



Bodelwyddan Solar and Energy Storage

Planning Statement

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On behalf of **Bodelwyddan Solar & Energy Storage Limited**

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Figure A – Extract from Welsh Government ALC: Predictive Mapping... **Error! Bookmark not defined.**

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Appendix A 2015 Consent Site Layout Plan (LPA ref. 0/40999)

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1 Executive Summary

- 1.1.1 This Planning Statement has been prepared by Stantec on behalf of Bodelwyddan Solar and Energy Storage Limited (the 'Applicant') to accompany a full planning application under the Development of National Significance process for the construction and operation of a solar photovoltaic electricity generating station ('solar farm'), a Battery Energy Storage System ('BESS') and associated ancillary development (the 'Proposed Development').
- 1.1.2 The solar farm element of the Proposed Development is anticipated to have an export capacity of approximately 110MW and the BESS will have a capacity of approximately 110MWac with a 4-hour duration (and a storage capacity of 440MWh). At the end of the Proposed Development's 40-year life it will be decommissioned, with the Site being restored.
- 1.1.3 The Proposed Development spans approximately 183.77 hectares of predominately agricultural land around Bodelwyddan, split into two areas: the 168.95 hectare (ha) 'Solar Site' to the northwest, and the 6.52 ha 'BESS Site' south of St Asaph Business Park. Both sites will be connected by an 8km long underground cable which sits within a 'Cable Corridor' of 10m in width and 8.29ha in size. The Proposed Development will then connect to the grid at Bodelwyddan Substation, directly adjacent to the east of the BESS Site.
- 1.1.4 Around 70% of the Site lies within Conwy County Borough and 30% within Denbighshire County, including the BESS Site.
- 1.1.5 This application proposes development which is, in summary, described as:
- Construction, operation and decommissioning of a proposed solar photovoltaic (PV) electricity generating system and battery energy storage system (BESS), associated solar arrays, inverters, transformers, substations and ancillary buildings, accesses, internal access tracks, landscaping and biodiversity, fencing/CCTV, cabling and associated ancillary development*
- 1.1.6 The Proposed Development falls within the definition of a 'Development of National Significance' (DNS) under regulations 3 and 4 of the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, for the purposes of s62D of the Town and Country Planning Act 1990, because it comprises an electricity generating station with an installed generating capacity of between 10 and 350MWac.
- 1.1.7 Future Wales: The National Plan 2040 is clear that decision makers must give significant weight to Wales' need to meet its international commitments, and its target of generating 70% of consumed electricity by renewable means by 2030, later revised to a target of 100% by 2035. Future Wales is the latest expression of national planning policy and, therefore, due to the significant contribution that the Proposed Development will make to meeting Wales' renewable energy targets and net zero objectives, it is fully compliant with and draws strong policy support from the principles of Policy 17 of Future Wales.
- 1.1.8 In parallel, the UK Government has set a target of achieving 45–47GW of installed solar capacity by 2030, alongside its legally binding Net Zero by 2050 commitment. These ambitions emphasise the need for rapid deployment of zero-carbon generation assets at scale, in a manner that supports the three overarching national energy policy aims: ensuring decarbonisation, maintaining security of supply through geographically and technologically diverse energy sources, and improving affordability by reducing exposure to volatile international markets. The Proposed Development will make a significant contribution to both Welsh and UK policy objectives.

- 1.1.9 The Proposed Development will also accord with Policy 18 of Future Wales, through a consideration of each of the 11 criteria set out in the policy supported by a robust assessment of the likely environmental impacts of the proposals. The development has also been assessed against Policy 9 of Future Wales, which emphasises the protection and enhancement of Wales' distinctive natural environment and the promotion of sustainable resource management. In each case, there is no conflict with the policy objectives of Future Wales.
- 1.1.10 The Proposed Development is also in accordance with policy VOE10 of the adopted Denbighshire Local Development Plan (LDP) relating to the location of renewable energy development in the County Borough, Policy NTE1 of the Conwy Local Development Plan (LDP), and section 5.7 and 5.9 of Planning Policy Wales (PPW).
- 1.1.11 The proposals will deliver net benefits for biodiversity across the Site and the Solar Site can continue to be grazed by livestock during its operational life. Moreover, once the operational life of the Proposed Development comes to an end, which would be 40 years from its connection to the grid, the agricultural fields will be restored in full to their current, if not improved condition, as there are environmental benefits from taking the land out of intensive farming for the duration of the use including improvements to soil quality and structure.
- 1.1.12 The Proposed Development would deliver an export capacity of up to 110MW, generating the equivalent of the annual domestic electricity requirements of approximately 26,657 homes. In doing so, it would save around 35,569 tonnes of CO₂ every year, equating to more than 1.4 million tonnes of avoided emissions over its 40-year operational life. These savings translate into a projected carbon cost saving of around £56.2 million by 2050. This scale of renewable energy generation and associated decarbonisation clearly demonstrate the very significant environmental and socio-economic benefits of the Proposed Development, and the contribution to meeting national net zero targets.
- 1.1.13 In accordance with Article 14 of The Developments of National Significance (Procedure) (Wales) Order 2016, a Design and Access Statement accompanies this Application. It sets out the Site context, its surrounds and details of the Proposed Development. It also describes the design principles, the process and evolution of the scheme throughout the early engagement process, and subsequent changes to the proposals following the formal pre-application consultation (PAC) process, highlighting any further amendments to the scheme that the Applicant has made to address comments from consultees and feedback received from the local community.
- 1.1.14 A suite of technical reports and plans is submitted in support of this application, including an Environmental Statement (ES). The application documents, in combination, demonstrate that there are no site-specific technical constraints that would preclude delivery of the Proposed Development, and its impacts will not result in unacceptable significant environmental effects, meaning that the Proposed Development is in accordance with Future Wales and the development management policies of the DLDP and CLDP) in relation to the full range of planning considerations, including in relation to the following matters:
- Landscape and Visual;
 - Biodiversity;
 - Cultural Heritage;
 - Disturbance and Residential Amenity
 - Noise and Vibration
 - Glint and Glare

- Highways and traffic;
- Hydrogeology and hydrology (including flood risk);
- Climate Change;
- Soils; and
- Cumulative impacts.

1.1.15 This Statement clearly sets out how the Proposed Development will accord with Future Wales and all relevant national and local planning policy, supported by a robust assessment of the likely environmental effects, as set out in the accompanying Environmental Statement, and other impacts of the proposals. This Statement also concludes that the proposals demonstrate compliance with the 'well-being goals' of the Well-being of Future Generations (Wales) Act 2015 and represents sustainable development under s.2 of that Act.

1.1.16 Overall, the proposals are entirely suitable to the Site and its surrounds, consistent with local and national planning policy and all relevant material planning considerations. It will deliver the objectives envisaged by the Applicant and aligns with the policy objectives set out by the Local Planning Authority and the Welsh Ministers. Accordingly, this DNS application should be approved.

2 Introduction

2.1 Overview

- 2.1.1 This Planning Statement has been prepared by Stantec on behalf of Bodelwyddan Solar and Energy Storage Limited (the 'Applicant') to accompany a full planning application under the Development of National Significance process (the 'Application') for the construction and operation of a solar photovoltaic electricity generating station ('solar farm'), a Battery Energy Storage System ('BESS') and associated ancillary development (the 'Proposed Development'). The solar farm element of the proposed development is anticipated to have an export capacity of approximately 110MWac and the BESS will have a capacity of approximately 110MWac with a 4-hour duration (and a storage capacity of 440MWh).
- 2.1.2 The Proposed Development is fully reversible and at the end of its 40-year operational life it will be fully decommissioned, with the Site being restored and the land reverting back to agricultural use. The Site spans approximately 183.77 hectares of predominately agricultural land around Bodelwyddan, split into two areas: the 168.95 hectare 'Solar Site' to the northwest, and the 6.52 hectare 'BESS Site' south of St Asaph Business Park. Both sites will be connected by a 8km underground cable linking to the National Grid at Bodelwyddan Substation. The Cable Corridor extends 8.29 hectares.
- 2.1.3 Around 70% of the site lies within Conwy County Borough and 30% within Denbighshire County, including the BESS Site.
- 2.1.4 The application description is confirmed below:
- "Construction, operation and decommissioning of a proposed solar photovoltaic (PV) electricity generating system and battery energy storage system (BESS), associated solar arrays, inverters, transformers, substations and ancillary buildings, accesses, internal access tracks, landscaping and biodiversity, fencing/CCTV, cabling and associated ancillary development"*
- 2.1.5 The scheme comprises an electrical generation station with an installed generating capacity of between 10 and 350 megawatts (MW), therefore it falls within the definition of a 'Development of National Significance' (DNS) under regulations 3 and 4(1) of the Proposed Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended), for the purposes of s62D of the Town and Country Planning Act 1990 (TCPA).
- 2.1.6 Taking the above into account, the Applicant is, therefore, applying to the Welsh Ministers instead of the local planning authorities (LPA), which in this case are Denbighshire County Council ('DCC') and Conwy County Borough Council ('CCBC').
- 2.1.7 This Statement provides a background to the proposals, describes the Site and its surroundings and the development proposed. The key role of the Planning Statement is to set out an assessment of the Proposed Development against relevant national and local planning policies and guidance, including that set out in Future Wales and the relevant Local Development Plans (LDP), Planning Policy Wales (PPW) and applicable Technical Advice Notes (TANs).
- 2.1.8 This Statement comprises the following title sections:
- Section 1: Introduction – this section introduces the Applicant, the basic principles of the Proposed Development and the structure of this Statement;

- Section 2: Project Description – this section describes the proposals in more detail, explaining what is included within the planning application, and includes consideration of design and access. The Site and its context are also described in this section.
- Section 4: Planning History – this section identifies the most relevant planning history of the Site;
- Section 5: Pre-application Dialogue – this section includes pre-application dialogue with Planning, Environment and Decisions Wales (PEDW), the two LPAs, the local community and other relevant consultees. In addition, this section provides details with regard to the Environmental Impact Assessment Scoping Process that has been undertaken;
- Section 6: Planning Policy Framework – this section sets out the prevailing planning policy context, including national and local policy and guidance that is applicable to the Proposed Development;
- Section 7: Assessment of the Proposed Development – this section assesses the Proposed Development against the prevailing Planning Policy Framework highlighted in section 6 concluding that the Proposed Development complies with Future Wales (National Plan for Wales) (February 2021), PPW (Edition 12), the Development Plan and other material considerations; and
- Section 8: Conclusions – this section concludes and summarises the preceding sections.

2.2 The Applicant

- 2.2.1 Bodelwyddan Solar and Energy Storage Limited (the 'Applicant') a Special Purpose Vehicle ('SPV') owned by Island Green Power UK Limited ('Island Green Power').
- 2.2.2 Island Green Power (IGP), established in 2013, is a leading developer of utility-scale solar Projects and battery storage systems. IGP delivers renewable energy solutions that create lasting value for the communities it serves, protecting the environment while fostering economic growth and energy independence.
- 2.2.3 IGP has successfully delivered nearly 40 solar projects worldwide that has generated more than 3GW of energy capacity. This includes 21 projects in the UK and the 30MW Brynrhyd Solar Farm in Carmarthenshire consented by Welsh Ministers in November 2022, which, once constructed, will generate enough renewable energy for over 10,600 homes a year.
- 2.2.4 IGP is committed to the long-term delivery of solar energy to ensure green targets are met and energy security is ensured.

3 Project Description

3.1 Site and Surroundings

- 3.1.1 The application Site comprises approximately 183.77 ha of predominantly agricultural land to the northwest and southeast of Bodelwyddan.
- 3.1.2 The larger parcel of land to the northwest of Bodelwyddan is the Solar Site, which extends to approximately 168.95 ha, comprising land to the north and south of Rhuddlan Road (A547), and to the west of St Asaph Avenue (land parcel numbers 1-6 on the Proposed Solar Layout drawing (ref: 2.0.2)).
- 3.1.3 The smaller circa 6.52 ha rectangular parcel of land making up the BESS Site is positioned south of St Asaph Business Park.
- 3.1.4 Approximately 70% of the Site sits within the authoritative boundaries of CCBC, and 30% (including the BESS Site) within DCC. The LPA boundary, which crosses the Solar Site, is indicated with a black line on the Proposed Solar Layout (Ref. 2.0.2) plan.
- 3.1.5 The Solar Site and the BESS Site would be connected by an underground cable connection within a 'Cable Corridor' of appropriately 8km in length and 10m wide into the grid connection point at Bodelwyddan Substation. The Cable Corridor extends approximately 8.29 ha in area.
- 3.1.6 The Agricultural Land Classification predictive map for Wales indicates that the Site is predominantly of Grade 3b land, with some small areas of Grade 3a along the southern boundary. An Agricultural Land Classification Survey has been carried out to test this position and plot it accurately, which has been verified by Welsh Government. The Report concludes that 93% of the Solar Site was Grade 3b or 'other' (not BMV) land (154.3ha), with 6.8% Grade 3a (BMV) (11.3ha). The entirety of the BESS site is Grade 3b land (not BMV).
- 3.1.7 A consented development site for a 24MW solar farm (Conwy LPA ref. 0/40999), granted planning permission in 2015, sits partially within the Solar Site. The portion of the 2015 consent that has been built out and is currently operational sits outside the application red line. A northern section that was consented but not built out (approximately 32 ha), however, sits within the application site area, and equates to an area approximately 19% of the Solar Site. The remainder of the consented area could still be built out without the need for further planning approval.
- 3.1.8 The Solar Site is situated within Flood Zone 3 but benefits from flood defences. It is potentially at risk from tidal and surface water flooding during 'Low' risk events (1 in 1000 year event). The BESS Site, and Cable Corridor south of the A55, is located in Flood Zone 1, therefore it is at little or no risk of flooding from main rivers or the sea. Very small parts of the BESS Site fall within areas predicted to be at risk from surface water and small watercourses.
- 3.1.9 Existing access to the Solar Site is obtained from Rhuddlan Road, Gors Road, and St Asaph Avenue, while access to the BESS Site is from an unnamed road via Glascoed Road to the north.
- 3.1.10 The larger Solar Site parcel sits between the settlements of Bodelwyddan to the south, Towyn and Kinmel Bay to the north, and Abergel to the west. The surroundings predominantly comprise greenfield agricultural land. There are five Grade II listed buildings (Toll Bar Cottage and No. 1, 2, 3 and 4 Bodoryn Cottages) and a Grade II* listed building (240 Morfa Lodge) adjacent to the boundary of the Site to the south. A strip of Ancient Woodland (not within the Site) runs between two of the agricultural fields here which is also designated as part of a Registered Historic Park and Garden (Kinmel Park).

