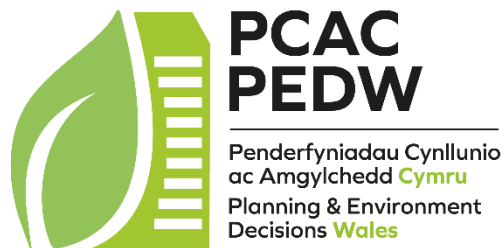


Adeilad y Goron
Parc Cathays
Caerdydd CF10 3NQ

Crown Buildings
Cathays Park
Cardiff CF10 3NQ



Ffôn / tel: 0300 060 4400

Ein Cyf / Our Ref: CAS-01977-L5K6R7

Ebost / email: PEDW.Infrastructure@gov.wales

Dyddiad / Date: 10/08/2022

Dear Ms Kennedy

**Town and Country Planning Act 1990
Town and Country Planning (Environmental Impact Assessment) (Wales)
Regulations 2017**

Potential DNS Application

Site Address: Agricultural Land to the south of Moel Ton-mawr and west of Mynydd Margam

Proposed Development: Eirlys Solar Farm and energy storage project, circa 50 MW.

On 1 July 2022 Planning and Environment Decisions Wales (PEDW) received a request made under regulation 31(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 ("the Regulations"), for the Welsh Ministers to make a screening direction as to whether or not the development proposed is "EIA Development" within the meaning of the Regulations.

PEDW is authorised by the Welsh Ministers to provide that screening direction.

The project, as described above, falls within the description at paragraph 3(a) in column 1 of the table in Schedule 2 to the Regulations.

As the proposal is a potential Development of National Significance (DNS) application, the attached screening assessment identifies the key areas which have been considered. Having taken into account the selection criteria in Schedule 3 to the Regulations and the advice in Welsh Office Circular 11/99: Environmental Impact Assessment on establishing whether EIA is required, the assessment concludes that:

The proposal is seeking to install a solar farm (of circa 50 MW) on land east of Margam Country Park. The site is within close proximity to Eglwys Nunydd Reservoir SSSI, Waun Cimla SSSI, Kenfig Pool and Dunes LNR, and also Kenfig SAC. Additionally, the site adjoins four Scheduled Ancient Monuments, and is partially within the Margam Mountain Historic Landscape. The proposal also adjoins Y Bryn wind farm DNS scheme.

Rydym yn croesawu gohebiaeth Gymraeg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh. Correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not involve any delay.

Concerns are raised by the LPA, NRW and Cadw in relation to the potential impact the proposal will have on ecology, heritage assets, ground contamination and potential watercourses. Given the close proximity to that proposal and based on the information currently available, it is not possible to rule out the potential for significant effects (including cumulative) in several areas, in particular historic assets, historic landscape, ecology, ground contamination and the impacts on nearby watercourses. As such, I consider that due to the potential for these significant effects, the proposal is EIA development and that consequently EIA is required.

Therefore, in exercise of the powers conferred by Regulation 4 of the Regulations and the authority referred to above, the Welsh Ministers hereby direct that the development subject of this appeal **is EIA development** within the meaning of the Regulations. I enclose the full Screening Assessment, as well as the consultee responses to this letter.

Consequently this application must be accompanied by an Environmental Statement. Under regulation 17(1) of the Regulations an Environmental Statement must contain, for the purpose of assessing the likely impact on the environment, the information specified in that regulation. I recommend that you refer to the Regulations and the accompanying Circular, Welsh Office Circular 11/99, before and during the preparation of the Environmental Statement. In the meantime, you may wish to have regard to the particular environmental topics identified in the attached screening assessment.

This letter will be copied to Neath Port Talbot County Borough Council, so that this screening direction is placed on Part 1 of the Planning Register in relation to the application in question, in accordance with the Regulations.

Yours sincerely

Adeline Wilcox

Swyddog Cynllunio | Planning Officer
Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment Decisions
Wales
Llywodraeth Cymru | Welsh Government

Rydym yn croesawu gohebiaeth Gymraeg. Cewch ateb Cymraeg i bob gohebiaeth
Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh. Correspondence received in Welsh will be
answered in Welsh and corresponding in Welsh will not involve any delay.

