

Date/Dyddiad: 19 August 2014

Ask for/Gofynwch am: Mr. I. Robinson

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Your Ref/Eich Cyf:

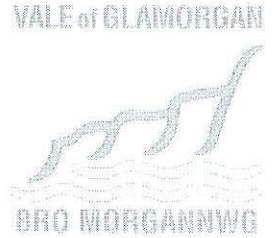
My Ref/Cyf: P/DC/IR/2014/00124/PRE

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ASP Marine	
Rec'd on: 26-08-14	
Action by: Mrs	On:

Dear Madam,

**Town and Country Planning Act, 1990 (as amended)**  
**Application No. 2014/00124/PRE**  
**Proposal: Solar Farm**  
**Location: Barry Port**

I refer to your correspondence received on 23 July 2014, concerning the above and your request for pre-application advice. Having considered the nature of submission in detail, I respond as follows.

Local Context and Constraints

The application site is land at Barry port, which is currently largely unused but occupied in part by various miscellaneous uses including an inert waste recycling operation and a coal yard. It measures 51 acres as a whole and is predominantly surrounded by other industrial uses.

Relevant Planning History

From an examination of our records, the application site/ property has the following relevant planning history:

- None relevant to this proposal.

Relevant Planning Policies

In addition to national guidance contained within Planning Policy Wales, any application would be considered against the Policies within the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011, details of which are available on the Council's web site by visiting [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk). The relevant policies would include:

- ENV 16- Protected Species
- ENV 17- Protection of the Built and Historic Environment
- ENV 27- Design of New Developments.
- ENV 29- Protection of Environmental Quality.

Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg

Robert Thomas, Director of Development Services/ Cyfarwyddwr Gwasanaethau Datblygu

- EMP 1- Land for Employment Uses.
- EMP 2- New Business and Industrial Development
- EMP 4- Protection of Land for Employment Uses
- COMM 8- Other Renewable Energy Schemes.

In particular, Policy COMM 8 states that proposals for renewable energy schemes will be permitted if the following criteria are met:

- The proposal has no unacceptable effect on the immediate and surrounding countryside.
- The proposal has no unacceptable effect upon the sites of conservation, archaeological, historical, ecological and wildlife importance.
- Adequate measures are taken, both during and after construction, to minimise the impact of the development on local land use and residential amenity.

National Planning Guidance of relevance would include:

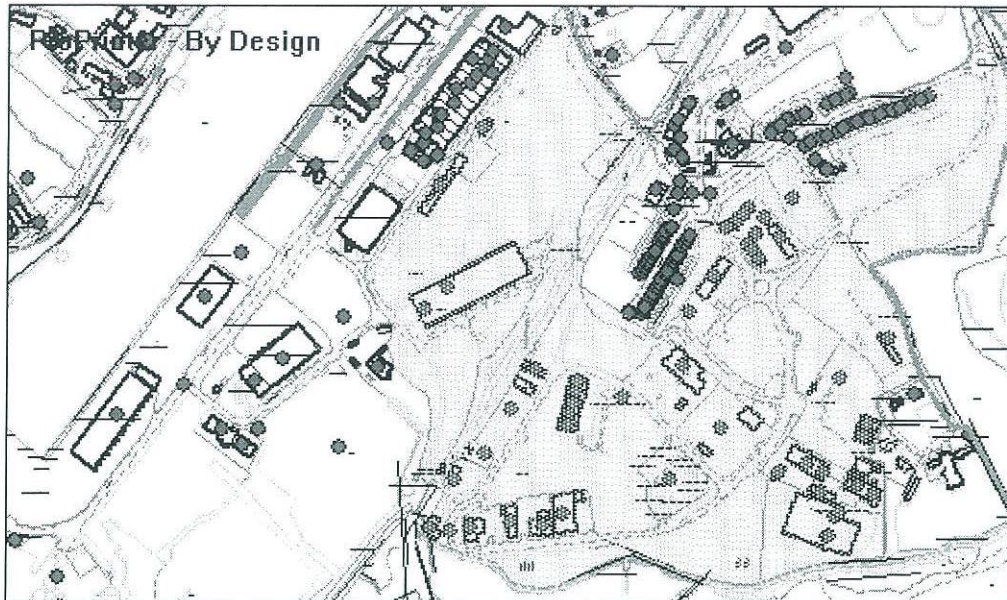
- Technical Advice Note 8 – Renewable Energy
- Technical Advice Note 12 – Design
- Technical Advice Note 15 - Development & Flood Risk
- Planning Policy Wales 7th Edition