- 3.1.11 The BESS Site sits to the south of Asaph Business Park and to the east of the Bodelwyddan substation. The rural character of this area is diminished by existing landscape detractors which have an urbanising effect on the BESS Site, such as the National Grid Bodelwyddan substation, a notable piece of energy infrastructure adjacent to the north east boundary. In addition, overhead lines transect the south eastern part of the BESS Site, with lattice towers directly to the east. Further beyond, the south and west is agricultural land.

3.2 Site Selection

- 3.2.1 The Applicant has undertaken a comprehensive and detailed site selection process to assess the suitability and availability of land around Bodelwyddan Substation.
- 3.2.2 A key constraint in the development of renewable energy projects is grid capacity and there is an identified shortage of viable grid connections in the UK. This Site benefits from its proximity to Bodelwyddan Substation (adjacent to the east of the BESS Site) and the Applicant has secured a grid connection to the substation.
- 3.2.3 Through the Applicant's site selection process, the Site was identified as being suitable for solar and BESS development for a number of reasons. Most notably it benefits from the following:
- Available grid capacity and viable grid connection offer at Bodelwyddan substation.
 - The Site is available and has willing landowners.
 - It is not subject to any statutory planning, environmental or ecological designations that would constrain its development.
 - The Solar Site is located in an area or 'pocket' identified primarily as Grade 3b in the Predictive Mapping. The mapping shows that the wider area generally comprises BMV land (or urban land) and that there are very limited opportunities elsewhere within the wider area surrounding the point of connection (Bodelwyddan Substation) to accommodate a site of the size that is required to achieve a generation capacity of approximately 110MW. This demonstrates the Applicant has sought to select a Site which limits the amount of BMV land proposed for development as much as possible. The ALC survey later confirmed that the Solar Site is 93% Grade 3b (not BMV) and the BESS Site is entirely Grade 3b (not BMV).
 - The existing operational solar farm establishes a precedent for this form of renewable energy development in the area and approximately 30ha of land within the Site itself benefits from an extant consent (LPA ref. 0/40999) for a solar farm that was not built out.
 - The Solar Site is within Flood Zone C1 but it benefits from flood defences. The BESS Site is within Flood Zone A.
 - There is no loss of public open space or impact on any Public Rights of Way (PRoW); there are no PRoW within the Solar and BESS Sites nor would any in the wider area be impacted by the proposed development.
 - The Site does not impact a significant local population, being suitably located away from densely populated areas, thereby reducing the potential for adverse effects on residential receptors and settlements

- The Site (i.e. the Solar and BESS Sites) benefit from a number of existing access points which can be utilised to serve the Proposed Development including being sufficient for access by type of vehicles required during construction. The BESS Site also offers two potential access points to comply with safety requirements.

3.3 Development Description

- 3.3.1 This scheme at Bodelwyddan represents IGP's next investment into the sector. The Proposed Development will provide a significant source of renewable energy, helping to reduce carbon emissions and contribute to Wales' net-zero goals. It is estimated that the solar project could generate approximately 110 megawatts (MW) of electricity, which is equivalent to providing enough power to meet the annual electricity needs of approximately 26,650 homes and approximately 35,569 tonnes of carbon dioxide saved per year.
- 3.3.2 The BESS will have a capacity of approximately 110MWac. It has been designed with a 4-hour duration with a storage capacity of 440MWh. It would store the electricity during times of high renewable energy generation (such as solar and wind) and discharge it when demand is high or renewable generation is low.
- 3.3.3 The Proposed Development is fully reversible, with all equipment removed from the Site at the end of the installation's operational life (i.e., up to 40 years). The methods used in construction (i.e., limited concrete) mean that remediation works following the removal of the panels and associated infrastructure are relatively minor and will return the Site to its previous character.
- 3.3.4 The main components of the scheme are:
- Solar photovoltaic ('PV') panels and mounting structures;
 - Solar inverters and transformers (or 'power conversion units' ('PCU'));
 - Switchroom building(s);
 - BESS units;
 - BESS inverters or PCU;
 - Substation, transformer and ancillary buildings;
 - Fencing, gates, CCTV and internal access tracks;
 - Drainage and water storage tank;
 - Access;
 - Landscaping and biodiversity enhancements;
 - Cables; and
 - Associated ancillary development.
- 3.3.5 The proposed underground cables (likely to be 2 x 33kV cables) will link the Solar Site to the BESS site and then to the grid at Bodelwyddan Substation, located approximately 3.3km southeast of the Solar Site and immediately adjacent to the BESS Site. The cables will be laid in an approximate 750mm wide trench within the Cable Corridor, which is 10m wide and approximately 8km in length, as shown on the Proposed Cable Corridor plan (ref. 2.0.4).

- 3.3.6 The Proposed Solar Site Layout (ref. 2.0.2) and the Proposed BESS Site Layout (ref. 2.0.3) demonstrates the arrangement of the equipment, which has been carefully designed so that potential effects on residents, key views, trees and biodiversity are reduced as far as possible in addition to ensuring no impacts on existing and proposed utilities and infrastructure.

3.4 Solar Arrays

- 3.4.1 The Solar Site measures 168.95ha however the 'developable area' (i.e. the fenced areas) is only 132.5ha, with the remainder proposed for landscape and ecology enhancements, as detailed later in this Statement.
- 3.4.2 Solar panels, also known as PV, are made up of cells which convert solar energy into electrical energy.
- 3.4.3 The panel type could be monofacial or bifacial modules, made up of a series of photovoltaic cells beneath a layer of toughened glass. Other PV technology is developing rapidly and may be available at the time of construction.
- 3.4.4 There are two options for solar panels that were considered for this Site: Tracking Panels and Fixed Panels. It is proposed to utilise tracking panels on this occasion.
- 3.4.5 The solar panels would be aligned in north-south rows. The tracking panels would have a maximum height above ground level of 4.5m when at their steepest inclination with the lowest part of the panel above ground level at 0.4m. When the panels are laid horizontally the panel will be 2.5m high. The panels will rotate to the east and west and tilt up to a maximum inclination of 60° from horizontal. Separation distance between rows of tracking panels will be a minimum of 2.5m at the closest point, and a maximum distance of 9.0m.
- 3.4.6 The mounting structures for the panels would comprise metal frames that hold the panels in rows, either secured via metal posts driven into the ground to a maximum depth of 1-3m, dependant on ground conditions. If in the unlikely event that archaeological protection is required, concrete feet or other non-ground penetrative techniques will be considered as an archaeological mitigation option to secure the mounting structures to the ground.
- 3.4.7 The solar panels will be set back from the Site boundaries to allow for landscaping and screen planting, perimeter security fencing, CCTV coverage, access tracks and maintenance access.
- 3.4.8 The Proposed Development will utilise solar panels that are confirmed to be free from per- and polyfluoroalkyl substances (PFAS). PFAS are a group of synthetic chemicals known for their persistence in the environment and potential to leach over time due to wear and tear. In response to the scoping direction issued by PEDW, the Applicant confirms that no PFAS-containing materials will be used in the solar panels, thereby eliminating the risk of PFAS leaching into the local environment.
- 3.4.9 The panels are also constructed in a way that will allow for the continued grazing of sheep or poultry during the operational phase of the development.

3.5 Inverters, Transformers, Switchroom, and Substation Building

- 3.5.1 Inverters convert direct current ('DC') generated by the solar PV panels into alternating current ('AC'). Transformers then convert low voltage output from the inverters to high voltage suitable for feeding into the local electric distribution network.
- 3.5.2 Centralised inverters and transformers are proposed to be within containerised units (similar to shipping containers) located throughout the Solar Site and placed on a concrete base or feet, as shown within the Solar Site Power Conversion Unit drawing (ref. 2.0.6). The maximum dimensions of the units would be 6.1m by 2.4m with a maximum height of 2.9m.

- 3.5.3 The 33kV sub-distribution switchroom (ref. 2.0.7) located in field parcel 1 as shown on the Proposed Solar Layout (ref. 2.0.2), would accommodate all necessary equipment to enable the power from the conversion units at the Solar Site to be controlled, monitored and metered and connected to the network. The maximum dimensions of the switchroom building would be approximately 12.5m in length, 3.3m in width and 3.4m in height.
- 3.5.4 The substation, inverters and solar panels would be connected by electrical cables likely positioned in shallow underground trenches alongside the arrays.

3.6 Battery Energy Storage System (BESS) Equipment

- 3.6.1 The BESS would facilitate efficient management of the energy created and help balance the electricity grid. The BESS would be utilised to reinforce the power generated by the solar farm and other renewable generation assets, storing energy at times of low demand, and releasing to the grid in periods of higher demand or when solar irradiance is lower. The energy stored will also provide balancing services to reinforce grid stability. The proposed substation will step up the voltage from 33kV to 400kV using a power transformer.
- 3.6.2 The BESS Site measures approximately 6.52 ha however the 'developable area' (i.e. the BESS and substation compounds) is only 2.2ha with the remainder proposed for landscape and ecology enhancements. It comprises separate substation and BESS compound areas, both of which are enclosed by security fencing.
- 3.6.3 The substation compound area contains the substation and 400/33kV transformer, auxiliary transformers, and an ancillary substation building. The BESS compound area comprises BESS units, Power Conversion Units (PCU) or 'inverters' and a water tank. Both areas include appropriate surface water drainage.
- 3.6.4 The BESS units measure approximately 6.1m in length, 2.4m in width and 2.9m in height as shown on the BESS Container drawing (ref. 2.0.9). The BESS inverters or PCU measure approximately 9.2m in length, 2.0m in length and 2.3m in height and are shown on the BESS Power Conversion Unit drawing (ref. 2.0.9).
- 3.6.5 The maximum dimensions of the proposed 400/33kV transformer are approximately 14.0m in length, 8.0m in width and 11m in height, and the PASS unit is approximately 12.0m in length, 7.3m in width and 7.6m in height. These are shown on the Substation Compound drawing (ref. 2.0.10).
- 3.6.6 The ancillary substation building would measure approximately 29m in length, 9.5m in width and 4.0m in height. The two auxiliary transformer buildings are approximately 10.3m in length, 7.4m in width and 4.0m in height. These are all laid out on the Substation and Aux Transformers Buildings drawings (ref. 2.0.11).

3.7 Security Fencing and other Ancillary Development

- 3.7.1 The Proposed Development would be secured to prevent theft and criminal damage and as a health and safety requirement during both the construction, operational and decommissioning phases.
- 3.7.2 At the Solar Site, deer type wire and mesh and wooden post fencing with a maximum height of 2.5m is proposed around the perimeter, as shown on the Deer Fence and Gate Details plan (ref. 2.0.12). The fence is designed to allow sheep to graze securely amongst the arrays. Provision of mammal gaps at ground level in the fencing (200mm wide x 300mm high at 250m intervals) will allow continued access for foraging of wildlife across the Site. Gates will be installed to allow for movement from the access points into the Site for ongoing maintenance.

- 3.7.3 At the BESS Site, a metal palisade fence is proposed around the substation / transformer of approximately 3.0m in height as shown on the Security Fence Details plan (ref. 2.0.14). A weldmesh fence of approximately 2.5m in height is proposed at around both the substation and BESS compounds.
- 3.7.4 The perimeter of the Solar Site and the BESS Site (i.e. the substation and BESS compounds) would be protected by a system of fixed security and monitoring CCTV / infra-red cameras approximately 3 m tall and would be inward facing at intervals along the boundary for security purposes to provide full 24-hour surveillance around the internal perimeter as shown on the Solar and BESS Sites CCTV plan (ref. 2.0.15). Cameras would only monitor inside the Sites and not record any public or private land outside the perimeter. An intelligent sensor management system would manage the cameras.
- 3.7.5 Compacted internal crushed stone tracks to allow vehicular access between fields, utilising existing internal gateways / gaps where possible. For single tracks, the width typically ranges between 3.5-5 m as shown on the Internal Access Track drawing (ref. 2.0.17).
- 3.7.6 No structures on Site would be permanently lit. No lighting would be attached to the perimeter fencing or for Site access purposes. Lighting is not required within the Solar Site for the operational period of the Scheme. Motion sensing security lighting will be provided within substations and within the BESS Site to be used only for maintenance and security purposes.