STAGE 1 – INITIAL EIA SCREENING ASSESSMENT

1 Case Details		
A	Case reference	
	CAS-01977-L5K6R7– Eirlys Solar Farm	
B	Brief description of development	
	Solar farm and energy storage project, circa 50 MW.	
2 EIA Screening Details		
2A Schedule 1		
	Is the project Schedule 1 development as described in Schedule 1 of the EIA Regulations?	No
	<i>If Yes, under which description of development? If No, consider whether project is 'Schedule 2' development below in part 2(B).</i>	
2B Schedule 2		
(i)	Is the project listed as a description of development under Column 1 of Schedule 2 of the EIA Regulations?	Yes
	<i>If Yes, under which description of development? If No, EIA is not required.</i>	
	3(a)	
(ii)	Does the project change or extend development described in paragraphs 1 to 12 of Column 1 of schedule 2, where the change or extension may have SIGNIFICANT* adverse effects on the environment?	No
	<i>If Yes, provide reasons for your answer below. *If unsure, discuss with PET. Proceed to point (iii).</i>	
(iii)	Is the project located wholly or partly within a ' Sensitive Area ' as defined by Regulation 2 of the EIA Regulations?	No
	<i>If Yes, state which area and move to Question 3. If No, proceed to point (iv) below.</i>	
(iv)	Are the applicable thresholds/criteria in Column 2 exceeded / met?	Yes
	<i>If Yes, note which applicable threshold/criteria. If No, EIA is not required.</i>	
	Site area exceeds 0.5 hectares	
3 LPA / Welsh Ministers' Screening		
(i)	Has the LPA issued a Screening Opinion (SO)?	No
(ii)	Have the Welsh Ministers issued a Screening Direction (SD)?	No
4 Environmental Statement (ES)		
	Has the applicant/appellant supplied an ES for the current or previous (if reserved matters or conditions) application?	No

Is a detailed screening assessment (Section 5) required?

If Yes has been answered in response to either 2B(iii) or 2B(iv), send to relevant team to undertake detailed screening assessment.

If No has been answered for both questions, or the questions are not applicable, start appeal.

Sign-off

Signature

A Wilcox

Date

08/08/2022

STAGE 2 – DETAILED EIA SCREENING ASSESSMENT

As per Schedule 3, Para 3: When considering the potential impact, take into account; (a) magnitude / spatial extent / population likely to be affected; (b) nature of impact; (c) transboundary nature; (d) intensity & complexity; (e) probability; (f) expected onset / duration / frequency & reversibility; (g) cumulation with existing and / or approved development; (h) the possibility of effectively reducing the impact.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For ‘Yes/Unknown’, are effects <u>likely</u> to be <u>significant</u> ? <i>Include consideration of features or measures to avoid or prevent what might otherwise be significant effects</i>
CRITERION 1. CHARACTERISTICS OF DEVELOPMENT		
Question 1(a) Size and design of the Development		
Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	The proposal is seeking to install solar panels on land adjoining Ton Mawr farm on mounting tables screw-piled into the ground, alongside boundary fencing, CCTV units on the perimeter of the site, battery energy storage containers, storage containers for maintenance equipment and associated side tracks for access. The grid connection will be a new 33 kV underground cable south eastwards to Pyle from the on-site substation which will enable connection to the local distribution network. In total, the Screening Request includes maps that show a larger red line boundary, of which 33 Ha will have solar panels installed on them. There is some discrepancy highlighted by consultees regarding size of the proposal. Overall, the proposal could see an installed capacity of circa 50 MW. The lifespan of the scheme is for approximately 35 years, after which the site would be returned to its current use. Due to the type of proposal, the site is to continue to be used as grazing land. The land is also of poor and very poor agricultural quality (grades 4 and 5).	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
	Whilst there would be considerable physical change to the site itself during the lifespan of the development, as the proposal is temporary in nature, and is on land that is of poor agricultural quality, the change would not be likely to result in significant effects in EIA terms.	
Question 1(b) Cumulation with Existing and/or Approved Development		
Are there any other factors which should be considered such as: - consequential development which could lead to environmental effects? - the potential for cumulative impacts with other existing or planned activities in the locality? - any plans for future land uses on or around the location which could be affected by the project? - transfrontier impacts?	Yes. There are a number of consented and proposed schemes in the vicinity of the site, most notably the proposed DNS scheme Y Bryn wind farm (DNS 3264571), which would abut part of the site to the northwest. Given the proposed scale and location of that proposal, coupled with the scale of this, I consider there is the potential for cumulative impacts of the two schemes to be significant, including but not limited to Landscape and Visual, Historic Environment and Biodiversity impacts during the construction, operational and decommissioning phases. The information currently available with regards to cumulative impacts is insufficient to rule of significant effects in this respect.	Significant effect likely .
Question 1(c) Use of Natural Resources, in particular land, soil, water and biodiversity		
Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Yes, the proposal would require a degree of land take and use of natural resources both during the construction and operational stages. However, the land is of poor and very poor agricultural quality (grades 4 and 5) and there is potential for a degree of material recycling at the end of the project's lifespan. Given the low degree of impact and the scale of the proposal, I am	Significant effect unlikely .

