

**Cyngor Sir Caerfyrddin
Carmarthenshire County Council**

**PWYLLGOR CYNLLUNIO
PLANNING COMMITTEE**

**Adroddiad Pennaeth Cynllunio
Adran yr Amgylchedd**

**Report of the Head of Planning
Environment Department**

23/11/2021

**I'W BENDERFYNU
FOR DECISION**

Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	23/11/2021
REPORT OF:	HEAD OF PLANNING

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL
PL/02768	PROPOSED CHARGING FACILITY FOR 8NO. ELECTRIC BUSES AND A SMALL SINGLE STOREY WELFARE/OFFICE BUILDING FOR THE DRIVERS WITH ASSOCIATED PARKING FOR THEIR VEHICLES AT CARMARTHEN PARK AND RIDE, LLYSONNEN ROAD

REF.	ADDITIONAL ITEMS
DNS/00709	PROPOSED GROUND-MOUNTED SOLAR FARM, CAPACITY OF CIRCA 36 MW OVER 65 HECTARES OF LAND WITH A LIFESPAN OF UP TO 40 YEARS. BRYN Y RHYD SOLAR FARM, LLANEDI, SWANSEA, SA4 0FD

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	PL/02768
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Application Type	Full Planning Permission
Proposal & Location	Proposed charging facility for 8no. electric buses and a small single storey welfare/office building for the drivers with associated parking for their vehicles at Carmarthen Park and Ride, Llysonnen Road

Applicant(s)	Carmarthenshire County Council
Agent	Robert Davies Asbri Planning
Case Officer	Gary Glenister
Ward	Carmarthen Town South
Date registered	13/10/21

Reason for Committee

This application is being reported to the Planning Committee as Carmarthenshire County Council has a financial and land ownership interest.

Site

The application site is part of the existing "Park and Ride" site at Nant y Ci. The Nant y Ci site is to the West of Carmarthen and has been operating for approx. 14 years and benefits from good accessibility to the trunk road network.

The site is to the South of the A40 and North of the main railway line. The site has the Mart and Showground to the West and Veterinary centre to the East served from the same access. The village of Llanllwch is to the South East beyond the railway.

The site is flat with a mix of tarmac and gravel and has no ecological or habitat features.

Proposal

The application seeks full planning permission for eight electric charging points for buses, comprising four charging stations along with associated wash down area, ten car parking spaces and staff welfare building. The site is proposed to be served by a geocellular drainage system to address surface water.

The bus charging points are to facilitate the electrification of existing services between Carmarthen and Aberystwyth (Traws Cymru T1 Bus Route).

The amenity building measures 17.99m by 5.165m and is proposed to accommodate a Crew Room, Office, WC, Shower Room, Cleaner Store and Meeting Room. The building has a

mono-pitch roof incorporating solar panels with a maximum height of 3.57m. Externally, the building is proposed to be timber clad with aluminium windows.

The scheme would necessitate reduction of the existing car parking spaces with adjustment of the parking spaces. This will necessitate a further application for these changes as they are outside the application site and relate to the wider Park & Ride site.

Planning Site History

The following previous applications have been received on the application site:

- W/22980 Amendment of Condition No.3 of Permission W/18455 Under Section 73A of the Town & Country Planning Act 1990. Temporary Park & Ride Facility (Extension to the Temporary Period for a further Sixty Months).
Full Planning Permission 22 July 2010.
- W/18455 Amendment of Condition No. 4 of planning permission W/14331 Under Section 73A of the Town & Country Planning Act 1990 - Temporary Park & Ride Facility (Extension to the Temporary Period for a further Twenty Four Months).
Full Planning Permission 17 April 2008.
- W/14331 Proposed Eighteen Month Temporary Park & Ride Facility.
Full Planning Permission 9 January 2007.

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces

SP2 Climate Change

SP9 Transportation

GP1 Sustainability and High Quality Design

TR3 Highways in Developments - Design Considerations

EQ4 Biodiversity

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in Future Wales, [Planning Policy Wales](#) (PPW) Edition 11 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – Has no objection subject to the imposition of appropriate conditions.

Head of Public Protection – Has no objection to the proposed development.

Natural Resources Wales – Has no objection subject to the imposition of an appropriate condition.

Dwr Cymru/Welsh Water – Has no objection to the proposed development.

Sustainable Drainage Approval Body - Has no objection to the proposed development.

Carmarthen Town Council – Supports the proposal.

Local Member(s) - Councillor A Lenny is a member of Planning Committee and has not made prior comment. Councillor GH John has not commented to date.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of 2 Site Notices.

No representations have been received to date.

Appraisal

Sustainability

The proposal is to use part of an existing car park to accommodate charging points for eight electric buses along with associated car parking, washing and staff welfare facilities. The development would allow for the electrification of the Traws Cymru T1 Bus Route between Carmarthen and Aberystwyth.

