which a more extensive consultation would be carried out which may raise additional issues. In addition, the depth of analysis provided corresponds with the scope of information made available to officers.

**Relevant Site History**

Ref. No.	Description	Decision & Date
18/0408	Installation of single wind turbine of maximum tip height 130m and associated switch gear housing units, temporary access track, underground cabling and temporary crane hard standing	GC 09 January 2019
12/1001	Erection of 1no. wind turbine (with generating capacity of up to 1.5mw), with a maximum height to tip of 100m, together with ancillary development including electrical sub station kiosk and electrical transformer kiosk, underground cabling, onsite access tracks, access to	GC 06 December 2013

	<p>the public highway, crane hardstandings, temporary construction compound and site signage*</p> <p>*This site is located adjacent, not within, the site area</p>	
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### **Site Constraints / Designations**

The site is a wetland / coastal zone with significant designations as follows:

- Site of Special Scientific Interest – aquatic flora and fauna;
- Adjacent to other statutory designations with significant bird interest, namely the River Severn estuary and Newport Wetlands;
- Archaeological Sensitive Area;
- Historic Landscape & Listed Buildings;
- Special Landscape Area;
- Defended Flood Plain (C1)

### **Relevant Local Policy Context and material considerations**

SP1 – Sustainability  
 SP3 – Flood Risk  
 SP4 – Water Resources  
 SP5 – Countryside  
 SP8 – Special Landscape Areas  
 SP9 – Conservation of the Natural, Historic & Built environment  
 SP13 – Planning Obligations  
 GP1 – Climate Change  
 GP2 – General Amenity  
 GP4 – Highways & Accessibility  
 GP5 – Natural Environment  
 GP6 – Quality of Design  
 GP7 – Environmental Protection & Public Health  
 CE1 – Routeways, Corridors & Gateways  
 CE4 – Historic Landscapes, Parks, Gardens & Battlefields  
 CE6 – Archaeology  
 CE7 – Conservation Areas  
 CE9 – Coastal Zone  
 CE10 – Renewable Energy  
 T8 – All Wales Coastal Path

For full Policy Text; see <http://www.newport.gov.uk/en/Planning-Housing/Planning/Planning-policy/Local-Development-Plan/Local-Development-Plan.aspx>

The following Supplementary Planning Guidance documents are also relevant to this proposal:

- Planning Obligations Supplementary Planning Guidance
- Archaeology and Archaeologically Sensitive Areas Supplementary Planning Guidance
- Wildlife and Development Supplementary Planning Guidance
- Parking Standards Supplementary Planning Guidance
- Trees, Woodland, Hedgerows and Development Sites Supplementary Planning Guidance
- Air Quality Supplementary Planning Guidance

The applicant should also have reference to Planning Policy Wales Edition 10 and any relevant Technical Advice Notes. These can be seen at:

<https://gov.wales/planning-policy-and-guidance-for-professionals>

### **Officer Assessment**

## Key Issues

The key issues relevant to the proposed scheme are:

- Landscape & Visual Impact Assessment
- Heritage Impact Assessment
- Impact of Development on Historic Landscapes (ASIDOHL2)
- Bio-diversity, primarily the ree interest, birds and bats
- Traffic Generation and Routing
- Noise
- Glint & Glare
- Run-off
- Construction Management
- Agricultural Land Classification
- Habitat Regulations Assessment
- EIA scoping
- Flooding

## Landscape & Visual Impact Assessment

No additional comment to that provided in relation to the EIA Scoping undertaken by the Planning Inspectorate; see attached scoping decision.

## Heritage Impact Assessment

This is not a requirement for a planning application but the proposed site area abuts the Redwick Conservation Area. There are no Listed Buildings within the site but some have the potential to be read in conjunction with views across the proposed solar farm these being the Church of Saint Thomas (Redwick) and Brick House (Farmstead); so these should be considered as part of an assessment. Wilcrick Camp as a scheduled ancient monument is visible in long views and should be included as part of any assessment. It will not be possible to properly assess the impact on designated historic assets without a suitable assessment and consultees are likely to confirm this. We would anticipate this as a separately submitted document so it is clear these issues have been appropriately addressed.

## Impact of Development on Historic Landscapes (ASIDOHL2)

The site lies within the Gwent Levels Historic Landscape, See:

[http://www.ggat.org.uk/cadw/historic\\_landscape/Gwent%20Levels/English/GL\\_Main.htm#06](http://www.ggat.org.uk/cadw/historic_landscape/Gwent%20Levels/English/GL_Main.htm#06)

The site is within Historic Landscape Character Area 06 (Redwick / Magor / Undy) and Area 08 (Northern Redwick). The historic landscape is primarily predicated on its hand-crafted nature and the development of a comprehensive drainage system producing a landscape of primarily rectilinear fields divided by drainage features (ditches / reens). The drainage system alongside the resultant field pattern is one of the characteristic features of the Levels and the preservation of these features, including bridges, sluices and other drainage elements is vital. Where possible reinstatement of lost drainage features offers a significant potential for enhancement of the historic landscape and would be welcomed. Grips and associated ridging (surface water drains) within fields are valuable features that must be preserved (and have been lost in areas that have been ploughed).