5		Detailed Screening Questions	
Questions to be considered		Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
		content that significant effects on natural resources are unlikely.	
Question 1(d) Production of Waste			
Will the Project produce solid wastes during construction or operation or decommissioning?		Yes, some waste would be produced during construction and, notwithstanding the potential for some recycling of materials, the decommissioning of the equipment at the end of its lifespan would result in some solid waste. However, given the scale and nature of the proposed development I do not consider that significant effects are likely in terms of waste generation.	Significant effect unlikely .
Question 1(e) Pollution and Nuisances			
Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?		Yes, the proposal is seeking battery storage options. There is a known risk with lithium batteries, however appropriate storage can be implemented into the scheme which would minimise any risk caused by lithium batteries. Appropriate storage could minimise the impact on neighbouring areas. Given the scale of the proposal, as well as what is relates to, any impact generated would not be significant in EIA terms.	Significant effect unlikely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes, some noise and vibrations are likely during the construction phase, though this would be localised and time-limited. There would also be a minimal amount of noise during the operational phase and potential for redirection of light in terms of glint and glare via the reflective surface of the panels. This could be mitigated against through appropriate screening. Given the location of the site, and the nature of the proposed development, I am content that any effects in terms of glint and glare, or noise, would be localised and unlikely to be of a magnitude that would be significant, such that they would warrant an EIA.	Significant effect unlikely .
Will the Project release pollutants or any hazardous, toxic or noxious substances to air , or lead to risks of contamination of land or water (including surface waters, groundwater, coastal waters or the sea)?	The Screening request does not include information relating to the type of solar panels proposed. It is known that some solar panels have the potential to act as sources of leachable quantities of PFAS (per- and polyfluoroalkyl substances) that may enter the environment over time through general wear and tear interaction as PFAS may be used in the manufacture of solar panels. The potential impact could be mitigated against, such as regular monitoring of the site, which could be secured via condition. Given the scale of the proposal, coupled with the ability for conditions can be attached to a decision that will appropriately mitigate any potential impact, the impact is not deemed significant in EIA terms. this element of the scheme would not be significant in EIA terms.	Significant effect unlikely .