The County Council has declared a climate emergency and has committed to net zero carbon by 2030, so the proposal on Council owned land is in line with these aspirations. The decarbonisation of Wales, and specifically the facilitation of vehicle charging points is being promoted through national planning policy contained in Future Wales and Planning Policy Wales Edition 11.

Amenity

The proposal is not likely to have an adverse impact on third parties given the location and the quiet nature of the buses being proposed to operate from the site.

Highways

The Head of Transport has no objections to the use of part of the existing “Park & Ride” car park as a charging facility for electric buses. The site is close and well related to the trunk road network and is not considered likely to have an adverse impact on highway safety.

Planning Obligations

Not Applicable.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle

through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the proposed electric bus charging facility is in line with the Council ambitions on sustainability and is not likely to have an adverse impact on amenity or highway safety. The scheme is considered to be in accordance with the above policies and therefore recommended for approval.

Recommendation – Approval

Conditions and Reasons

Condition 1.

The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason:

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

Condition 2.

The development hereby permitted shall be carried out strictly in accordance with the following schedule of plans received 30 September 2021

- 1:1250 scale Location Plan. Drawing No. 001A
- 1:250 scale Topographic Survey. Drawing No. 002
- 1:250 scale General Arrangement Plan. Drawing No. 003
- 1:250 scale Drainage Master Plan. Drawing No. 004
- 1:250 scale Drainage Master Plan. Drawing No. 005
- 1:100 scale Proposed Plan & Elevations.

Reason:

In the interests of visual amenity in accordance with Policy GP1 of the LDP.

Condition 3.

The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking and turning facilities is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety in accordance with Policy TR3 of the LDP

Condition 4.

The access and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.

Reason:

In the interests of highway safety in accordance with Policy TR3 of the LDP

Condition 5.

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. In the interests of public protection in accordance with Policy GP1 of the LDP.

Notes/Informatives

Note 1.

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Note 2.

Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website.

ADDITIONAL ITEMS

Application No	DNS/00709 (PEDW Ref: DNS/3260565)
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Application Type	Development of National Significance (DNS)
Proposal & Location	PROPOSED GROUND-MOUNTED SOLAR FARM, CAPACITY OF CIRCA 36 MW OVER 65 HECTARES OF LAND WITH A LIFESPAN OF UP TO 40 YEARS. BRYN Y RHYD SOLAR FARM, LLANEDI, SWANSEA, SA4 0FD

Applicant(s)	PEGASUS GROUP - CHRISTINE MCNULTY
Agent	BRYNRHYD SOLAR FARM LIMITED
Case Officer	Gary Glenister
Ward	Hendy
Date of validation	

Introduction

A Development of National Significance (DNS) has been submitted to Welsh Government for a solar renewable energy scheme within Carmarthenshire. The site is in the Loughor valley to the North of the village of Llanedi. Under the DNS procedure, Carmarthenshire County Council is not the determining body, however it is a key consultee in the process.

The following is an information item regarding the Llanedi scheme which covers a site with land in both the Tygroes and Hendy electoral wards.

As a consultee, this authority is required to produce a Local Impact Report (LIR) which is a technical report highlighting potential local impacts that will need to be assessed by a Planning Inspector who will make a recommendation to the Welsh Government. If Planning Committee wishes to make representations expressing a view to Welsh Government it can do so under a separate cover by the 2nd December 2021.

This report is for information only and if Planning Committee wishes to make observations to Welsh Government these will be noted in the minutes of this meeting.

The (Interim) Head of Place and Sustainability seeks delegated authority to submit the Local Impact Report on behalf of the Council.

The Site

The application site totals 65ha and is split either side of Heol Troeon Bach which runs between Llanedi to the South and Tycroes to the North. The land is predominantly improved grassland within well defined hedgerows and field enclosures. The host landscape is characterised by a patchwork of fields and woodlands forming the mid slopes of the Loughor valley.

The Eastern part of the site is within the Loughor Valley Special Landscape Area as defined in the Local Development Plan (LDP). The valley is best viewed from the upland landscape feature to the East known as Graig Fawr which is beyond the County boundary.

Access to the site would be primarily from the B4297 Ebenezer Road which is an existing farm access and is currently used for large agricultural vehicles. The part of the site to the East of Heol Troeon Bach would be accessed via the Western section, however vehicles would have to use a short 115m section of Heol Troeon Bach, to cross between the two sections of the site.

Public Footpath 34/24 and 34/25 go through the Western section of the site. The route has been identified on the layout so that it is not obstructed.

The site is to the South of the existing Clawdd Ddu solar park with the approved DNS to the North and North East which has not commenced on site.

