

APPENDIX 2.2
PEMBROKSHIRE EIA SCOPING RESPONSE

Date · Dyddiad 11th January 2024
Your ref · Eich cyfeimod DNS CAS-03072-D7X6N7
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Please ask for
Os gwelwch yn dda gofynnwch am

Sian Husband

PEDW.Infrastructure@gov.wales

By e-mail only

Dear Sir/Madam

Proposal: **Ground mounted photovoltaic solar farm with a capacity of up to 49MW together with associated equipment, infrastructure and ancillary works**

Location: **Alleston Farm, Pembrokeshire**

Planning and Environment Decisions Wales (PEDW) consulted Pembrokeshire County Council local planning authority (the LPA) on 16th November 2023 requesting the LPA's advice on the scope of the proposed EA in respect of the above proposed development. An extension of time for responding until 12th January 2024 was agreed by PEDW on 14th December 2023. The LPA have considered the 'Alleston Solar Farm, Pembrokeshire – Environmental Impact Scoping Report' dated November 2023, Project Ref: 32516, Rev: 02.

It is noted that the adjacent planning authority, Pembrokeshire Coast National Park Authority, were also consulted and due to respond under separate cover.

Chapter 2 – The site and Proposed Development

No comment

Chapter 3 – Scoping

It is noted that transport is proposed to be scoped out. Please refer to Appendix 1.

It is noted that flooding is proposed to be scoped out. Please refer to Appendix 2.

Chapter 4 – Historic Environment

It is understood that Dyfed Archaeological Trust (DAT) find the approach outlined in the Scoping Report to address potential impacts of the development on the historic environment, with a desk-based assessment to form part of the forthcoming ES to be acceptable. The scope of this assessment is the subject of ongoing discussions with Stantec UK Limited and initial comments have been made by DAT on a draft WSI.

The Heritage Note found in the appendix to the scoping report is considered to fail in its recognition of the Grade II curtilage listed status of the historic outbuildings. Therefore, the assessment of visual impact is skewed towards the house, only, rather than the surviving model farm buildings as a group. It is recommended that the heritage note and assessment is revisited. Further regard must be given to the significance of the historic outbuildings and their setting as a group.

It is noted that there is recognition of the significance of the house's setting when viewed over the fields from the entrance on Lower Lamphey Road to the North.

Chapter 5 – Landscape and Visual Effects

The Landscape and Visual Impact Assessment approach is considered to be adequately described and should cover the assessment approach adequately. It is noted that the issue of protected trees (those with TPOs) has not been addressed but it is understood that relevant information has since been obtained from The LPA Landscape Officer and will be included.

It is suggested that information is provided in as concise a manner as possible, with information presented in tabulated form as much as possible to reduce size and improve readability.

Chapter 6 – Agricultural Land and Soils

No comment. The LPA defers to the Agricultural Directorate at Welsh Government who have also been consulted.

Chapter 7 – Biodiversity

Please refer to Appendix 3.

Chapter 8 – Cumulative Effects and Consultation

No comment

I trust that this consultation response is beneficial, but please contact me should you have any queries.

Yours sincerely,

S Husband

DEVELOPMENT MANAGEMENT SECTION

We welcome correspondence in Welsh and English, and will respond within a maximum of 15 working days. We will respond in the language in which the correspondence is received (unless you ask us to do otherwise). / Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn ymateb cyn pen 15 diwrnod gwaith fan bellaf. Byddwn yn ymateb yn yr un iaith â'r ohebiaeth a dderbyniwyd (oni bai eich bod yn gofyn i ni wneud yn wahanol).

For a copy in large print, easy-read, Braille, audio, or an alternative language, please contact Pembrokeshire County Council on the number above. / Os am gopi mewn print mawr, fformat hawdd ei ddarllen, Braille, sain neu mewn iaith arall, cysylltwch â Chyngor Sir Penfro ar y rhif uchod.

Appendix 1

Response received from Pembrokeshire County Council Head of Infrastructure, Highways;

Site Location

The proposed layout of the solar farm will be on land within the control of the applicant, located between Pembroke and Lamphey, with primary access obtained from the north via the C3164 known as Lower Lamphey Road, a well trafficked lane by vehicles, cycles and pedestrians, a secondary access to the site is located to the west via Watery Lane a narrow unclassified highway.

Access & Traffic

The site for the solar field is located within the boundary of the site with the precise locations yet to be decided. The proposed development should utilise the main access to the site as Watery Lane (the secondary access to the site) is not acceptable for multiple HGV movements due to the width, surface and topography of the Highway. Lower Lamphey Road at this location is a single track lane, which relatively well trafficked, with limited passing opportunities. The proposal will use around 1km of this lane from Lamphey, to access the existing farm access, assuming access is gained from the east.