5		Detailed Screening Questions	
Questions to be considered		Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
Question 1(f) Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge			
Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?		Yes, some small risk of accident during construction, operation and decommissioning. However, given the scale and type of works involved, such risks are unlikely to be significant.	Significant effect unlikely .
Question 1(g) Risks to Human Health (for example due to water contamination or air pollution)			
Will there be any risk to human health during the construction and/or operation of the development		No.	N/A
CRITERION 2. LOCATION OF DEVELOPMENT			
Question 2(a) Existing and Approved Land Use			
Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?		No.	N/A
Are there any routes or facilities on or around the location, which are used by the public for access to recreation or other facilities, which could be affected by the project?		Yes, there are a number of PRow in and around the site. There would inevitably be some visual change for users of these routes, and potential for cumulative effects in combination with other schemes. However, given the scale of the proposed development, and the localised nature of these, I do not consider that they are likely to result in significant environmental effects.	Significant effect unlikely .
Are there any transport routes which are susceptible to congestion or which cause environmental problems, which could be affected by the project?		Yes. The LPA notes that there are a number of trunk roads that could be impacted by the proposed development. However, the main impacts of the proposed development in this respect would be during the construction period, which could be readily controlled by a Traffic Management Plan in order to limit effects on the road network. Traffic during the operational phase would be minimal. Given these factors, I do not consider that significant effects in this respect are likely.	Significant effect unlikely .
Is the project located in a previously undeveloped area where there will be loss of greenfield land?		Yes, the site is currently greenfield land in agricultural use. However, it is of poor agricultural	Significant effect unlikely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
	quality and the nature of the development would be such that the land could be largely restored at the end of the scheme's lifespan. As such, significant effects are unlikely.	
Are there any areas on or around the location occupied by land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	No.	N/A
Question 2(b) Relative Abundance, Availability Quality and Regenerative Capacity of Natural Resources in the Area and its Underground		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes, the site is in an area of potential coal reserves. Furthermore, the site has been mined in the past, with an entrance to a mine being located within the red line boundary. However, the nature and type of development proposed would be such that there would be no permanent sterilisation of those resources. Significant effects in this respect are therefore unlikely.	Significant effect unlikely .
Question 2(c) Absorption Capacity of the Natural Environment		
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, or are used by protected, important or sensitive species of fauna or flora, which could be affected by the project?	Yes, the site is within 3 km of both the Eglwys Nunydd Reservoir Site of Special Scientific Interest (SSSI) and Waun Cimla SSSI. Just outside of 3 km is the Kenfig Pool and Dunes Local Nature Reserve (LNR), and also Kenfig Special Area of Conservation (SAC). The Screening Report does not include sufficient information regarding the site's ecology, and the studies undertaken. The Report notes that a phase 1 habitat study has been conducted, but no study has been provided. Furthermore, NRW raise concerns that no ornithology studies, non-avian	Significant effect likely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
	ecology studies and no information about the protected SAC is provided in the report. The LPA also notes that the site is also crossed by water bodies with a number of areas meeting SINC watercourse status. With the information before me, it is possible to conclude that insufficient information has been provided detailing the impact of the proposal on ecology, as well as the mitigation required to limit the impact. It is therefore not possible to conclude that the proposal will not have a significant impact in EIA terms.	
Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	Yes. The LPA notes that there are watercourses that intersect the site that could impact on Sites of Importance for Nature Conservation (SINC). Additionally, NRW notes that insufficient information is provided regarding the underground cable, and the impact this could have on sub water table fluid filled cables. Given the minimal information provided in the Screening Report, coupled with comments from consultees, there is insufficient information provided for me to conclude that there would be no significant impact on the environment in EIA terms.	Significant effect likely.
Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	Yes, the site is located within a Landscape of Special Historic Interest – Margam Mountain. The Screening Report notes this (para 3.5.16-17), however little information is provided in section 4 of the report that addresses how the	Significant effect likely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
	impact will be minimised or mitigated. It is not possible to therefore rule out that the proposal would not have a significant impact on the historic landscape.	
Is the project in a location where it is likely to be highly visible to many people?	Yes, the scheme would be visible to many people in the surrounding area, including from the M4. However, given the context of the site, the topography, nearby forestry, coupled with existing infrastructure in the vicinity of the site, the views are likely to be partial in most cases. Whilst the visual impact of the scheme will be a factor for the decision maker, and in particular with cumulative effects with other development, I do not consider it likely that the magnitude of visibility would be significant.	Significant effect unlikely .
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	No.	N/A
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes, the site is within close proximity to historic assets, and the red line boundary adjoins four Scheduled Ancient Monuments. Little information is provided in the screening request as to how the impacts will be mitigated, or how these historic assets have been taken into account. Furthermore, the site is adjacent to another DNS scheme (Y Bryn wind farm -DNS 3264571) that may come forward. Concerns are raised by both Cadw and the LPA regarding the impact that the proposal will have on heritage assets, and the information provided in the Screening Report does not provide sufficient	Significant effect likely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?
	information that details how the setting of these historic assets will be preserved.	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	Yes. The northernmost part of the site is highlighted as a historic landfill site, so there is the potential for site contamination around the area. The applicant's attention is drawn to comments from NRW that part of the site was an old landfill, therefore there is potential for contamination. Given the location of the proposed solar panels, it does not appear as if the historic landfill will be disturbed, however, it is within the red line boundary of the site. No ground contamination studies were provided as part of the request. It is therefore not possible to state that there would not be a significant impact on the area in terms of ground contamination.	Significant effects likely .
Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	No.	N/A
Has there already been a failure to meet environmental quality standards that is relevant to the project?	No.	N/A

Statement of reasons –

The proposal is seeking to install a solar farm (of circa 50 MW) on land east of Margam Country Park. The site is within close proximity to Eglwys Nunydd Reservoir SSSI, Waun Cimla SSSI, Kenfig Pool and Dunes LNR, and also Kenfig SAC. Additionally, the site adjoins four Scheduled Ancient Monuments, and is partially within the Margam Mountain Historic Landscape. The proposal also adjoins Y Bryn wind farm DNS scheme. Concerns are raised by the LPA, NRW and Cadw in relation to the potential impact the proposal will have on ecology, heritage assets, ground contamination and potential watercourses. Given the close proximity to that proposal and based on the information currently available, it is not possible to rule out the potential for significant effects (including cumulative) in several areas, in particular historic assets,

historic landscape, ecology, ground contamination and the impacts on nearby watercourses. As such, I consider that due to the potential for these significant effects, the proposal is EIA development and that consequently EIA is required.

