

Fy Nghyf/My Ref: 24/5063/PRE
Gofynnwch am-Please ask for: 01443 281130
Dyddiad/Date: 9th September 2024

DATBLYGIAD 36.16MW solar farm comprising the construction of ground
ARFAETHEDIG/ mounted solar photovoltaic (PV) farm, associated landscaping
PROPOSAL : works, infrastructure and access.
LLEOLIAD East of Pontypridd south eastern slopes of Eglywsilan Mountain
/LOCATION: adjacent to and south east of Pontypridd Golf Club.

I refer to your correspondence received on 25th July 2024 concerning the above and your request for pre-application advice.

It is noted that you have previously sought and provided with a screening opinion on the need for Environmental Impact Assessment with regard to the proposed development

Having considered the nature of the submission I can respond as follows.

Local Context and Constraints

The application site is located to the east of Pontypridd and comprises some 101 hectares of land on the south eastern slopes of Eglywsilan Mountain. The site has a typical valley slopes field pattern defined by tree lines hedgerows and dry stone walling and is largely grazing land the site is subject to the following constraints

The development site has the potential to impact, either directly or indirectly the following Public Rights of Ways and any formal submission will need to take full account of the potential impact.

PON/10/1, PON/11A/1, PON/11B/1, PON/11/1, PON/12/1, PON/13/!,PON/14/1, PON/15/1, PON/15/2, PON/16/1, PON/17/1, PON/17/2, PON/19/1, PON/20/ & PON;/21/1

There are a number of adopted highways in and around the site that could potential facilitate access for the development.

Any proposals will need to have regard to the potential development of the Twyn Hywel Wind Farm should the Welsh ministers determine that application positively.

There are pockets of potentially contaminated land that might affect the proposed development in and around the site. For the most part the site is in a low coal risk area though given its extensive nature there are elements within the site that are of high risk.

There is some potential for flooding associated with streams in and around the site. These are overland flow risks and are usually low to medium in nature.

A few tree preservation orders bound the site and the site lies within a Special Landscape Area. There are also two Sites of Importance for Nature Conservation (SINC) associated with the proposed development

Please note that this information is based on our current records and is, as far as possible, accurate. Nevertheless we reserve the right to advise you of any additional constraints that may be identified at the time of your application.

Relevant Planning History

The only application of meaningful relevance to the consideration of your proposals is that for the Twyn Hywel Wind Farm ref:DNS:3272053

Relevant Planning Policies

In addition to national guidance contained within Planning Policy Wales, any application would be considered against the Policies within the adopted Rhondda Cynon Taf Local Development Plan, details of which are available on the Council's website by visiting www.rctcbc.gov.uk/ldp. The relevant policies would include:

The application site lies outside of any settlement boundary; is within the Southern Strategy Area

Core Policies

Policy CS2 – sets out the criteria for development in the Southern Strategy Area.

Policy CS10 – sets out the criteria for the protection of mineral resources.

Area Wide Policies

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

Policy AW4 – details the criteria for planning obligations including Section 106 Agreements and the Community Infrastructure Levy. Policy

AW5 – sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW7 – sets out criteria for development proposals that would impact upon built heritage assets and PRowS.

Policy AW8 – sets out criteria for the protection and enhancement of the natural environment. (SINC sites Pontypridd Golf Club and Mynydd Egwysilan).

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy AW12 – sets out criteria for renewable and non-renewable energy proposals.

Policy AW14 – safeguards minerals from development that would sterilise them or hinder their extraction. Southern Strategy Area Policies

Policy SSA23 – advises that development within SLAs will be expected to conform to the highest standards of design, siting, layout and materials appropriate for the site. (Taff Vale Eastern Slopes).

For full details, please see RCT adopted Local Development Plan 2011 – 2021.

Supplementary Planning Guidance

- Design and Placemaking
- The Historic Built Environment
- Nature Conservation
- Planning Obligations
- Access, Circulation and Parking
- Employment Skills

National Guidance

In the determination of planning applications regard will also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 12 (PPW) was issued in February 2024 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant

to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), Welsh Government's current position on planning policy at regional and national level.