3.8 Access

- 3.8.1 During construction, the BESS Site is to be accessed from an unnamed carriageway which runs south of Glascoed Road (B5381), via a simple priority junction. The existing unnamed carriageway is a single rural road which has no road markings. The carriageway has two passing places on the east side. The carriageway provides connections to Glascoed Road approximately 260m to the north via a priority junction. During operation, the BESS Site would be accessed from the south for maintenance and emergency use,
- 3.8.2 Vehicular access to the Solar Site parcels is proposed to be taken predominantly from Rhuddlan Road at five access points. Two of which are noted as primary accesses for the purpose of servicing the proposed construction compounds, and three alternative access points are noted as secondary access points, for a combination of construction and operational activity. Two further access points are to be taken from St. Asaph Avenue. All access points will utilise existing accesses, save for one primary access point that is to be created.
- 3.8.3 Rhuddlan Road is a single two-way carriageway road subject to the National Speed Limit (60mph). Rhuddlan Road links to the Ffordd Abergele / St Asaph Avenue roundabout junction approximately 1.1km to the east of the Solar Site. In addition, approximately 3km to the west of the Solar Site, Rhuddlan Road links to Junction 24 of the North Wales Expressway (A55) via the Faenol Interchange roundabout junction, providing access to the strategic highway network.

3.9 Cables

- 3.9.1 The proposed underground cables (likely to be 2 x 33kV cables) will link the Solar Site to the BESS site and then to the grid at Bodelwyddan Substation, located approximately 3.3km southeast of the Solar Site and immediately adjacent to the BESS Site. The cables will be laid in an approximate 750mm wide trench within the Cable Corridor, which is 10m wide and approximately 8km in length, as shown on the Proposed Cable Corridor plan (ref. 2.0.4).
- 3.9.2 The electricity generated by the proposed solar farm will be stepped up from 33kV to 400kV at the BESS Site and exported to the grid at Bodelwyddan Substation; also known as the 'Point

of Connection' (PoC). There will be an underground 400kV cable linking the BESS to the PoC to facilitate the import of electricity from National Grid to the BESS and vice versa.

- 3.9.3 There will be a series of internal underground 33kV cables linking up the solar panels with the inverters and the switchroom proposed at the Solar Site.

3.10 Drainage and Flood Risk

- 3.10.1 The transition from agricultural land to a solar farm with year-round grass cover would result in a reduction in the use of chemicals, fertilisers or animal densities on the Site. In turn, this will also improve the way the Site absorbs rainfall, meaning less surface water runoff. Only very limited hardstanding would be used on the Solar Site, in the form of isolated containers containing the inverters and switchroom. Where the containers are dispersed, rain falling on them would be directed to the ground locally to mimic existing conditions. Access tracks and the substation compound will be constructed using permeable material at the surface.
- 3.10.2 Where located in areas of risk, the panels would be raised so that when in their default stowed position, they would be raised at least above the predicted flood levels, including the present day 1 in 1,000 year and the future (2070) 1 in 200 year breach flood event.
- 3.10.3 The BESS compound would use a drainage strategy that stores rainwater, releasing it as slow as is possible to the local watercourse network. As outlined within the submitted Outline Battery Safety Management Plan (oBSMP) (ref. 4.2.28), despite the fact that the risk of fire is extremely low, and that evidence from the few fires that have occurred globally also demonstrates no elevated levels of pollution, significant mitigation measures are proposed to minimise the chance of fires and the release of contaminants.
- 3.10.4 In such an unlikely event, the drainage system has been designed to allow isolation through penstock chambers, ensuring that any contaminated firewater is sealed within the gravel-lined base of the BESS compound, providing sufficient capacity to contain at least six hours of fire suppression water before controlled removal and treatment.
- 3.10.5 At the BESS Site, a water tank of approximately 2.2 m in height with a capacity of 228,000 litres is proposed in the southwest corner, as indicated on the Water Tank drawing (ref. 2.0.16).

3.11 Landscaping and Ecology

- 3.11.1 The submitted Illustrative Landscape and Ecology Strategy for the Solar Site (ref. 2.0.19) and the BESS Site (ref. 2.0.20) set out, on the basis of a review of the Site's context, character and visual characteristics, as well as relevant policy and landscape character information, a landscape mitigation strategy that has been developed and coordinated with the appointed ecologists.
- 3.11.2 Based on the analysis undertaken, a series of key mitigation principles have been recommended to reduce or avoid potential landscape and visual effects arising from the Proposed Development, as set out below:
- The enhancement of existing hedgerows, meadow grassland
 - Proposed planting of species-rich hedgerows, woodland corpse, and trees.
 - Retention and enhancement of the existing pond within parcel 5.
 - The creation of a circa 10 hectare dedicated ecological enhancement area, including wildlife ponds, scrapes, and bird crop / fallow land rotation area.

- Proposed barn owl boxes (2no) and tit/woodpecker boxes (2no)
- Enhancement of existing ditches

3.11.3 The table below provides details of the approximate number of new trees, areas of woodland copses and lengths of enhanced and new hedgerow.

	Solar Site	BESS Site
New Trees (No)	127	33
Hedgerow Enhancement (m)	1,000	1,265
New hedgerow (m)	8,081	123
Woodland Groups/Copse (m2)	9,202	N/A

3.12 Appearance and Design

- 3.12.1 The Proposed Development at both the Solar and BESS Sites is generally low-lying in nature, and the infrastructure is typically shorter in height than the existing hedgerows around the Site. It is functional in its appearance, designed to be as efficient as possible.
- 3.12.2 Solar farms are essentially temporary installations which are very different to forms of urban or permanent development such as housing in terms of character and form. The proposed solar farm is low-level in stature and the components sit lightly on affected land whilst respecting and enhancing existing field boundaries.
- 3.12.3 The land within the solar farm will continue in agricultural use as the areas under and around the panels will be managed as grassland suitable for grazing whilst providing enhanced biodiversity value, delivered through the landscaping proposals.
- 3.12.4 Solar farms represent a modern take on traditional farming and are not dissimilar from other forms of agricultural diversification and agricultural uses that are also acceptable in countryside location, for example glasshouses and polytunnels.
- 3.12.5 The development proposed at the BESS Site is functional in terms of appearance and design does represent a change on the landscape compared to that currently formed by agriculture, however this is somewhat tempered by virtue of the Site's context comprising a number of existing urbanising landscape detractors, notably the overhead cables that cross the site and Bodelwyddan substation. Furthermore, a compact substation/400kV transformer has been selected resulting in significant reductions in scale and therefore visual impact compared with typical substations of this capacity. The Proposed Development at the BESS Site is considerably less solid and durable in appearance than traditional buildings.
- 3.12.6 Extensive new hedgerow and tree planting is also proposed throughout the Site, in addition to the creation of a dedicated ecological enhancement area, to assist in softening the impact of the Proposed Development upon its surrounds. And the siting of panels, related infrastructure and the use of buffer zones has been utilised to further limit the impact.
- 3.12.7 Further details of the design and appearance of the development, and the evolution of the Site's design, including those factors that have influenced it, are set out in the Design and Access Statement.

3.13 Environmental Sustainability

- 3.13.1 The Proposed Development benefits from rigorous safety strategies and regulation, and as such there are no immediate risks to public safety beyond the Site.
- 3.13.2 Once operational the Proposed Development will supply and store electrical energy to/from the distribution network rather than generate demand.
- 3.13.3 The Welsh Government formally committed Wales to legally binding targets to deliver the goal of net-zero emissions. The Climate Change Committee recommended the following targets that the Proposed Development will contribute to:
- Carbon Budget 2 (2021-25): 37% average reduction with credit ("offset") limit of 0%;
 - Carbon Budget 3 (2026-30): 58% average reduction;
 - 2030 target: 63% reduction;
 - 2040 target: 89% reduction; and
 - 2050 target: 100% reduction (net zero).
- 3.13.4 The Proposed Development will also contribute to cost-effective energy generation and energy security and will, therefore provide socio-economic and community benefits. Notably, the design of the Proposed Development will allow an efficient dual use of the land for renewable energy generation and agriculture.

3.14 Construction

- 3.14.1 The Application is accompanied by an outline CTMP ('oCTMP') which sets out the intended principles for the detailed CTMP, which will be secured via condition. A Construction Environmental Management Plan ('CEMP') will also be prepared to set out measures to protect the local environment and sensitive receptors during construction activities. The application is accompanied by an outline CEMP ('oCEMP') which includes the intended principles for the detailed CEMP, which again would be secured by planning condition.
- 3.14.2 It is anticipated that the construction phase will last for 12-24 months. It is expected that there would be an average of approximately 11 HGV trips to Site per day, or 23 two-way movements during the peak of the construction period across the Site. Details are set out in the Transport Statement that is submitted alongside the application.
- 3.14.3 Construction activities and deliveries will be carried out Monday to Friday 07:00-18:00 and between 07:00 and 13:30 on Saturdays. No construction activities or deliveries will occur on Sundays or on Public Holidays. The CTMP will set out measures to manage deliveries and routing in a way that seeks to reduce local impacts.
- 3.14.4 During the construction phase, temporary construction compounds will be required. The proposed indicative location of the compounds is shown on drawing numbers ref. 2.0.2 (Proposed Solar Layout) and ref. 2.0.3 (Proposed BESS Layout). The compounds will be located within the Solar and the BESS Sites, near to the Site entrances, to minimise HGV traffic within the Site. The internal access tracks will facilitate the movement of construction vehicles and materials around the Sites. Where possible, these will follow existing tracks around the Site and be of a fully permeable construction. Existing field gates will also be used as access points where possible. The secure temporary construction compounds will be used to store materials and provide welfare facilities during the construction period.

3.14.5 The compounds will be formed of a temporary permeable hardcore/gravel base atop a mesh membrane to facilitate ease of removal when construction is complete. Compounds will include:

- Temporary gated security fencing (e.g. Heras Fencing) and temporary CCTV cameras;
- Temporary portable buildings to be used for offices, welfare, and toilet facilities;
- Materials and equipment storage areas;
- Lighting may be required during construction periods but will be temporary in nature and normal working hours will be adhered to except in specified circumstances;
- Parking and turning areas for delivery vehicles and workers' vehicles; and
- Wheel washing facilities.

3.14.6 The activities on Site during the construction phase are expected to include the following:

- Site establishment and enabling works for construction, including the erection of perimeter fencing and implementing any required ecological/environmental protection measures;
- Implementation of temporary construction facilities, temporary security measures and internal access track;
- Deliveries and construction of the solar farm, including the installation of mounting framework, solar panels and ancillary units;
- Deliveries and construction of the BESS infrastructure and substation compound;
- Cable trenching, ducting and backfilling associated with the final detailed cable route (within the Cable Corridor) to connect the Solar Site to the BESS Site, in addition to internal cables within the Solar and the BESS Sites linking the various equipment together and to the PoC.
- Testing and commissioning of the Solar Farm, BESS and substation equipment; and
- Landscaping and biodiversity enhancements.

3.15 Operation

3.15.1 The Proposed Development is anticipated to be operational for up to 40 years. During the operational phase, there will be very little activity. On-site activities will primarily consist of maintenance tasks, anticipated to be approximately two visits per month in a small to medium van, 4x4 type vehicles or quad bikes. These tasks will include servicing of plant and equipment and as well as vegetation management.

3.15.2 Several visits a year will be required to clean the solar PV panels (using only distilled water). Attendance will also be required in association with the implementation, monitoring, and maintenance of landscape and habitat enhancements and to manage any other mitigation to be delivered alongside the solar farm and BESS.

3.15.3 There will be the opportunity for sheep or poultry to graze the land between the arrays at the Solar Site.

3.16 Decommission

- 3.16.1 Following termination of energy generation and exportation at the Site, the Proposed Development including solar PV arrays, mounting structures, cabling, ancillary infrastructure and BESS will be decommissioned, dismantled and removed and the Site would be fully reinstated and returned to agricultural use. This would be secured via planning condition(s) including approval of a full detailed decommissioning scheme. The application is accompanied by an outline Decommissioning Environmental Management Plan ('oDEMP'), which sets out the principles for inclusion in a detailed DEMP, to be secured by planning condition.
- 3.16.2 The outline Soil Management Plan ('oSMP') describes the decommissioning works and the replacement of soils following removal of the bases and tracks. Following decommissioning the limited areas disturbed will be restored back to their original soil profile and quality. The soil is expected to be returned to as good, if not better, condition than it was at the start of the project. A full detailed SMP would be secured by planning condition.
- 3.16.3 Where possible, all equipment would be removed and recycled or disposed of in accordance with good practice at the time of decommissioning. Where this is not possible, any waste generated during decommissioning will be removed and transported by a certified and licensed contractor. It is noted that the Applicant is a signatory to the Solar Stewardship Initiative and committed to designing solar projects that have minimal impact on the environment, including by recycling and repurposing as much as is possible of the materials used on Site. Solar panels have a recycling efficiency of approximately 95% and the Applicant will work with specialist recycling facilities to ensure minimal waste ends in landfill.
- 3.16.4 The construction phase would be followed in reverse. Vehicle movements for decommissioning are anticipated to be similar to those during the construction phase.

4 Planning History

4.1 Planning History

4.1.1 The only planning history relevant to the Site is the 2015 consent for a 24MW solar farm (Conwy LPA ref. 0/40999) that sits partially within this scheme's Solar Site. The portion of this consent that has been built out and is currently operational sits outside the application Site. A northern section that was consented but not built out, however, sits within the Site. The precedent for solar development in this area has been established by this permission.

4.1.2 A Layout Plan of the approved development is contained within **Appendix A**.

4.2 Environmental Impact Assessment (EIA) Scoping

4.2.1 A formal request for an EIA Scoping Direction under Regulation 33 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (the 'EIA Regulations') was submitted to Planning, Environment and Decisions Wales (PEDW) on 19 December 2024. A Scoping Direction was provided by PEDW (dated 28 February 2025) which was prepared in accordance with the requirements of the EIA Regulations.