The EIA Scoping report illustrates that the development is unlikely to exceed 32 HGV movements per day during construction/ decommissioning phase (approximately 8-9 months), with maintenance visits of around 26 per year (para; 3.2.3, pg. 7). With the delivery vehicles likely to arrive in within a short timeframe of each other, it would be necessary to provide additional passing bays along the county highway to improve passing opportunities and pedestrian refuge opportunities.

A Construction Environmental Management Plan (CEMP) and a Decommissioning Environmental Management Plan (DEMP) will be submitted with any forthcoming planning application, this will consider noise and air quality impacts, with mitigation measures to address the environmental impacts of the traffic associated with the construction/ decommissioning of the proposal.

To ensure the minimising potential traffic and infrastructure impacts the applicant/developer will be required to submit a Construction Traffic Management Plan (CTMP) to the Local Planning Authority within any future planning application, with details of the access arrangement to ensure it accommodates HGV traffic into/out of the site with good visibility. In addition, it should also include the following:

- a. Parking for vehicles, site personnel, operatives and visitors
- b. Expected levels of staff and any shift work, by phase
- c. Expected trip generation for the construction period
- d. Loading and unloading of plant and materials
- e. Storage of plant and materials
- f. Vehicle routing and turning, including swept paths
- g. Measures to prevent the deposit of materials on the highway
- h. Before and after construction conditions surveys of the highway and a commitment to fund the repair of any damage caused

i. On-site turning for construction vehicles

It is considered that the existing standard/capacity of the lane is not suitable or sufficient and as such the recommendation from the CHA is that lane is upgraded in both capacity and, if required following pre construction survey, structural terms.

The EIA Scoping report indicates that a glint and glare assessment (Para 3.2.9, pg. 9) will be undertaken and submitted to support any forthcoming planning application.

Accidents

A review of CrashMap has indicated one slight accident in November 2022 within a 400m of the access located on the A4139 (Upper Lamphey Road). The Applicant is requested to provide a STATS19 accident review in any forthcoming planning application, and any proposed mitigation measures which may be required to prevent future accidents in this area due to the increase in HGV vehicles.

Sustainable Transport

Given the nature of the proposed development, there is no requirement to pursue any sustainable travel measures.

Other Matters

The Applicant is advised that within any future planning application the following information should also be included:

- Appropriate National, Regional and Local Policies
- Consultation with the PCC SAB team in order to assess flood risks
- Consultation with PCC Environment team for associated biodiversity risks
- Consultation with any Statutory Utilities will be required
- Consultation with PCC Ecology team for any associated wildlife surveys

This information in this assessment has been provided based upon the evidence available to support the consultation. Any future planning application used to support the proposed development at this location, of a similar size and scale, will be made without prejudice and based upon its own merit.

Appendix 2

Response received from Pembrokeshire County Council Head of Infrastructure, Civils;

Flood Risk

Whilst we are aware of incidents of historic flooding affecting Lower Lamphey Road, Watery Lane, and Alleston, we have no records of any flooding incidents to agricultural land within the site to which the coping request refers to. However, it cannot be assumed that this site has never suffered from flooding; only that the events have never been reported to the LLFA.

The EIA scoping reports states that a detailed flood consequence assessment will be submitted as part of the application process.

It is understood that reference has been made to Natural Resources Wales Flood Map for planning who should also be consulted in relation to flood risk for the proposals.

Ordinary Watercourses

Ordnance Survey mapping show ordinary watercourses to be present within or in close proximity of the proposed site.

Ordinary watercourses must not be filled in, culverted, or the flow impeded in any manner, or should any structure be built over ordinary watercourses or within 3 metres from the top of bank of any watercourse, or within 3 metres of a culverted watercourse, without the prior agreement of the local planning authority under Section 23 Land Drainage Act 1991 as amended by the Flood and Water Management Act 2010. Consent is also required to alter a culvert in a manner that would be likely to affect flow of an ordinary watercourse, and for temporary as well as permanent works.

Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around or across the site. If present, these should be maintained and highlighted on future plans.

Surface Water Drainage

The preferred method of surface water disposal from all additional impermeable areas created by the development would be to utilise some form of sustainable drainage system. These methods of surface water disposal would be in accordance with TAN 15. If, however, ground conditions are not suitable for the use of soakaways/infiltration type SuDS, an alternative method of disposal will be required.