The Proposed Overview

The scheme constitutes a solar park with associated grid connection infrastructure. The design capacity is 30MW peak of renewable energy over a period of 40 years with a grid connection into the existing Heol Ddu sub-station to the South of Tycroes.

The applicant estimates that the proposal would generate renewable electricity for over 10,600 homes per year which is equivalent to displacement of 15,000 tonnes of CO₂ per year based on industry figures provided by Solar Energy UK.

Solar panels are proposed to be mounted on frames to form what are known as arrays. Arrays vary in length and have a height of 2.75m spaced at 8m intervals. They are orientated to the south with a tilt angle of 15 degrees to horizontal to maximise solar gain. The site is not flat, so the proposed arrays would follow the topography of the land as seen on the Clawdd Ddu site to the North.

Electricity generated by the solar panels is proposed to feed into inverters which are connected by cable to 7 converters shown on the plan, located through the scheme. The electricity is proposed to be routed to a sub station centrally located which in turn is proposed to feed to the National Grid at the sub station at Heol Ddu to the north of the site via a cable route which is along Heol Troeon Bach.

The proposal is set within a 2m deer fence with CCTV cameras on 3m poles to provide surveillance.

The application has been screened under the EIA regulations and it was deemed that an Environmental Statement is necessary and has therefore been submitted for assessment.

The submission includes the following:

- Planning Statement
- Design and Access Statement
- PAC Report
- Environmental Impact Assessment
- Environmental Impact Assessment – Technical Appendices
- Environmental Impact Assessment - Non Technical Summary
- Plans
- Glint and Glare Study.
- Residential Visual Amenity Assessment

The main material considerations are highlighted below.

THE MATERIAL CONSIDERATIONS

Climate Change

There is general support for renewable energy in local and national policy and guidance, provided all other matters are satisfactorily addressed. The policy framework is set out in the submission. The Welsh Government has set targets for renewable energy production in the National Plan 2040 called 'Future Wales'. This is the highest tier of planning policy and is a material consideration. Policy 17 sets out the general policy and Policy 18 sets out the criteria for determining DNS. For information the national policies are set out below.

Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure

The Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs.

In determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency. In Pre-Assessed Areas for Wind Energy the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development (including repowering) in these areas, subject to the criteria in policy 18.

Applications for large-scale wind and solar will not be permitted in National Parks and Areas of Outstanding Natural Beauty and all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment.

Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities.

New strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities. The Welsh Government will work with stakeholders, including National Grid and Distribution Network Operators, to transition to a multi-vector grid network and reduce the barriers to the implementation of new grid infrastructure.

Policy 18 – Renewable and Low Carbon Energy Developments of National Significance

Proposals for renewable and low carbon energy projects (including repowering) qualifying as Developments of National Significance will be permitted subject to policy 17 and the following criteria:

1. outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty);
2. there are no unacceptable adverse visual impacts on nearby communities and individual dwellings;
3. there are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons of Overriding Public Interest (IROPI) and appropriate compensatory measures have been secured);
4. there are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species;
5. the proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity;
6. there are no unacceptable adverse impacts on statutorily protected built heritage assets;
7. there are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance;
8. there are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T);
9. there are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation;
10. the proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources;
11. there are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.

The cumulative impacts of existing and consented renewable energy schemes should also be considered.

Future Wales Policy 17 sets out the national target which Welsh Government is seeking to achieve and Carmarthenshire County Council has itself declared a climate emergency and is seeking to be a net zero carbon local authority by 2030.

The principle of generating renewable energy is therefore well established in both Wales and Carmarthenshire provided it is in the right place and the impact is not so great as to clearly outweigh other considerations. It will therefore be the role of the Council as consultee, to highlight any local impacts so that Welsh ministers can assess them and determine the scheme in accordance with national policy and guidance.

ENVIRONMENTAL IMPACTS

A formal Environmental Impact Assessment (EIA) was deemed necessary under the EIA Regs and will be subject to scrutiny as part of the examination process. The topics are summarised as follows:

Landscape and Visual Impact

The submitted EIA includes a detailed analysis of the impact of the proposal on the landscape, including LANDMAP appraisal, zones of theoretical visibility and photo montages of key viewpoints.

In summary, the site is predominantly improved pasture field enclosures within defined boundaries and these boundary features are not proposed to be removed. The scheme proposes to protect and reinforce these landscape features. The submission states that once de-commissioned, the legacy will be an enhanced landscape.

A cumulative plan has been produced so that the proposal can be seen in the context of the existing and the approved schemes which are in close proximity to the site. It is noted that the site is close to the Clawdd Ddu solar park which is operational and the approved Tycroes DNS which is not yet built. There are also solar schemes in Saron and Capel Hendre which are operational and an approved smaller scheme south of Capel Hendre Industrial estate.

