



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

# DNS: EIA Scoping Direction

## 3245065: Blackberry Lane

11/03/2020

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**This Scoping Direction is provided on the basis of the information submitted to the Planning Inspectorate on 15 January 2020, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) (as amended) (“The 2017 Regulations”).**

## 1. Introduction

The Planning Inspectorate (“the Inspectorate”) received a [request on 15 January 2020](#) in relation to a proposed development for a solar farm, generating up to 22 MW at Blackberry lane, Cosheston Pembrokeshire by Wessex Solar Energy. This request was for:

- A Screening Direction
- A Scoping Direction (if the development was found to be EIA Development)
- Pre-application advice.

The Screening Direction was issued on 07 February 2020. It was agreed by the applicant that the Pre-application advice they requested would have to be prepared after the Screening Direction was issued, as the scope of the pre-application advice would be informed by the potential requirement for EIA, and the relevant scope of any Environmental Statement (ES).

The request for a Scoping Direction is a request under Regulation 33 of the 2017 Regulations.

The [request](#) included a [Screening / Scoping Request](#) referred to in this Scoping Direction as Scoping Report (SR) and a [Preliminary Environmental Assessment](#) (PEA). Those documents outline the Applicant’s proposed scope of the environmental information required to support a future application for the Proposed Development. It is noted that the Applicant has not provided a structure for an ES in the SR.

This Direction has taken into account the requirements of the 2017 Regulations as well as current best practice towards preparation of an ES. In accordance with the 2017 Regulations the Inspectorate has consulted on the SR and the responses received from the consultation bodies have been taken into account in adopting this Direction.

The Inspectorate is authorised to issue this Scoping Direction on behalf of the Welsh Ministers.

## 2. Site Description

The Site is located approximately 0.7 km south east of Cosheston, and approximately 2.5 km north east of Pembroke. There are a small number of scattered houses in the vicinity of the proposed Site. The closest of these is Nash Villa (located approximately 130 m south west of the proposed site boundary at the nearest point). The Site comprises 8 fields,

covering a total area of approximately 36.9 ha. The proposed Solar Park falls within the jurisdiction of Pembrokeshire County Council (PCC). There are no public footpaths or bridleways that cross the Site.

The Site is flat for the most part, with a north-south slope which is more exaggerated in the northern part of the site. Topography varies from approximately 35 m Above Ordnance Datum (AOD) to approximately 20 m AOD. The nearest landscape designation is the Pembrokeshire Coast National Park, located approximately 120 m to the north of the proposed site. The Site is not located within any internationally, European or nationally designated ecological sites. The closest is Pembrokeshire Marine / Sir Benfro Forol Special Area of Conservation (SAC) (approximately 1 km to the west at its nearest point) and the Milford Haven Waterway Site of Special Scientific Interest (SSSI) (approximately 650 m to the north east at its nearest point). There is a Registered Park / Garden located approximately 510 m to the north east of the proposed site. The closest Scheduled Ancient Monument is located approximately 1.5 km to the south. The Site is accessible from the A447, turning onto the access road to Lower Nash Farm and entering the site via an existing access point in the south west corner of the south western most field.

### 3. Proposed Development

The proposal is for a solar park with a generating capacity up to 22 MW of electricity, exporting electricity into the regional grid. Approximately 66,000 PV Panels are proposed, 1.6 m long, 1m wide and with a depth of 0.5 m. The indicative dimensions and designs of the PV Panels are provided in Figure 2.1 of the SR. They would have a height of no more than 3.5 m from the ground to the top of the PV Panel. To ensure that the PV Panels remain in their proper position they will be fixed onto steel frames.

The PV Cells will require interconnection to Inverters that will convert the low voltage DC to low voltage AC. In turn, the Inverters will connect to Transformers, which will convert electricity ready for export to the regional electricity grid. A network of cables would connect the Transformers to a set of switchgear from which electricity would be exported to the regional electricity grid. The Inverters and Transformers would be housed in dedicated Inverter / Transformer Cabins, and the switchgear would be housed in a dedicated Control Building. Only indicative sizes are provided by the Applicant with regards to the proposed buildings. The SR (section 2.1) states that Inverter/ Transformers cabins will be 8.5 m (length) by 2.5 m (width), and 3 m (height) and that the Control Building will be 5 m (length) by 5 m (width), and 4.5 m (height). The Applicant is indicating that the design of the various elements of the Proposed Development will be determined during procurement following the receipt of Planning Permission. However the Applicant is quoting upper limits. From the Control Building, it is proposed that electricity will be exported to the regional electricity grid via an underground cable to the existing Golden Hill 33 / 132 kV Substation located approximately 2.3 km to the south west. This is operated by Western Power Distribution, the local network operator. No further details are provided in relation to the grid connection.

Site access would be along the A447, turning onto the access road to Lower Nash Farm and entering the site via an existing access point in the south west corner of the south western most field.

It is also possible that a permanent 2 to 3 m tall security fence would be installed (behind any existing onsite hedgerows), with an access gate at the point of access, to ensure there is no unauthorised access to the proposed Solar Park site.

### 3.1 Construction

It is anticipated that it could take 6 months to construct the Proposed Development. The SR includes the creation of a Temporary Site Compound / Laydown Area of approximately 900 m<sup>2</sup>. The location of the Temporary Site Compound is not provided. Following completion of construction the Temporary Site Compound / Laydown Area would be restored as closely as possible to their original condition.

The Applicant states at section 2.5 of the SR that construction work would likely be restricted from Monday to Saturday between 08:00 to 18:00. No construction work would be undertaken on Sundays or Bank Holidays. During construction, a workforce of up to 50 personnel is expected.

### 3.2 Operation

The proposed Solar Park is expected to have an operational life of approximately 40 years, and would be unmanned during typical day-to-day operation. Twice every month the Site will be visited to ensure the equipment was working correctly, undertake routine visual inspections and undertake general maintenance activities. Once every 3 years the Site will be visited to undertake servicing activities.

The scope of the EIA should include all elements of the development as identified in the SR, both permanent and temporary, and this Scoping Direction is written on that basis.

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives considered should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made.

## 4. History

The submitted information indicates that the Site has always been used for agriculture (see Appendix D of the PEA). No planning information for the Site is provided.

## 5. Consultation

In line with [Regulation 33\(7\)](#) of the 2017 Regulations, formal consultation was undertaken with the following bodies:

### Statutory Consultees

- Pembrokeshire County Council (PCC) (the relevant Local Planning Authority in terms of the DNS regulations)
- Natural Resources Wales (NRW)
- Cadw

### Non-Statutory Consultee:

- Pembrokeshire Coast National Park Authority (PCNPA)

Responses received are included in **Appendix 1**.

## 6. Environmental Impact Assessment Approach

The Applicants should satisfy themselves that the ES includes all the information outlined in [Schedule 4](#) of the 2017 Regulations. In addition, the Applicant should ensure that the Non-Technical Summary includes a summary of all the information included in Schedule 4. Consider a structure that allows the author of the ES and the appointed Inspector and Decision Maker to readily satisfy themselves that the ES contains all the information specified [Regulation 17](#) and Schedule 4 of the 2017 Regulations. Cross refer to the requirements in the relevant sections of the ES, and include a summary after the Contents page that lays out all the requirements from the Regulations and what sections of the ES they are fulfilled by. The Inspectorate notes that the SR and the PEA submitted do not include details regarding the expertise of the persons preparing the ES. A statement should be included within the ES to set out the expertise of persons involved in all aspect chapters.

There may also be topic areas scoped out of the ES where the developer may wish to include application documents that sit outside of the ES and provide information that will support their consultation(s) and the decision-making process. The scope of other, non-ES documentation that should accompany the application is the subject of a separate request for pre-application advice from the Inspectorate and the Developer should have due regard to that advice once available. The developer is also encouraged to liaise with key consultees regarding non-ES application documents which are not a legislative requirement of the DNS regime. If agreement cannot be reached over non-ES application documentation, then the developer may wish to explore whether the Inspectorate can help provide further clarity via its pre-application advice service.

The ES should focus on describing and quantifying significant environmental effects. Policy considerations / arguments relating to those impacts should be addressed in other documentation supporting the application (e.g. a Planning statement), which cross references the ES where necessary.

### 6.1 Reasonable Alternatives

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives studied by the Applicant should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made.

It is worth bearing in mind that under the [Conservation of Habitats and Species Regulations 2017](#) ("the Habitats Regulations") unless it can be clearly shown to the Welsh Ministers that the project would have no adverse effect on the integrity of any designated sites, it would have to be shown that there is no feasible alternative solution (see advice note from [IEMA](#)). Further advice regarding the Habitats Regulations is provided in the final chapter of this Screening Direction.

### 6.2 Currency of Environmental Information

For all environmental aspects, the applicant should ensure that any survey data is as up to date as possible and clearly set out in the ES the timing and nature of the data on which the assessment has been based. Any study area applied to the assessments should be clearly defined. The impacts of construction, operation and decommissioning activities should be considered as part of the assessment where these could give rise to significant environmental effects. Consideration should be given to relevant legislation, planning policies, and applicable best practice guidance documents throughout the ES.

The ES should include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters. Where professional judgement has been applied this should be clearly stated.

The ES topic chapters should report on any data limitations, key assumptions and difficulties encountered in establishing the baseline environment and undertaking the assessment of environmental effects.

### 6.3 Cumulative Effects

It is noted that the Applicant states that no developments in planning requiring cumulative assessment have been identified (see paragraph 2.11 of the PEA). Consultees have responded providing a list of other projects which should be considered as part of the cumulative impact assessment. These are attached at Appendix 1 of this Direction. The ES should consider other projects as part of the cumulative assessment, where necessary, following agreement with the statutory consultees.

