Fferm Solar Larnog

Environmental Statement

Volume IV, Appendix 1C: EIA Scoping Opinion

November 2026

Date/Dyddiad: 7 October 2026

Ask for/Gofynwch am: Administration

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Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/2026/00533/SC2

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James Thomas
Davidson House
Forbury Square
Reading
RG1 3EU

Dear Sir,

Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 Schedule 4
Environmental Impact Assessment Scoping request for the construction, operation and decommissioning of a solar farm and associated infrastructure including substation and a Battery Energy Storage System (BESS)
at Larnog Solar Farm, Sully

The Council in accordance with the application and plans registered by the Council on 1 July 2026 is of the opinion that the Environmental Impact Assessment submitted should cover the matters referred to in Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, as referred to in the information details as submitted with the scoping request but should also include an assessment of the following:

- Glint and Glare
- Hydrology, Hydrogeology and Geology
- Contamination
- Decommissioning
- Landscape and Visual
- Biodiversity
- Noise and Vibration
- Historic Environment

This Opinion must be read in conjunction with the consultee advice and Final Report.

Yours faithfully

Ian Robinson

Head of Sustainable Development

2026/00533/SC2 Received on 1 July 2026

APPLICANT:
AGENT: James Thomas Davidson House, Forbury Square, Reading, RG1 3EU

Larnog Solar Farm, Sully

Environmental Impact Assessment Scoping request for the construction, operation and decommissioning of a solar farm and associated infrastructure including substation and a Battery Energy Storage System (BESS)

SITE AND CONTEXT

The site comprises undeveloped fields, covering approximately 115ha, located to the south of the B4267 Lavernock Road and between the settlements of Sully and Cosmeston. The site is accessed via Fort Road and St Mary's Well Bay Road. In policy terms, the site is located within the Countryside and Green Wedge. The following site characteristics and constraints are noted:

- Public Rights of Way and a section of the Wales Coastal Path run through and adjacent to the site.
- The fields are largely bounded by mature trees and hedgerow. There are pockets of woodland in the site area, predominantly to the west of St Mary's Well Bary Road, which are covered by Tree Preservation Orders.
- The coastal area adjacent to the site north of Lavernock is a designated RAMSAR, Special Area of Conservation (SAC), and Special Protection Area (SPA).
- The Penarth Coast Site of Special Scientific Interest (SSSI) lies immediately adjacent to the south.
- Lavernock Point East and Ty-r-Orsaf Sites of Importance for Nature Conservation (SINCs) are within the site.
- The Council's records identify a Habitat Site along the disused railway at the north of the site, in addition to a Habitat Site adjoining the southwestern part of the site.
- The site falls within a B-Lines area, a non-statutory nature conservation designation comprising a network of insect pathways intended to support pollinator movement and habitat connectivity.
- The site primarily contains Grade 3b and 4 land on the predictive Agricultural Land Classification maps.
- Most of the site is within a mineral safeguarding area for Limestone (Category 1 and/or 2), while the northernmost parcel partly falls within a safeguarding area for Sand and Gravel.
- A large part of the eastern side of the site is within Lavernock Dormant Mineral Site.
- Parts of the site are within Flood Zone 2 and/or 3 for Surface Water and Small Watercourses on Natural Resources Wales flood maps.
- There are no Scheduled Monuments within the site, but four within 2km - Anti-aircraft and Coastal Battery West of Lavernock Point, St Mary's Well Bay Pillbox, Sully Island "Danish" Fort, Cogan Deserted Medieval Village, and Middleton Moated Site.

- There are no listed buildings within the site, but three within 250m – Church of St Lawrence (Grade II), Swanbridge House (Grade II), Original house at Lower Cosmeston Farm (Grade II).
- There are no County Treasures (locally listed buildings) within the site, but five within 150m – Church of St Lawrence, Plaque Commemorating Marconi, Anti-Aircraft Battery – West of Lavernock Point, Cosmeston Medieval Village, and Cosmeston Cottage.
- There are a number of archaeological records within the site boundary.

The site location is shown below.



DESCRIPTION OF DEVELOPMENT

A scoping opinion is sought in relation to the '*construction, operation and decommissioning of a solar farm and associated infrastructure including substation and a Battery Energy Storage System (BESS).*'

The submission is made following a screening opinion (ref. 2025/01286/SC1) that concluded that there is a requirement for a focussed Environmental Impact Assessment.

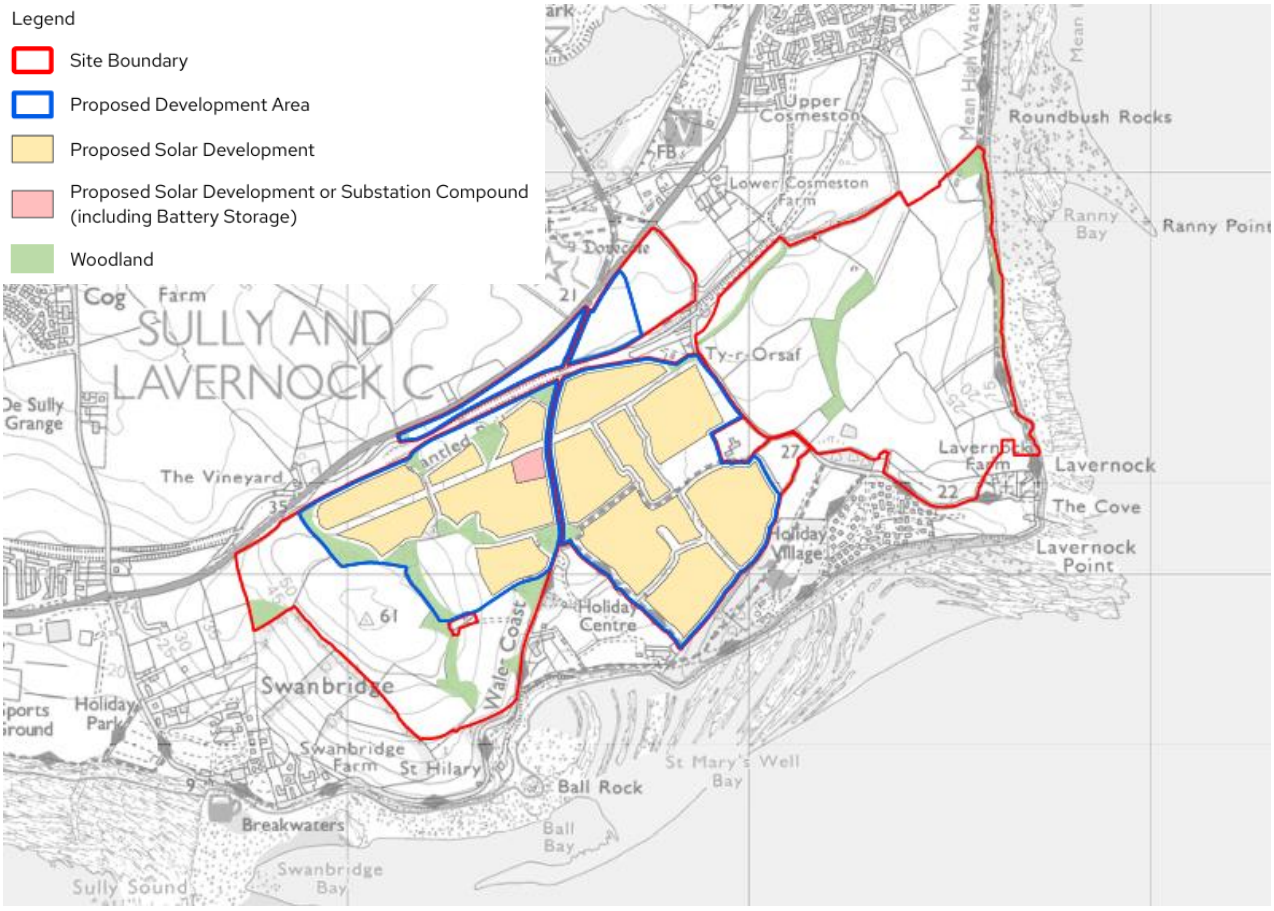
The proposed development comprises the following:

- Ground mounted solar PV generating station with gross electrical output capacity to the distribution grid network in the region of 35MW.
- Project substation compound.
- Battery Energy Storage System (BESS).
- Balance of Solar System (BoSS).
- Ancillary infrastructure works.
- Landscaping, habitat management, biodiversity enhancement and amenity improvements.

The proposed development has been amended from that presented at the screening stage. The following amendments are noted:

- Omission of development from the triangular parcel of land immediately south of the B4267 Lavernock Road and east of St Mary's Well Bary Road.
- Substation area relocated further south.
- An increased distance (up to 20m) provided between the Wales Coastal Path and solar development area in the two fields located immediately east of The Bay Caravan Park.

The proposed development area is shown on the plan below. It is stated that this represents the envisaged current maximum extent of land which is required to construction and operate the proposed development.



The submitted Scoping Report provided describes the proposed development. The following proposed design details are noted:

- The mounting structures for the solar PV panels would have a maximum height of approximately 4m above ground.
- The BoSS equipment would be housed within an Inverter and Transformed Station (ITS), with a requirement for approximately 4 ITS. The ITS would be approximately 6 x 3m and 3m in height.
- The project substation would include electrical infrastructure, office space, material storage and welfare facilities, as well as operational monitoring and maintenance.
- The BESS will be located within the same compound as the project substation. The overall size of the compound is anticipated to be approximately 65 x 65m.
- Security fencing will enclosure the operational areas of the proposed development. This will likely be a 'deer fence' with wooden posts expected to have a maximum height of 2.5m, whilst palisade steel fencing up to 3m high would be installed around the perimeter of the project substation compound.
- The proposed development would be permanently accessed via St Mary's Well Bay Road. The development would utilise existing field entry points and include upgraded access tracks and new access tracks.
- The proposed development would connect to either Penarth Primary Substation or Sully Grid Bulk Supply Point, which would form a separate application.

The proposed development is stated to have a design life of up to 40 years and the Scoping Report assumes that the development would be decommissioned at the end of the operational life. It is anticipated that the area would thereafter be returned to agricultural use and established habitats and planting.

The Scoping Report is appended with plans and the following reports: Geophysical Survey Report, Preliminary Ecological Appraisal, Preliminary Risk Assessment, Transport Scoping Note, and Historic Environment Desk-Based Assessment.

PLANNING HISTORY

1982/01760/FUL, Address: Dros-y-Mor, off St. Mary's Well Bay Road, Lavernock, Proposal: Extend existing house for domestic use, Decision: Approved.

1985/00809/FUL, Address: 'Baruch', Fort Road, Lavernock, Proposal: Extension of domestic accommodation, Decision: Approved.

1991/00610/FUL, Address: Sutton Farm, Lavernock, Penarth, Proposal: Renovation and extension of existing dwelling, Decision: Approved.

1991/00798/FUL, Address: The Bay Caravan Park, St. Mary's Well Bay, Lavernock, Proposal: New shop, activity hall and conversion of toilet blocks to chalets, Decision: Approved.

1992/00379/TPO, Address: Dros-y-Mor, Swanbridge, Sully, Proposal: Removal of one dead Corsican Pine, one black Poplar and one Lime tree, Decision: Approved.

1994/00255/FUL, Address: Land to N.W. of St Lawrance's Church, Lavernock Point, near Penarth, Proposal: Temporary site offices in the form of portable cabins for use by contractors and engineers staff. 10m wide site access from Fort Road, Decision: Approved.

1994/00343/OBS, Address: Swanbridge Halt, Lavernock, Proposal: Alterations to overhead power line, Decision: Permittal (OBS - no objections :request conditions).

1996/00315/TPO, Address: Dros-y-Mor, St. Mary's Well Bay, Penarth, Proposal: Tree felling, Decision: Approved.

1996/00611/FUL, Address: Sutton Farm, Lavernock, Penarth, Proposal: Renovation and extension of existing dwelling - Renewal of planning permission 91/00610/FUL, Decision: Approved.

1999/00442/FUL, Address: Baruch, Fort Road, Lavernock, Proposal: Extension to bungalow living accommodation and new garage/workshop, Decision: Approved.

1999/01255/FUL, Address: The Bay Caravan Park, St. Mary's Well Bay, Lavernock, Proposal: Variation of planning consent condition to allow residents to reside in their caravans for the period 31st December, 1999 to 1st January, 2000, Decision: Approved.

2000/01238/FUL, Address: The Bay Caravan Park, St. Mary's Well Bay, Lavernock, Nr. Penarth, Proposal: To extend Caravan Park Licence from 8 months to 10 months from 1st March to 31st October to 1st February to 30th November, Decision: Approved.

2000/01347/FUL, Address: The Bay Caravan Park, St. Mary's Well Bay, Lavernock, Proposal: To allow residents to stay in their caravans overnight on the 31st December, 2000 and 1st January, 2001, Decision: Approved.

2001/00162/FUL, Address: Sutton Farm, Lavernock, Penarth, Proposal: Childrens playroom & porch, covered way from garage to porch, Decision: Approved.

2001/01480/FUL, Address: The Bay Caravan Park, St. Marys Well Bay, Lavernock, Proposal: To allow residents to stay in their caravans overnight on the 31st December, 2001 and 1st January, 2002, Decision: Approved.

2001/01489/FUL, Address: Sutton Farm, Fort Road, Lavernock, Proposal: Replacement dwelling, Decision: Approved.

2006/00871/ADV, Address: Lavernock Point Nature Reserve, Lavernock, Nr. Penarth, Proposal: Welcome signs to orientate visitors and interpretation panels to explain history and wildlife interest of the site, Decision: Approved.

2007/00926/TPO, Address: The Bay Caravan Park, St. Marys Well Bay, Lavernock, Proposal: Removal of dead tree, Decision: Withdrawn.

2007/01687/FUL, Address: Sutton Farm, Fort Road, Lavernock, Proposal: Double hip roof conservatory in white UPVc to rear of property, Decision: Refused.

2009/01149/FUL, Address: Sutton Farm, Fort Road, Lavernock, Penarth, Proposal: Extension of approved residential curtilage, Decision: Refused.

2010/00273/FUL, Address: Sutton Farm, Fort Road, Lavernock, Penarth, Proposal: Extension of approved residential curtilage, Decision: Approved.