It is considered that the proposed development would be evaluated against the key principles and requirements for placemaking set out in PPW; and must also be consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also required that the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology
- Policy 17 – Renewable and Low Carbon Energy & Infrastructure– all sorts of energy projects.
- Policy 18 – Renewable & Low Carbon Energy DNS

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.
- Policy 35 – Valley Regional Park – SDP/LDP/Economy/Environment/Tourism

Other relevant policy guidance

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 6: Planning for Sustainable Rural Communities
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development
Manual for Streets

Analysis of Proposal

The Local Development Plan policies relevant to your development are set out above and set the policy context within which your proposals will be considered. You are advised to have regard to the requirements of the above policies when formulating any planning application

Pre Application

As a Development of National Significance (DNS) the application will be supported with an Environmental Statement that will amongst other things address the site selection issue, and you are also advised that the developer will also need to undertake Pre Application Consultation (PAC) prior to the submission of a planning application.

Planning Policy

Key planning policies at the local and national level are listed above. The applicant will need to demonstrate that any proposals are compliant with those policies at least inasmuch as they relate to the development proposed. This should be reflected in any supporting documentation submitted with a planning application.

Impact on character and appearance of the area.

Any future planning application should positively demonstrate that the impact of the proposed development on the character and appearance of the site and wider area are acceptable. In particular, proposals need to have full regard to the landscape character and visual amenity of the site and wider area. Given the Special Landscape Area designation, particular care needs to be taken in addressing this issue. To that end it is expected that proposals should demonstrate the overall farming character of the area can be retained and this will also involve the retention and strengthening of existing field pattern boundaries and hedgerows small woods and the overall field pattern.

Developments of this kind can if poorly designed erode the quality and appearance of green areas and the design of the proposed development should respect the character of the area and its LANDMAP designation. Your applicant should consider the possible need for a Section 106 agreement to address this issue. Similarly, proximity of the solar arrays to the field boundaries also requires careful consideration. Generally, consideration needs to be given to this issue through the construction, operational and decommissioning phases.

Impact on residential amenity and privacy

Given the location of the proposed development, its impact on residential amenity and privacy is unlikely to be particularly severe. However, views from and into the site need to be given careful consideration and be properly evaluated particularly in relation to

the few properties that are closest to the site and from longer cross-valley views. The Landscape & Visual Impact Assessment will need to have due regard to the visual effect of the proposed development on residential property. Generally, consideration needs to be given to this issue through the construction, operational and decommissioning phases.

Ecology

It will be important that the impact of the proposed development on the ecology of the area is properly evaluated, and the applicant is advised that it would be appropriate to include proposals for ecological enhancement as part of any overall submission. In particular, attention will need to be paid to the likely impact of the proposals on the two SINC sites mentioned above and any proposals will need to demonstrate such effects as there might be would be acceptable. Also, note the earlier comments in respect of field boundaries etc.

Transportation

Appropriate consideration of the proposed development in terms of access and transport management, along with appropriate mitigation, will be an essential element in the consideration of the proposals and should cover the construction, operational and decommissioning phases of the development. A full response from the Council's Transportation Section will be forwarded when available

Public Rights of Way

Please note from the above the type and number of Public Rights of Way that could potentially be affected by the proposed development. Full comments from the Council's PROW officer will be forwarded when received.

Flood Risk

The Council's Flood Risk Management team have been consulted and their response will be forwarded once received. NRW advise that they provide their own bespoke consultation service and contact should be made with them directly to ascertain their views on the proposals.

Contamination

Due regard should be taken of the proximity of potentially contaminated land close to the site and appropriate mitigation proposed if appropriate. The views of the Council's Public Health and Protection team will be forwarded once available.

The Historic Environment

Cadw and Heneb have been consulted on the proposals and their response will be forwarded when received.

Other Issues

The applicant should note that both Dwr Cymru Welsh Water and Natural Resources Wales have their own pre application consultation processes and you are advised to seek their advice with regard to the issues that they deal with.

The Coal Authority have not yet reviewed the proposal and their advice will be forwarded when available..

Western Power Distribution advise that if you require a new connection or service alteration their separate consent will be required.