6		Outcome of assessment		
(ii)	If a SO/SD has been provided do you agree with it?	No		
(iii)	Is EIA required?	No		
Outcome		Action		P
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area and likely to have significant effects		Issue direction stating EIA Required (Letter 2)		
Name and Job Title of Assessor		A Wilcox – Planning Officer		
Date of Assessment		09/08/2022		



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Date Dyddiad	15th July 2022
Direct line Rhif ffôn	[REDACTED]
Email Ebost	[REDACTED]
Contact Cyswllt	Nicola Lake
Your ref Eich cyf	
Our ref Ein cyf	P2022/0567

Mr Robert Sparey
PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dear Sir/Madam

Town and Country Planning Act 1990

PROPOSAL: Consultation Request from Planning and Environment Decisions Wales (PEDW) in relation to a screening direction request under the Town and Country Planning (Environmental Impact Assessment)(Wales) Regulations 2017 for the construction of solar arrays and battery storage project generating 50MW on a site area of approximately 33ha. of a wider 99.5ha site, with associated works including transforms, sub-station and inverters, battery energy storage, access tracks, storage containers, fencing , CCTV and underground 33kV cable connection to grid.

LOCATION Agricultural Land To The South Of Moel Ton-mawr And West Of Mynydd Margam

APPLICANTS Mr Robert Sparey

NAME/ADDR: Crown Buildings Cathays Park Cardiff CF10 3NQ

Unfortunately due to the time limit given for responses, the Council's normal internal consultees on such projects have been unable to respond in time for this reply. As such, the following response is based on the information that we have currently available.

Amgylchedd ac Adfywio

Ceri Morris Pennaeth Cynllunio a Gwarchod y Cyhoedd

Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG
Ffôn 01639 686868

Environment and Regeneration

Ceri Morris Head of Planning and Public Protection

The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG
Tel 01639 686868

Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

I can confirm that we have not received any correspondence from the applicants, as such our response will be based on the information that was available to us via the link within your letter.

Your letter stated that the development area is located within both Bridgend County Borough Council and Neath Port Talbot Council Borough Council areas, however we have reviewed the submitted information and it would appear that the how of the development area is located within our jurisdictional boundary and would be located approximately 260m from the boundary with the neighbouring authority.

Your letter stated that you would welcome our advice on whether we consider this development is likely to have any significant environmental effects. The applicant's submitted screening report states that the proposed site area would be 99.5ha (para. 2.3.1). The report continues on to state that the physical footprint of the solar and storage components would be approximately 33ha (Para 2.3.3). However this would appear to be an underestimate of the development area which measures closer to 75ha based on the applicant's Site Boundary Plan. The red line areas also appear to exclude the proposed grid connection which the screening report states is likely to form part of the DNS submission (para. 2.3.5), this aspect of the development would be likely to increase the development area still further.

The proposed site area is crossed by a complex network of Public Rights of Way, as well as the Great Dragon Ride Route (Policy TO4 of the Neath Port Talbot Local Development Plan). A development of this scale would be likely to require numerous construction traffic vehicle manoeuvres along a narrow network of lanes with potential for conflict between HGV's, private motor vehicles, pedestrians, cyclists and horse riders all of whom extensively use this area due to its association with tourism and countryside activities. As such any development submitted would need to comprehensively assess its impacts upon pedestrians, cyclists, riders and other highway users, as well as its impact upon the physical highway infrastructure.

There are a number of statutory undertaker's infrastructure including telecommunication equipment located within and adjacent to the application site. As well as areas of potential historic land contamination; the Coal Authority has identified areas crossing through the proposed development as High Risk Development areas, as well as the area being located within Mineral Safeguarding Areas as identified within the Neath Port Talbot Local Development Plan. It is therefore considered that any application submitted would have to assessment comprehensively its impact upon the existing

infrastructure, historic ground contamination and impacts upon the historic coal mining and existing coal and mineral safeguarded areas.