2017/01050/FUL, Address: Sutton Farm, Fort Road, Lavernock , Proposal: Proposed extension to existing property to provide ancillary full time carers accommodation, Decision: Approved.

2018/01431/SC1, Address: Land at Upper Cosmeston Farm, Lavernock, Proposal: Request for screening opinion , Decision: Environmental Impact Assessment (Screening) – Required.

2018/01432/SC2, Address: Land at Upper Cosmeston Farm, Lavernock, Proposal: Request for scoping opinion, Decision: EIA (Scoping) - Further info required.

2020/00096/TPO, Address: St Mary's Well Bay Road, Sully, Proposal: Work to trees covered by TPO no. 6 of 1952. T1 Sycamore, T2 Pine, T3 Sycamore. , Decision: Approved.

2020/01170/OUT, Address: Land at Upper Cosmeston Farm, Lavernock Road, Penarth, Proposal: Outline application for residential development, a primary school, community space and public open space with all matters reserved other than access, Decision: Approve subject to Legal Agreement (outstanding).

2021/00828/FUL, Address: Baruch, Fort Road, Lavernock, Proposal: Removal of existing pitched roof structure to allow new first floor flat roof extension, including minor internal and external works, Decision: Approved.

2022/00877/FUL, Address: Dros Y Mor, St. Marys Well Bay Road, Swanbridge, Proposal: Proposed two storey extensions, creation of 2nd floor accommodation, basement garage and other alterations to property, Decision: Approved.

2024/00512/TPO, Address: St Marys Well Bay Road, Penarth
, Proposal: Work to Tree(s) covered by Tree Preservation Order 1952, No. 6 : No -1678 Sycamore, Dead Not Tolerable, Highway Fell 2x dead stems, 0 Sycamore Dead, Not Tolerable Highway Fell 1679 Sycamore Dead x 8 stems Not Tolerable Highway Fell x 8 stems 0 Sycamore Dead Not Tolerable Highway Monolith at 4m, Decision: Approved.

2025/00244/ADV, Address: Lavernock Point Nature Reserve, Fort Road, Lavernock, Proposal: Two 3mm solid aluminium sign panels mounted in an oak frames on 18mm thick ply backer on 1500 x 100 x 100mm solid oak posts. The panels provide a map and information relating to the Lavernock Point nature reserve., Decision: Approved.

2025/01286/SC1, Address: Larnog Solar Farm, Sully. Proposal: Construction, operation and decommissioning of a solar farm, with an installed capacity of up to 35 Mega-Watts (MW), and associated infrastructure, including a substation and Battery Energy Storage System (BESS), Decision: EIA required.

CONSULTATIONS

As summary of the consultations undertaken and comments received is provided below. Please refer to the consultation responses for full comments.

Council's Highway Development Section – No comments received to date.

Council's Transport and Road Safety Section – No comments received to date.

Council's Public Rights of Way Officer – No comments received to date.

Council's Drainage Section – No comments received to date.

Councils Heritage Planning Officer – Comments that the impact on County Treasure designations is not clear, as Table 9-2 has scoped in and out designations, but this has not been done for the County Treasures. It is stated that the requirement to look at the County Treasure and its setting are set out clearly under development plan policy MD8, and it is not clear how this policy can be met without such information and assessment being undertaken.

Council's Ecology Officer – No comments received to date.

Council's Landscape Section – Comments that the proposed layout and site selection process are generally considered logical and have resulted in a development that is reasonably well screened from the wider landscape. However, further assessment and mitigation is recommended in relation to:

- Potential glint and glare impacts on the proposed Active Travel Route along the disused railway.
- Landscape and visual impacts, particularly on users of the coastal path, public rights of way, cyclists using Lavernock Road, The Bar Caravan Park, Marconi Holiday village, and offshore views including from Sully Island.
- Consideration of cumulative landscape impacts with Land at Upper Cosmeston Farm development.
- It is queried if the ZTV considers intervening vegetation or is it just a theoretical bare earth assessment and if the RVAA includes an assessment from upper floors where views may be more extensive.
- Protection of existing woodland through increased buffer distances to 15m.
- How B-lines are addressed in the assessment.
- Flood risk and drainage, including management of runoff from solar panels and opportunities to create seasonal ponds/wetland areas to increase biodiversity.
- Potential operational noise effects associated with the exposed coastal location.

It is also recommended that a Landscape and Environmental Management Plan, Construction Environmental Management Plan (including a soil resource plan), Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree Protection Plan be secured. Confirmation is required of Root Available Soil Volume (RASV) for any trees to be planted.

Shared Regulatory Services (Pollution Control) – No comments received to date.

Shared Regulatory Services (Contaminated Land, Air & Water Quality) – Comments that the site has multiple areas of historical industrial use which may have introduced contamination at the site. It is stated that although the proposed use will be of low risk, that it is necessary to further consider contamination which should include an intrusive investigation with particular interest to areas of made ground and infilled quarries.

Shared Regulatory Services (Air Quality) – Agrees that the EIA does not need to include air quality and the criteria for further assessment of air quality is not met.

Natural Resources Wales – Advise that the proposals are likely to give rise to significant effects and that the likely significant effects be scoped into any future Environmental Statement. A summary of the advice provided on specific topics is provided below:

Surveys – Targeted species surveys should be undertaken for all species scoped in.

Bats – If any trees need to be felled, pruned or thinned, surveys should include climbed endoscope inspections of any potential roost features. Any trees with potential to support roosting bats and which are likely to be impacted (directly or indirectly) should be subject to endoscope inspections.

Great Crested Newts – The site lies within the geographic range of GCN and NRW are aware of the species nearby. Due to the presence of the two waterbodies and suitable habitat surveys of all waterbodies within 250m of the site should be undertaken and the potential impacts on GCN scoped into the ES.

Dormice – NRW are aware of dormice records immediately adjacent to the proposed site. It is noted that small scale habitat losses are anticipated to affect access to the site and it is therefore advised that dormice are scoped into the ES.

Marsh fritillary butterfly – It is advised that the grassland habitats on site are assessed for their potential to support the species. If suitable habitat exists, surveys should be undertaken in accordance with best practice guidelines.

Impact assessment – Should protected species be confirmed, it is advised that the ES identifies the species-specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified.

EPS licence – The ES must include consideration of the requirements for any licence and how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

Terrestrial ornithology – Limited information has been provided on the proposed approach to the presence of skylark, in lieu of surveys. NRW recommend full breeding bird surveys are undertaken to inform the ES given the extent of development area. Specific surveys may also be required and should be informed by habitat on site, as well as the results of any desktop surveys.

Local biodiversity interests – It is recommended that the developer consults the Local Authority's ecologist. It is expected that the developer contact other relevant organisation for biological information and records relevant to the site and its surrounds.

Protected sites – NRW are satisfied that the relevant protected sites have been scoped into the assessment. The scope of assessment should consider both construction, operational and decommissioning effects from the entire proposal and appropriate measures should be detailed to ensure no risk of pollution. Measures should be in place to ensure no risk of contaminated firewater entering a watercourse.

Marine ornithology – NRW welcome that a report to inform the habitat regulations assessment (HRA) will be scoped into the ES. The potential effects on the qualifying features of the Severn Estuary SPA, Ramsar, and SSSI should be assessed for construction, operation and decommissioning. The full results and details of the wintering bird surveys should be presented before disturbance and loss of habitat for wintering birds can be scoped out of the EIA.