4.2.2 Within PEDW's Scoping Direction, PEDW confirm that they are content "that the receipt of a Scoping Direction should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken".

4.2.3 Paragraph 7.1 of the Scoping Direction confirmed that the following topics are to be scoped into the ES:

- Population and Human Health (not necessarily as a standalone chapter)
- Flood Risk and Water Resources
- Archaeology
- Climate Change (not necessarily as a standalone chapter)
- Ground Conditions and Contaminated Land (including soil)
- Agricultural Land
- Material Assets and Waste
- Major Accidents and Disasters
- Biodiversity
- Landscape and Visual
- Built heritage
- Utilities
- Electromagnetic Fields

5 Pre-Application Dialogue and Community Consultation

5.1 Introduction

- 5.1.1 This section of the Planning Statement provides an overview of the pre-application dialogue with the two local planning authorities (DCC and CCBC), PEDW and other community stakeholders prior to the submission of the Application.
- 5.1.2 A comprehensive account of the consultation undertaken to date is provided in the Interim Consultation Report, prepared by Grasshopper. This report summarises the consultation activities carried out by the Applicant prior to the commencement of the statutory Pre-Application Consultation (PAC) process.
- 5.1.3 In accordance with the DNS (Wales) Regulations 2016, a formal PAC Report will be prepared and submitted as part of the DNS application. That report will provide the full details required under the Regulations, including the statutory consultation process, the feedback received, and how the Proposed Development has been amended or refined in response.

5.2 Pre-Application Advice Requests

Denbighshire County Council and Conwy County Borough Council

- 5.2.1 Initial Pre-application advice requests were submitted to both DCC and CCBC on 18 December 2024, containing early details of the site, its constraints and the proposed approach to the development. A meeting was then held on 10 February 2025 between the Applicant, and both DCC and CCBC. During this meeting, the Applicant set out the background to the project, site selection process, early design and survey work, and key opportunities and constraints.
- 5.2.2 Both Councils were generally supportive in principle of a solar farm and BESS of the scale proposed, subject to the assessment of site-specific impacts. Written feedback was obtained from DCC, which incorporated consultee input from the Lead Local Flood Authority, Public Rights of Way officer, Ecology officer and National Resources Wales (NRW). At this time, only limited details of the proposed site layout were available, therefore the intention was always to hold a series of meetings as the scheme developed.
- 5.2.3 Consequently, to demonstrate how this early feedback, and that of other consultees, the public and the various technical assessments had influenced the next and more detailed iteration of the site design, the Applicant offered to hold a second pre-application meeting with the two County Councils in July 2025. Unfortunately, both authorities declined due to resource constraints.

Planning and Environment Decisions Wales

- 5.2.4 A pre-application advice request was submitted to PEDW on 18 December 2024. An inception meeting with PEDW was held on 4 April 2025, deliberately timed to follow the initial meeting with the local planning authorities. This provided an opportunity to introduce the Applicant, the project, and explain the key planning and environmental issues at the Site. The meeting was also used to discuss procedural matters and the intended programme for submission of the DNS application.

5.3 Community Consultation

- 5.3.1 Prior to the statutory consultation exercise, a period of non-statutory (informal) early engagement was undertaken, with initial introductory letters and emails being sent out on 5th November 2024 to local Members of the Senedd, ward Councillors and Community Councils, introducing the project and inviting the stakeholders to a one-to-one meeting. Meetings with those stakeholders who responded took place online, or via phone, and ran from the 29th November to the 17th December 2024. Stakeholders were given a presentation by members of the project team, including an introduction to the proposals, to the Applicant, to the Site, an outline of the proposals, the consultation plan and the intended project programme, from early engagement through to connection to the grid and operation of the Proposed Development, should it receive consent.
- 5.3.2 Following a period of re-evaluation of the proposed scheme, further non-statutory community engagement was carried out in 2025. A bilingual newsletter introducing the latest draft proposals was posted to a total of 4,607 properties (4,139 residential and 468 business addresses) in the identified consultation zone and emailed/ posted to identified stakeholders (including elected representatives, schools, community and interest groups).
- 5.3.3 A website was also set up to provide information about the Site, proposals, feedback mechanisms and contact details, so local communities and stakeholders can find out more and comment.
- 5.3.4 An online feedback form was produced and made available on the project website at the start of the consultation on Monday 13 January 2025. Hard copies of these forms were also available at the face-to-face events, which were then returned to the project team.
- 5.3.5 A press release was sent to local media to introduce the project and publicise the non-statutory consultation period and events, on Monday 13 January 2025.
- 5.3.6 Two public exhibition events took place within the local communities of Bodelwyddan and Towyn and Kinmel Bay. These events were an opportunity for the public to meet the project team and find out more details of the Site and the proposals. It was also an opportunity for the public to ask questions and, importantly, leave feedback. The consultation events took place as follows:
- Bodelwyddan Village Hall - Wednesday 29th January- 39 Attendees
 - Kinmel Bay Community Centre - Thursday 30th January- 14 Attendees
- 5.3.7 Feedback provided at the drop-in events and via online feedback forms and email responses covered various topics including the following themes:
- Agriculture and Soils
 - Biodiversity
 - Built Heritage
 - Community Benefits
 - Consultation
 - Energy Use

- Flood Risk and Damage
- Landscape and Visual
- Major Accidents and Disasters
- Noise and Vibrations
- Principle of Development
- Socioeconomics and Human Health
- Transport and Access

5.3.8 The scheme underwent design amendments, where possible, in response to feedback received during the non-statutory engagement process.

5.3.9 During the consultation events a number of those residents with properties closest to the Application Site identified themselves. As the most affected residents, they were encouraged to leave detailed feedback and contact details, and members of the project team followed-up with site visits to individual properties to share the initial site layout and discuss the concerns those residents had. Following the site visits, a number of significant changes were made to the scheme to provide greater offset and additional landscape planting between the solar arrays and the properties. The revised site layout and landscaping proposals were issued to those residents in advance of the statutory PAC period, inviting further comments and offering further engagement.

5.3.10 Further detail on the feedback received during the early engagement process and PAC, and the design evolution is detailed within the submitted Interim Consultation Report (ref. 3.0.2) and Design and Access Statement (ref. 1.0.3), with the latter showing the progression of the proposals through the various stages of consultation and design development.

This section will be updated and completed following the PAC period and prior to submission of the application.

6 Policy and Legislative Framework

- 6.1.1 This section presents the key policy, legislation and guidance relevant to the Proposed Development, including energy and climate change policy, and planning policy at a national and local level.

6.2 National Policy on Climate Change, Sustainability and Renewable Energy

- 6.2.1 Since the Kyoto Protocol came into effect in 2005, it is widely accepted that greenhouse gas emissions need to be significantly reduced and that there is a need for international action. The United Kingdom, together with 37 other industrialised countries (called 'Annex I Countries'), committed themselves to reducing greenhouse gas emissions by 5.2% from 1990 levels by the year 2012. The current policy stance on climate change has all stemmed from the context set by the Kyoto Protocol, and the intervening legislation which followed it up to the latest position, which is discussed below.
- 6.2.2 The Committee on Climate Change (CCC) published a report in May 2019, titled 'Net Zero – The UK's contribution to stopping global warming'. The report responded to a request from the Government to reassess the UK's long term emission targets and recommend a new emissions target for Wales: a 95% reduction in greenhouse gases by 2050, from a 1990 baseline. The target had previously been an 80% reduction, as originally set out in The Environment (Wales) Act 2016. The above is underpinned by the Paris Agreement (2015), which sets out a commitment to limit warming to 1.5 degrees above the baseline average temperature.
- 6.2.3 Chapter 6 of CCC's report discusses the delivery of a net zero emissions target for the UK. The chapter sets out a number of actions, including the transition to a net zero emissions economy and what is needed to underpin delivery of net zero emissions in the UK. 'Part b' set out key near-term actions to put the UK on track to achieve net zero greenhouse gas emissions by 2050 and recommends that more rapid electrification must be accompanied with greater build rates of low carbon generation capacity, accompanied by measures to enhance the flexibility of the electricity system to accommodate high proportions of inflexible generation. In addition, the report explains that the proposed development of new infrastructure will be important in opening avenues for decarbonisation.
- 6.2.4 In June 2019, the UK Government declared a climate emergency following the publication of the CCC report. The resultant legislation amended the Climate Change Act 2008 (c.27) and introduced a legally binding target to achieve 'net zero' by 2050. Section 1(1) of the Climate Change Act 2008 (as amended) sets out the target to 2050 and states that:
- "it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline"*
- 6.2.5 The "1990 baseline" refers to the total amount of greenhouse gas emissions (measured in carbon dioxide equivalent, or CO₂e) that the UK emitted in the year 1990.
- 6.2.6 This target remains in force. However, in May 2024, the UK Supreme Court ruled that the Government's then-current Carbon Budget Delivery Plan was unlawful due to insufficient detail on how statutory targets would be met. The Government was ordered to revise its climate plan to address the identified shortcomings by October 2025.
- 6.2.7 In March 2021, section 29 of the Environment (Wales) Act 2016 was amended to set a net zero target by 2050, in line with the UK commitments in the Climate Change Act 2008.

- 6.2.8 On 20th April 2021, the UK Government announced its commitment to reduce carbon emissions by 78% by 2035 compared to 1990 levels, including, for the first time, emissions from international shipping and aviation. This target, part of the Sixth Carbon Budget, was enshrined in law in June 2021 and remains a key milestone in the UK's pathway to net zero.
- 6.2.9 The latest CCC report Progress in reducing emissions (June 2025) indicates that the UK is currently behind in terms of the Net Zero target and at risk of failing to meet its commitments and there is the need to increase the delivery of low carbon and renewable energy. It states that to achieve the Government's ambition in the Clean Power 2030 (CP30) Action Plan "total operational capacity of renewables will need to more than double by 2030", This requires "a four-fold increase in solar compared to the average rate seen since the start of this decade". It also states that "The roll-out of solar appears significantly off track and will need to improve to deliver its contribution to a decarbonised electricity system".
- 6.2.10 The Department for Energy Security & Net Zero ('DESNZ') record installed solar capacity in the UK as of July 2025 is 19.1GW. As such, the UK needs to average roughly 5GW per year of new installed solar capacity to meet the CP2030 target of 45 – 47GW and this is set against a backdrop of failing to meet these targets in previous years.
- 6.2.11 For Wales, which has legal duties under the Environment (Wales) Act 2016 and the Well-being of Future Generations (Wales) Act 2015, the challenge is even greater. Progress so far has been modest, and solar deployment must grow rapidly if Wales is to play its part in meeting Net Zero. Large projects, like the scheme this application relates to, are essential to closing the gap between current delivery and what is needed.

6.3 Welsh Government Climate Emergency

- 6.3.1 In April 2019, the Welsh Government declared a climate emergency and in June 2019 accepted the CCC's recommendation for a revised emissions target. A more ambitious commitment was set: to achieve net zero greenhouse gas emissions no later than 2050.
- 6.3.2 In March 2021, new legislation came into force in Wales, amending the 2050 emissions target to net zero and revising the interim emissions targets¹. The 2030 target was increased from a 45% reduction to a 63% reduction below 1990 baseline levels, and the 2040 target was increased from a 67% reduction to an 89% reduction.
- 6.3.3 The Welsh Government has since published the Net Zero Wales Carbon Budget 2 (2021–2025) plan, outlining specific actions across sectors to meet these targets and track progress toward net zero.
- 6.3.4 Evidence from the third UK Climate Change Risk Assessment (CCRA3) highlights that the climate in Wales is already changing². Observed impacts include a 0.9°C increase in average annual temperature since the mid-1970s, a 2.0% increase in annual mean rainfall, a 6.1% increase in sunshine hours over the same period, and a sea level rise of approximately 1.4mm per year since 1901. The frequency of extreme heat events has also increased. These trends are expected to intensify without urgent mitigation and adaptation.

6.4 DCC and CCBC Climate Emergency Declarations

- 6.4.1 DCC declared a climate and ecological emergency in July 2019, setting a goal to become a net carbon zero council by 2030. The Council adopted its Climate and Ecological Change Strategy in 2021, outlining a pathway to reduce emissions from Council operations and influence wider carbon reduction across the County. The strategy includes commitments to

¹ The Environment (Wales) Act 2016 (Amendment of 2050 Emissions Target) Regulations 2021

² <https://www.ukclimaterisk.org/wp-content/uploads/2021/06/CCRA-Evidence-Report-Wales-Summary-Final.pdf>

sustainable transport, energy efficiency in buildings, biodiversity enhancement, and engagement with communities and businesses.

- 6.4.2 Similarly, CCBC declared a climate emergency in May 2019 and published its Net Zero Carbon Plan in 2022. The Council has committed to achieving net zero carbon emissions from its own operations by 2030, supported by a programme of actions focused on decarbonisation, energy generation, transport, and land use. The Plan also sets out ambitions to increase climate resilience and promote environmental stewardship across the county.