Removal of 'invasive' hedges (willow / alder) that have grown up over decades of low or no maintenance within reens would be beneficial in terms of the historic landscape where it can be shown there would be no unacceptably adverse impact on bio-diversity (nesting birds / bat roosts / bat foraging).

An assessment of the impact on the Historic Landscape must be provided in accordance with the ASIDOHL 2 methodology. See:

### Bio-diversity

The site lies within the Redwick and Llandeenny SSSI which is notified primarily for its aquatic habitats. It is of paramount importance that these habitats are protected from contamination / sedimentation or significant alteration in the volume, rate of flow or overall quality of water within the ditch system. Reen crossings are generally best provided as bridges, cabling across reens should not interrupt the integrity of drainage channels, appropriate offset from reens should be provided both to protect their integrity and to allow maintenance access, typically 7-12 metre strips depending on the machinery required to undertake works.

Culverting or infilling of reens is not acceptable and construction should identify appropriate buffers around the drainage system to reduce pollution risks. Construction buffers will need to be demarcated and robustly protected.

The Levels also provide foraging and breeding habitat for birds some of which are associated with the designations in the River Severn and the Newport Wetlands Bird Reserve. Appropriate surveys will be required. Loss of breeding or foraging habitat must be compensated for or mitigated appropriately. Particular concerns are likely to arise from any local Lapwing population and the presence of Common Cranes in the area which constitute the only pair in Wales.

Otters are known to use the reen system to transit the Levels and for foraging and their interests should be considered.

Hedging may provide breeding habitat and bat roosts. Bats may also forage along hedge lines. As such any proposed hedge removal should assess their bio-diversity potential. That said judicious hedge removal may benefit the aquatic element of the SSSI and could provide the 'net ecological benefit' required under Welsh national policy (PPW10).

Other enhancement opportunities may arise in terms of providing habitat for lapwings or the common crane. This may be accommodated within reen buffers subject to appropriate planting and management to encourage invertebrates. Such habitat improvements can also provide foraging opportunities for the shrill carder bee. Water voles have been introduced to the area at the northern edge of the site – enhancements for this species would also be welcome. Lapwings are likely to require significant areas of open land and a suitable management regime to ensure these ground nesting birds are not disturbed at key times. Predator control may be beneficial.

The applicant should seek advice from Cyfoeth Naturiol Cymru / Natural Resources Wales, the Gwent Wildlife Trust and the RSPB in formulating necessary avoidance, mitigation, compensation and enhancement.

Construction activities must not disturb birds at key points in the breeding season or disrupt foraging to the extent that brood viability is affected.

### Archaeology

The site is within an Archeologically Sensitive Area and given the high water table and the long history of human occupation in the area there is a high potential for archaeological remains to be present on the site.

Palaeo-channels pre-dating land reclamation works remain present in the Levels and these can be archaeologically rich and any such channels / pills should be identified.

Archaeological potential for the site should be assessed and likely mitigation considered at an early stage. The Glamorgan & Gwent Archaeological Trust (GGAT) should be consulted at an early stage for advice on their requirements. The proposal will involve very significant ground intrusion which on its face appears very difficult to mitigate. How the frames will be fixed to the ground, details of

trenching works and road construction should be clearly made out in any submission so ground impacts can be assessed. In general terms intrusive ground works should be avoided.

### Traffic Generation and Routing

This is likely to be significant during construction and de-commissioning. Consideration should be given to routing, vehicle type and delivery intensity. If temporary accesses are required these should be identified and any landscape impact (even if temporary) should be assessed in any LVIA.

If delivery is to a holding area then on-site haul roads will need to be identified and potentially what vehicles will distribute the panels across the site. Road matting should be considered or the use of vehicles which will not compact the soil and damage soil structure. Compaction should be avoided. If not addressed within an Environmental Statement then minimally a Traffic Management Plan will be needed to support the submission.

### Noise

This is not likely to be a major issue in terms of the operational phase of the scheme but consideration should be given to noise from installed plant. The site is rural and although near urban areas and major transport corridors it has a clear rural character and relatively high levels of tranquillity as would be expected in the countryside. No material worsening in the general soundscape of the area would be expected to arise from the development and this should be demonstrated.

Construction has scope to be significantly noisy. This should be assessed and adverse impacts on bird interests on the site avoided as well as harm to general amenity.

### Glint & Glare

This potentially could have a significant adverse impact on rural character over a wide area and should be assessed. This should include any possible impact on the M4 to the north or traffic into Bristol / Cardiff airports.

### Run-off

New hard surfaces should be permeable wherever possible and arrangements should be made to contain run-off within the site. SUDs principles should be applied to the scheme. The scheme will be subject to SAB approval so early engagement with the SAB regime is essential in order to ensure that the scheme can meet the requirements of both of these regulatory regimes. Run-off rates should remain the same as those being achieved currently. Run-off should not be turbid or otherwise contaminated due to the importance of the reed flora and fauna. This is likely to be a key issue during construction.