Land contamination – The site is partially located over a principal aquifer, which is particularly vulnerable to contamination. There appears to be areas of potential contamination sources which should be investigated as part of a wider site investigation and should include an assessment of the ground conditions for the BESS infrastructure. It is advised that ground conditions and land contamination are scoped into the ES.

BESS fire risk – It is noted that the storage of large battery systems have potential to cause pollution in the event of fire at the site because of battery failure. It is advised that measures to avoid pollution from contaminated firewater be set out in support of the planning application.

Decommissioning – NRW welcome that the ES will report on the likely significant environmental effects from the decommissioning phase of the development. It is advised that a preliminary decommissioning assessment and plan be scoped into the ES.

Water features – A feature, known as Rowlands Well, appears to be located within the site boundary. A water feature risk assessment should be scoped into the ES to include any private water supplies or springs that may be present on site or which may be impacted.

Pollution prevention – NRW welcome that an outline Construction Environment Management Plan will be submitted and advise that this considers the possibility of encountering unsuspected contamination.

The applicant has submitted a technical note in response to the consultation response from NRW. This sets out NRW's and the Council Ecologist's position regarding bats, great crested newts, dormice, marsh fritillary, breeding birds, skylark, wintering birds, Severn Estuary SPA, protected species licencing, and habitat management and biodiversity enhancement. NRW have been reconsulted on the submitted technical note have responded to advise that their advice on the scope of the ES remains as set out in the consultation response.

Heneb, The Trust for Welsh Archaeology (GGAT) – Notes that the eastern part of the redline boundary is omitted from the proposed development and that this is appropriate and would preserve any potential remains in-situ. Heneb also note the intention to carry out an archaeological evaluation (trial trenching) and update the initial desk-based assessment for submission as part of the EIA process and concur with this approach. It is recommended that a pre-determination field evaluation be carried out.

Cadw, Ancient Monuments – The response identifies the historic assets potentially affected by the proposal, including Listed Buildings, Scheduled Monuments, and Registered Historic Parks and Gardens. Cadw recommend that a 3km study area for should be used, with a Stage 1 setting assessment undertaken for all designated historic assets within this area, which will identify all designated historic assets that require stage 2 to 4 assessments to be made. In regard to receptors, it is noted that the proposed development may be visible from parts of scheduled monument GM535 Cogan Deserted Medieval Village.

Cadw state that apart from these questions they are content with the methodologies outlined in the scoping report. However, they advise that the historic environment assessment should be updated to include heritage assets recorded within the National Monuments Record together with relevant placename evidence. It is also noted that the 'Setting of Historic Assets in Wales' document has been updated (2025).

Dwr Cymru Welsh Water – Comments that the site is crossed by a 180mm public sewer (as shown on the plans attached to the consultation response). It is stated that no part of any building will be permitted within the protection zone of the public sewer measured 9m either side of the centreline. It is also advised that some public sewers and lateral drains may not be recorded on their maps and such assets may affect the proposal.

Welsh Water anticipate that the development will require the installation of a new single water connection to serve the premises, and that any require reinforcement or offsite works would need to be secured by planning condition. It is noted that the site is crossed by several watermains (as shown on plans attached to response) and that no part of any building will be permitted within the protection zone of the public watermain shown. It is recommended that the developer contact DCWW to carry out a survey to verify the location of the assets and establish it relationship to the proposed development.

The response also details that SAB approval would be required in respect of the surface water drainage. It is stated that no surface water run-off is permitted to discharge indirectly or directly into the public sewerage system.

South Wales Fire and Rescue Service – Comments that surface water flooding and wildfire risks should be considered early in the planning process.

The response highlights that fires involving battery energy storage systems can be difficult to extinguish due to the risk of thermal runaway, which can generate significant heat and release toxic, flammable, or explosive gases. The development should therefore incorporate appropriate fire prevention and mitigation measures, including adequate separation distances, fire-resistant construction materials, and, where necessary, active fire safety systems such as fire detection, suppression, and smoke control. Fire risks should be carefully considered at an early stage of the project design, with suitable safety and emergency response measures embedded within the scheme.

Overall, it is advised that there is no objection to the proposal. It is highlighted that the developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.

First Minister - Welsh Government – No comments received to date.

Wales and West Utilities – No comments received to date.

Western Power Distribution – No comments received to date.

REPRESENTATIONS

No public consultations are required and have been undertaken. However, one response has been received, which is summarised as follows:

- Happy to see the avoidance/retention of woodlands, trees and hedges and the 10m buffer is welcomed.
- Welcome that the panels will be situated away from residents and PRoW.
- The vegetative screening is welcomed but the existing vegetation should be enhanced, including width of hedges and creating ‘bat bridges’ at openings.
- Queries how the vegetation will be managed.
- It is suggested that traditional forms of land management are adopted, such as rewilding and sheep, goat and cow grazing.

REPORT

Equality Act 2010

The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the preparation of this report.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

Background

The screening opinion (ref. 2025/01286/SC1) concluded that there is a requirement for a focussed Environmental Impact Assessment. The final report detailed that the specific topics for consideration are to be determined through the scoping process. Based on the information available at that time, officers considered that there is potential for significant adverse landscape and visual impacts, impacts to mineral resource of national importance, protected sites and species, and archaeological resource. In addition, it was noted that intrusive investigation would be required to fully determine the potential from contamination.

In reaching a scoping opinion, the Council must have regard to the matters listed in Paragraph 14 (6) of the Regulations (The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017) and before adopting a scoping opinion, the authority must take into account:-

(a) Any information provided by the applicant about the proposed development;
(b) The specific characteristics of the particular development;
(c) The specific characteristics of development of the type concerned; and
(d) The environmental features likely to be significantly affected by the development.

Schedule 4 (paragraphs 4, 5 and 8) of the Regulations outlines the topics to be included within environmental statements. The report below specifies those that, in the Council's opinion, are likely to result in significant effects. For ease of reference, this scoping report will address the topics outlined in the applicant's scoping information, while considering consultation responses that have been received and the matters listed within the Regulations.

Agriculture and Land Use

There is no Best and Most Versatile agricultural land (Grades 1, 2 or 3a) present within the site area. The development would result in the loss of arable farming land for the lifespan of the development, however there is potential for agricultural use of the site to continue during this time through dual use of the land for grazing. There would be some impact on the land arising from construction activities, but this would be temporary and reversible. The submission outlines

that the Construction Environmental Management Plan (CEMP) would incorporate appropriate soil management and handling measures.

Parts of the site are crossed by public rights of way and the Wales Coastal Path, which are used for recreation and leisure. Construction activities may require the temporary closure and diversion of public rights of way, and this would be subject to a separate application process.

It is agreed that this topic can be scoped out.

Air Quality

There would be some emissions and dust generated during construction and decommissioning. However, these effects would be short term and there is scope to manage and mitigate impacts through the implementation of a Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP). It is not anticipated that there would be any significant effects on air quality during the operational phase of the development. Shared Regulatory Services agree that air quality can be scoped out and note that the criteria for further assessment of air quality are not met.

It is agreed that this topic can be scoped out.