In relation to cultural and historic environmental impacts, the development site is located within a Landscape of Special Historic Interest: Margam Mountain. The site would also physically adjoin the Registered Historic Park and Garden of Margam Country Park, which is also the location of numerous grade I, II* and II Listed Buildings, as well as several Scheduled Ancient Monuments. In addition to these designation, the application site itself also has a number of Scheduled Ancient Monuments and HER sites of archaeological interest located both within its site area and immediately adjacent to it. As such any application submitted would have to have a detailed assessment of the development's potential impacts upon the historic and cultural environment. The development would also require a Landscape and Visual Impact Assessment to be carried out due to the scale, location and topography of the proposal would have the potential to have a significant adverse impact upon these aspects of the immediate and wider area. The resultant impacts of the proposed development upon the tourist industry within the area would also have to be assessed.

The development area is also crossed by water bodies with a number of areas meeting SINC Watercourse status. Also the Eglwys Nunnydd Reservoir, Margam Moors and Kenfig SSSIs are located to the south of the application site. Kenfig is also a SAC and a Local and National Nature Reserve. Any application submitted would have to be supported by all necessary ecological surveys which would identify any necessary mitigation or compensation, as well as proposing the required Biodiversity Enhancement Measures.

Based on the level, complexity and nature of the potential impacts associated with the proposed development as outlined above, the Planning Authority is of the opinion that the proposed development would have the potential for significant adverse impacts that should be assessed through the carrying out of an Environmental Impact Assessment and that any application submitted should be supported by an Environmental Statement.

Should you require any further assistance please contact Nicola Lake on the case officer number above.

Yours faithfully

Ceri Morris
HEAD OF PLANNING & PUBLIC PROTECTION

If you require this information in larger print, or in an alternative format, please contact the above named officer.

Maes Newydd,
Llandarcy,
Neath Port Talbot,
SA10 6JQ

Mr Robert Sparey
Planning & Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

ebost/email:
swplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 65 3358

29th July 2022

Annwyl / Dear Mr. Sparey,

**TOWN AND COUNTRY PLANNING ACT 1990
[THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES)
ORDER 2016 (AS AMENDED)]
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT
(WALES) REGULATIONS 2017 (AS AMENDED)**

POTENTIAL DNS APPLICATION

PROPOSAL: SOLAR FARM AND ENERGY STORAGE PROJECT, CIRCA 50 MW.

**LOCATION: AGRICULTURAL LAND TO THE SOUTH OF MOEL TON-MAWR AND
WEST OF MYNYDD MARGAM**

Thank you for your letter dated 1st July 2022 requesting Cyfoeth Naturiol Cymru (CNC) /Natural Resources Wales' (NRW) views on whether the above proposed development is likely to have a significant environmental effect.

We have considered the information provided in the report entitled '*Eirlys Solar and Storage Project – EIA Screening Report*' (V3) by Dulas Ltd, dated 27th June 2022 along with its associated figures. Based on the information provided, we consider that the proposed development is likely to have adverse effects on the environment. However, in light of the information available to us we cannot confirm the significance of these effects. We therefore cannot rule out that these effects may be significant. In the absence of further information, we consider that the proposed development has the potential to have significant environmental effects.

Our view on the likelihood of significant effect on each of the environmental interests under our remit are set out below:

Land Contamination

Our Geographical Information System (GIS) mapping system shows a historic landfill at the northern end of the proposed development site (approximate grid reference: SS 83293 87804). We note the boundary of the landfill is round in shape which can sometimes indicate uncertainty around the exact location of the landfill. Records state that it is an old municipal site run by the Local Authority which accepted household and industrial waste between 1960 and 1974. The landfill records show a mine shaft is also situated within the location of landfill site. The landfill is recorded as Llety Brongu and listed as reference 6915/0017 and EAHLD14062 however no further information is readily available. We note the landfill has not been considered in the screening report and given that historic landfills can be a potential source of contamination, we are unable to rule out any significant effects from contamination. We expect the landfill to be considered in any further assessment and as a minimum would require details of its location and boundary to be able to consider it further in respect of land contamination. We refer the Applicant to the Local Authority for further information on the historic landfill.

With regard to the whole development site, we advise that solar farms are not typically associated with significant impacts on the groundwater environment in greenfield settings. Additionally we note this site is outside of any Principal Aquifers and Source Protection Zones. Therefore, we do not anticipate significant effects with respect to groundwater in the greenfield areas.

Section 2.3.5 of the report informs us that a new 33kv underground cable will be required to connect to the local distribution network however no further information has been provided on the proposed route and cabling detail. We are therefore unable to make an assessment of its potential environmental effects and draw the Applicant's attention to position statement C5 in [Groundwater Protection Position Statements](#) with regard to sub water table fluid filled cables.