Other sources of guidance:

Further to the views given above, the applicant may wish to consider the Council's Supplementary Planning Guidance for Householder Development, which can be viewed at:

<http://www.rctcbc.gov.uk/EN/Resident/PlanningandBuildingControl/LocalDevelopmentPlans/RelateddocumentsSupplimentaryplanningGuidanc/ADesignGuideforHouseholderDevelopmentSPG.pdf>

The document helps explain and expand on the overarching plan policies against which any development proposals will be judged.

Permitted development Rights

The applicant may also wish to consider permitted developments rights before submitting a planning application. These can be viewed at:

<http://gov.wales/docs/desh/publications/140422householder-permitted-development-guide-en.pdf>

This document helps explain the specifications of any household developments that would not require planning permission.

Development Issues

The applicant should also be aware that any part of the development which might overhang or require foundation work beyond the site boundary, or be attached to or rely on the support of a neighbouring structure not in the applicant's ownership, would require Certificate B of the application form to be completed and notice served on any affected neighbours.

Similarly, and prior to submitting a planning application, the applicant may wish to check with utility providers whether there are any underground services, either within or adjacent to the location of the proposed extension. This may prevent a scenario where a development could receive planning consent, but is unable to be carried out without subsequent amendment, or an agreement to build over or relocate any underground infrastructure. Such utility companies might include, but not be restricted to, Dwr Cymru Welsh Water, Western Power Distribution, and Wales and West Utilities.

Lastly, bearing in mind that the proposals would be subject to a statutory consultation with other residents, it could be beneficial to discuss your proposals with neighbours in advance.

Required Supporting Documentation

We would encourage you to submit your planning application electronically via www.planningportal.gov.uk

Having regard to the nature of your proposal and the information that has been submitted it is considered at this stage that in addition to the submission of standard mandatory supporting documentation such as application forms and plans, any application for the above development would also need to be supported by the full suite of documentation associated with the environmental statement as previously advised:

It is also recommended to applicants that detailed information is submitted at the application stage, to ensure that in the event of planning permission being granted, any 'pre-commencement' conditions (which require approval of details prior to work starting on site) can be minimised. You are therefore encouraged to ensure that your initial submission incorporates as much information as possible.

Detailed guidance on the use of the national standard application form for planning permission and other associated consent regime; and the information which must accompany a planning application so that the Local Planning Authority can determine the validity of the application, can be found as follows:

"Guidance on the use of the standard application form ('1app') and validation of applications":

<http://gov.wales/topics/planning/policy/guidanceandleaflets/1appguidance/?lang=en>

The Town and Country Planning (Development Procedure)(Wales) Order 2012 :
<http://www.legislation.gov.uk/wsi/2012/801/contents/made>

How we will deal with your planning application

Once your application has been received it will be allocated a reference number and case officer. We will check the application to make sure it complies with the statutory requirements and we will contact you by phone or email to advise you of any discrepancies. We will also work with you to address any outstanding concerns, including amendments required to make your proposal acceptable.

Once we are happy with the validity of your application, we will formally consult neighbours and relevant consultees. Provided there are no significant matters of concern resulting from such consultations we will seek to determine your application as swiftly as possible after the expiry of the statutory publicity period, and aim to do so within the 8 week statutory period.

While officers endeavour to ensure you are aware of the progress of your application, we would encourage you to contact the case officer or our Planning Process team to discuss any matters further

Building Control

The Planning and Building Control teams work closely to assist developers in improving the quality of their development and ensuring compliance with all appropriate conditions and Regulations. In particular, Building Control provides a competitive and highly professional service and seeks to actively engage with developers at the earliest stage of their project. You are therefore encouraged to contact the Building Control team on (01443) 494746 or by emailing BuildingControl@rctcbc.gov.uk.

Requests for further advice

Following receipt of this initial advice, should you wish to discuss your scheme prior to a formal submission please contact the case officer on the direct number or email address given above. Further charges may apply.

Yr eiddoch yn gywir / Yours faithfully,

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Planning Officer

Please Note:

The advice given in this response represents an informal opinion, provided in accordance with the Council's Planning Pre-Application Service. In particular, it is emphasised that while this pre-application advice will be carefully considered in reaching a decision or recommendation on an application, the final decision on any application that you may make can only be taken after we have consulted local people, statutory consultees and any other interested party. It does not therefore prejudice any decision which the Local Planning Authority may make should an application be submitted