Climate

As noted above, there would be some emissions during construction and decommissioning, however these are unlikely to be significant and could be managed and mitigated through a CEMP and CTMP. The development by its very nature would contribute towards a reduced reliance on greenhouse gas emissions through the generation of renewable energy and would likely have an overall positive benefit on the climate. The submission states that a Carbon Balance Report will be submitted with the planning application in which climate resilience measures will be incorporated.

It is supported that future climate change will be considered in respect of the individual topics where relevant, but it is agreed that this topic can be scoped out as standalone chapter.

Glint and Glare

Any glint and glare effects arising from the proposed development would occur when the solar panels are in situ. The applicant proposes to prepare a Glint and Glare Assessment, with study areas extending 10km from the site for aviation receptors, 1km for roads and dwellings, and 500m for railway receptors. The identified receptors within the study area include roads, dwellings, and Cardiff Airport. Consideration should also be given to the users of the proposed Active Travel Route along the disused railway line (planning permission ref. 2025/00493/RG3) as a receptor.

The Scoping Report proposes that glint and glare be scoped out of the Environmental Statement and considered within a standalone technical assessment, on the basis of the scale of the development and its proximity to

relevant road, aerodrome and residential receptors. However, based on the information currently available, it is difficult to determine the significance of any effects.

Consequently, given the presence of an aviation receptor within the study area, it is considered appropriate to scope glint and glare in as a precautionary approach.

Heat and Radiation

It is not anticipated that there would be any significant sources of heat or radiation during the construction, operational or decommissioning phases of the development. Fire risk is discussed under 'Major Accidents and Disasters' further below.

It is agreed that this topic can be scoped out.

Hydrology, Hydrogeology and Geology

Hydrology – Flood Risk and Drainage

The site is located outside of any areas affected by tidal or fluvial flooding, with some areas of surface water flooding identified across the site. Nevertheless, it is noted that a Flood Consequences Assessment would be submitted with any planning application. A Drainage Statement should detail how surface water will be managed on the site and how SuDS features will be incorporated, to provide the Local Planning Authority (LPA) comfort that the proposed development would obtain SAB approval.

Welsh Water have commented that there is a 180mm public sewer that crosses the site and that an indicative 9m protection zone, measured either side of the centreline, is required. Based on the sewer plan supplied by Welsh Water, it appears that this is located outside of the proposed development area, however this should be further investigated. They also note that there are several watermains crossing the site, some of which appear to cross the proposed development area. It is recommended that the applicant contact Welsh Water to verify the location of the asset and establish its relationship to the proposed development.

Hydrogeology and Geology

The Scoping Report acknowledges that construction activities have the potential to result in temporary increases in surface water-run off, soil erosion and sediment mobilisation, and that there is also potential for localised accidental contamination. The submitted Preliminary Risk Assessment identifies some surface water bodies on the site and there also appears to be some drainage channels/ditches present, although the exact locations of all water features on the site area unknown. Natural Resources Wales (NRW) advise that a water risk assessment should be scoped into the Environmental Statement, to include any private water supplies or springs that may be present on the site or which may be impacted by the development.

The applicant proposes for construction impacts to be managed through a CEMP, to incorporate pollution prevention, soil management and emergency spill response procedures. This is a standard approach to securing such measures and the submission of an Outline CEMP up front with the application is supported. NRW advise that this considers the possibility of encountering unsuspected contamination, for example, buried waste. A planning application should provide details of how firewater will be contained on the site in a fire event during all phases of the development, to avoid contamination of the surrounding environment.

The submitted Preliminary Risk Assessment (PRA) concludes that the risks to human health receptors and controlled waters from the potential sources of contamination identified on site is considered to be low, based on the proposed development and the layout situated outside the areas of identified made ground. It does appear that the layout has been designed to avoid the identified areas, however Figure 2 of the PRA indicates an old quarry adjacent to the proposed solar areas. The PRA recommends an intrusive ground investigation for areas of potential made ground associated with infilling to provide data to further characterise any contaminated land risk present. Shared Regulatory Services comment that it is necessary for contamination to be further considered, including an intrusive investigation with particular interest to areas of made ground and infilled quarries. Furthermore, NRW advise that the site is situated partially over a principal aquifer, which is particularly vulnerable to contamination sources. They note that there appears to be areas of potential contamination sources and that these should be investigated as part of a wider site investigation, which should also include an assessment of the ground conditions for the BESS infrastructure.

Most of the site proposed for development is within a mineral safeguarding area for Limestone (Category 1 and/or 2). The Minerals Safeguarding SPG describes Category 1 resources as being of 'national importance' while Category 2 resources are described as having 'local importance'. Planning policy seeks to safeguard mineral resource and protect them from permanent sterilisation. At the screening stage, the officer report noted that: "*The mineral resources on the site would be unavailable for the lifespan of the development but would generally be reversible and installation methods for the panels can potentially be made so to have a relatively low impact on existing ground conditions, and the above resources it may contain*." However, concern was raised about the substation compound, which would likely involve more intrusive ground works, and the impact this would have the mineral resource. In response, the proposed substation area has been moved further south such that it appears to be outside the designated mineral areas. The application proposes to submit a Mineral Resource Assessment to assess whether the proposed development would impact the viability of the resources at the proposed development area.

The southeastern parcel is located within the Lavernock Quarry Dorman Mineral Site, where LDP Policy MG24 seeks to prevent further mineral extraction. However, it appears that the site has not been worked for a long period of time and has since naturally restored.

Decommissioning

The Scoping Report asserts that any hydrological effects arising during the decommissioning phase would be temporary in nature, comparable to those experienced during construction, and would not give rise to significant residual effects. It also states that, in respect of hydrogeology and geology, any potential effects associated with the construction or decommissioning phases are anticipated to be negligible and not significant. Whilst this is noted, there is limited information available at this stage regarding the nature of the decommissioning process and the potential environmental impacts arising from it. NRW advise that a preliminary decommissioning assessment and plan should be scoped into the ES and should include the following:

- *Description of the likely nature, scale, and duration of key decommissioning activities.*
- *Identification of potential impacts on water quality, hydrology, hydrogeology, and the wider environment.*
- *Consideration of the long-term risks associated with leaving infrastructure in situ (such as cabling), including the potential release of hazardous substances over extended timeframes.*
- *Identification of any decontamination or remedial works that may be required including the management of transformer leakages.*
- *Initial cost estimates and confirmation that appropriate financial provision will be in place to enable decommissioning and any associated remediation.*

Summary

Whilst mitigation measures are proposed, there remains uncertainty regarding ground conditions, potential contamination, impacts on groundwater and surface water receptors, and the environmental effects associated with decommissioning.

It is therefore considered that this topic should be scoped in, to include a water feature risk assessment, further assessment of ground conditions and contamination, and consideration of the environmental effects associated with decommissioning through a preliminary decommissioning assessment.

Major Accidents and Disasters

The Scoping Report considers the risks of major accidents and disasters relating to health and safety risks during construction, impact on the quality of surface water and groundwater (including accidental pollution), increased flood risk, and risk of equipment failure and fire.

It is stated that construction activities would be undertaken in accordance with an approved CEMP, including appropriate emergency response procedures, and compliance with all relevant Health and Safety Executive requirements and Construction (Design and Management) Regulations 2015. It is also detailed that pollution prevention measures and emergency response measures, to ensure that the potential for contamination of groundwater and surface water is reduced as far as a reasonably practicable, would be implemented through the CEMP. This issue is considered further under the topic above along with flood risk.