Effects deemed individually not significant from the assessment, could cumulatively be significant, so inclusion criteria based on the most likely significant effects from this type of development may prove helpful when identifying what other developments should be accounted for. The criteria may vary from topic to topic. Best practice is to include proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward.

Reasons for inclusion or exclusion should be clearly stated. Professional judgement should be used to avoid excluding any other development that is close to threshold limits but has characteristics likely to give rise to a significant effect; or could give rise to a cumulative effect by virtue of its proximity to the proposed development. Similarly, professional judgement should be applied to other development that exceeds thresholds but may not give rise to discernible effects. The process of refinement should be undertaken in consultation with relevant consultees, where appropriate.

The scope of the cumulative assessment should be fully explained and justified in the ES.

Although intended for larger schemes, the Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#) sets out a staged process for assessing cumulative impacts that may be of relevance to the Applicant.

## 6.4 Mitigation

Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured (through legal requirements or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

## 6.5 Population and Human Health

The Applicant should ensure that the ES addresses any significant effects on population and human health, in light of the EIA Regulations 2017. This could be addressed under the separate topic chapters or within its own specific chapter.

## 6.6 Transboundary Effects

[Schedule 4 Part 5](#) of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The ES should address this matter as appropriate.



## 7. Environmental Impact Assessment Topics

This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. The comments provided refer to the description of the development, the Environmental Impact Assessment process and any other matter deemed relevant in the preparation of the ES. Environmental topics or features are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. In accordance with Regulation 17(4)(c) the ES should be based on this Scoping Direction in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's SR.

The Inspectorate has set out in this Direction where it has / has not agreed to scope out matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Direction should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken. Further comments on the proposed scope of the ES are set out below in Table 1.

### 7.1 Aspects scoped in

Subject to the comments provided at Table 1, the following aspect are scoped in the ES:

**Landscape and Visual Impact Assessment (LVIA)**  
**Ecology and Nature Conservation**  
**Archaeology and Cultural Heritage**  
**Construction Noise (see comment ID5 below)**  
**Hydrology, hydrogeology and geology**  
**Climate**  
**Waste**

**Table 1: The Planning Inspectorate's Comments**

ID	Reference	Issue	Comment
	<b>Description of the Development</b>		
ID.1	Section 2.1 (SR) – Table 2.1	Elements of the Proposed Development-dimensions	Indicative dimensions for the various elements of the Proposed Development, i.e. cabins, control building, PV panels, security fence, internal access tracks, are provided at Table 2.1 of the SR. The Applicant states that the dimensions are indicative and that final dimensions will only be available through procurement, following Planning Permission. The Applicant states that the upper limits in term of dimensions have been quoted (it is assumed at Table 2.1, though the dimensions of the panels themselves are not included in that table or Figure 2.1) and that final design will be less than what considered in the PEA. The Applicant is reminded that although a level of tolerance is accepted, the ES should be prepared using a clearly identified worst case scenario, as appropriate and that final design should not lead to greater likely significant effects than identified in the ES.
ID.2	Figure 2.4 of the PEA	Indicative security fence	Figure 2.4 of the PEA report shows the indicative dimensions of the proposed security fence to be constructed around the Site perimeter. The Applicant should consider comments received from PCC (Appendix 1 of this Direction) regarding the need to allow for small mammals' passage across the Site.
ID.3	Section 2.5 (SR)	Construction hours	The SR (Section 2.5) states that construction works will be restricted Monday to Saturdays between 08:00 and 18:00. The Applicant is reminded the BS 8225 restricts construction activities on Saturdays. Deviation from British Standards will have to be justified in the ES.
ID.4	Section 2.1 (SR) – Table 2.1	Grid connection	<p>It is noted that electricity will be exported to the regional electricity grid via an underground cable to the existing Golden Hill 33 / 132 kV Substation located approximately 2.3 km to the south west.</p> <p>No additional information is provided in relation to the construction of the grid connection. The ES should consider the effects of the grid connection to the electricity network – the level of the assessment will depend on whether the connection will be part of the Proposed Development or whether consent will</p>

ID	Reference	Issue	Comment
			<p>be sought separately. The grid connection can be included within the Blackberry Lane DNS application, with the effect of the grid connection considered within the ES.</p> <p>If the intention is to apply for consent separately, it should be noted that following <a href="#">amendments</a> to The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, an electric line above ground of up to 132kV associated with a DNS Generating Station is specified as a DNS in itself.</p>
<b>Aspects proposed to be scoped out</b>			
ID.5	Section 6.7 of the PEA	Noise	Section 6.7 states that the Applicant does not consider that any additional noise surveys or assessments would be required to support a planning application or that any mitigating measures would need to be built into the design of the proposed solar park. Although the Inspectorate agrees that operational noise can be scoped out, it is noted that the Applicant relies on mitigation measures (Section 6.6.1 of the PEA) to ensure that construction noise will not generate a significant impact on the identified properties. Therefore, this aspect cannot be scoped out. An assessment should be presented in the ES in line with Technical Advice Note (TAN) 11. Mitigation measures and their effectiveness should be presented in the ES.
ID.6	Section 4.7 of the SR	Traffic & Infrastructure	The Applicant proposes to scope out traffic assessment from the ES. Although the Inspectorate agrees that operational traffic can be scoped out, it is noted that the access to the Site may require improvement works. Additional information is required to inform the ES of the potential impacts of the construction works.
ID.7	Section 4.8 of the SR	Socio- economics	The Inspectorate agrees that socio-economic impacts can be scoped out.
ID.8	Section 4.8 of the SR	Air Quality	The Applicant proposes to scope out Air Quality on the basis that during construction and operations the solar farm will not generate emissions, and that the ES will detail dust suppression methods to be used during construction. The Inspectorate agrees that this aspect can be scoped out.

ID	Reference	Issue	Comment
	<b>LVIA</b>		
ID.9	Appendix B of the PEA – LVIA paragraph 2.6	Methodology	Paragraph 2.6 states that “where the effect has been classified as Major or major/Moderate this is considered to be equivalent to likely significant effects referred to in the EIA Regulations.” The Applicant is reminded that moderate effects are also considerate significant for the purpose of the EIA.
ID.10	Appendix B of the PEA – LVIA paragraph 2.11	Cumulative Impacts	Paragraph 2.11 states that no developments in planning requiring cumulative assessment have been identified. PCC’s response (Appendix 1 of this Direction) includes a list with nearby consented turbines and solar parks. Additionally, PCC has also identified a solar park west of Coshestone Village which should be considered. The ES should consider other projects as part of the cumulative assessment, where necessary, following agreement with the statutory consultees.
ID.11	Appendix B of the PEA – LVIA paragraph 2.13	Residential Visual Amenity Assessment (RVAA)	Paragraph 2.13 states that the proposal is not considered to give rise to effects triggering the need for a RVAA. The Inspectorate notes the properties identified on Figure LVA 5. Additional information is required to establish whether a RVAA will not be required due to the existing openness of the view.
ID.12	Appendix B of the PEA – LVIA paragraph 4.7	Local Guidance	PCNPA (see Appendix 1) recommend that the Pembrokeshire Coast National Park Management Plan should be considered in the ES.
ID.13	Appendix B of the PEA – LVIA	Potential impacts	The Applicant’s attention is drawn to PCNPA’s response (Appendix 1). The draft viewpoints presented are considered appropriate to assess the proposal alone, but additional information is required with regards to cumulative impact assessment and the effects of the proposal in combination with other energy projects. The Applicant should consult with the relevant authorities to define an appropriate Study Area. See also ID.10.
ID.14	Appendix B of the PEA – LVIA paragraph 4.8	Zone of Theoretical Visibility (ZTV) – Figure LVA 5	Paragraph 4.8 states that the ZTV was generated using the proposed design. Figure LVA 5 contains some text explaining that buildings are assumed at 7.5 m height while existing vegetation is assumed 15 m height, although it is unclear whether this refers to AOD or existing ground levels. No information is provided clarifying whether the height of the PV Panels is also considered in the model. Paragraph 4.8 states that trees height in the ZTV is derived from LiDAR surface mapping data (Paragraph 4.8). Therefore, it is unclear whether

ID	Reference	Issue	Comment
			the ZTV was generated taking into account the height of the structures of the Proposed Development. This was also noted by PCC and PCNPA in their responses. The ES should explain clearly how the ZTV is derived. As the ZTV defines the Study Area, the Applicant should consider whether the Stud Area (currently 1 km) should be extended in agreement with the relevant authorities.
ID.15	Appendix B of the PEA – LVIA paragraph 4.8	Zone of Theoretical Visibility (ZTV) – Figure LVA 5	The Applicant's attention is drawn to NRW and PCNPA responses (Appendix 1) suggesting extension of the Study Area and production of a ZTV including potential cumulative impacts. See also comment ID.10 regarding the need to consult the relevant authorities on the cumulative impact assessment.
ID.16	Appendix B of the PEA – LVIA paragraph 4.9	Registered Landscape, Parks and Gardens	PCC suggests in their response that Lamphey Garden of Historic Interest should be included within the Study Area (see Appendix 1 of this Direction).
ID.17	Appendix B of the PEA – LVIA paragraph 6.17	Visual Receptors	Paragraph 6.17 states that effects on private residential amenity do not merit detailed assessment in respect of this development. The Applicant's attention is drawn to comment ID.11. The Inspectorate does not consider that enough information has been provided to draw this conclusion.
ID.18	Appendix B of the PEA – LVIA	Potential Landscape and Visual effects	The Applicant's attention is drawn to NRW and PCNPA responses (Appendix 1) that views toward and from the National Park could give rise to a significant impact and should be considered further. PCNPA also request an additional viewpoint around Carew Castle.
ID.19	Appendix B of the PEA – LVIA paragraph 6.34	Designated areas	See PCNPA's comment (Appendix 1) on the Applicant's proposed approach (paragraph 6.34) when considering the impact of the Proposed Development on the Pembrokeshire Coast National Park. The susceptibility of the special qualities of the National Park should not be aggregated into one overall susceptibility, thus reducing its value. Each special quality should be considered in its own merit. The Applicant is recommended to consult the relevant authorities when considering this approach.
ID.20	Appendix B of the PEA – LVIA paragraph 6.36	Mitigation	Paragraph 6.36 states that the current medium to small scale field pattern would be retained and existing hedgerows strengthened with supplementary planting as necessary. Hedgerows will be managed at an increased height of 3.5 m to aid visual containment of the site. It is unclear whether the