6.5 Prosperity for All: A Low Carbon Wales (March 2019)

- 6.5.1 The Environment (Wales) Act 2016 requires Welsh Government to reduce emissions of greenhouse gases (GHGs) in Wales by 100% by 2050. Under s39 of that Act, Welsh Ministers must prepare and publish a report for each budgetary period setting out their policies and proposals for meeting the carbon budget for that period.
- 6.5.2 Prosperity for All: A Low Carbon Wales is the Welsh Government's first statutory decarbonisation plan. It sets out the Welsh Government's approach to cut emissions and increase efficiency in a way that maximises wider benefits for Wales, ensuring a fairer and healthier society. It sets out a hundred policies and proposals that directly reduce emissions and support the growth of the low carbon economy.
- 6.5.3 It specifically seeks to reduce the use of fossil fuels for power generation and promote and accelerate the deployment of renewable energy generation. The plan also recognises that energy storage and flexibility services will need to be provided to integrate with new renewable energy development as part of a whole system approach. In relation to the power sector, the plan sets a target to reduce power sector emissions by 37% from baseline levels [1990s] by the year 2030. The Welsh Government's Sector Emission Pathway for Power³, published in June 2019, states that power sector emissions would be 2% greater than the baseline level in the year 2020.
- 6.5.4 Policy 26 (Implementing Energy Consenting, Planning and Permitting Policy) identifies Planning as a key tool in Wales for determining the sources of fuel for power generation. Future Wales: the national plan to 2040 is identified as a key aspect of this as it will play:

A key role in facilitating clean growth and decarbonisation, and helps build resilience to the impacts of climate change. Achieving our strategic decarbonisation goals is highlighted as a key driver, which all development plans must support.

- 6.5.5 Policy 31 (Delivery of our Renewable Energy Targets) specifically seeks to deliver the 2017 Renewable Energy Targets announced by the Welsh Government, including generating 70% of Wales' electricity consumption from renewables by 2030. In July 2023 Climate Change Minister Julie James announced a revised target to generate 100% of Wales' energy needs by renewable sources by 2035. At that point in time 55% of energy needs in Wales were being generated by renewable sources.
- 6.5.6 In October 2021, the Welsh Government published its second statutory decarbonisation plan (LCDP2) titled Net Zero Wales. This sets out 123 policies and proposals across all Ministerial Portfolios.
- 6.5.7 In respect of energy generation, 'Net Zero Wales Carbon Budget 2 (2021-2025) sets the following ambitions:

³ Gov.wales/sites/default/files/publications/2019-06/power-sector-emission-pathway-factsheet.pdf

- By 2025, 1GW additional renewable energy capacity will be installed;
- From 2021 there will be no new build unabated fossil fuel generation in Wales. All current unabated gas generation removed from the system by 2035.

6.5.8 Net Zero Wales' Policy 22 seeks to increase the delivery of renewable energy developments on land through the planning system. It recognises that Future Wales provides a positive policy framework for the consenting and development of large-scale renewable energy projects and associated infrastructure.

6.6 National Infrastructure Strategy – Fairer, Faster and Greener (November 2020)

- 6.6.1 The Strategy sets out the UK Government's plans to deliver on its ambition, being to 'deliver an infrastructure revolution: a radical improvement in the quality of the UK's infrastructure to help level up the country, strengthen the Union, and put the UK on the path to net zero emissions by 2050'. It states that:
- 6.6.2 To achieve net zero by 2050, the power system will need to be virtually carbon free and significantly larger to cope with the additional demand from electrification in transport, heating and some industrial processes.
- 6.6.3 This expanded system requires increased investments in network infrastructure, sources of flexibility, such as interconnection, demand response and storage, together with enough low carbon generation capacity to provide the vast majority of the UK's electricity needs.
- 6.6.4 The Strategy confirms that achieving net zero will require a dramatic increase in the share of generation from renewables, including specifically from onshore wind and solar. The Government also proposes to continue supporting the roll out of renewable through the Contracts for Difference subsidy mechanisms, which now includes solar and wind technologies.

6.7 Energy White Paper (December 2020)

- 6.7.1 The White Paper 'Powering our Net Zero Future' builds on the Prime Minister's Ten Point Plan for a green industrial revolution and provides a long-term strategic vision for the UK's energy system, consistent with delivering net zero emissions by 2050. It puts forward a strategy for the energy system that:

"Transforms energy, building a cleaner, greener future for our country, our people and our planet

Supports a green recovery, growing our economy, supporting thousands of green jobs across the country in new green industries and leveraging new green export opportunities.

Creates a fair deal for consumers, protecting the fuel poor, providing opportunities to save money on bills, giving us warmer, more comfortable homes and balancing investment against bill impacts"

- 6.7.2 The White Paper sets out the Government's goal of a decisive shift from fossil fuel to clean energy, in power, buildings and industry, whilst creating jobs, growing the economy, and keeping energy bills affordable. It also explains that a four-fold increase in clean electricity generation could be required by 2050, due to the retiring of old capacity and the potential doubling of demand from increased electrification (e.g., vehicles and heating).

- 6.7.3 It does not target a particular mix of energy generation technologies to meet the 2050 target, stating that the market should determine the best solutions for very low emissions and reliable supply at a low cost to consumers. It states however that a low – cost, net zero consistent system is likely to be composed predominantly of wind and solar. It further states:

“Onshore wind and solar will be key building blocks of the future generation mix, along with offshore wind. We will need sustained growth in the capacity of these sectors in the next decade to ensure that we are on a pathway that allows us to meet net zero emissions in all demand scenarios.”

- 6.7.4 The role of other technologies such as battery storage is also recognised in the White Paper, to support reliability in power supply and balance the grid.

6.8 The Wellbeing of Future Generations (Wales) Act 2015

- 6.8.1 In addition to the policy provisions outlined above, under the Wellbeing of Future Generations (Wales) Act 2015, all public bodies in Wales have a duty to secure sustainable development by improving the economic, social, environmental, and cultural well-being of Wales to achieve the 7 ‘well-being goals’. All planning applications in Wales should demonstrate how they align with these well-being goals:

- A Prosperous Wales.
 - *“An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well- educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.”*
- A Resilient Wales.
 - *“A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change.”*
- A More Equal Wales.
 - *“A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic circumstances)”.*
- A Healthier Wales.
 - *“A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood”.*
- A Wales of Cohesive Communities.
 - *“The Commissioner’s current analysis shows that Public bodies and Public Services Boards have set more well-being objectives on the theme of ‘community’ than any other topic.”* This goal seeks to maintain and improve upon the good work already being done on this goal.
- A Wales of Vibrant Culture and Thriving Welsh Language.

- *“A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.”*
 - A Globally Responsive Wales.
 - Statutory guidance on the Act (Shared Purpose: Shared Future 1: Core Guidance) explains that action on climate change benefits both people and communities in Wales, whilst also contributing to the wider global effort to tackle the causes of climate change and reduce its effects.
- 6.8.2 Key matters highlighted in the guidance for public bodies to focus attention are decarbonisation (including use of clean energy) and sustainable consumption and production.

6.9 Net Zero Strategy: Build Back Greener’ (October 2021)

- 6.9.1 The Government published its ‘Net Zero Strategy: Build Back Greener’ in October 2021 which sets an ambition for the UK to be powered entirely by clean energy by 2035, subject to security of supply.
- 6.9.2 Specifically in respect of the power sector, the Net Zero Strategy affirms that one of the Government’s key commitments is to accelerate the deployment of low cost renewable generation, such as wind and solar. Another of the key commitments is “... to ensure the planning system can support the deployment of low carbon energy infrastructure ...” (Section 3i. Power).
- 6.9.3 At paragraph 34, the Net Zero Strategy states:

“While our strategic approach to decarbonising power [in line with CB6] is predicated on a whole system approach, with a key role for the market in delivering the most efficient solution, part of the CB6 challenge is nonetheless one of deploying low carbon electricity generation infrastructure at an unprecedented scale and pace whilst maintaining optionality for more nascent sources for power generation, such as hydrogen, to help reduce the risk of delivery. In a scenario with higher electricity demand, if there is no hydrogen generation in the power sector, we are likely to need to build all known technologies at or close to their maximum deployment potential by the mid-2030s.” [our emphasis]

The development of renewable electricity projects is a critical enabler of decarbonisation and must continue with pace to achieve the policy objectives associated with the Net Zero strategy.

6.10 Planning Policy Framework

- 6.10.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (PCPA), this application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Under Section 38(4) of the Act of the Development Plan in Wales comprises the following:
- The National Development Framework for Wales;
 - The Strategic Development Plan (SDP) for any strategic planning area that includes all or part of that area; and
 - The LDP for that area.

- 6.10.2 The following sub-sections provide an overview of Development Plan planning policy and material planning considerations, in the form of other national and local policy guidance, relevant to the Proposed Development and to the determination of this Application, beginning with Future Wales.

6.11 Future Wales: The National Plan 2040 (February 2021)

- 6.11.1 Future Wales is the Welsh Government's National Development Framework and is the highest tier of the Development Plan in Wales. It makes clear (at page 96) that **"as set out in legislation, applications for Developments of National Significance must be determined in accordance with Future Wales"**.

- 6.11.2 As the most recent expression of national planning policy, Future Wales is considered to have primacy in the planning policy hierarchy. Its purpose is to ensure the planning system at all levels is consistent with, and supports the delivery of, Welsh Government strategic aims and policies (including those in Planning Policy Wales, the Wales Infrastructure Investment Plan and Regional Economic Frameworks). It was prepared having regard to various items of Welsh Government policy and legislation, including:

- Well – being of Future Generations (Wales) Act 2015;
- Environment (Wales) Act 2016;
- Prosperity for All: A Low Carbon Wales (March 2019); and
- Policy Statement: Local ownership of energy generation in Wales – benefitting Wales today and for future generations (February 2020).

- 6.11.3 Future Wales provides the spatial direction for development in Wales and the policy framework for SDPs and LDPs at the regional and local level. These plans are required to conform to Future Wales and planning decisions at every level must be taken in accordance with the Development Plan.

- 6.11.4 Future Wales identifies 11 Outcomes to be achieved in 20 years' time. Outcome 9 seeks a Wales where people live in places that sustainably manage their natural resources and reduce pollution. Outcome 11 seeks a Wales where people live in places which are decarbonised and climate resilient.

- 6.11.5 Future Wales states (at page 96):

"Wales is abundant in opportunities to generate renewable energy and the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of our commitment to decarbonisation and tackling the climate emergency."

"Wales can become a world leader in renewable energy technologies. Our wind and tidal resources, our potential for solar generation, our support for both large and community scaled projects and our commitment to ensuring the planning system provides a strong lead for renewable energy development, mean we are well placed to support the renewable sector, attract new investment and reduce carbon emissions."

- 6.11.6 Furthermore, Future Wales sets the following ambitious targets for the generation of renewable energy:

- For 70% of electricity consumption to be generated from renewable energy by 2030⁴.
- For one gigawatt of renewable energy capacity to be locally owned by 2030⁵.
- For new renewable energy projects to have at least an element of local ownership from 2020.

6.11.7 Section 3 includes the Future Wales' Outcomes which are described as "*collectively a statement of where we want to be in 20 years' time. Every part of Future Wales...is concerned with achieving the Outcomes*". The Outcome of principal relevance to the Proposed Development, on page 56, is:

"A Wales where people live in places which are decarbonised and climate resilient: the challenges of the climate emergency demand urgent action on carbon emissions and the planning system must help Wales lead the way in promoting and delivering a competitive, sustainable decarbonised society."

6.11.8 The Future Wales policies of principal relevance to the Proposed Development are:

- Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure; and
- Policy 18 – Renewable and Low Carbon Energy Developments of National Significance.

6.11.9 Policy 17 notes that the Welsh Government strongly supports the principle of renewable and low carbon energy development from all technologies and at all scales to meet our future energy needs. Furthermore, it states (our emphasis):

"In determining planning applications for renewable and low carbon energy development, decision makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030⁶ in order to combat the climate emergency.[...] Applications for large scale wind and solar will not be permitted in National Parks and Areas of Outstanding Natural Beauty and all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment. Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities. New strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities."

6.11.10 Policy 18 provides a decision-making framework for renewable and low carbon energy technologies where development proposals fall under the Developments of National Significance, such as the Proposed Development. It states:

"Proposals for renewable and low carbon projects (including repowering) qualifying as Developments of National Significance will be permitted subject to policy 17 and the following criteria:

⁴ As highlighted at paragraph 6.5.5 above, in January 2023 this target was increased by Welsh Government to 100% by 2035.

⁵ In January 2023 this target was increased by Welsh Government to 1.5GW

⁶ Now 100% by 2035

- 1) *outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty);*
- 2) *there are no unacceptable adverse visual impacts on nearby communities and individual dwellings;*
- 3) *there are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, imperative Reasons of Overriding Public Interest and appropriate compensatory measures have been secured);*
- 4) *there are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species;*
- 5) *the proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity;*
- 6) *there are no unacceptable adverse impacts on statutorily protected built heritage assets;*
- 7) *there are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance;*
- 8) *there are no unacceptable impacts on the operations of defence facilities operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T);*
- 9) *there are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and / or ongoing operation;*
- 10) *the proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources; and*
- 11) *there are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.*

The cumulative impacts of existing and consented renewable energy schemes should also be considered."

6.11.11 The supporting text to both policies states that Policy 17 demonstrates the Welsh Government's support in principle for all renewable energy projects and technologies. The supporting text also refers to the Welsh Government's target for new renewable energy projects to have at least an element of local ownership from 2020 but specifically states that this is not a planning consideration.

6.12 Local Planning Policy

6.12.1 As the Site sits within both Denbighshire and Conwy Local Authorities, the local policies which form part of the Development Plan for both authorities are set out within this section.

Denbighshire County Council Local Development Plan (2006–2021)

6.12.2 Although the Denbighshire Local Development Plan (DLDP) has reached the end of its plan period, it remains part of the adopted Development Plan for the area until replaced. A Replacement LDP (RLDP) is under preparation and has reached the Deposit stage (2023) – this is discussed in the following sections as a material consideration.