### Analysis of Proposal

#### The principle of the development

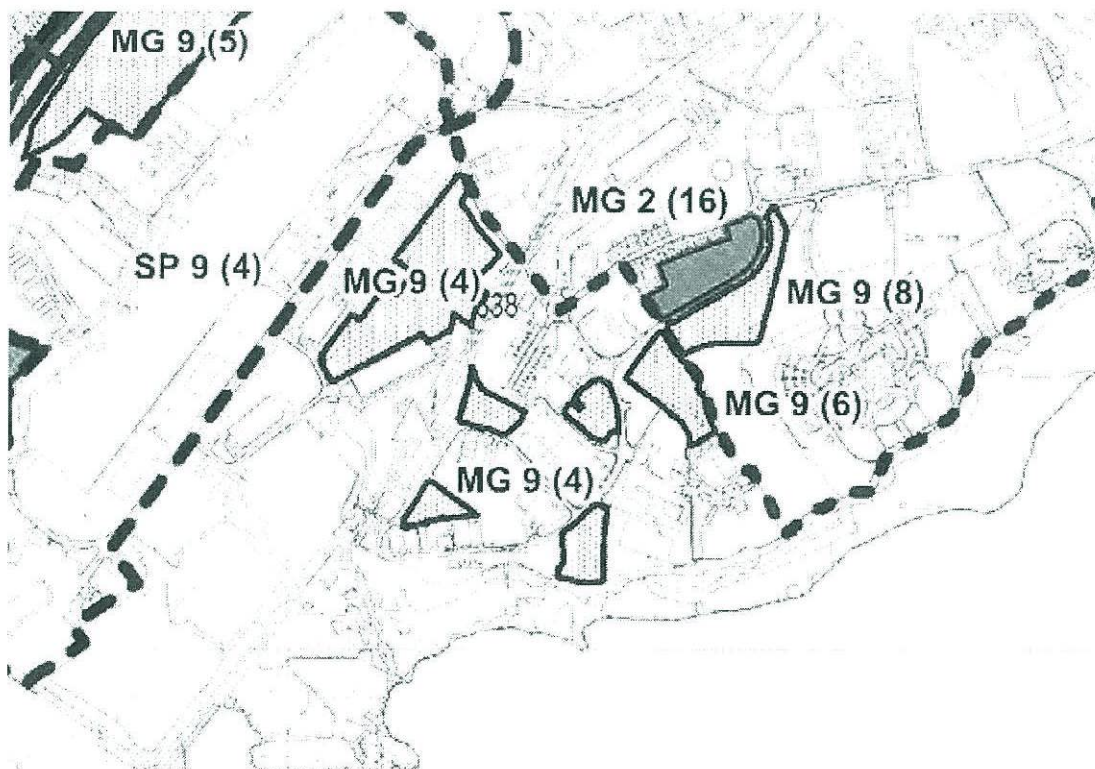
Policy COMM 8 of the UDP is centrally relevant and provides the criteria to assess this proposal. This policy is broadly supportive of renewable energy schemes, provided there are no unacceptable impacts on the character of the area, ecology, archaeology etc.

However, as discussed at the meeting, the main issue in terms of the principle of the development will be how the development affects employment land supply. Site 2, outline in purple of your submissions, forms part of an employment land allocation as defined in the Council's UDP, that being land allocated for B1, B2 and B8 uses under policy EMP 1. Policy EMP 4 seeks to protect allocated employment land for such uses and any non B1, B2 or B8 proposal for the use of that land would be contrary to that policy. A very small part of Site 1 (outlined in green on your submissions) also lies within this employment allocation. The UDP employment allocation is shaded pink on the plan below:



As noted above and as discussed at the meeting, there would be a policy objection to any solar farm within this land and if any application were to be considered for approval, it would need to be demonstrated that the proposals would not unacceptably impact upon employment land supply in the area. Similarly, as also referred to at the meeting, any submissions should demonstrate why alternative land in your ownership that does not form part of such an allocation is not suitable/available.