ID	Reference	Issue	Comment
			management of the hedgerows is the only mitigation measure proposed. As the significance of the impact in terms of LVIA may be higher than anticipated by the Applicant for the reasons detailed above, the Applicant should consider whether additional mitigation measures should be required. Additionally, the ES should include enough information to address the effectiveness of the mitigation measures and future management.
<b>Ecology and Nature Conservation</b>			
ID.21	Appendix C of the PEA – Ecology paragraph 3.7	Statutory Designated Sites	The Inspectorate notes that the Applicant has restricted the desk-based assessment to 3 km. The ES should explain the rationale behind this approach.
ID.22	Appendix C of the PEA – Ecology paragraph 4.9	Badger	Several signs of badger activity have been identified within the ecological report, although no setts are currently present on Site. Surveys may need to be undertaken to ensure there will be no disturbance of setts.
ID.23	Appendix C of the PEA – Ecology paragraph 4.10	Bats – roosting	The PEA identifies the potential for some of the trees along the Site boundaries to have bat roosting features, but no additional surveys were conducted. At this stage it is not clear whether the trees will be affected by the proposal. Should the development require the removal of any trees, these should be assessed for potential bat roosting features. Trees identified as having moderate or higher bat potential features will require further inspection, such as tree climbing and/or endoscope inspections. These surveys/assessments will be required, prior to determination of any future planning application and should be conducted by experience ecologists and in accordance with the correct best practice.
ID.24	Appendix C of the PEA – Ecology paragraph 4.10	Bats – foraging	It is understood that Pembrokeshire Bat Sites and Bosherton Lakes/ Safleoedd Ystlum Sir Benfro a Llynnoedd Bosherton Special Areas of Conservation (SAC) is located approximately 2.6 km east of the Site. Further consideration is required in the ES in relation to any potential impact for foraging and commuting bats. If the habitat assessment identifies suitable foraging habitats, which will be lost as a result of the proposal then activity surveys may be required. Furthermore, any security lighting may impact upon bat movements in the area, therefore if significant lighting is proposed, activity surveys may be required in order to establish important areas for bats

ID	Reference	Issue	Comment
			which must remain dark and inform any lighting plan to ensure there is no impact upon the bats and other nocturnal wildlife. Again, if activity surveys are not required, then clear justification for this will need to include within any application/ES.
ID.25	Appendix C of the PEA – Ecology paragraph 4.11	Dormouse	Paragraph 4.11 states that: “the hedgerows on the site are of low to moderate quality but do contain hazel and honeysuckle and have good links to adjacent woodland and hedgerows habitat, which has potential to support dormouse.” However, there is no consideration of dormice further as there are no records within close proximity. Provided the suggested 5m buffer for hedgerows is retained throughout and there are no hedgerows to be removed, dormouse surveys will not be necessary. However, the exact amount of hedgerow to be removed and further justification for not undertaking dormice surveys will be required within any submitted application/ES.
ID.26	Appendix C of the PEA – Ecology paragraph 4.13	Breeding birds	Paragraph 4.13 states that no ground nesting birds species were encounter during the Phase 1 Habitat survey. The PEA states that the majority of the Site is unsuitable. However, it is noted that part of the Site is arable and that recording breeding birds is not the purpose of Phase 1 Habitat surveys. It is also noted that there are records of Barn Owl potentially within the Site. The Applicant should consider the bird populations currently using the Site and the need for breeding bird surveys and the impact of the development on these birds, in terms of loss of habitat and displacement. See also PCC’s response (Appendix 1)
ID.27	Appendix C of the PEA – Ecology paragraph 4.15	Amphibians	Paragraph 4.15 states that there are no ponds on Site and suitable habitat/hibernacula is limited to hedgerows and boundary tree groups. The closest pond to the site is over 200 m away and there is limited terrestrial connective habitat to consider amphibians to be a constraint to development at this Site. The Applicant is reminded of the NRW advice on Great Crested Newt (GCN) surveys which could be found in the <a href="#">GCN Licensing webpage</a> . The area of search may need to extend to 500 m radius from the Site boundary. More information is required to understand the implication of the proposal on protected amphibians. The Applicant should consider whether presence absence surveys are required.

ID	Reference	Issue	Comment
ID.28	Appendix C of the PEA – Ecology	Otters	The PEA present limited information on whether there are suitable habitats for otter immediately adjacent to the Site boundary. If there is suitable otter habitat on the Site then surveys may be required, if suitable otter habitat is found immediately adjacent, then measures for ensuring there is no disturbance must be included within the ES.
ID.29	Appendix C of the PEA – Ecology	Mitigation	The PEA presents limited information in relation to mitigation. As discussed above, the information presented to date does not discount the presence on Site and nearby of protected species and thus additional surveys to be conducted at the appropriate time may be required. If protected species are found to be affected by the proposal, mitigation measures will be required, taking into consideration the mitigation hierarchy, i.e. avoidance, minimisation, restoration and offsetting. An ecological management plan may be required including details of how the site will be managed for wildlife throughout the project lifetime. This can be included in the ES. The ES should also include details of an ecological monitoring programme, to ensure the management plan is working and, where necessary, make changes to ensure appropriate and successful management for biodiversity.
<b>Archaeology and Cultural Heritage</b>			
ID.30	Appendix D of the PEA – Archaeology	Desk Based Assessment and methodology	The Inspectorate draws the Applicant's attention to comments provided by PCC (Appendix 1). PCC's response highlights deficiency in the Desk Based Assessment which should be addressed in the ES, in agreement with the relevant authority.
ID.31	Appendix D of the PEA – Archaeology	Methodology	The Inspectorate draws the Applicant's attention to comments provided by Cadw (Appendix 1). It is noted that the PEA does not appear to have included an assessment of the impact of the proposed solar on the setting of the designated heritage assets carried out in accordance with the Welsh Government guidance given in the document "The Setting of Historic Assets in Wales". This will need to be carried out as part of the full EIA.
ID.32	Appendix D of the PEA – Archaeology-Section 4.0	Potential Impact	Appendix D of the PEA does not address the potential landscape and visual impacts, both on heritage assets recorded in the vicinity and on the historic landscape. The proposed development is located within a Historic Landscape



ID	Reference	Issue	Comment
			Character Area and in close proximity to the Registered Historic Landscape of Milford Haven Waterway. This should be included in the ES.
	<b>Hydrology, hydrogeology and geology</b>		
ID.33	Paragraph 7.2 of the PEA	Legislation	The Applicant is reminded that the most up to date legislation should be considered in the ES. References to the 1999 EIA Regulations should be updated.
ID.34	Paragraph 7.4.5 of the PEA	Hydrogeology	The Site is located within a Principal Aquifer and a Source of Protection Zone (SPZ) 1. It is understood that the proposal includes the presence of oil filled transformers. There is not enough information at this stage to exclude the presence of existing or new fluid filled cables across the Site. The ES should include mitigation measures in the form of a Pollution Prevention Plan taking into consideration both construction and operation, in agreement with the relevant authority.
ID.35	Section 4.6 of SR	Flooding	The SR states that the Site is not at risk of flooding, but that the application will be accompanied by a Flood Consequence Assessment. The Applicant should have regard to the requirements included in Technical Advice Note (TAN) 15.
	<b>Additional Comments &amp; Miscellaneous</b>		
ID.36	<b>Climate</b> The SR does not address the impact of the project on climate and the vulnerability of the project to climate change, contrary to the requirements of the EIA Regulations (Wales) 2017. The Inspectorate would expect the ES to address these issues as appropriate.		
ID.37	<b>Waste</b> The SR does not address the impact of generation and deposition of waste, contrary to the requirements of the EIA Regulations (Wales) 2017. However, the Inspectorate notes that the construction of the Proposed Development has the potential to generate waste which may require disposal. Therefore, the ES should consider the generation and disposal of waste within an appropriate section.		

## 8. Other Matters

**This section does not constitute part of the Scoping Direction, but addresses other issues related to the proposal.**

### 8.1 Habitats Regulation Assessment

[The Conservation of Habitats and Species Regulations 2017](#) require competent authorities, before granting consent for a plan or project, to carry out an appropriate assessment (AA) in circumstances where the plan or project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects). The competent authority in respect of a DNS application is the relevant Welsh Minister who makes the final decision. It is the Applicant's responsibility to provide sufficient information to the competent authority to enable them to carry out an AA or determine whether an AA is required.

When considering whether or not significant effects are likely, applicants should ensure that their rationale is consistent with the [CJEU finding](#) that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an AA and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site when determining whether an AA is required ('screening'). The screening stage must be undertaken on a precautionary basis without regard to any proposed integrated or additional avoidance or reduction measures. Where the likelihood of significant effects cannot be excluded, on the basis of objective information the competent authority must proceed to carry out an AA to establish whether the plan or project will affect the integrity of the European site, which can include at that stage consideration of the effectiveness of the proposed avoidance or reduction measures.

Where it is effective to cross refer to sections of the ES in the HRA, a clear and consistent approach should be adopted.

The Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 10: Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects](#) may prove useful when considering what information to provide to allow the Welsh Ministers to undertake AA.

### 8.2 Well-being of Future Generations Act

Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies to carry out sustainable development. It is the responsibility of the decision maker to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales. Under the Well-being Act, the planning system is required to deliver an improvement in all four aspects of well-being: social, economic, environmental and cultural. In order to demonstrate that appropriate consideration has been given to the Well-being goals and sustainable development principle in the decision-making process, public bodies are required to have regard to the 'five ways of working' contained in the Well-being Act. These require consideration of: involvement; collaboration; integration; prevention; and long term factors. It will be for each decision-making body to demonstrate how they have

operated in this manner. Whilst not a legislative requirement, as part of the application documentation, the applicant may wish to consider submitting a statement to illustrate their view on how proposed developments contribute to the goals set by the Well-being Act.

### **8.3 SuDS Consent**

Whilst a separate legislative requirement from planning permission, the Applicant's attention is drawn to the statutory SuDS regime that came into force in Wales in January 2019. The requirement to obtain SuDS consent prior to construction may require iterative design changes that influence the scheme that is to be assessed within the ES and taken through to application. As such, it is recommended that the applicant contact the local SuDS Approval Body early on.

**Appendix 1: Consultation Responses**

Date • Dyddiad 05/03/2020

Your ref. • Eich cyfeirnod

My ref. • Fy nghyfeirnod NS/0442/19

Telephone • Ffôn 01437 764551

Email • Ebost [Planning.support.team@pembrokeshire.gov.uk](mailto:Planning.support.team@pembrokeshire.gov.uk)

[www.pembrokeshire.gov.uk](http://www.pembrokeshire.gov.uk)

[www.sir-benfro.gov.uk](http://www.sir-benfro.gov.uk)



## Pembrokeshire County Council Cyngor Sir Penfro

IAN WESTLEY, M.A. B.Eng.(Hons), C.Eng., M.I.Mech.E., M.C.I.B.S.E.  
Chief Executive / Prif Weithredwr

Dr. STEVEN JONES, B.A.(Hons), D.M.S., M.B.A., Ph.D., M.C.I.M.  
Director of Community Services  
Cyfarwyddwr Gwasanaethau Cymunedol

Pembrokeshire County Council,  
County Hall, HAVERFORDWEST,  
Pembrokeshire, SA61 1TP

Cyngor Sir Penfro,  
Neuadd y Sir, HWLFFORDD,  
Sir Benfro, SA61 1TP

Telephone / Ffôn 01437 764551  
DX 98295 HAVERFORDWEST

Please ask for  
Os gwelwch yn dda gofynnwch am

Mike Simmons

Charlotte E Peacock  
Development Manager  
Wessex Solar Energy

By email only: [cep@wessexsolarenergy.co.uk](mailto:cep@wessexsolarenergy.co.uk)

Dear Ms Peacock

Proposal: **22MW Solar Park and associated infrastructure**

Location: **Blackberry Lane, Cosheston, Pembrokeshire**

I refer to your pre-application enquiry in respect of the above proposed development that was made valid by reason of the receipt of the requisite fee on 30<sup>th</sup> January 2020. Thank you for agreeing an extension of time until 6<sup>th</sup> March 2020.

In accordance with The Developments of National Significance (Wales) Regulations 2016 (as amended), please accept this correspondence as the local planning authority's (LPA) response for the purposes of the Regulations. These comments are made without prejudice to the consideration by the local planning authority of any matters relating to the prospective DNS application.

The documents submitted in support of this pre-application enquiry comprise the "Preliminary Environmental Assessment Report" and the "Request for Screening/Scoping Opinion" from Wessex Solar Energy, both dated January 2020, that were submitted to the Planning Inspectorate (PINS) with covering letter dated 15<sup>th</sup> January 2020. These comments relate only to what appear to be the main issues from an inspection of the submitted documents to date.

There is no relevant planning history relating to this site. You are aware of the existing solar park situated to the west of Cosheston village. For information, I have enclosed a spreadsheet of nearby consented wind turbines and solar parks.

The Local Development Plan (LDP) was adopted on 28th February 2013 and is the Development Plan for the area of Pembrokeshire that is outside of the Pembrokeshire Coast National Park. There are a number of policies in the LDP that are relevant in the consideration of this proposed development. The LDP can be found on the Council's website. The LDP records that 'many of the Plan policies are inter-related and several may relate to any individual development proposal. It is therefore

important that the Plan is read as a whole and used in conjunction with national policy and guidance and local SPG'.

With regard to the principle of the proposed development, Policy SP 1 (Sustainable Development) requires all development to demonstrate how positive economic, social and environmental impacts would be achieved and adverse impacts minimised. It is recognised that a driver for this particular development is obligations and national planning policy relating to the need for a greater proportion of energy production to be delivered from renewable sources. Such a focus has clear social and economic advantages. The issue in respect of policy SP 1 is whether environmental effects can be minimised and that the benefits of the scheme, in achieving local and national renewable objectives, outweigh any identified harm.

The site is located in the countryside. Policy SP 16 (The Countryside) seeks to minimise the visual impact on the landscape whilst promoting enterprises for which a countryside location is essential. The proposed development is one that normally requires a countryside location for primarily land availability, functional and viability reasons. There would clearly be a degree of visual impact, the issue to whether this can be minimised to an acceptable level in accordance with policy SP 16.

The proposal would enable the supply of a greater proportion of renewable energy by way of an environmentally acceptable source that is explicitly supported by reason of policy GN.4 (Resource Efficiency and Renewable & Low Carbon Energy Proposals) and which would contribute to the identified national renewable energy targets.

One of the main issues is visual and landscape impact. Policy GN.1, amongst other matters, allows development when it is compatible with the capacity and character of the site and area, would not result in a significant detrimental impact on local amenity in terms of visual impact, would not adversely affect landscape character, quality or diversity (including the National Park), and does not contribute to the coalescence of settlements or ribbon development. Policy GN.2 (Sustainable Design), amongst other matters, requires development to be appropriate to the local character/townscape context and to be of good design (with the policy describing the detailed requirements in this respect).

As identified in the Screening Direction that has been adopted by PINS, visual and landscape effects would be one the main issues to address as part of the EIA process in order to minimise environmental effects. The content of the Landscape/Visual Appraisal that is appended to the Environmental Assessment Report is noted. The EIA would be expected to analyse in detail visual and landscape effects using established methodologies, including LANDMAP sources and ZVI and photomontage / photo-realisation techniques, including relating to cumulative effects with other development in the locality. On a point of detail, within the LVIA the Lamphey Garden of Historic Interest should be included in the area of land 'of influence'. Whilst effect on landscape character would need to be appropriately addressed in the EIA, it is the potential visual effects that are often the main concern with such development.

It is noted that the "Preliminary Environmental Assessment Report" and the "Request for Screening/Scoping Opinion" do not include site specific detailed plans of the proposed development in terms of layout and landscaping nor are the location of buildings which, from the information provided appear to be up to 4.5m in height, indicated. The buildings have the potential to result in adverse visual effects. Visual effects would be minimised by the retention of all existing hedgerows including those within the site. The existing hedge structure needs to be retained to assist the visual break-up of this large scale development and to retain the landscape pattern and connectivity for wildlife. Additional planting should also be considered.

The National Park boundary is situated to the north. Whilst the view of the rear of panels has often been considered the view of least impact (partly due to the non-reflective materials), experience has informed that the rear view should be treated with equal weight to the front. It can often be a view characterised by a more cluttered appearance with support structures and extraneous plant etc. These effects should therefore be accorded equal focus particularly due to the proximity of the National Park. The National Park Authority has responded to PINS under separate cover and I enclose a copy of this correspondence.

There are nearby properties that appear to have fairly open aspects towards the site and could be adversely affected in terms of visual impact if appropriate mitigation in the form of hedgerow retention / enhancement is not provided.

On design, policy GN.2 (Sustainable Design) seeks to deliver sustainable design. Of relevance to this specific proposal is the need to achieve good design, to be appropriate to local character and landscape context, and to incorporate a resource efficient and climate responsive design that is also flexible and adaptable. The LPA have not had sight of detailed plans other than those relating to individual buildings, fencing etc. For instance, details of layout and landscaping nor the location of buildings have been included. Nevertheless, and notwithstanding visual and landscape effects, subject to appropriate details the proposal has the potential to be considered a design that is compatible with policies GN.1 and GN.2 when considering both its impact and the renewable energy credentials of the proposal albeit that the scale of some buildings may need to be re-visited depending on location and proposed landscaping mitigation. Clearly the proposal is resource efficient and climate responsive. The proposed development is also flexible and adaptable in terms particularly of the relatively ease of returning the site to its former condition and use on the expiration of the development's life.

Policy GN.1 (General Development Policy) seeks to permit development where it would take place in an accessible location and would not result in a detrimental impact on highway safety or in traffic exceeding the capacity of the highway network; and it would incorporate sustainable transport and accessibility with necessary and appropriate service infrastructure, access and parking. It appears that the unclassified access road(s) serving the development during the construction phase may need some upgrading and a Road Condition Survey would be needed in this respect. In respect of the trunk road, dialogue with the Transport Division at Welsh Government would be critical. The proposed scope of the EIA in respect of transportation effects is noted.

Policy GN.1 requires development to respect and protect "the natural environment including protected habitats and species". Policy GN.37 (Protection & Enhancement of Biodiversity) states that development should demonstrate a positive approach to maintaining (and, wherever possible, enhancing) biodiversity; "development that would disturb or otherwise harm protected species or their habitats ... will only be permitted in exceptional circumstances where the effects are minimised or mitigated through careful design, work scheduling or other appropriate measures". Please find enclosed the comments of the Council's Ecologist.