In regard to fire risk, the Scoping Report asserts that this is very low and the risk would be managed through the installation of equipment by suitably qualified professionals, regular inspection and maintenance, and adherence to applicable safety standards. It is proposed for an Outline Battery Storage Management Plan and Fire Safety Plan to accompany a planning application. These documents should be sufficiently detailed to provide the LPA and consultees with confidence that fire risks can be appropriately managed and mitigated. Furthermore, details regarding the battery technology and measures to deal with contaminated firewater should be submitted.

South Wales Fire and Rescue Service advise that the developer ensure they have suitable safety measures to contain and restrict the spread of fire and that active fire safety systems should be incorporated into the design if necessary. They also note that the developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access from energy firefighting appliances. Such measures should be clearly detailed within the planning application.

It is agreed that this topic can be scoped out.

Material Assets and Waste

The construction of the proposed development would unavoidably require the use and consumption of materials and products. The Scoping Report states that construction waste materials would predominately include inert and non-hazardous materials. It is proposed for the CEMP to incorporate a Site Waste Management Plan, which would monitor waste arising, identify measures to minimise waste generation, and set out procedures for the appropriate storage, segregation, reuse, recycling and disposal of waste materials. It is also detailed that the CEMP would include measures for construction materials to be locally sourced where practicable and from recycled or secondary sources where feasible. During operation the use of materials and generation of waste would likely not be significant.

The decommissioning of the development would result in the generation of waste. It is suggested that any waste during decommissioning would predominately inert and non-hazardous materials and that a substantial proportion of these materials would be suitable for reuse or recycling. It is asserted that impacts during decommissioning would be temporary and comparable to, or no worse than, those during construction, and would not result in significant effects.

It is agreed that this topic can be scoped out. However, due to there being some uncertainty relating to the generation of waste associated with the decommissioning phase, this issue should be more fully explored in the preliminary decommissioning assessment.

Population and Human Health

The applicant proposes for health and safety risks associated with the construction phase of the development to be considered and addressed as part of the CEMP, to include details regarding secure site fencing and temporary closure and diversions of public footpaths where necessary. Issues such as noise and

dust could be managed through a CEMP. Similarly, construction traffic would be limited in duration and is unlikely to have significant effects on the accessibility of the surrounding area.

In terms of tourism and enjoyment of the coast, the landscape and visual effects are considered separately further below. Furthermore, matters relating to climate change, air quality, water quality, land quality, noise and vibration, and radiation are covered separately in this scoping report. In respect of water availability, the submission details that the proposed development would not involve any activities with the potential to significantly affect water availability.

Land contamination has been considered earlier in this report under the 'Hydrology, Hydrogeology, and Geology' section. Whilst the proposed development will be of low risk, there are high risk receptors present in the vicinity, such as construction workers, residents, and users of the public footpaths. In the absence of further intrusive investigation, the potential for contamination and associated effects on human health cannot be fully assessed.

It is agreed that a standalone human health chapter can be scoped out, however as stated earlier, it is considered that ground conditions and contamination should be scoped in. This should include further consideration of the potential effects on human health.

Socioeconomics

The submission outlines that the construction and decommissioning phases would generate employment and skills development opportunities for the duration of the phases, although this is unlikely to be significant. The benefits to the local economy associated from employment during these phases would be limited, and the impact on local services and infrastructure would be short-term and unlikely to result in significant effects. It is detailed that the proposed development would be unmanned and only require minor maintenance works through its operating life.

It is agreed that this topic can be scoped out.

Traffic and Transport

It is proposed that the site would be accessed via St Mary's Well Bay Road. The main traffic and transport effects will be during the construction and decommissioning phases, however the impacts on the local highway network would be temporary. Nevertheless, details of any works required to the highway, such as localised widening or creation of new or widened access points, as well as construction compound requirements (for example, hardstanding and lighting), to facilitate construction and decommissioning, would need to be detailed in any planning application to ensure the impacts on the highway and environment can be fully assessed.

It is anticipated that the effect on the local road network will be minimal during the operation of the proposed development, as access will only be required for routine maintenance and less frequently for major maintenance and upgrades. The submission states that the traffic flows are not envisaged to exceed a 30% change in baseline flows during the construction and operational phases, and that no links

were identified within the study area are of high sensitivity. No details regarding the decommissioning phase have been provided, however any impacts from this phase would also be temporary.

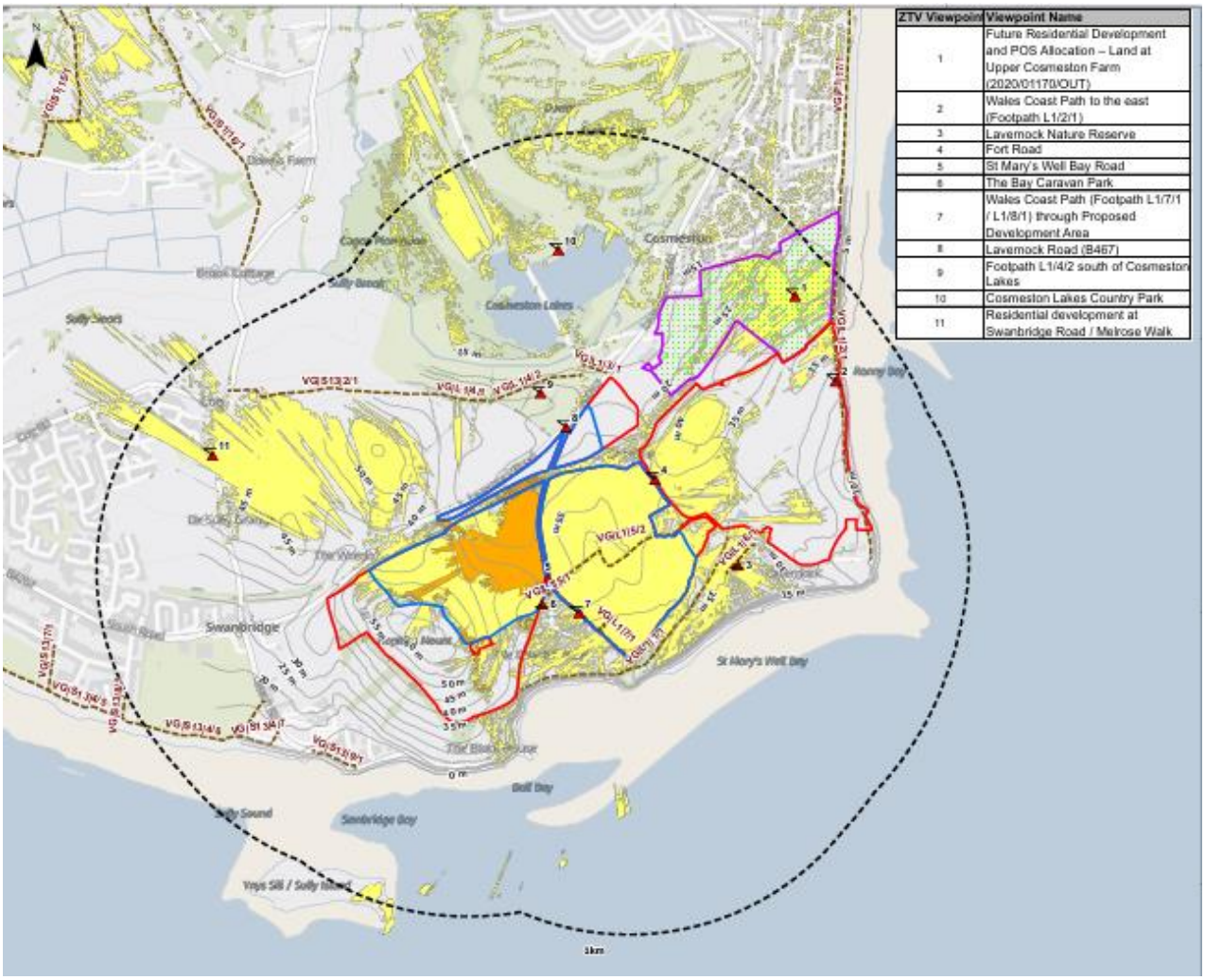
The applicant has engaged the Local Highway Authority, and it is understood that meetings have been held to agree the location for traffic surveys to be undertaken and principal study area. A copy of the Transport Scoping Document is provided at Appendix F. The applicant proposes to submit a Transport Statement with the planning application which will include an assessment of accessibility, safety, traffic generation, and impacts on PRoW and the local highway network. They also propose to submit an Outline CTMP which will include measures to control vehicle movements during construction.