### Construction Management

I would advise a CEMP is prepared as part of any submission addressing the points raised in this advice. This may restrict the level of pre-construction conditioning necessary.

### Agricultural Land Classification

Land classified as Grades 3A or better enjoys significant policy protection. The likely agricultural grade of the land should be considered. If identified at higher grade, reversibility of the scheme and a return to un-diminished agricultural productivity must be demonstrated as possible in the submission. Failure to do this would put a significant policy objection in the way of the scheme since any loss would have to be considered permanent.

It does not follow that if the land is at grade 3B or lower that reversibility is irrelevant. The Council considers the permanent loss of even low grade agricultural land for a fixed term development which by definition must have time limited benefits would be harmful since it would lead to sterilisation or a significant reduction in agricultural potential for a very large area of land for time limited benefits. As

such confirmation that no permanent loss of agricultural potential can be anticipated is important in my view regardless of agricultural grade.

### Flooding

The site is on a defended floodplain. The development will need to be justified in its location and the relevant tests at Paragraph 6.2 of TAN15 shown to be met. The site is greenfield and on its face the site cannot be justified under national policy.

A Flood Consequences Assessment will be required.

Please note a new Technical Advice Note on flooding is currently being consulted upon which means national policy on flooding is likely to change in the near future. The proposed text can be seen at:

<https://gov.wales/technical-advice-note-15-development-flooding-and-coastal-erosion>

### Planning Contributions

No contributions have been identified but offsite works / offsite ecological works may need to be secured under a legal agreement and appropriately funded by the developer.

### Habitat Regulations Assessment

The applicant should consider if an HRA is required. There are possible impacts on the European protected sites in the Severn Estuary via impact on associated bird assemblages. I would expect the applicant to justify why a HRA has not been completed rather than being silent on the matter.

### EIA scoping

The application has already been scoped by the Planning Inspectorate (Wales) and the Council has commented on that application.

### Dwr Cymru / Welsh Water

Dŵr Cymru Welsh Water is a statutory consultee in the planning process and we would encourage all developers to engage with Welsh Water as early as possible in order to address any issues that may arise during the planning/construction process. Dŵr Cymru operates a pre-planning advisory service in order to assess the impact of the proposed development on drainage interests and a written response will be provided. This services operates for a fee and can be submitted via an online enquiry form at <http://www.dwrcymru.com/en/Developer-Services>. Further information can be obtained from the dedicated team of planning officers at Dŵr Cymru on 0800 917 2652.

### Sustainable Drainage Approval Body

From 7th January 2019 developments (whether permitted development or not) with a construction area of 100square metres or more or more than 1 dwelling\*, will require the prior approval of the Sustainable Drainage Approving Body (SAB) to a system of sustainable drainage to serve the project. This is mandatory and projects cannot lawfully commence without such approval.

The process of obtaining SAB approval is separate to the planning application process. The granting of planning permission does not convey approval to sustainable urban drainage systems and a separate application to the SAB will be required. Applicants for projects that meet or exceed the above thresholds are advised to obtain early professional drainage advice in relation to this matter.

\*exemptions include construction areas less than 100 sqm, existing sites with planning permission prior to 7th January 2019; sites for which a valid planning application has been received by 7th January 2019; and sites for which outline permission has been granted by 7th January 2019 and an associated reserved matters submission is made by 7th January 2020.

### Conclusion

The proposal is a Development of National Significance that will not fall to the Council to determine. Relevant advice can be seen at:

<https://gov.wales/developments-national-significance-dns-guidance>

The Council will comment on any subsequent submission via the statutory 'Local Impact Report' (LIR) and will attend any Hearings as required.

The LIR is a technical document and the Council will not offer any planning conclusion via that process.

The approach to this advice is similar to the LIR with the Council highlighting areas of concern that the development is likely to cause and offering advice on the content of any application. In the spirit of LIR we make no judgment on the overall acceptability of the proposal.

### **Confidentiality**

While the Council will endeavour to keep pre-application enquiries confidential you should be aware that if for any reason any request for submitted information to remain confidential is subsequently found to be inadequate by the Information Commissioner, following any request under the Freedom of Information Act 2000, the Council will not be held responsible.

Please contact myself to discuss any of the above further.

Yours sincerely

*Geraint N. Roberts*

**Geraint N. Roberts**  
***Prif Swyddog Cynllunio / Principal Planning Officer***  
***Tîm yr Dwyrain / East Team***  
***Adfywio, Buddsoddi a Thai / Regeneration, Investment and Housing***  
***Cyngor Dinas Casnewydd / Newport City Council***

Attached

- Newport City Council – Highways
- Newport City Council – Landscaping
- Newport City Council – Ecology
- Newport City Council – Trees
- PINS Scoping Report