6.12.3 Key policies of the DLDP relevant to the proposal include:

- Policy VOE 10: Renewable Energy Technologies – Supports proposals for renewable energy, subject to appropriate environmental, landscape, and amenity considerations. Proposals must demonstrate no unacceptable impact on biodiversity, water quality, historic environment, or landscape character.
- Policy RD1: Sustainable Development and Good Standard Design - Promotes sustainable development and high-quality design within settlement boundaries. It requires proposals to respect local character in terms of layout, scale, materials, and overall design, while making efficient use of land, typically aiming for a minimum of 35 dwellings per hectare. Developments must also protect and, where possible, enhance the natural and historic environment, and avoid negatively impacting key public views or the surrounding landscape.
- Policy PSE 5: Rural Economy - Supports sustainable growth in rural areas by encouraging diversification of traditional farming and forestry operations into viable business uses, such as food processing, workshops, renewable energy, and promoting farm-based tourism and leisure activities that respect the character and scale of the countryside. It also backs small, rural enterprises and home-based businesses, encourages the reuse or conversion of rural buildings for economic use, and protects high-quality agricultural land from inappropriate development.
- Policy VOE 1: Key Areas of Importance – Protects areas of natural, historic, and built environmental significance.
- Policy VOE 2: Area of Outstanding Natural Beauty and Area of Outstanding Beauty - safeguards Areas of Outstanding Natural Beauty (AONB) and Areas of Outstanding Beauty (AOB) by restricting development that would cause unacceptable harm to their character and appearance. This includes the Clwydian Range and Dee Valley AONB, a nationally significant landscape known for its natural beauty, tranquillity, and dark night skies. Development proposals within or affecting these areas must demonstrate that they conserve and enhance the landscape's special qualities, with particular attention to visual impact, lighting, and ecological integrity. The policy ensures that such areas remain protected from inappropriate development that could undermine their designation.
- Policy VOE 5: Conserving Natural Resources – Requires that development proposals that may have an impact on protected species or designated sites of nature conservation will be required to be supported by a biodiversity statement which must have regard to the County biodiversity aspiration for conservation, enhancement and restoration of habitats and species. Measures required to offset any likely adverse effects will be secured by planning conditions and/ or planning obligations, and planning permission will not be granted for development proposals that are likely to cause

significant harm to the qualifying features of internationally and nationally designated sites of nature conservation, priority habitats, priority species, regionally important geodiversity sites, or to species that are under threat.

- Policy VOE 6: Water Management - Addresses the sustainable use and management of water resources. It requires that development proposals incorporate measures to manage surface water runoff and protect water quality, including the implementation of Sustainable Drainage Systems (SuDS). The policy aims to reduce flood risk, enhance water efficiency, and safeguard aquatic ecosystems by ensuring that new developments do not adversely impact the water environment. It also aligns with the council's broader strategies for flood risk management and water conservation.

Conwy County Borough Council Local Development Plan (2007–2022)

6.12.4 As with the DLDP, the adopted Conwy Local Development Plan (CLDP) plan period has expired; however, it remains in force as part of the Development Plan until the adoption of the Replacement LDP, which is currently under preparation.

6.12.5 Key policies of the DLDP relevant to the proposal include:

- Policy DP 1: Sustainable Development principles - Requires that all development proposals demonstrate alignment with sustainable development aims, which are economic prosperity, social inclusion, and environmental protection. Proposals must reflect environmental, economic and social gains across current and future generations, considering design, resource efficiency, and community well-being
- Policy DP 2: Overarching strategic approach - Outlines how Conwy's spatial strategy delivers the LDP's vision and objectives - prioritising sustainable locations, directing growth into existing settlements, encouraging regeneration, and aligning with strategic objectives like enhancing communities, housing, heritage, and environment
- Policy DP 4: Development Criteria - Sets general criteria for all development proposals, with a requirement to: respect local character, avoid flood-prone or environmentally sensitive areas, ensure appropriate access and servicing, mitigate impacts on adjacent land uses (e.g. noise, privacy), and require high-quality design.
- Policy DP 6: National Planning Policy and Guidance - Requires planning applications to reflect the most current Welsh national policy (e.g. Planning Policy Wales, Technical Advice Notes).
- Policy NTE 1: The Natural Environment - Commits to protecting Conwy's landscapes, coastline, countryside and agricultural land. Development must respect and enhance these natural features, and special designations such as Green Wedges, Coastal Zones and Special Landscape Areas. Part h of the Policy states that this will be achieved by promoting energy efficiency and renewable technologies.
- Policy NTE 3: Biodiversity - Requires development to conserve and enhance biodiversity: through careful siting to avoid protected habitats, provision of enhancement through design, and integration of wildlife measures as part of built form.
- Policy NTE 4: The Landscape and protecting Special Landscape Areas – Whilst the Site is not in a Special Landscape Area, the policy states that all

proposals, both within and outside SLAs, will be considered against the Development Principles (Policy DP 1) and other policies in the Plan designed to protect the environment and landscape character.

- Policy NTE 6: Energy efficiency and renewable technologies - Encourages new development to integrate energy-efficient design and renewable technologies. Developers are encouraged to reduce energy demands, optimise natural lighting, conserve materials and integrate SuDS and recycling strategies
- Policy NTE 8: Sustainable Drainage Systems: Requires SuDS wherever reasonably practicable, with preference for on-site disposal and long-term maintenance arrangements. Prioritises discharge options: to open water bodies, then surface water sewers, then combined sewers.
- Policy NTE 10: Water conservation - Promotes incorporation of water conservation measures in development design—such as low-flow fittings, rainwater harvesting, efficient appliances, and influencing layout to reduce demand.
- Policy CTH 1: Cultural Heritage - Commits to protecting and, where possible, enhancing archaeological sites, listed buildings, conservation areas, and heritage assets. Development should conserve historic character and avoid harm to cultural assets.
- Policy CTH 2: Development affecting heritage assets - Specifically requires that proposals affecting heritage assets be thoroughly assessed and demonstrate minimal harm. Where harm is likely, justification and heritage impact assessments must demonstrate clear public benefits to outweigh that harm.
- Policy STR 3: Mitigating travel impact - Requires proposals with potential transport impacts to demonstrate mitigation measures through travel plans, site layout design, contributions toward improvements, and modal-shift strategies to minimize negative effects on roads and communities.

6.12.6 In both Denbighshire and Conwy, support for renewable energy schemes is reinforced through the Climate Emergency declarations adopted by the respective Councils, as highlighted above, which aim to achieve net zero carbon emissions. These declarations provide a material consideration in favour of proposals that deliver substantial renewable energy generation and carbon savings.

6.13 Material Planning Considerations

6.13.1 The following sub-sections set out policy and guidance that is a material consideration in the determination of planning applications.

6.14 Planning Policy Wales – Edition 12 (February 2024)

The Welsh Government published Planning Policy Wales Edition 12 (PPW) in February 2024. PPW provides the key principles for the planning system in Wales, in terms of what development plans and decisions must achieve and how development should deliver the best possible outcomes. It is not part of the Development Plan however, and, according to Future

Wales⁷, is a material consideration in the planning process. Paragraph 1.9 emphasises that PPW must be read as a whole, and individual policies should be considered in context.

6.14.1 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. Its key principles are:

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities; and
- Maximising environmental protection and limiting environmental impact.

6.14.2 Paragraph 2.14 states that these principles enable the goals and five ways of working set out in the Well-being of Future Generations Act 2015 to be realised through land use planning. It also states that they act as a catalyst for the positive delivery of the planning system across Wales.

6.14.3 Paragraph 2.27 explains the need for planning authorities to take a balanced approach to implementing the Well-being of Future Generations Act and its Sustainable Development Principle. It states there may be occasions where one benefit of a development proposal outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals. It identifies a long list of key factors to consider in the assessment process. In summary, these include:

- How the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales;
- Where environmental risks are prevented or appropriately managed;
- Whether the causes and impacts of climate change are fully taken into account through location, design, build, operation, decommissioning and restoration; and
- Whether a proposal supports decarbonisation and the transition to a low carbon economy.

6.14.4 Paragraph 3.30 states that the planning system plays a key role in tackling the climate change emergency through the decarbonisation of the energy system and the sustainable management of natural resources. It also states that the transition to a low carbon economy brings opportunities for clean growth and quality jobs, together with wider benefits of enhanced places to live and work, with clean air and water and improved health outcomes.

6.14.5 Paragraph 3.33 explains that the planning system plays a significant role in managing the significant risk of climate change to people, property, infrastructure and natural resources. It states:

⁷ Page 17, Future Wales (first paragraph)

“Development allowed today will be around for decades to come. The most important decision the planning system makes is to ensure the right developments are built in the right places.”

- 6.14.6 Paragraph 3.58 confirms that agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile (BMV) and should be conserved as a finite resource for the future. Paragraph 3.59 goes on to state that when considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. It states further that land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.
- 6.14.7 The introduction to Section 5 explains that the use of renewable and low carbon energy sources is one of the ways of achieving Productive and Enterprising Places. Other key relevant extracts from PPW include (our emphasis):

Low carbon electricity must become the main source of energy in Wales.
Renewable electricity will be used to provide both heating and transport in addition to power. The future energy supply mix will depend on a range of established and emerging low carbon technologies. (Paragraph 5.7.1).

Overall power demand is expected to increase...
In order to ensure future demand can be met, significant investment will be needed in energy generation, transmission and distribution infrastructure. The system will need to integrate renewable generation with storage and other flexibility services, in order to minimise the need for new generation and grid system reinforcement. (Paragraph 5.7.2).

The benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security is of paramount importance.
The continued extraction of fossil fuels will hinder progress towards achieving overall commitments to tackling climate change. The planning system should:...

- ***Maximise renewable and low carbon generation*** (Paragraph 5.7.7.)

Energy storage has an important role to play in managing the transition to a low carbon economy. Proposals for new storage facilities should therefore be supported wherever possible (Paragraph 5.7.12).

Planning authorities should support and guide renewable and low carbon energy development to ensure their area's potential is maximised... (Paragraph 5.9.14).

*Outside identified areas, planning applications for renewable and low carbon energy developments should be determined based on the merits of the individual proposal. **The local need for a particular scheme is not a material consideration, as energy generation is of national significance** and there is a recognised need to optimise renewable and low carbon energy generation. (Paragraph 5.9.15).*

In determining applications for the range of renewable and low carbon energy technologies, planning authorities should take into account:

- *The contribution a proposal will make to meeting identified Welsh, UK and European targets;*
- *The contribution to cutting greenhouse gas emissions; and*
- *The wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development. (Paragraph 5.9.19)*

6.14.8 In relation to the rural economy, PPW specifically acknowledges that diversification of farms can include solar development. PPW states that:

“...planning authorities should adopt a positive approach to diversification projects in rural areas. Diversification can strengthen the rural economy and bring additional employment and prosperity for communities. (Paragraph 5.6.10).

Diversification can also include renewable energy proposals such as anaerobic digestion facilities or solar and wind installations, which will help to increase the viability of rural enterprises by reducing their operating costs. These schemes should be supported where there is no detrimental impact on the environment and local amenity. (Paragraph 5.6.13).”

6.14.9 Chapter 6 of PPW is concerned with Distinctive and Natural Places. In relation to the historic environment, paragraph 6.1.5 states that the planning system must take into account the Welsh Government’s objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. Paragraph 6.1.9 states that any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.

6.14.10 In relation to listed buildings, there should be a general presumption in favour of the preservation or enhancement of a listed building and its setting (paragraph 6.1.10) and for Historic Parks and Gardens the effect of a proposed development on a registered park or garden, or its setting, is a material consideration in the determination of planning applications. With respect to archaeology, paragraph 6.1.26 states that where remains are known to exist or there is a potential for them to survive, an application should be accompanied by sufficient information, through desk based assessment and/or field evaluation, to allow a full understanding of the impact of the proposal on the significance of the remains. It goes on to state that the needs of archaeology and development may be reconciled, and potential conflict very much reduced, through early discussion and assessment.

6.14.11 In relation to Green Infrastructure, it is said to play a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society’s wider social and economic objectives and the needs of local communities (paragraph 6.2.4).

6.14.12 The section of Chapter 6 titled Biodiversity and Resilience of Ecosystems (Section 6 Duty) states the following at paragraph 6.4.5:

“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non-native species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve or enable the improvement, of the resilience of eco-systems. A net benefit for biodiversity is the concept that

development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable and demonstrable benefit, primarily on or immediately adjacent to the site. The step-wise approach outlined below is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity.”

6.14.13 The Step-Wise Approach is then set out in paragraph 6.4.15, which describes the 6 steps that can be summarised as 1. Avoid, 2. Minimise, 3. Mitigate/Restore, 4. Compensate on site, 5. Compensate off-site, and, if this cannot be achieved, 6. Refuse planning permission.

6.14.14 Edition 12 of PPW introduced the requirement for a green infrastructure statement to be submitted with all planning applications. The statement should be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. The green infrastructure statement is effectively a way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach has been applied (paragraph 6.2.12).

6.15 Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN6)

6.15.1 TAN 6 is a technical advice note that provides technical guidance to supplement PPW in relation to a range of issues such as the rural economy, rural housing, and sustainable agriculture.

6.15.2 Chapter 2 describes key principles for planning for sustainable rural communities:

“The planning system must respond to the challenges posed by climate change, for example by accommodating the need for renewable energy generation. It must also protect and enhance the natural and historic environment and safeguard the countryside and open spaces. The overall goal for the planning system is to support living and working rural communities in order that they are economically, socially and environmentally sustainable (Paragraph 2.1.1).”

6.15.3 Section 6.2 of TAN 6 relates to development involving agricultural land and states that:

“When [...] considering planning applications, planning authorities should consider the quality of agricultural land and other agricultural factors and seek to minimise any adverse effects on the environment (Paragraph 6.2.1).”