Policy GN.38 (Protection and Enhancement of the Historic Environment) requires development that affects sites and landscapes of architectural and/or historical merit or archaeological importance, or their setting, to only be permitted where it can be demonstrated that it would protect or enhance their character and integrity. In the context of this application, the policy applies to listed buildings, the conservation area, the historic landscape and archaeology.

The site is in close proximity to Cosheston Conservation Area and a number of listed buildings that could be effected by the development. These listed buildings comprise Little Mayeston Cottage, Cosheston (Grade II Cadw Ref. 17270), Lower Nash Corn Mill, Nash (Grade II Cadw Ref. 17271), Church of St Catherine, Nash (Grade II Cadw Ref. 5988), and Upper Nash Farmhouse, Nash (Grade II Cadw Ref. 5989). Also Paskeston Hall, Paskeston (Grade II. Cadw Ref. 5957) that is within the National Park. The solar farm would be relatively low lying but would be visible in distant views from buildings higher up. This is likely to apply to Little Mayeston Cottage and Paskeston Hall. Buildings that have designed views of the landscape or buildings that are intended to be viewed from distance would be those that would experience an effect on their setting that would also affect their significance as a listed building. It is potentially only Paskeston Hall that would have this kind of impact on its setting - being higher in the landscape than the solar park and potentially with designed views out into the surrounding landscape. Cosheston Conservation Area is at the top of the adjacent hill several fields' widths away from the furthest corner of the solar park, and as such impact on the Conservation Area is likely to be minimal. In respect of the effect on scheduled ancient monuments, the Milford Haven Waterway and other registered landscape, parks and gardens, these would be matters for CADW to consider. The effect on all attributes of the historic environment that are referred to above should form part of the EIA.

It is noted that a review of the available baseline evidence shows that the study site has a high potential to contain archaeological remains and that these features have the potential to be of regional interest, particularly if they contain well-preserved evidence of occupation activity. The remaining features are likely to comprise more peripheral remains, but nonetheless could be of local interest. Comments of the Council's archaeological advisors, Dyfed Archaeological Trust, are enclosed. In addition, the EIA should include a section addressing the potential impact on the historic landscape, both directly and visually, and undertaken in accordance with the guidance and standard published by the Chartered Institute for Archaeologists.

Policy GN.3 (Infrastructure and New Development), provides a framework for securing necessary infrastructure improvements that are generated by new development and relates to planning obligations normally to be secured by legal agreement. No such planning obligations have been identified at this pre-application stage.

Please refer to Supplementary Planning Guidance that can be found on the Council's website, most notably relating to Renewable Energy SPG (October 2016) and Biodiversity SPG (May 2014). I also refer you to the Well-Being of Future Generations (Wales) Act 2015, most notably the statutory duty therein, the sustainable development principle and the well-being objectives.

It is not clear whether the site is Grade 2, Grade 3a or Grade 3b in terms of agricultural land classification. It may be a mix of all three. The EIA should address how the proposal relates to the classification albeit that it is noted that the proposal would not involve irreversible development of agricultural land.

Whilst relevant planning policy may alter in the replacement LDP2, any weight to be attached to this emerging policy would, at this stage (consultation being undertaken on the Deposit Plan), be premature.

I have not commented in respect of proposed grid connection as this does not appear to form part of the pre-application enquiry.

In summary, it is clear that the main issue is an assessment of the benefits of the development in terms of renewable energy production, the principle of which is



supported by national and local planning policy, and the impact of the development, most particularly in terms of ecology, visual and landscape effects and the historic environment. The EIA should address those matters raised in this correspondence.

I trust that the above comments are beneficial but please contact me if you have any queries.

Yours sincerely

**Mike Simmons**  
**Development Manager (Major Projects and Planning Obligations)**  
**Development Management**

**Proposed Solar Park at Blackberry Lane, Cosheston,  
Pembrokeshire**

**LPA Ref. NS/0442/19**

**PINS Ref. DNS 3245065**

**Comments of the Council's Ecologist**

Any application/ES must provide sufficient information to identify any nature conservation features (habitats/species) that are likely to be affected by the proposals and identify potential options for mitigation and enhancement. The impacts of any species protected under legislation must be considered along with any species or habitats listed under the Pembrokeshire LBAP, UK BAP and the Section 7 list of the Environment (Wales) Act 2016. Surveys must be carried out by a qualified ecological surveyor and the ES must identify the potential of the habitats on site to be used by protected species

**Any application/Environmental Statement (ES) must:**

- Cover the construction, operation maintenance, closure and decommissioning stages of any project.
- Determine the importance of ecological features affected, through survey and/or research.
- Assess impacts potentially affecting important features.
- Characterise the impacts by describing their extent, magnitude, duration, reversibility, timing and frequency.
- Identify cumulative impacts; and identify significant effects of impacts in the absence of any mitigation.
- Consider alternative location(s) or layouts for the proposed development.
- Identify mitigation measures and explain their likely success.
- Identify opportunities for enhancement.
- Design and agree a monitoring strategy and monitoring of mitigation performance.
- Provide sufficient information for mitigation measures to be implemented effectively.
- Produce a clear summary of the residual impacts and the significance of their effects following incorporation of avoidance and mitigation measures, in accordance with planning policies and legislation.

In order to provide confidence in the information provided as part of the application/ES the following key points must be addressed:

- Ecological baseline and trends if the project were not to go ahead.
- Criteria used to evaluate ecological features.
- Criteria used to assess the significance of impacts of the project.

- Justification of methods used.
- The identification of likely impacts (positive and negative) on ecological features together with an explanation of the significance of their effects.
- Mitigation, compensation and enhancement measures.
- Legal and policy consequences.
- A note of any key data that were unavailable or missing and
- A presentation of any analytical techniques used and the analysis itself.
- Consideration for the zone of influence – if the site requires new infrastructure (roads, power supply etc.) there could be significant consequences for ecological features beyond the boundaries of the site

**Any ES must also be mindful of the following:**

- Preliminary activities prior to the main construction contract
  - Ground investigations.
  - Vegetation clearance.
- Construction phase
  - Access and travel on/off-site, including temporary access routes for vehicles.
  - Areas for plant maintenance and for storage of oils, fuels and chemicals.
  - Movement of materials to/from or within the site.
  - Acoustic disturbance and vibration from construction activities.
  - Dust generation.
  - Soil stripping.
  - Environmental incidents and accidents e.g. spillages, noise and emissions.
  - Lighting
  - Vegetation/habitat clearance including tree felling.
- Occupation/operational and decommissioning phase
  - Access to site (both route and means).
  - Drainage.
  - Implementation of habitat management.
  - Lighting.

**Species and Habitats to be considered:**

**A primary ecological assessment has been submitted in support of the current pre-application consultation and scoping opinion. This may already include much of the following information.**

- Any application/ES must identify any habitats and species that are likely to be affected by the proposal and identify potential options for mitigation and enhancement. There must also be justification for disregarding certain species from any assessments.

- A **Phase I habitat survey** must identify the quality and extent of the habitats present. The habitat survey must be carried out between the months of April and September only. It should also identify the presence of any invasive species.
- **Reptiles** – common species of reptiles may be present on a site of this nature. If suitable habitat is to be removed as a result of the proposal then survey may be required. A precautionary approach to any site clearance may also be necessary. It is likely that the development will result in opportunities for reptile enhancements, these should be clearly identified and described.
- **Badgers** – Several signs of badger activity have been identified within the ecological report, although no setts are currently present on site it is important to be mindful that activity within 30 metres of a sett will require a license, therefore surveys may need to be undertaken to ensure there will be no disturbance of setts outside the red line boundary. The recommendations made within Section 5 of the submitted report must also be followed. Badgers are protected under The Protection of Badgers Act 1992.
- **Birds** – The application must make an assessment of the bird populations currently using the application area in the form of a breeding bird survey and the impact of the development on these birds, in terms of loss of habitat and displacement.
- **Dormice** – The submitted report identifies that there are suitable hedgerows on site to support dormice, however does not consider dormice further as there are no records within close proximity. The closest known record is approximately 6km away; however, it is still possible that dormice are present in the area. Provided the suggested 5m buffer for hedgerows is retained throughout and there are no hedgerows to be removed, dormouse surveys will not be necessary. However, the exact amount of hedgerow to be removed and further justification for not undertaking dormice surveys will be required within any submitted application/ES. Dormice are protected under European and UK legislation, their presence is a material consideration in the planning process.
- **Bats** – There are several important sites for bats within relatively close proximity to the proposed development. Consideration will need to be made of any impacts for foraging and commuting bats. If the habitat assessment identifies suitable foraging habitats, which will be lost as a result of the proposal then activity surveys may be required. Furthermore, any security lighting may impact upon bat movements in the area, therefore if significant lighting is proposed, activity surveys may be required in order to establish important areas for bats which must remain dark and inform any lighting plan to ensure there is no impact upon the bats and other nocturnal wildlife. Again, if activity surveys are not required, then clear justification for this will need to

include within any application/ES. Bats are protected under European and UK legislation, their presence is a material consideration in the planning process.

- **Otter** – There may be suitable habitat for otter immediately adjacent to the boundary of the development site. If there is suitable otter habitat on the site then surveys may be required, if suitable otter habitat is found immediately adjacent, then measures for ensuring there is no disturbance must be included within any application/ES. Otters are protected under European and UK legislation, their presence is a material consideration in the planning process.

### **Biodiversity Enhancements:**

Solar Parks offer numerous opportunities to provide enhancements for wildlife, particularly where they are developed on land which has previously held low ecological diversity, such as improved and arable land. An **ecological management plan** should be submitted, to include details of how the site will be managed for wildlife throughout the solar farms lifetime.