Protected Sites

There is a direct hydrological connection between the watercourses on the proposed site and the Kenfig Special Area of Conservation (SAC) to the south west of the site and Cefn Cribwr SAC to the south east of the site. These protected sites are particularly sensitive to hydrological changes due to the presence of habitats including dune grassland and marshy grassland (respectively). There is therefore a potential impact pathway for both SACs. Whilst we note that section 3.4.3 of the screening report states that *"it is expected that a Construction Environment Management Plan will be prepared"*, as no further information on watercourse protection and pollution prevention measures has been provided at this stage, we are unable to rule out any significant effects on the protected sites.

We note there is an area of marshy grassland within the proposed site boundary. Given that there are nearby records for marsh fritillary butterfly and that this species is one of the features for which Cefn Cribwr SAC is designated for, there is a possible impact here if the species is inhabiting the grassland within the site boundary.

Please note that the nearby Eglwys Nunydd Reservoir Site of Special Scientific Interest (SSSI) is discussed below under 'Ornithology'.

Ornithology

Based on the information provided it is not possible to determine impacts on birds at the proposed development site. No details of surveys have been provided therefore it is unclear if the site is functionally linked to the nearby Eglwys Nunydd Reservoir SSSI, which is designated for its overwintering waterfowl feature. The information provided in relation to mitigation currently does not provide enough detail to determine impacts.

Non-Avian Ecology

We are aware of Dormice records within the woodland adjacent (east) of the application site and Great Crested Newts (GCN) records within the woodland to the south-west. Both Dormice and GCN are European Protected Species (EPS), legally protected under The Conservation of Habitats and Species Regulations 2017 (as amended).

As no information has been provided on the grid connection and the access route associated with the site, we are unable to rule out a likely significant effect on EPS. If any habitat in this area requires removal to accommodate the grid connection route or access, the above listed species, along with bats, would need to be considered.

Landscape

The proposal lies approximately 22km from the Brecon Beacons National Park to the north. Intervening landform and forestry would screen the proposal from views from this direction. The proposal lies approximately 19km from the Gower Area of Outstanding Natural Beauty (AONB) to the west at Mumbles Head. The proposal is located on predominantly south facing slopes, with panels proposed to be orientated to the south and oblique views of panels at this distance are unlikely to cause significant visual effects. We therefore advise that the proposal is unlikely to have any significant effect on Designated Landscapes under our remit.

We have considered the likelihood of significant effects from the scheme on environmental interests listed on our consultation topic list: *Natural Resources Wales and Planning Consultations* (September 2018).

Our advice does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance, or human health. You may wish to consult other bodies for their expert advice on those effects.

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, any environmental permit, the submission of more detailed information, or an Environmental Statement.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours sincerely

Hannah Roberts

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

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Eich cyfeirnod
Your reference

DNS CAS-01977-L5K6R7

Ein cyfeirnod
Our reference

Dyddiad
Date

14 July 22

Llinell uniongyrchol
Direct line

Ebost
Email:

Cadwplanning@gov.wales

Dear Robert

PROPOSED DEVELOPMENT: Eirlys Solar Farm
LOCATION: Agricultural Land to the south of Moel Ton-mawr and west of Mynydd Margam

Thank you for your letter of 1 July asking for Cadw's view on the likely impact of the proposed development described above on the environment and whether Environmental Impact Assessment (EIA) is required.

Cadw, as the Welsh Government's historic environment service, has assessed the characteristics of this proposed development and its location within the historic environment. In particular, the likely impact on designated or registered historic assets of national importance. In assessing if the likely impact of the development is significant Cadw has considered the extent to which the proposals affect those nationally important historic assets that form the historic environment, including scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes.

These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

Advice

Cadw consider that the impact of the proposed development will have a direct physical impact and/or detrimental impact on the setting of the historic assets identified and consider that this effect is significant enough, on the historic environment to warrant EIA.

Assessment

The designated historic assets in Annex A are located inside 3km of the proposed development with it being entirely inside the registered Margam Mountain landscape of special historic interest and immediately adjacent to scheduled monuments GM056, GM057 and GM090.

A screening report has been produced by Octo Partners, but this appears to underestimate the likely adverse impact of the proposed development on the historic environment. This is especially due to its proximity to the boundaries of the scheduled monuments and the likely significant impact on their settings and the direct adverse impact on the registered historic landscape as the proposed development will entirely cover one historic landscape character area and parts of two other historic landscape character areas.