It is agreed that this topic can be scoped out, however it would be useful for an Outline Decommissioning Traffic Management Plan to be submitted with a planning application to consider how traffic and transport impacts can be managed during this phase.

Landscape and Visual

In consideration of this topic at screening stage, the report prepared by the Council stated that: "*The site is within Green Wedge and coastal area and therefore the landscape impact also warrants careful consideration. Although the topography and vegetation may offer some screening to more distant viewpoints, the site visibility within the landscape and public footpaths / Wales Coastal path, as well as consideration of off-shore impacts, would need to be established through detailed assessment. Accordingly, the application would be expected to be accompanied by a Landscape Visual Impact Assessment. The applicant's submission assert that there would be potentially minor / moderate effects within 1km but no likely significant residual effects are anticipated. There is some potential for impacts to be mitigated through siting, design and landscaping, but nevertheless it is considered that due to the extent of the development area, nature of the site, and information provided at this stage, there is potential for significant effects*."

The submitted Scoping Report details that a Zone of Theoretical Visibility (ZTV) has been produced, using computer modelling, to inform the selection of receptors and will form the basis of the LVIA. The study area for the LVIA has been set at 1km from the proposed development area, and it is stated that this will include cumulative impacts from any other developments that are likely to modify the baseline in which the landscape character is perceived or the way in which people experience views or the landscape as visual amenity will be considered. An extract of the ZTV taken from Appendix A, Figure 6, is shown below. The proposed 1km study area is indicated by the black dashed line and the proposed viewpoints by the red triangles.



It is understood from paragraph 6.8.1 of the report that the ZTV takes account of surface features such as vegetation in defining potential visibility. However, it is unclear if this represents a summer or winter scenario as the latter could result in a wider area of potential visibility due to the screening capacity of the surrounding vegetation reducing significantly at this time of year. This would need to be clarified within the EIA and if the ZTV shown is based on a summer scenario, a winter scenario should also be produced as a 'worst case' scenario, which should in turn inform the selection of receptors and those to be scoped in and out.

On the basis of the submitted ZTV, the identified landscape and visual receptors proposed to be scoped in and scoped out are contained within Table 6-2 of the Scoping Report. Having regard to the comments received from the Council's Landscape Architect, consideration should be given to the scoping in of users of Lavernock Road, as not all are travelling at speed i.e. cyclists. The ZTV does indicate some intervisibility from Sully Island to the site, and this should be considered as an off-shore receptor. It is also advised that the viewpoints from within Marconi Holiday Village are reviewed, as views towards the site when entering, exiting and moving through may be impacted. It is queried if the Residential Visual Amenity Assessment includes an assessment from upper floors where views may be more extensive than from the publicly accessible area In addition, the decision to scope out future residents of 'Land at Upper Cosmeston Farm' (ref: 2020/01170/OUT) and the associated public open space is questioned as the ZTV indicates potential visibility on a substantial part of the site. Further

consideration should be given to the scoping in of the receptors noted above. Should a winter scenario ZTV be required, this may require reconsideration of some of the receptors currently scoped out.

The proposed assessment methodology identifies the following developments as having potential for cumulative effects: Sully to Cosmeston active travel route (ref. 2025/00493/RG3), Land at Lower Cosmeston Farm (ref. 2022/01113/RG3), and Land at Upper Cosmeston Farm (ref. 2020/01170/OUT). It is concluded that the only scheme with the potential for cumulative effects is the residential development at Land at Upper Cosmeston Farm, and therefore a cumulative assessment of the landscape and visual effects on Landscape Character is to be included. The LPA agrees with this approach.

It is agreed that this topic is scoped in, subject to the above comments.

Biodiversity

The Scoping Report provides a preliminary assessment of the likely significant effects predicted to arise from the proposed development on ecology and the potential Zone of Influence (ZoI) for these effects. The identified ecological receptors include protected and notable species, habitats and designated sites. The proposed study areas are set at 10km for internationally important nature conservation sites (e.g. SAC, SPA and Ramsar sites), 2km for nationally important sites (e.g. NNRs and SSSIs), and 100m for locally important sites (e.g. LNRs, SINCs and LWSs), non-statutory sites (e.g. B-Lines), habitats of principal importance, and protected and notable species.

Paragraph 7.4.18 of the report details that based on the baseline reporting and initial walkover, the following protected or otherwise notable species are considered likely to be present within the potential ZoI of the Proposed Development:

- Roosting, commuting and foraging bats;
- Dormouse;
- Hedgehog;
- All breeding birds;
- All wintering birds;
- Widespread reptile species (common lizard, adder, grass snake and slow worm);
- Terrestrial phase widespread amphibian species (common frog, common toad, palmate newt and smooth newt), excluding great crested newt;
- Protected and notable invertebrate species, including 26 species listed as Species of Principal Importance under Section 7 of the Environment (Wales) Act 2016; and
- Threatened arable plants.

The applicant proposes to undertake a botanical survey of the proposed development area and prepare a report to inform a Habitats Regulations Assessment.

Table 7-3 sets out the potential significant effects and ecological receptors proposed to be scoped in and out of the EIA. It is proposed to scope out the following:

- Disturbance of protected and/or notable species and loss of their habitats, including, dormouse, breeding birds (excluding skylark) and notable wintering birds. The justification provided is that woodland, scattered trees and hedgerows which may support these species will be retained as far as possible, and surveys have identified the site as being of no more than local value for notable wintering birds.
- Loss or alteration or degradation of Habitats of Principal Importance. The justification provided is that habitats proposed to be removed are expected to be of limited nature conservation value, with Habitats of Principal Importance being retained.
- All potential environmental effects during operation. The justification provided is that operational activities would be limited to minor maintenance works, cleaning of solar PV modules, repair and replacement of components, and water and vegetation management. An Outline Landscape and Ecological management Plan will be set out principles for how the land will be managed throughout the operational phase to protect retained ecological features.
- Effects on common and widespread habitats and species. The justification provided is that effects on common and widespread habitats and species do not meet the criteria for requiring a full EcIA as identified within the CIEEM Guidelines.