It is acknowledged that the site falls partly within the locally defined special landscape area and it is noted that some of the field enclosures within this designation have been removed since the original scheme was submitted for pre application advice.

Landscape and visual impact are material planning considerations which need careful assessment and in particular the potential cumulative impact will be highlighted as part of the local authority submission and carefully assessed by Welsh Government in the examination process.

Residential Amenity

An assessment of residential amenity has been undertaken by the developer. Surrounding properties have been assessed and the scale and nature of the proposal is such that a major or moderate visual impact is likely at six locations. One such location (Bryn y Rhyd) is financially involved in the scheme so is discounted. The developer's more detailed assessment shows that the panels would be visible however there would be no overbearing, overwhelming or oppressive impact on residential amenity. Photo montages have been produced for the properties most affected. This is a material consideration that will be highlighted as part of the local authority submission and carefully assessed by Welsh Government in the examination process.

Ecology and Habitat

The EIA contains detailed reports on ecology and habitat within the application site which will be scrutinised through the examination process.

It is proposed to enhance the biodiversity of the land between and around the solar arrays to form species rich swards of grassland and manage the hedgerows for biodiversity.

A Landscape and Ecology Management Plan (LEMP) has been submitted which gives details of how the above is proposed to be implemented and thereafter managed.

Caeau Mynydd Mawr

It is noted that part of the proposal is within the Caeau Mynydd Mawr SPG area however a contribution under the Caeau Mynydd Mawr SPG is generally considered unnecessary for solar development. This will be scrutinised through the examination process.

Arboriculture

An arboriculture impact assessment has been carried out and a detailed tree protection plan has been submitted to demonstrate that trees and hedgerow will be protected during construction with only minor removal of hedgerow (24m over four locations) is required to facilitate access between field enclosures. The report states that swales etc are situated outside root protection areas and a method statement will be produced to ensure that trees are not affected. Where hedgerow is proposed to be removed, a scheme of translocation will be suggested.

Archaeology and Cultural Heritage

The site does not directly affect Listed Buildings or Scheduled Ancient Monuments (SAM) within the application site. However, it is noted that there are SAM on the high ground to the East beyond the County boundary and a standing stone at Bryn y Rhyd to the North West, so the impact and intervisibility will need to be assessed. There are also several Listed Buildings surrounding the site which need to be considered.

Socio Economic

The scheme is a £24million direct capital investment with an eight month construction period. 67 direct and indirect construction jobs will be created or supported with £4.5m gross value added over the eight month construction period. In respect of the operational phase, the application states that there would be 5 net additional jobs created with £0.5million gross added value to the Carmarthenshire economy per year over the 40 year operational lifetime of the development.

Glint and glare

The application has been accompanied by a glint and glare assessment. The analysis examined 55 dwellings within 1km of the site and the B4297 Ebenezer Road which is also within 1km of the site. The minor C class road is not included. A moderate impact has been identified for a number of properties which would have an impact early morning for approximately 3 months of the year. Further analysis has been carried out of these properties and it has revealed total or partial screening of the site from the properties. Mitigation is not considered necessary for the properties affected, however this will be scrutinised as part of the examination process.

HIGHWAYS

The access and delivery route is from the M4 junction 49, along approx. 2.5km of the A483 and onto the B4297 via the existing junction which has a right turn lane. Access to Bryn y Rhyd is less than 1km from the junction with the A483 and this will form the main access for

deliveries and staff during the construction phase. Access to the Eastern site is proposed to be via the main site, however traffic would have to use approx. 115m of Heol Troeon Bach to link the two sections of the site, necessitating some gateway and highway improvements. This is not in the scope of the EIA, however this has been assessed at pre application stage and a detailed response will be forwarded to the Welsh Government as part of the Local Authority submission.

Conclusion

Any potential impacts will have to be weighed against local and national policy and targets on renewable energy as set out in Future Wales. The Local Impact Report will highlight local impacts and will be scrutinised by an Inspector who will make a recommendation to the Welsh Ministers who will determine the application. The determination procedure will be agreed once this consultation period is completed and the representations have been assessed. It could be in the form of a hearing, examination of written representations or a combination of the two.

Should Committee wish to make a representation independently of the LIR it can do so, and any comments made by Committee will be compiled, minuted and passed on to the Welsh Government under a separate cover from the LIR. Any representations from individual Local Members need to be submitted by the 2nd December 2021.

RECOMMENDATIONS

1. To note this information report and give the (Interim) Head of Planning [Place and Sustainability] delegated authority to submit a Local Impact Report.
2. To consider whether it wishes to make a representation separately from the LIR and if so, comments will be compiled and minuted for submission as a representation.