In our opinion therefore these significant impacts on the registered historic landscape and the setting of the scheduled monument are sufficient to require an environmental impact assessment to be submitted with any application consent for the Eirlys Solar Farm.

Yours sincerely

Jenna Arnold
Diogelu a Pholisi/ Protection and Policy

Annex A

Scheduled Monuments

GM005 Margam Abbey
GM011 Margam Inscribed & Sculptured Stones
GM056 Danish Camp
GM057 Camp N of Tonmawr
GM058 Roman Camp
GM059 Y Bwlwarcau
GM085 Llangynwyd Castle
GM086 British Fortified Residence
GM090 Camp 530m E of Tonmawr
GM092 Mynydd Ty Talwyn Ancient Farms
GM093 Mynydd Ty Talwyn Ancient Farms
GM159 Ergyd Uchaf Round Barrow
GM162 Mynydd y Castell Camp
GM163 Hen Eglwys
GM340 Earthwork & Platform Houses N of Nant Fadog
GM443 Site of Bodvoc Stone
GM477 Half Moon Camp
GM488 Chain Home Low Radar Station, Margam
GM493 Bryndu Coke Ovens
GM545 Margam Medieval Bath House
GM557 Twmpath Diwlith Round Barrow

Registered Parks and Gardens

PGW(Gm)52(NEP) Margam Park

Registered Historic Landscape

HLW (WGI/MGI) Margam Mountain

Listed Buildings/ Conservation Areas

11243 Church of St Cynwyd II*
11352 The Old House Inn PH II
11353 Telephone call box in front of the Old House PH II
11373 Pentre Farmhouse, with attached farm range. II
11375 Gilfach-ganol farmhouse II
14148 St Mary's Abbey Church I
14149 Ruins of Chapter House and Vestibule of St Mary's Abbey I
14150 Ruined Undercroft at St Mary's Abbey I
14151 Almshouses II
14152 Margam Orangery I
14153 Ivy Cottage including Facade of Former Banqueting House I
14155 Hen Eglwys II*
14157 Barn at Eglwys Nunydd II
14158 Old Park II*
14161 Churchyard Walls and Gate Piers to St Mary's Abbey Church II
14162 Kitchen Garden Walls including Vinery Glasshouse II
14163 Terrace Walls and Screen at Margam Castle II*
14164 Middle Lodge II
14165 Cwm Cottage II
14166 Margam Cottage II
14167 2 Grove Cottages II
14168 Piers and Gates at East Lodge and Flanking Walls II
14169 Gateway and Quadrant Walls Leading to Twyn yr Hydd II
14170 Margam Castle I
19176 Kenfig Hill War Memorial II

19177 The Talbot Institute II
 20429 The Hopcyn Cross II
 20430 Two chest tombs on S side of the Church of St Cynwyd II
 20431 Group of five tombs S of the tower of the Church of St Cynwyd II
 20432 Bee boles and stile in garden wall at Gilfach-uchaf farm II
 20434 Group of 4 Hopkin and Jenkins tombs within iron railings on the W side of the path to the S porch II
 20435 Group of nine memorials on the W side of the path to the S porch, Church of St Cynwyd II
 20436 Jenkins Monument in the churchyard, Church of St Cynwyd II
 20437 Churchyard walls around the graveyard, Church of St Cynwyd II
 23261 Aberbaiden II
 23263 Twyn yr Hydd II
 23264 Citrus House II
 23265 Retaining Wall adjoining Citrus House II
 23266 Stone Steps in Terraced Garden II
 23267 Terrace with Pools and Flower Beds Fronting Margam Orangery II*
 23268 Turbine House II
 23269 Stones Museum II
 23270 War Memorial II
 23271 Pair of Gate Piers to the Former Margam House II
 23272 Ornamental Pool II
 23273 Former Changing Room II
 23274 Monastic Baths II*
 23275 Broadwalk Steps II
 23276 Arch over Culvert II
 23277 Farm Building at Twyn yr Hydd II
 23278 Service Buildings including Courtyard Walls at Margam Castle II*
 23279 Kitchen Garden Wall and Glass House at Twyn yr Hydd II
 23280 Garden Wall at Twyn yr Hydd II
 23281 Entrance to Twyn yr Hydd and Flanking Walls II
 23285 Milepost near Margam Park Entrance II
 23286 Milepost near Old Park II
 23287 Milepost near Cae Garw II
 23293 3 Grove Cottages II
 87732 Margam Crematorium II*