6.16 Technical Advice Note 15: Development and Flood Risk (TAN 15)

6.16.1 TAN 15 is a technical advice note that provides technical guidance to supplement PPW in relation to development and flooding. TAN 15 advises on development and flood risk, and provides a framework within which risks arising from both river and coastal flooding, and from additional run off from development in any location, can be assessed.

6.16.2 The general approach of PPW and TAN 15 is to advise caution with respect to new development in areas at high risk of flooding by setting out a precautionary framework to guide planning decisions. The overarching aim of the precautionary framework (in order to preference), is to:

“Direct new development away from those areas which are at high risk of flooding.

Where development has to be considered in high-risk areas (zone C) only those developments which can be justified on the basis of tests (outlined in Sections 6 and 7 of TAN 15), are located within such areas.”

- 6.16.3 Paragraph 10.22 states that proposals in Zone 3 require the strongest justification in favour of their development, with paragraph 10.23 allowing exceptions for developments addressing energy security or climate change, provided there is a clear locational need and flood consequences are found to be acceptable, as with this proposal. In addition, TAN 15 acknowledges that some Zone 3 land is defended and that, where development is proposed in defended areas, the presence and standard of such defences is a relevant consideration when assessing flood consequences. The Site benefits from existing flood defences, and the Flood Consequences Assessment submitted with this application demonstrates that residual risks are acceptable and appropriately mitigated.

6.17 Technical Advice Note 24: The Historic Environment (TAN 24)

- 6.17.1 TAN 24 sets out how the planning system in Wales should consider the historic environment when preparing development plans and determining applications. It emphasises that heritage assets (including listed buildings, scheduled monuments, World Heritage Sites, conservation areas, historic parks, gardens, and landscapes) are a finite resource that contribute to cultural identity, community well-being, and sustainable development. TAN 24 works alongside PPW and Cadw's Conservation Principles to ensure that planning decisions balance protection with the needs of modern development.
- 6.17.2 The guidance provides both overarching principles and detailed advice on asset-specific issues. It outlines how local development plans must incorporate heritage considerations, supported by Historic Environment Records and statutory consultation with Cadw. For specific assets, it highlights the need for careful management, such as protecting Outstanding Universal Value in World Heritage Sites, securing appropriate consent for works to listed buildings, assessing archaeological remains at an early stage, and preserving the character of conservation areas. Overall, TAN 24 reinforces that the historic environment is central to Wales's identity and must be safeguarded not only through regulation but also through approaches that deliver public benefit and long-term sustainability.

6.18 Building Better Places: The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid 19 Recovery (July 2020)

- 6.18.1 Building Better Places describes the Welsh Government's planning policies and priorities to support recovery following the Covid – 19 pandemic crisis. One of its key messages is that a plan led approach is the most effective way for the planning system to combat climate change. It states “we must identify, plan for and achieve key steps in achieving the switch to a decarbonised and climate resilient society”⁸.

6.19 Historic Environment (Wales) Act 2023.

- 6.19.1 The Historic Environment (Wales) Act 2023 introduced a consolidated legal framework for the protection and management of the historic environment in Wales. Among its key provisions, the Act inserted section 314A into the Town and Country Planning Act 1990. This requires Welsh Ministers and local planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving:

- the listed building itself,

⁸ Page 11, Building Better Places: The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid 19 Recovery (July 2020)

- the setting of the building, and
- any features of special architectural or historic interest the building possesses.

6.19.2 This statutory duty strengthens the presumption in favour of preservation already embedded in Planning Policy Wales (PPW) and Technical Advice Note 24 (TAN 24). It ensures that heritage considerations carry significant weight in the determination of planning applications, reinforcing the importance of early assessment, avoidance of harm, and delivery of long-term benefits for the historic environment.

6.20 Emerging Local Planning Policy

6.20.1 While the adopted LDPs for both Denbighshire and Conwy remain part of the statutory development plans for decision-making purposes, each authority is actively progressing its Replacement Local Development Plan (RLDP).

6.20.2 These emerging plans are material considerations and indicate the evolving policy direction on renewable energy development, climate change, and sustainable land use. Whilst they currently carry limited weight in decision making, this weight will increase as they progress.

Denbighshire County Council – Replacement LDP (2021–2033)

6.20.3 Denbighshire's RLDP has progressed through the Preferred Strategy and Deposit stages. The emerging plan builds upon the authority's declaration of a Climate and Ecological Emergency (2019) and sets an enhanced and positive framework for delivering renewable energy infrastructure.

6.20.4 Key emerging policies expected to be relevant include:

- Policy ENER1 (Renewable and Low Carbon Energy) – Supports renewable energy schemes where they are appropriately sited, minimise environmental effects, and deliver biodiversity enhancement.
- Policy ENER2 (Local Search Areas for Renewables) – Identifies opportunity areas for solar and wind, with preference given to previously developed land, lower-quality agricultural land (non-BMV), and areas outside designated landscapes.
- Policy EN6 (Landscape and Visual Amenity) – Requires proposals to demonstrate that landscape character, cumulative visual impacts, and sensitive receptors have been appropriately assessed and mitigated.

6.20.5 The RLDP also introduces a policy emphasis on Nature Recovery, ecological networks, and multifunctional green infrastructure. Renewable energy schemes are encouraged where they align with these priorities.

Conwy County Borough Council – Replacement LDP (2018–2033)

6.20.6 Conwy's RLDP is at the Deposit Draft stage, and once drafted, is due to be published for consultation. According to Conwy's planning policy page, this was originally expected to occur in 2024; however, the consultation has not yet taken place, and the Council has not confirmed a formal adoption date. This emerging plan reflects national policy priorities including Future Wales: The National Plan 2040, Planning Policy Wales (Edition 12), and the Net Zero Wales Carbon Budget targets.

6.20.7 Key emerging policies include:

- Policy SP 32 (Renewable Energy) promotes a mix of clean energy generation, storage, and sustainable building design to support decarbonisation and climate resilience. It supports grid improvements and energy storage schemes that avoid sensitive landscapes, ecological, or archaeological areas, with a preference for underground connections.
- Strategic Policy SP1 (Sustainable Placemaking Principles) among other things, seeks to reduce climate change and promote energy efficiency and renewable energy generation.
- Policy SP 19 (Landscape) protects designated landscapes by safeguarding their special qualities while encouraging their use for tourism, recreation, local employment, renewable energy, and community well-being, delivering multiple benefits.

6.20.8 Topic Paper 9: Renewable Energy, which forms the evidence base for the LDP, highlights that there is a need for continued decarbonisation of the energy generation sector across Wales to support the transition to a low carbon economy and to help mitigate climate change. It is stressed that a mix of energy generation sources is required to ensure continued security of supply.

6.21 Supplementary Planning Guidance

6.21.1 The following Supplementary Planning Guidance (SPG) is considered to be pertinent to the Proposed Development:

Denbighshire County Council:

- Archaeology SPG
- Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) SPG
- Conservation and Enhancement of Biodiversity SPG
- Parking Requirements in New Developments SPG
- Planning Obligations SPG
- Renewable Energy SPG
- Trees and Landscaping SPG

Conwy County Borough Council:

- LPD11 Landscape Sensitivity and Capacity Assessment
- LDP24 Renewable Energy

7 Planning Policy Assessment

7.1 Overview

7.1.1 This section of the Planning Statement provides an assessment of the key planning policy matters and material considerations relevant to the determination of this application. It considers the technical assessment work undertaken and presented in the application and appraises that against the relevant planning policy set out in the preceding chapter. The section demonstrates that the Proposed Development is in conformity with the Development Plan, and is supported by other material considerations.

7.1.2 The assessment of the Proposed Development is focussed on the following key matters:

- Need for the development
- Principle of development
- Consideration of specific matters:
 - Local Search Areas
 - Landscape and Visual
 - Residential Amenity
 - Biodiversity
 - Built Heritage
 - Archaeology
 - Arboriculture
 - Noise and Vibration
 - Glint and Glare
 - Highways and Traffic
 - Hydrology and Flood Risk
 - Ground Conditions
- Soil and Agricultural Land Classification
- Cumulative Impacts
- Compliance with Planning Policy

7.1.3 In the first instance, the planning assessment presented below tests the Proposed Development against the policy provisions of Future Wales: as the highest tier of the development plan in Wales; the most recent expression of national policy for renewable energy; and the principal policy for decision making on DNSs involving renewable energy. The assessment also considers the provisions of other national planning and energy policy and PPW as material considerations to the decision-making process.

7.2 Principle of Development

Need for the Development

- 7.2.1 There is a clear and urgent need to accelerate renewable energy deployment in Wales and across the UK to meet legally binding climate commitments.
- 7.2.2 Future Wales requires decision makers to give significant weight to meeting Wales' international commitments and its target of generating 70% of consumed electricity by renewable means by 2030 (with a revised target of 100% by 2035 currently being the subject of consultation).
- 7.2.3 The Environment (Wales) Act 2016 requires Welsh Government to reduce emissions of greenhouse gases (GHGs) in Wales by 100% by 2050, with ambitious interim reductions of 63% by 2030 and 89% by 2040. This aligns with the UK Climate Change Act 2008 (as amended), which sets a legally binding duty to achieve net zero by 2050 and a 78% cut in emissions by 2035. Achieving these obligations requires full decarbonisation of the power sector by 2035. The British Energy Security Strategy (2022) reinforces this trajectory, identifying renewable energy as critical to both decarbonisation and energy security, and setting an ambition for at least 70 GW of solar capacity to be deployed by 2035.
- 7.2.4 Despite these clear imperatives, current deployment is falling significantly short. Achieving 70 GW by 2035 requires annual build-out of at least 4–5 GW, yet in recent years additions have averaged less than 1 GW annually. As of July 2025, the UK has installed approximately 18.2 GW of solar PV capacity⁹, representing about 5% of total electricity generation and around 3% of renewable electricity output.
- 7.2.5 Wales has an installed capacity of approximately 1GW, 800MW of which is derived from ground mounted installations. Solar energy is a key technology and fundamental part of the Government's strategy for low-cost decarbonisation of the energy sector to deliver national decarbonisation targets.
- 7.2.6 In 2023, renewable energy accounted for just 34% of energy generation (7.9 TWh), while fossil fuels still provided 66% (15.4 TWh), largely from two major gas-fired plants. Although Wales is a net exporter of electricity, the Welsh Government has estimated that renewable generation must increase fourfold by 2035 to meet its targets of matching annual electricity consumption with renewables. The evidence presented in the UK Climate Change Risk Assessment (CCRA3) further
- 7.2.7 While progress has been made, Wales remains off-track to meet its 2050 net zero target. According to the Committee on Climate Change (CCC), Wales had reduced emissions by circa 36% from 1990 levels by 2021. In 2023, renewables provided 55% of electricity consumption, but only 34% of total electricity generation (7.9 TWh), with fossil fuels still accounting for 66% (15.4 TWh), largely from two major gas-fired plants. Although Wales is a net exporter of electricity, the Welsh Government estimates that renewable generation must increase fourfold by 2035 to meet its 100% renewable consumption target.
- 7.2.8 At a national level, Prosperity for All: A Low Carbon Wales recognises the need to reduce reliance on fossil fuels, accelerate deployment of renewables, and integrate energy storage and flexibility services as part of a whole-system approach. Planning Policy Wales (PPW) reinforces this, stating at paragraph 5.7.12 that:

“Energy storage has an important part to play in managing the transition to a low carbon economy. The growth in energy generation from renewable sources

⁹ Department for Energy Security and Net Zero – *Solar photovoltaics deployment*, monthly statistics (published through GOV.UK, covering up to July 2025)

requires the management of the resultant intermittency in supply, and energy storage can help balance supply and demand. Proposals for new storage facilities should be supported wherever possible.”

- 7.2.9 This position is reinforced by the UK’s overarching Net Zero Strategy and the Energy Security Strategy, which emphasise that renewable generation and associated storage are essential to safeguarding supply, affordability and resilience in the face of volatile global energy markets.
- 7.2.10 Locally, both Denbighshire and Conwy Councils have declared climate emergencies, with commitments to achieve net zero for their operations by 2030.
- 7.2.11 The Proposed Development will have an export capacity of approximately 110 MW of electricity, enough to power approximately 26,657 homes and reduce CO₂ emissions by around 35,569 tonnes annually. Over a 40-year operational lifespan, this equates to more than 1,400,000 tonnes of avoided emissions. The avoided emissions translate into a projected carbon cost saving of approximately £56.2m by 2050. At the same, the BESS will have a capacity of approximately 110MW with a 4-hour duration and a storage capacity of 440MWh, and will support the National Grid to level out electricity load, balancing fluctuations in energy demand during the day and reducing congestion on the grid.
- 7.2.12 These benefits are material considerations and should be given substantial weight in the planning balance.

National Planning Policy

- 7.2.13 The UK and Welsh Governments, and both DCC and CCBC, have declared climate emergencies. In response, both UK and Welsh Governments have legislated an ambitious net zero emissions target by 2050 which the Governments must meet as a matter of law. In 2021, the Welsh Government also declared a nature emergency, formally recognising the interlinked challenges of biodiversity loss and climate change.
- 7.2.14 Future Wales is the most up-to-date expression of national policy. Policy 17 requires decision makers to give significant weight to the need to meet Wales’ international commitments and renewable energy targets, while Policy 18 confirms that DNS-scale renewable and low-carbon projects will be permitted in principle, subject to environmental safeguards. Together, these policies establish a clear presumption in favour of renewable energy development of the type proposed.
- 7.2.15 On the BESS element of the proposal, Future Wales confirms, at page 99, that:

“The UK’s energy system is now undergoing significant change, with energy generation and delivery becoming more distributed in the communities and regions where the energy is used. The boundaries between systems are also becoming blurred, with energy being converted into (and stored in) different forms to address a range of needs.