Whilst no formal comments have been received from the Council's Ecologist on the scoping submission, it is understood that they have previously met with the applicant to discuss and agree the scope of survey work based on the current development details. The results of these discussions are presented in Appendix G of the Scoping Report.

NRW have been consulted and have responded to advise that they are satisfied that the relevant protected sites have been scoped into the assessment, and that this should consider construction, operational and decommissioning effects arising from the entire proposal. However, NRW consider that the following species should be scoped into the EIA:

- Great crested newts;
- Dormice;
- Full breeding birds; and
- Wintering birds (in the absence of the full survey details and results)

Concern has been raised about the proposed approach to consideration of skylark. Furthermore, whilst not explicitly stating that it should be scoped into the EIA, NRW advise that the grassland habitats on-site should be assessed for their potential to support marsh fritillary butterfly. They also advise that bat endoscope inspections should be undertaken for any trees that may be directly or indirectly affected by the development.

In response to the above, the subsequently submitted Technical Note details that significant effects are not considered likely in respect of great crested newts, but that the applicant will consult with NRW to establish whether recent records or other relevant information are available. The applicant considers that species-specific dormouse surveys and breeding bird surveys are neither necessary nor proportionate. The applicant is of the view that the proposed approach to skylarks is suitable, and notes that the marsh fritillary is not considered to be a relevant receptor, as suitable habitat and the species' principal food plant have not been identified within the site.

NRW have been reconsulted on the submitted Technical Note and have advised that their position on the scope of the Environmental Statement remains unchanged from their original consultation response. Notwithstanding the views of the Council's Ecologist and the LPA, NRW's advice as a statutory nature consultee should be afforded significant weight. Should the Environmental Statement not include the surveys and assessment recommended by NRW, there is a risk that they may object to any planning application or request further information, which could result in delays to the application process. The applicant therefore may wish to seek to engage directly with NRW regarding the scope of the ecological assessment and survey requirements prior to the submission of a planning application.

It is agreed that this topic is scoped in, subject to the above comments and consultation responses received.

Noise and Vibration

Table 8-4 of the Scoping Report proposes to scope in construction activity noise and vibration during construction and decommissioning phases, operational noise, and cumulative effects during operation and construction. The justification for this is that there is currently insufficient information available to determine that noise and vibration would not give rise to likely significant effects. It is proposed to scope out construction road traffic noise and groundbourne vibration and operational vibration. The justification for this is, respectively, that it is unlikely that construction traffic would give rise to a road traffic would give rise to a road traffic noise increase of +3.0 dB, and that there is no rotating equipment or other sources of operational vibration forming part of the proposed development that would have the potential to give risk to any significant effects at any location.

The proposed study area for construction noise and vibration is identified as approximately 300m from the proposed development area, while for operational nose it is identified as approximately 500m. It is stated that if the assessment indicates likely significant effects, or if cumulative effects are considered likely, the study areas may be expanded. The identified receptors include residential dwellings, The Bay Caravan Park, Lavernock Point Holiday Estate, and Ysgol Llyn Derw.

Shared Regulatory Services (Pollution Control) have been consulted, however no comments have been received at the time of writing. It is understood from the Scoping Report that they have previously agreed to the proposed noise survey methodology.

The proposed study areas, in the opinion of the LPA, appear reasonable subject to the areas being expanded in the circumstances noted above. Whilst the study area for construction noise and vibration is less than the operational noise study area, impacts during construction and decommissioning phases would be temporary in nature and there is scope to mitigate any impacts through a CEMP. It is considered that potential future development at the 'Land at Cosmeston Farm' site (planning application ref. 2020/01170/OUT) should be included as a receptor, where this falls within the study areas.

It is agreed that this topic is scoped in, subject to the above comments. Should any comments from Shared Regulatory Services be received these will be made available.

Historic Environment

The applicant proposes to scope the historic environment into the EIA. The designated historic assets and receptors to be scoped in/out are respectively detailed in Table 9-2 and Table 9-3 in the Scoping Report. The proposed study area for historic assets is 1km from the proposed development area for both designated and non-designated heritage assets.

The LPA considers that the main effects on the historic environment are likely to be during construction/decommissioning, where there is potential for disturbance of archaeological resource within the development area, and during operational phases where there is potential for impacts on above ground assets within and outside the development area (e.g. scheduled monuments; registered historic parks, gardens and landscapes; listed buildings; locally listed buildings). Consultation responses on the scoping request have been received from Heneb, Cadw and the Council's Heritage officer. These are considered below.

Heneb note the intention to carry out an archaeological evaluation (trial trenching) and update the initial desk-based assessment for submission as part of the EIA process. They concur with this and state that the exact scope and methodology of the field evaluation would need to be set out in an agreed Written Scheme of Investigation (WSI).

Cadw have commented that the study area for designated historic assets is normally 3km and recommend that a Stage 1 assessment should be carried out for all designated historic assets inside this area, which will identify all designated historic assets that will require stage 2 to 4 assessments to be made. Cadw state that the results of this should be included in the EIA as an appendix. They also advise that scheduled monument GM535 Cogan Deserted Medieval Village be included as a receptor. Furthermore, it is commented that the Historic Environment Desk-Based Assessment has not included assets located in the National Monuments Record curated by the Royal Commission on Ancient and Historical Monuments in Wales and has also not considered placename evidence which is also available from the same source.

The Council's Heritage officer has commented that the impact on County Treasure designations (locally listed buildings) is not clear as these are not contained within Table 9-2. In consideration of these comments, it is noted that Paragraph 9.6.8 does refer to "*other potential receptors to be scoped in*" and

includes non-designated built heritage within the proposed development and 1km study area. However, Table 9-3 of the Scoping Report proposes to scope out the setting of non-designated above-ground historic assets that lie beyond 100m from the proposed development, on the following basis:

"*An assessment of the effect upon the setting of these assets is scoped out on the basis that such assets are not significant enough to warrant such an assessment, and it is considered unlikely that significant environment effects would arise where these assets are not within or immediately adjacent to the Proposed Development Area. This is in line with proportionality set out in Planning Policy Wales Edition 12.*"

The Heritage officer has questioned this approach as the requirement to consider County Treasures and their settings is set out in LDP Policy MD8. Noting that non-designated historic assets are deemed to be of high and medium significance within Table 9-4, and the impact on these assets is currently unclear, it is considered that all non-designated heritage assets within 1km should be scoped in for the operational phases.

It is agreed that this topic is scoped in, subject to the above comments and consultation responses received.

RECOMMENDATION

The Environmental Impact Assessment should cover the matters referred to in Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, those referred to in the information details as submitted with the request and include an assessment of the matters set out in this report.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Environmental Impact Assessment submitted should cover the matters referred to in Schedule 4 of the Town and Country Planning (Environmental Impact Assessment((England and Wales) Regulations 1999, as referred to in the information details as submitted with the request but should also include an assessment of the following:

NOTE:

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 that 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 that 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.