The land below shows the proposed employment allocation in the developing Local Development Plan and this shows an area of this allocation (shaded pink) also lies within your Site 2.



However, contrary to what I advised you at our meeting, it is evident that Site 1 does not lie within a proposed employment allocation. My apologies

for any confusion this may have caused- I can confirm that Site 1 does not lie within allocation MG9 (4), as indicated on the plan above.

Therefore the principle of a solar development on Site 1 would not be contrary to the Council's employment policies (UDP or LDP), save for the small proportion of Site 1 which overlaps the UDP allocation. It is considered that a solar development within Site 2 would be contrary to the LDP background paper on employment land, similarly to the UDP policy objection referred to above.

### Visual Impact

The development would be located within a predominantly industrial context, as opposed to a green field rural location which has been more typical of such applications in the Vale. While an application should provide a form of landscape assessment of the visual impact on the proposal, at this pre-application stage I would not raise any fundamental concerns in respect of visual impact, given the relatively low lying form of the development and the heavily industrial surrounding context.

### Highways issues

The main highway impacts associated with the development would be during the construction phase, given that maintenance trips are generally relatively limited once the development is operational. The highway network to the site does not appear to be problematic in principle and the access into the site from the highway appears to benefit from adequate visibility. If the development were approved, it is likely that there would be a condition requiring a construction traffic management plan to be approved, therefore, you may wish to give consideration now as to what route construction vehicles would take, timings of trips etc.

However, there are no in principle concerns with the proposal at this stage from a highways perspective.

### Ecology

You have advised that you are in discussion with the Council's Ecology Officer in respect of reptiles and the level of detail that is required with the application. Should you require feedback on any further drafts to the ecology report, please submit this to me and I will consult the Ecology officer. However, based on your initial discussions, it does not appear that there are any fundamental ecology issues prohibiting the development.

### Archaeology/heritage issues

There is a scheduled ancient monument (round barrow) within/adjacent to the site, and this would need to be considered as part of any application. I would advise you to contact Glamorgan Gwent Archaeological Trust (GGAT) prior to submission, to establish what level of work they would require to support the application, in order to demonstrate to them that the monument would not be adversely affected. GGAT can be reached on 01792 634222.

### Impact on residential amenity

The site is located approximately 85m north of dwellings on Bendrick Road. Given this distance and the height/size of the structures, it is considered unlikely that the development would be overbearing. There may be some noise output from inverters/substations etc, and the application should demonstrate that such impacts would not adversely impact upon residential amenity. However, in the absence of such information at this pre-application stage, given the industrial context it appears unlikely that the proposed development would result in a level of noise that unreasonably prejudices residential amenity. I would advise that consideration should also be given a construction environmental management plan to address any issues during the construction phase.

### Requests for Further Advice

In accordance with the Council's Guidance Note on 'charging for pre-application advice', any further requests for pre-application advice will attract payment of a further fee, and should be made in writing with appropriate supporting documentation.

### Development Team Approach – Building Control

Please note if you decide to employ the Council's Building Control team in respect of the proposed development for which you have sought advice, any fees you have paid in respect of this guidance will be taken into account in assessing the relevant Building Regulations fee. All Building Regulations fees are now based on a standard hourly rate with the final fee payable worked out on a risk assessed basis. Accordingly as the Council's officers will have been involved in the project from the earliest stages this will be considered in the final risk assessment based fee for Building Regulations.

Should you have any further questions regarding the above, please contact Mr. I. Robinson on the above number.

Yours faithfully,



Mr. I. Robinson  
for Operational Manager Development & Building Control

#### **Please Note:**

The advice offered in this response represents an informal opinion, provided in accordance with the Council's Guidance Note on 'charging for pre-application advice'. In particular, it is emphasised that while this pre application advice will be carefully considered in reaching a decision or recommendation on an application, the final decision on any application that you may make can only be taken after we have consulted local people, statutory consultees and any other interested parties. It does not, therefore prejudice any decision which the Local Planning Authority may make should the matter come before them in a formal context.

