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12/03/2020

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: PROPOSED 1.465MW GROUND MOUNTED SOLAR PV DEVELOPMENT.

LLEOLIAD / LOCATION: PICKETSTON, NR. ST ATHAN.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 5 March 2020.

We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Conditions 1-4: Land contamination and controlled waters;

Condition 5: European protected species.

Further details in relation to each condition are provided below.

Land Contamination and Controlled Waters

The proposed development site is in an environmentally sensitive location, as it overlies a secondary bedrock aquifer. Given this, and in view of the information provided to date, we do not yet understand the potential risks to controlled waters from historical land uses and any associated contamination. Therefore, we request the following conditions be attached to any planning permission. These conditions are particularly relevant as the proposed solar farm would prevent any future remediation/investigation for the lifetime of the development.

Condition 1: No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site, has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;

- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reasons: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

For further advice, we refer the applicant to the best practice guidance detailed in the advice to applicant section below.

Condition 2: Prior to the occupation or operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation. This is to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and on and offsite receptors.

Condition 3: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) 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.

Reasons: 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 addition to the above, the submitted Planning Statement prepared by prepared by Cenin Renewables Ltd., reference 2019005DA, dated November 2019, identifies the panels will be mounted on metal struts that will either be piled or screwed into the ground. To avoid the mobilisation of any contamination, we also request the following condition be attached to any planning permission:

Condition 4: No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reasons: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

European Protected Species

From the submitted Ecological Impact Assessment prepared by Levan Ecology (undated) we note the presence of European Protected Species (EPS) on site cannot be ruled out.

Condition 5: Therefore, we recommend you include the following document within the condition identifying approved plans and documents on the decision notice:

- Section titled '*Recommendations*' in the '*Ecological Impact Assessment for proposed solar farm at Picketston*' prepared by Levan Ecology (undated).

Other Matters

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.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

Yn gywir / Yours faithfully

Sarah Lund

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