The plan should also include details of an **ecological monitoring programme**, to ensure the management plan is working and, where necessary, make changes to ensure appropriate and successful management for biodiversity.

### **Please also be mindful of the following points:**

- The results of all required surveys and assessments of the effects the development may have on species and habitats and recommendations for mitigation and enhancement must be included within any application/ES.
- Ecological assessments may result in the requirement for further survey work.
- Surveys and assessments must be carried out in line with the British Standards for Biodiversity: Code of Practice for Planning and Development (BS42020:2013) and other relevant species and survey best practice guidelines. All surveys will be required to be carried out by a suitably qualified ecologist within the appropriate season and to appropriate survey standards and methodology.

If you have any questions or seek clarification on any of the points raised, please get in touch.

Regards

**Rebecca Blackman**

Planning Ecologist | Ecolegydd Cynllunio

Pembrokeshire County Council | Cyngor Sir Penfro

**Proposed Solar Park at Blackberry Lane, Cosheston,  
Pembrokeshire**

**LPA Ref. NS/0442/19**

**PINS Ref. DNS 3245065**

**Comments of Dyfed Archaeological Trust**

**(advisor on archaeological matters to Pembrokeshire County  
Council LPA)**

The Preliminary Environmental Assessment Report, prepared by Wessex Solar Energy (January 2020), includes a section on Cultural Heritage/Archaeology, using information collated by a Desk-based Assessment (DBA) undertaken by Orion Heritage Ltd (Orion Ref 2033, December 2019) and included in Appendix D. We have several concerns regarding this report:

Specification - we advised Orion Heritage Ltd (14/11/19) that we required a specification to be submitted to ourselves in advance so that we could recommend approval of the proposed work on behalf of your Planning Authority. This is in accordance with the Chartered Institute for Archaeologists (CIfA) Standards and guidance for historic environment desk-based assessment (Section 3.2) published in 2014, updated in 2017). No specification was received. Such a document is needed to check that the proposed methodology for the forthcoming assessment is appropriate and includes all relevant information. Without this document we were not in a position to advise further and the resulting report is incomplete. We are therefore unable to accept the DBA in its current form as it does not meet national standards. (see para. 3.2.1) of the CIfA standard & guidance for DBAs)

Search area – the study area for the assessment, although cited as 2km in paragraph 2.4, the study areas presented in Figures 2 & 3 show a 1km study area taken from a central point. We would usually recommend a 2km search area for non-designated sites (and possibly a 5km buffer for designated sites), as we did in our email correspondence in November 2019, and, for such a large-scale development, this should be a buffer from the development boundary rather than from a central point. We asked what type of development was being proposed but didn't receive a response.

Visual impact - the report assesses potential direct impact of the development on the archaeological resource (relying heavily on the findings of a 2013 geophysics survey) but does not address the potential visual impact, both on heritage assets recorded in the vicinity and on the historic landscape. The proposed development is located within a Historic Landscape Character Area and in close proximity to the Registered Historic Landscape of Milford Haven Waterway (HLW (D)3), as defined by Cadw (1998). This requirement is outlined in the generic brief that we supplied to Orion Heritage Ltd last November.

Walkover survey - there is no reference or description of a walkover survey being undertaken, which we consider to be an integral part of such an assessment.

Archive and reporting - we require details on archive submission and the submission of the report to the HER – including reference to the Guidance for the Submission of Data to Welsh Historic Environment Records , which includes a requirement for a Welsh language summary.

Outdated planning policy is cited in paragraph 1.2 (later rectified in paragraph 2.9)

Geophysics survey - the report also raises another concern as the conclusions and recommendations for further archaeological mitigation are largely drawn from a geophysics survey undertaken in 2013. We can find no record of this geophysics report being received by the HER, as is standard good practice (ClfA Standard and guidance for archaeological survey, para. 3.4.6). This survey was commissioned on behalf of the developers by CgMs Consulting Ltd., who, as a ClfA Registered Organisation, should be well aware of their obligations to the historic environment.

The conclusions drawn from the geophysics survey may be appropriate but, until all aspects of the potential impact of the development on the historic environment have been adequately addressed and the report is prepared in accordance with the standard laid out by the ClfA, we are not in a position to make any recommendations to your Authority.

ID	Primary_Type	Secondary_Type	Location	Planning_Ref	Decision Date	Status	Previous Land Use	Notes	MI_PRINX	Capacity (MW)
20	Photovoltaic	Fixed Ground Mounted	West Farm, COSHESTON, Pembroke Dock, SA72 4UN	12/0050/PA	28/11/2012	Built	Agriculture	COMPLETED	116	13
22	Photovoltaic	Fixed Ground Mounted	Land East of Mylett's Hill, Golden Hill, Pembroke, Pembrokeshire	14/0129/PA	10/09/2014	Built			127	6



id	PlanningRef	Place	Hub Height (m)	Bladetip Height (m)	Scale	Status	Turbine MakeModel	Capacity_MW	X	Y
53	10/1068/PA	Warreston House, Cosheston	0	14.8	Small	Complete		0.006	199960.8	202361.9
53	10/1068/PA	Warreston House, Cosheston	0	14.8	Small	Complete		0.006	199960.8	202361.9
150	07/1348/PA	LONDON ROAD INDUSTRIAL ESTATE	0	15	VAT	Complete	Quiet Revolution	Not available	198276.9	203564.1
150	07/1348/PA	LONDON ROAD INDUSTRIAL ESTATE	0	15	VAT	Complete	Quiet Revolution	Not available	198276.9	203564.1
151	07/1348/PA	LONDON ROAD INDUSTRIAL ESTATE	0	15	VAT	Complete	Quiet Revolution	Not available	198287	203529.8
151	07/1348/PA	LONDON ROAD INDUSTRIAL ESTATE	0	15	VAT	Complete	Quiet Revolution	Not available	198287	203529.8
153	10/0794/PA	LONDON ROAD INDUSTRIAL ESTATE	0	20	VAT	Complete	Quiet Revolution	0.0164	198283.4	203548.3
153	10/0794/PA	LONDON ROAD INDUSTRIAL ESTATE	0	20	VAT	Complete	Quiet Revolution	0.0164	198283.4	203548.3
322	14/0550/NM	Milton Manor, Milton, Tenby	29.3	41.4	Medium	Complete		0.1	204045	201297
322	14/0550/NM	Milton Manor, Milton, Tenby	29.3	41.4	Medium	Complete		0.1	204045	201297
342	SC/0905/13	Land to the North West of Barn Hill Farm, The Ridgeway, Manorbier	36	47	Medium	Screening Opinion		Not available	203053	201072
342	SC/0905/13	Land to the North West of Barn Hill Farm, The Ridgeway, Manorbier	36	47	Medium	Screening Opinion		Not available	203053	201072
343	SC/0905/13	Land to the North West of Barn Hill Farm, The Ridgeway, Manorbier	36	47	Medium	Screening Opinion		Not available	203137	201015
343	SC/0905/13	Land to the North West of Barn Hill Farm, The Ridgeway, Manorbier	36	47	Medium	Screening Opinion		Not available	203137	201015

4 March 2020

Our Ref: NP/20/0082/OBS

Your Ref: DNS 3245065

Mr Christoher Sweet  
Planning and Environment Team  
Planning Inspectorate  
The Planning Inspectorate  
Crown Buildings  
Cathays Park  
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**Pembrokeshire Coas  
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Dear Sir,

**Town & Country Planning Act 1990 (as amended)**  
**Developments of National Significance (procedure) (Wales)**  
**Order 2016**  
**Town & Country Planning (Environmental Impact Assessment)**  
**(Wales) Regulations 2017**

**Proposal:** 22MW Solar Park and associated infrastructure.

**Address:** Blackberry Lane, Cosheston, Pembrokeshire.

**INTRODUCTION**

I write in response to your consultation regarding the above which relates to a scoping request under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The development proposed is for a Solar PV development, the installed capacity of the development is 22MW and it is therefore a Development of National Significance and jurisdiction for determination rests with the Planning Inspectorate. I trust that the below comments will be taken into consideration when determining the scope of the Environmental Statement to accompany any future application.

The site is approximately 36.9 hectares and is located around 120 metres from the boundary of the Pembrokeshire Coast National Park. It is considered to be within the setting of the National Park. Due to the scale and proximity of the development we wish to comment on this proposal as it appears to us that it has the potential to impact on the National Park.



*Rydym yn croesawu cael  
gohebiaeth yn Gymraeg a  
byddwn yn ateb gohebiaeth yn  
Gymraeg. Na fydd gohebu yn  
Gymraeg yn arwain at oedi*

*We welcome receiving  
correspondence in Welsh, and we  
respond to any correspondence in  
Welsh. Corresponding in Welsh  
will not lead to delay*

## **LEGAL AND POLICY CONTEXT**

### **The Environment Act 1995**

Section 63 of the Environment Act 1995 sets out the statutory purposes of the National Park as follows:-

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and
- To promote opportunities for the public understanding and enjoyment of the special qualities of the National Park

In accordance with section 62(2) of the Environment, any relevant Authority shall have regard to National Park purposes when performing any functions in relation to, or so as to affect, land in a National Park. Relevant Authorities include public bodies, government departments, local authorities and statutory undertakers.

### **Local Planning Policy**

The Pembrokeshire Coast National Park Authority Local Development Plan (PCNPA LDP), is the development plan for the National Park. Section 4.13 of the PCNPA LDP sets out that whilst the National Park is a landscape designation there are instances where strict application of the boundary in making decisions is not appropriate. As previously set out section 62 (2) of the Environment Act (1995) places a duty on government bodies to have regard to the National Park. 4.13 identifies that in commenting on proposals outside the National Park it will use Policy 1 National Park Purposes and Duty (Strategy Policy).