A surface water drainage strategy should form part of any planning application.

Statutory SuDS Standards

Schedule 3 to the Flood and Water Management Act 2010 (the 2010 Act) establishes SABs in local authorities. The legislation gives those bodies statutory responsibility for approving and in specified circumstances, adopting the approved drainage systems.

From 7th January 2019, all new developments of more than 1 property or where the construction area is 100 square meters or more, will require sustainable drainage systems (SuDS) for surface water. The SuDS must be designed and built in accordance with Statutory SuDS Standards¹ published by the Welsh Ministers and SuDS Schemes must be approved by the local authority acting in its SuDS Approving Body (SAB) role, before construction work begins.

Appendix 3

Response received from Pembrokeshire County Council Planning Ecologist;

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

Any application/Environmental Statement (ES) must:

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

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

- Ecological baseline and trends if the project were not to go ahead.
- Criteria used to evaluate ecological features.
- Criteria used to assess the significance of impacts of the project.
- Justification of methods used.
- The identification of likely impacts (positive and negative) on ecological features together with an explanation of the significance of their effects.
- Mitigation, compensation and enhancement measures.
- Legal and policy consequences.
- A note of any key data that were unavailable or missing and
- A presentation of any analytical techniques used and the analysis itself.

- Consideration for the zone of influence – if the site requires new infrastructure (roads, power supply etc.) there could be significant consequences for ecological features beyond the boundaries of the site

Any ES must also be mindful of the following:

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

Species and Habitats to be considered

A primary ecological assessment has not been submitted in support of the current consultation and scoping opinion but will be undertaken on the site to inform biodiversity assessment baseline conditions. It should include the following information.

- Any application/ES must identify any habitats and species that are likely to be affected by the proposal and identify potential options for mitigation and enhancement. There must also be justification for disregarding certain species from any assessments.
- A **Phase I habitat survey** must identify the quality and extent of the habitats present. The habitat survey must be carried out between the months of April and September only. It should also identify the presence of any invasive species.
- **Reptiles** – common species of reptiles may be present on a site of this nature. If suitable habitat is to be removed as a result of the proposal then survey may be required. A precautionary approach to any site clearance may also be necessary. It is likely that the development will result in opportunities for reptile enhancements, these should be clearly identified and described.

- **Badgers** – Sightings of badgers have been recorded on site as stated in the report, although no setts have been identified within the red lie boundary. Biodiversity records also show tracks and evidence of badgers within two locations of the site. It is important to be mindful that activity within 30 metres of a sett will require a license. Therefore surveys may need to be undertaken to ensure there will be no disturbance of setts outside the red line boundary. Badgers are protected under The Protection of Badgers Act 1992.
- **Birds** – The application must make an assessment of the bird populations currently using the application area in the form of a breeding bird survey and the impact of the development on these birds, in terms of loss of habitat and displacement. The report highlights that between two and four wintering bird surveys are proposed for winter 2023 – 23 and two breeding bird surveys will be undertaken in spring 2024.
- **Dormice** – The submitted report identifies that there are suitable hedgerows on site to support dormice, however does not consider dormice further as there are no records within close proximity and no anticipated impact to habitat. The closest known record is approximately 3.5 km away; however, it is still possible that dormice are present in the area. Provided the hedgerows are retained throughout and there are no hedgerows to be removed, dormouse surveys will not be necessary. However, in the event that hedgerows will be removed the exact amount of hedgerow to be removed and further justification for not undertaking dormice surveys will be required within any submitted application/ES. Dormice are protected under European and UK legislation, their presence is a material consideration in the planning process.
- **Bats** – There are several important sites for bats within relatively close proximity to the proposed development. Consideration will need to be made of any impacts for foraging and commuting bats. Bat activity surveys (static detectors only) have been undertaken and further activity surveys are ongoing. The field habits and woodland are likely to be used by foraging and community bats. Any security lighting may impact upon bat movements in the area, therefore if significant lighting is proposed, the activity surveys should be used to establish important areas for bats which must remain dark and inform any lighting plan to ensure there is no impact upon the bats and other nocturnal wildlife. Bats are protected under European and UK legislation, their presence is a material consideration in the planning process.
- **Otter** – As stated in the report the watercourse to the south of the site may support otter and water vole. If there is suitable otter habitat on the site then surveys may be required, if suitable otter habitat is found immediately adjacent, then measures for ensuring there is no disturbance must be included within any application/ES. Otters are protected under European and UK legislation, their presence is a material consideration in the planning process.

Biodiversity Enhancements:

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

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

Please also be mindful of the following points:

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