The Pembrokeshire Coast National Park Management Plan (2019) defines the special qualities of the National Park as:

- accessibility
- coastal splendour
- cultural heritage
- distinctive settlement character
- diverse geology
- diversity of landscape
- islands
- remoteness, tranquillity and wildness
- rich historic environment
- richness of habitats and species
- space to breathe
- the diversity of experiences and combination of individual qualities

The development plan for the application site is the Pembrokeshire Local Development Plan (2013) (PCC LDP). Particularly relevant to the consideration of impacts on the Pembrokeshire Coast National Park are policy GN.1 which states that development will only be permitted where it would not adversely affect landscape character, quality or diversity, including the special qualities of the Pembrokeshire Coast National Park and neighbouring authorities.

The impact of development on the special qualities of the National Park and the impact on the reasons for designating the National Park must therefore be considered within the scope of the Environmental Statement submitted in support of the application.

## **CONSIDERATION**

### Scope of EIA - landscape and visual impact on the National Park

The comments of the PCNPA on the scope of the Environmental Impact Assessment (EIA) are given below. Our comments have been restricted to the main areas where it is considered that there is likely significant environmental impact on the National Park, these relate to the landscape and visual impact of development, both for this individual project and due to cumulative impacts. We have not commented on other likely significant environmental impacts, any omission should not be considered as a view to the decision maker on whether we consider that other impacts exist or not.

We consider that an EIA should include within its scope a Landscape and Visual Impact Assessment. We note that this view is supported by both Natural Resources Wales<sup>1</sup> (NRW) and by the Welsh Government within their decision to screen the proposal as EIA development. The study area for the LVIA should be sufficient to ensure that important viewpoints within and into the National Park are appropriately identified. In particular the LVIA should appropriately consider the potential for cumulative impacts and the potential for significant in-combination impacts arising from the proposed development together with existing development. As noted by NRW we do not consider that what has been submitted in the Landscape and Visual Appraisal is sufficiently detailed to assess likely significant landscape and visual impacts. The comments regarding the LVA by NRW is also noted, in particular that there are potential for significant effects from views towards the NP that should be addressed in any EIA.

Mitigation of landscape and visual impacts, such as additional and new management regimes for the existing landscape features should be fully detailed within the proposal and the effectiveness of the approaches discussed in detail within the Environmental Statement.

### Further comments on the submitted LVA

*LVA Study area* -The LVA study area has been defined based on a Zone of Theoretical Visibility (ZTV). The ZTV does not indicate the height of the development used above ground level and indicates a viewer eye height of 2.0m. The ZTV shows that the site will be visible from a limited area within the National Park primarily to the north and north east. The extent of the study area appears to be justified based on the ZTV submitted. However, it is considered that for the purposes of assessing cumulative effects a wider study area should be used and a ZTV produced showing potential cumulative impacts.

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<sup>1</sup> Letter from NRW, dated 31 January 2020 (Ref CAS-107287-Q9G5)

*LVA View point selection* - The ZTV shows relatively limited areas of the National Park to the north and west of the site of the proposed development where at least part of the development will theoretically be visible. It is considered that viewpoints 7 and 9 would be representative of viewpoints in the National Park. It is noted that the area around Carew Castle is shown to be visible in the ZTV. It is suggested that a viewpoint from this location would be beneficial and could potentially demonstrate that the conclusion drawn in the LVA that impacts would be negligible at Carew is justified. Viewpoints 1, 2, 5 and 8 are considered representative of views into the National Park from points outside where the development would be present.

Overall it is considered that the viewpoint number and selection is largely appropriate and proportionate for assessing areas where landscape and visual impact might be significantly impacting on the National Park for this individual development. However additional information should be submitted to consider cumulative impacts with other developments.

*LVA assessment of impact on the Pembrokeshire Coast National Park* - The LVA identifies the presence of the National Park and does identify its special qualities. The approach taken in paragraph 6.32 to 6.34 of the LVA is not clear. At paragraph 6.34 it states that: "*Most of the special qualities of the National Park are judged to have low to no susceptibility, with only a small number judged to be of high susceptibility. On balance the National Park is judged to be of Medium susceptibility.*" It appears that some form of aggregating approach is taken to the susceptibility of the special qualities which allows for the reduction in the overall susceptibility of the National Park to be concluded as being medium (notwithstanding that some special qualities are concluded to be highly susceptible). This approach is disagreed with. In our view special qualities such as the National Parks sense of remoteness, tranquillity and wildness; and its diversity of landscape are all highly susceptible to detrimental impacts from this form of development. In our view the National Park is highly sensitive to this form of development and the LVA is flawed in respect to its conclusion of high/medium sensitivity.

*LVA Landscape Impact* – The comments in respect to this within the letter from NRW are fully endorsed.

*Mitigation of landscape and visual impact and landscape enhancement* – The PCNPA accepts that some aspects of the landscape and visual impact of this development can be mitigated. The supporting information has outlined the principles of how the site will be landscaped in the LVA. This information is limited primarily to a statement that "all perimeter hedgerows would also be managed to a height of 3.5m in order to visually contain the development and assisting its absorption into the surrounding landscape". Further consideration of other options for mitigation should be considered, this should include excluding elements of the site from development and creating more substantial landscape buffering features at the site than the existing hedgerows.

Based on the submitted LVA it is considered that the effectiveness of the landscaping at the site and its mitigation of landscape and visual impact are important to the acceptability of this scheme. Judgements on the effectiveness of mitigation are likely to be finely balanced and it is our view that landscaping should be more substantial than the boundary treatments proposed and that detailed information for approval should be available to the decision maker.

*Summary of opinion on LVA*

The methods behind the LVA's assessment of the impact on the National Park and support for the conclusions drawn are not considered to be fully justified and should be supported by specific considerations of any impact on the National Park's special qualities. An aggregating approach where an susceptibility of a single special quality to impact can be overlooked if others are not impacted is not considered appropriate.

The PCNPA accept that there is scope to mitigate the impact and provide enhancement to the landscape. But it is not clear that the landscaping would address all residual landscape and visual impact.

**CONCLUSION**

In conclusion, the PCNPA support the submission of a comprehensive Landscape and Visual Impact Assessment as part of the scope of an Environmental Impact Assessment. We have provided some comments on the information currently submitted and we would hope to see a revised and fully detailed LVIA submitted as part of an EIA supporting a future application.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'M Griffiths', is written over a horizontal line.

**Matthew Griffiths MRTPI**  
**Team Leader – Development Management**

*CC: Pembrokeshire County Council*

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Mr. Christopher Sweet  
The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

31 January 2020

Annwyl / Dear Mr. Sweet,

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016  
(AS AMENDED)**

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (WALES)  
REGULATIONS 2017 (AS AMENDED) ('THE REGULATIONS')**

**POTENTIAL DNS APPLICATION**

**SITE ADDRESS:** BLACKBERRY LANE, COSHESTON, PEMBROKESHIRE.

**PROPOSED DEVELOPMENT:** 22MW SOLAR PARK AND ASSOCIATED  
INFRASTRUCTURE.

Thank you for your letter dated 17 January 2020 requesting Natural Resources Wales's (NRW) views on whether the above proposed development is likely to have a significant environmental effect.

We have considered the following information:

- '*Blackberry Lane Solar Park: Request for Screening / Scoping Opinion*', dated January 2020, by Wessex Solar Energy Ltd.
- '*Blackberry Lane Solar Park: Preliminary Environmental Assessment Report (Volume 1)*', dated January 2020, by Wessex Solar Energy Ltd, and;
- '*Blackberry Lane Solar Park: Preliminary Environmental Assessment Report (Volume 2 - Figures)*', dated January 2020, by Wessex Solar Energy Ltd, and;

Despite the submission of this information we cannot confirm whether the proposal will have a significant environmental effect in relation to certain matters. Therefore, without the provision of further detail and clarification, we consider that the proposed development may have the potential to have significant environmental effects.

Our view on the likelihood of significant effect on each of the environmental interests identified, is set out below:

## **Landscape**

Within the Preliminary Environmental Assessment Report, is the document entitled: '*Landscape and Visual Appraisal for Blackberry Lane Solar Farm, Pembrokeshire*', dated November 2019, by Stephenson Halliday Ltd.

Having reviewed the information currently available to use, we wish to make the following comments:

The proposed site is comprised of 8 fields covering a total area close to 36.9 hectares, while the Pembrokeshire Coast National Park (PCNP) lies approximately 120-metres to the north of the site. The site also lies within the setting of the National Park.

The site boundaries are comprised of a mixture of trees and hedgerow, with a woodland block adjacent to the northern part of the site. We note that Section 5.5 and 5.6 of the Appraisal states that the boundaries would be retained and strengthened, with supplementary planting and managed to a height of 3.5-metres.

Although the Appraisal considers that there would be a short-term temporary loss of grassland, in visual terms, the majority of the grassland would be covered by solar panels. The Appraisal also considers the site to be enclosed, however the site is comprised of several large fields which are highly visible in a number of views, where boundary trees and hedgerows provide limited enclosure.

Section 2.5 the Appraisal states that Major and Major/Moderate effects are considered equivalent to significant effects in EIA Regulations. However, in relation to EIA, we would also wish to highlight that Moderate effects can also be considered significant.

Section 6.5 the Appraisal also considers that the residual effect on the landscape fabric would be beneficial due to the hedgerow improvements. However, this would depend on the future management of the following decommissioning.

The site lies within LCA25 (Hundleston & Lamphey) as defined in the Draft Pembrokeshire County Council Landscape Character Assessment. The Appraisal considers the potential effects on this Landscape Character Area to be Minor adverse.

However, there are a number of views within this area towards the National Park where the development is likely to be prominent with Major, Moderate/Major or Moderate effects likely, in our opinion.

The site also lies close to LCA28 (Daugleddau) as defined in the National Park's Landscape Character Assessment. Although within the National Park, this area is of High/Medium sensitivity, due to its enclosed nature with woodland and hedgerows.

The Appraisal considers the potential effects on this LCA to be Moderate adverse. Visibility from this area, within the National Park is considered in the Appraisal to be limited and localised due to intervening landform and hedgerow/tree cover. Nevertheless, there are views in which the development would be highly visible, with likely Major or Major/Moderate effects, likely in our opinion.



The Appraisal considers the effects on the National Park Purposes and Special Qualities to be Minor adverse. The requirement to have regard to the purpose to conserve and the enhance natural beauty applies within the setting as well as within the National Park. Adverse effects on views towards the park have the potential to detract from the natural beauty of the park.

Although Section 2.10 of the Appraisal mentions the presence of two existing solar farms to the north west and south east of the site, we do not consider that the Appraisal has given sufficiently detailed consideration to the potential cumulative effects, from these existing developments.

**Therefore, we advise that an assessment of Landscape and Visual Cumulative effects should be included as part of a full Landscape and Visual Impact Assessment, for this proposal.**

To conclude, we consider that:

- The development would be prominent in some views towards the National Park (1, 2, 5 & 8) and from viewpoints within the park (4 & 7).
- The proposal has the potential for significant adverse visual effects in views towards and from the National Park and on its setting.
- Effects on the landscape character within the National Park are unlikely to be significant in our opinion.

## Geoscience

The site is located on karstic Carboniferous Limestone which has been designated as a Principal Aquifer, able to support large abstraction for public water supply. The site is also located within a Source Protection Zone 1 (SPZ1) for a public water supply at Milton.

We note that the construction phase of the development will involving running electrical cables below ground, while the operational phase of the development would involve the presence of an oil-filled transformer (*although we note that this will have a specifically designed containment system / bund to ensure that any accidental leak cannot discharge to the environment*).

Given the sensitivity of groundwater at this site we advise that further information is provided as part of any future planning application in relation to whether the development would involve the use of any fluid-filled cables, or whether the development could impact upon any existing fluid-filled cables, which may cross the site.

Within the guidance document entitled; '*Approach to Groundwater Protection*', issued by the Environment Agency (and adopted by Natural Resources Wales), there is a position statement relating to the use of fluid filled cables within SPZ1. If fluid filled cables are used on site we would object to their use, as per the position statement.

Where there is an existing or unavoidable need for pipelines, or fluid filled cables to pass through SPZ1 or SPZ2, operators are expected to adopt Best Available Technology (BAT) and operate in accordance with the Energy Networks Association guidance.

Therefore, we recommend that these matters are clarified in order to allow NRW to provide full comments.

## European Protected Species

The Preliminary Ecological Appraisal (*dated November 2019*), by Environmental Solutions Ltd includes details of desktop surveys and an Extended Phase 1 Habitat Survey, of the site which took place on the 24 June 2019.

### Bats

Section 4.10 of the Appraisal states that: *'some boundary trees contained features that would be considered suitable for use by roosting bats (see Target Notes 3, 4, 5, 13 and 15).'*

It goes on to say that; *'It is considered likely that the boundary features across the site would be used by commuting bats.'*

However, it is unclear whether there are any trees with potential roosting features (PRF's), across the rest of the development site, or whether any such trees would be impacted by the development. This needs to be clarified.

Should the development require the removal of any trees, then these should also be assessed for potential bat roosting features. Trees identified as having moderate or higher bat potential features will require further inspection, such as tree climbing and/or endoscope inspections. These surveys/assessments will be required, prior to determination of any future planning application.

Any surveys to be undertaken should be carried out in accordance with best practice guidance and by suitably licenced and experienced ecologists.

### Dormouse

Section 4.11 of the Preliminary Ecological Appraisal, states that; *'the hedgerows on the site are of low to moderate quality but do contain hazel and honeysuckle and have good links to adjacent woodland and hedgerows habitat, which has potential to support dormouse.'*

However, the desk study did not return any records of dormouse within 3 km of the site. Therefore, providing that a precautionary 5-metre stand-off from suitable hedgerows is maintained, as suggested in Section 5.10, then we do not anticipate any likely significant effect in relation to the species.

We also advise that addition information / confirmation should be provided in relation to any lighting that will be used / in-place during the construction and operational phase of the development. The inappropriate siting or use of lighting can result in impacts upon protected species. Therefore, it should be ensured that dark corridors are maintained along hedgerows and other boundary features.

## Other Protected Species

### Badger

Section 4.9 of the Preliminary Ecological Appraisal identifies field signs of badger including: tracks snuffle holes and push throughs at fence lines, occasionally throughout the site.

Of note was the presence of a well-used track through a hedgerow at the south site of the site.

Although, no evidence of setts was noted within the site boundary it is acknowledged that the land is currently used by badger for foraging and commuting. However, Section 5.8 does acknowledge that a full badger survey was not undertaken.

Section 5.8 also goes on to recommend that any works likely to impact upon hedgerows across the site should be preceded by a survey to fully assess the presence / absence of badger at the site.

The development also has the potential for badgers to get trapped within, or be excluded from, the site, during both the construction and operations phases, if it is fenced. Therefore, we advise that mitigation measures (*i.e. the addition of gaps or 'badger-gates' to any security fencing*), should be considered to mitigate any effects / impacts, by allowing continued access and foraging across the site.

Badgers and their setts are protected under the Protection of Badgers Act 1992. It is an offence to kill, injure or take any badger or to disturb a badger whilst it occupies a sett. It is also an offence to damage, destroy or obstruct access to a badger sett.

If development is to take place within 30m of a badger sett then a licence may be required under Section 10 (d) of the Protection of Badgers Act 1992 before any development can proceed.

### **Protected Sites**

The following protected sites are within 2 km of the application site.

- Pembrokeshire Marine Special Area of Conservation (SAC)
- Carew Castle Site of Special Scientific Interest (SSSI)
- Milford Haven Waterway Site of Special Scientific Interest (SSSI)

We do not consider that there are likely to be any significant effects to the features of these protected sites as a result of this proposal.

### **Watercourses**

We do not consider that the proposal is likely to have significant effects on the watercourses in the vicinity, providing that appropriate buffer zones along watercourses are put in place, along with the implementation of robust pollution prevention measures during construction, to mitigate any impacts to water quality.

### **Other Matters**

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.

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

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.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

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

Yn gywir / Yours faithfully

**Aled Roderick**  
**Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning**  
**Cyfoeth Naturiol Cymru / Natural Resources Wales**

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Eich cyfeirnod Your reference	3245065
Ein cyfeirnod Our reference	
Dyddiad Date	13 February 2020
Llinell uniongyrchol Direct line	0300 025 0566
E-bost Email:	<a href="mailto:Cadwplanning@gov.wales">Cadwplanning@gov.wales</a>

Dear Gemma

**PROPOSED DEVELOPMENT: EIA Scoping - 22MW Solar Park and associated infrastructure**  
**LOCATION: Blackberry Lane, Cosheston, Pembrokeshire**

Thank you for your email of 11 February asking for Cadw's view on the above.

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

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

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

**Listed Buildings:**

5937	Carew Castle	I
5938	The Carew Cross	I
5942	Carew Inn	II
5943	No. 9 Picton Terrace, Carew Village, Tenby, DYFED, SA70 8SL	II
5955	St Michael's Church	II
5956	Hill House and Garden Wall	II
5957	Paskeston Hall	II
5988	Church of St Mary	II
5989	Upper Nash Farmhouse	II
6309	Bangeston Hall	II
6603	Castle Lodge	II

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

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

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

6604 No. 6 Picton Terrace,Carew Village,Tenby,DYFED,SA70 8SL	II
17266 Brewery Inn	II
17267 Funeral Car Tenement	II
17270 Little Mayeston	II
17271 Lower Nash Corn Mill	II
18198 Castle Entrance Gatepiers and Old Cobbler's Shop	II
18199 No 1 & 2	II
18201 Old Stable Cottage	II
18202 No. 5 Picton Terrace,Carew Village,Tenby,SA70 8SL	II
18203 No. 7 Picton Terrace,Carew Village,Tenby,SA70 8SL	II
18204 No. 8 Picton Terrace,Carew Village,Tenby,SA70 8SL	II
18219 Milepost near Carew Cricket Ground	II

#### **Scheduled Ancient Monuments:**

PE001	Carew	Castle
PE009	Carew Cross	

#### **Registered Historic Parks and Gardens:**

PGW (Dy) 34(PEM) Lamphey Bishop's Palace & Lamphey Court (grade II\*)  
PGW (Dy) 45(PEM) Upton Castle (grade II)

The request for a scoping direction was accompanied by a screening/scoping report produced by Wessex Solar Energy and also by a plan showing the Zone of Theoretical Visual Impact for the proposed solar farm. The above designated heritage assets are located inside 3km of the proposed solar farm and are inside the submitted ZTV. As such there is a potential for the solar farm to have an impact on the settings of the above designated heritage assets and it is noted that screening/scoping report indicates that the level of impact will be assessed before the application is submitted.

We note that a Preliminary Environmental Assessment Report has been produced but this does not appear to have included an assessment of the impact of the proposed solar on the setting of the designated heritage assets carried out in accordance with the Welsh Government guidance given in the document "The Setting of Historic Assets in Wales", which the screening/scoping report states will be carried out. This will need to be carried out as part of the full EIA and we would expect all of the designated heritage assets listed above to be the subject of a stage 1 assessment which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific heritage assets.

Yours sincerely

Jenna Arnold  
Diogelu a Pholisi/ Protection and Policy