There is also a need to consider large-scale energy storage as part of the energy system to provide grid balancing.”

- 7.2.16 This significant weight to be placed on the need to meet Wales’ renewable energy targets to combat climate change is evident in recent decisions taken by Welsh Ministers in respect of other DNS applications This includes Alaw Mon (DNS/3274702), Gwenlais Solar Farm (DNS CAS 02282-Z9m8L7), Parc Worlton Solar Farm (DNS CAS-02112-T2N0G8) and East Aberthaw Solar Farm (DNS CAS-01391-M3G6Q9).
- 7.2.17 Planning Policy Wales mirrors this approach. Paragraph 3.30 highlights the “key role” of the planning system in tackling the climate emergency, while Section 5.7 states that low-carbon

electricity must become the “main source of energy” in Wales, with investment in generation and grid infrastructure of “paramount importance.” PPW also emphasises that energy storage is critical to managing intermittency, balancing supply and demand, and enabling growth in renewable generation.

- 7.2.18 At the UK level, the Net Zero Strategy (2021) commits to decarbonising the power system by 2035; the British Energy Security Strategy (2022) identifies renewables as central to energy security and sets an ambition of at least 70 GW of solar by 2035, as highlighted above; and the Energy White Paper (2020) and National Infrastructure Strategy (2020) both anticipate a four-fold increase in clean electricity generation by 2050. Welsh energy policy, through *Prosperity for All: A Low Carbon Wales* (2019) and subsequent carbon budgets, likewise calls for accelerated deployment of renewables.
- 7.2.19 Future Wales, aims to ensure that the planning system focuses on delivering a decarbonised and resilient Wales, including through energy generation. Policy 17 provides strong support for the principle of developing renewable and low carbon energy from all technologies and at all scales and requires that decision makers give significant weight to the need to meet Wales’ international commitments, and the target to generate 70% of consumed electricity by renewable means by 2030¹⁰. The Proposed Development will clearly make an important and significant contribution towards meeting these targets and commitments, as stated above, which should be afforded significant weight in favour of it.
- 7.2.20 PPW also recognises the responsibility of the planning system in the delivery of renewable energy development. Paragraph 3.30 states that the planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system. Section 5.7 (Energy) of PPW states that low carbon electricity must become the main source of energy in Wales, and that significant investment in will be needed in energy generation, transmission and distribution infrastructure in order to ensure future demand can be met. It also states that the benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of paramount importance. Paragraphs 5.7.8 – 5.7.12 of PPW provide more detailed national policy guidance on energy storage. It confirms that:

“An effective electricity grid network is required to fulfil the Welsh Government’s renewable and low carbon ambitions. An integrated approach should be adopted towards planning for energy developments and additional electricity grid network infrastructure. In certain circumstances, additional electricity grid network infrastructure will be needed to support the Pre-Assessed Areas in Future Wales, but also new energy generating developments more generally. Planning authorities should plan positively for grid infrastructure.

Planning authorities should plan positively for grid infrastructure. Development plans should facilitate the grid infrastructure required to support the renewable and low carbon energy potential for the area, particularly areas identified for such development. Planning authorities should support appropriate grid developments, whether or not the Proposed Developments to be connected are located within their authority.

Energy storage has an important part to play in managing the transition to a low carbon economy. The growth in energy generation from renewable sources requires the management of the resultant intermittency in supply, and energy storage can help balance supply and demand. Proposals for new storage facilities should be supported wherever possible.” [emphasis added]

¹⁰ Now 100% by 2035.

- 7.2.21 The Proposed Development directly responds to national and UK-wide policy imperatives. With an export capacity of 110 MW and a 440 MWh co-located battery storage system, it will provide enough clean electricity to power over 26,000 homes, save approximately 35,569 tonnes of CO₂ annually, and materially support grid stability. Over its 40-year lifetime, this equates to more than 1.4 million tonnes of avoided emissions and a projected carbon cost saving of £56.2m.
- 7.2.22 In summary, Future Wales, PPW12, and wider UK and Welsh policy frameworks provide unequivocal support for renewable energy and storage projects. The Proposed Development accords fully with this policy context and should therefore be afforded substantial weight in the planning balance.

Local Planning Policy

- 7.2.23 As set out previously, for the purposes of s38(6) of the PCPA 2004, the adopted LDPs of DCC and CCBC form part of the Development Plan alongside Future Wales.
- 7.2.24 At the local level, both the DLDP and CLDP, along with their respective emerging replacement plans, provide positive policy support for the principle of renewable energy development, subject to consideration of site-specific and cumulative impacts. The proposed development responds directly to this policy context by bringing forward a renewable energy scheme that is appropriately located and designed to minimise environmental effects.

Denbighshire LDP

- 7.2.25 Policy VOE 10 of the adopted DLDP supports the principle of renewable energy technologies, including solar, provided that proposals do not give rise to unacceptable impacts on the landscape, biodiversity, residential amenity, or the historic environment.
- 7.2.26 DLDP Policy PSE5 also supports sustainable growth in rural areas by encouraging diversification. Renewable energy generation is listed as an example of this.
- 7.2.27 The Replacement DLDP places increased emphasis on climate change mitigation and renewable energy generation (emerging Policy ENER1 and ENER2). The proposed solar development is consistent with the aims of the Replacement LDP, particularly its emerging strategic objectives around sustainable development and low-carbon energy.

Conwy LDP

- 7.2.28 Similarly, Conwy's LDP contains policies supportive of renewable energy generation. Policy NTE/6 encourages renewable energy schemes where compatible with landscape character and biodiversity, and where any adverse impacts can be appropriately mitigated, such as at this Site.
- 7.2.29 Conwy's emerging Replacement LDP continues to reflect national priorities, promoting the development of renewable energy infrastructure across the county. It identifies a need to contribute to national renewable energy targets and includes strategic policies that support appropriate solar energy development, particularly in rural areas (emerging Policy SP32, Policy SP1, and Policy SP19) of the LDP seeks to promote the renewable energy technologies.
- 7.2.30 The policy states that renewable energy schemes should be considered in relation to other policies contained within the plan, including their visual impact, impact on ecology, historic environment and amenity.
- 7.2.31 Renewable energy generation and storage has an important role in achieving sustainable development. As a part of decarbonising the Welsh economy, the Proposed Development will provide economic, social and environmental enhancements. Economic benefits will include

the creation of temporary jobs, supporting local supply chains during the construction phase and support the low carbon decentralised energy generation as key growth sector in the local area. Social benefits will be realised through decentralised energy generation and not relying on energy imports. Environmental gains would be secured through carbon reduction and local biodiversity enhancements.

Local Search Areas for Solar

- 7.2.32 While DCC does not have identified Local Search Areas (LSA) within its LDP, Conwy has adopted Strategic Search Areas (SSAs) for large scale wind energy proposals, however these do not relate to solar developments. As such, the Site does not fall within a LSA for solar.
- 7.2.33 However, this does not preclude such Development being permitted elsewhere. The policy is not prescriptive and LSAs only provide an indication of solar energy potential. Moreover, LDP policies need to be read in the light of Future Wales.
- 7.2.34 There is no guarantee that planning permission will be granted for solar energy developments within a LSA, and the LDP does not restrict solar energy developments to these locations only.
- 7.2.35 In summary, the Site's location outside for a Local Search Area for Solar Energy does not mean that the Proposed Development is contrary to the LDP and is not a reason for resisting such development proposals.

Conclusion on the Principle of Development

- 7.2.36 The Development Plan, consisting of national and local planning policy is overwhelmingly supportive of the principle of renewable energy developments and seeks to facilitate their delivery in appropriate locations. Therefore, the in-principle acceptability of the Proposed Development is established.
- 7.2.37 There is also an urgent need for the Proposed Development given the limited deployment of ground-mounted solar in Wales. The Department for Energy Security & Net Zero ('DESNZ') records installed solar capacity in the UK as of July 2025 at 19.1 GW. To meet the CP2030 target of 45–47 GW, the UK would need to install roughly 5 GW per year of new solar capacity, despite historically failing to achieve these levels in previous years. This underscores the necessity of facilitating new renewable energy projects.
- 7.2.38 For Wales (and the UK as a whole) to achieve the legally binding target of Net Zero by 2050, there is a need for a very substantial increase in the deployment of solar generation capacity, both nationally and at the local level.
- 7.2.39 The Proposed Development directly responds to this urgent need, and will:
- Generate enough clean electricity to power approximately 26,600 homes annually;
 - Avoid over 35,500 tonnes of CO₂ each year, equating to more than 1.4 million tonnes of avoided emissions over its operational life;
 - Deliver an estimated £56.2m carbon cost saving by 2050;
 - Support the resilience of the National Grid through large-scale energy storage, helping to manage intermittency, reduce congestion, and stabilise supply.

- 7.2.40 These benefits are substantial, measurable, and enduring. They align directly with the statutory duties on Government to achieve net zero by 2050, the policy imperatives of Future Wales and Planning Policy Wales, and the local objectives of Denbighshire and Conwy. The principle of the Proposed Development is therefore clearly supported by the planning policy framework and should be afforded very substantial weight in the planning balance.
- 7.2.41 Accordingly, very substantial weight should be afforded to the fact that the principle of the Proposed Development is fully supported at all levels of planning policy, subject to a technical assessment of whether it would give rise to any unacceptable impacts.

Consideration of Specific Matters

7.3 Landscape and Visual

- 7.3.1 The Landscape and Visual Impact Assessment (LVIA) contained within the submitted ES (Chapter 11 and supporting technical evidence) establishes the relationship between the Site and its surroundings and the approximate extent of its visibility within the wider landscape, as experienced from publicly accessible viewpoints, and extent of impact.
- 7.3.2 The LIVA confirms that during the construction phase, there will be a temporary but noticeable change to the landscape character of the Site (from within and in close proximity to the Site). Significant visual effects during construction are predicted for a small number of close-range views from PRowS and roads. However, these effects would be temporary and confined to the construction phase.
- 7.3.3 The LVIA goes on to state that once operational, the Proposed Development will be visually integrated into the surrounding landscape through new planting and management of vegetation. There will inevitably be a change in the character of the landscape from one of agriculture to a solar farm and BESS development but over time, the planting mitigation will screen and filter the appearance of the Proposed Development and enhance the baseline landscape fabric. Solar farms are very much a rural land use today, and is a form of agricultural diversification; becoming more common as the move towards decarbonisation of the grid advances. The Proposed Development would also strengthen the landscape structure by planting of new trees (along field boundaries) and restoration and extension of hedgerows, many of which would likely endure beyond the operational life of the Proposed Development.
- 7.3.4 Paragraph 12.12.8 of the LVIA concludes that 'Overall, the effects of the Proposed Development on landscape and visual receptors are limited, localised, and will reduce over time and such effects, albeit limited, are inevitable for renewable energy schemes of this nature which necessitate countryside locations.
- 7.3.5 In landscape and visual impact terms, therefore, the impacts are acceptable, and the Proposed Development is considered to be in accordance with Conwy LDP Policy NTE1 and Denbighshire LDP VOE10, VOE2, and Criterion 1, Policy 18 of Future Wales.
- 7.3.6 This approach also accords with PPW Chapter 6, which requires development to respect the character and distinctiveness of Wales' natural and built environment. The proposals maintain local landscape features and introduce new planting in line with PPW para. 6.3.3, which seeks to protect and enhance valued landscapes.

7.4 Residential Visual Amenity Assessment

- 7.4.1 A Residential Visual Amenity Assessment was commissioned following consultation with local residents, in order to assess the likelihood that the Proposed Development would result in creating adverse effects on the visual amenity and thus the liveability of residential properties

within a 1km radius study area, to such a degree, that it would not be in the public interest to permit these conditions.

- 7.4.2 The assessment concludes that none of the properties within the Study Area were considered to meet the Residential Visual Amenity Threshold. No properties are predicted to experience a 'very high' magnitude of change as a result of the Proposed Development, nor will any experience a 'very substantial' level of effect (both being the level of effects which could reach the RVAA Threshold. The Proposed Development has been sensitively designed to account for impacts on nearby dwellings and the LEMP will ensure that short-term impacts following construction are mitigated on an increasing basis as planting matures. On this basis, most impacts would be mitigated within a short time period post-construction with all anticipated effects being reduced by mitigation proposals by the Year 15.
- 7.4.3 It is important to add that, during the scheme development process, the Applicant engaged with the nearest affected residents in order to understand their outlook towards the Site and the Proposed Development, and mitigate as much as possible the impact of the Proposed Development on their amenity. This resulted in scheme amendments that introduced buffers to the most affected properties, as well as new landscape planting that, over time, will serve to soften the visual impact of the Proposed Development upon the outlook of those properties. The DAS details how the scheme has evolved over time following engagement with key stakeholders.
- 7.4.4 As such, the Proposed Development is considered to be in accordance with DLDP Policy DP3 and Criterion 2 of Policy 18 of Future Wales.

7.5 Biodiversity

Baseline and surveys

- 7.5.1 The Biodiversity Chapter of the ES (Chapter 10) sets out the assessment work that has been undertaken from a biodiversity perspective as well as completing a shadow Habitats Regulations Assessment (HRA). The key tasks that have been completed include:
- Preliminary Ecological Appraisal (PEA) to inform site layout and identify ecological constraints and opportunities;
 - Hedgerow survey
 - Breeding bird survey
 - Wintering bird survey
 - Bat surveys
 - Bat roost surveys (ground level tree assessment)
 - Bat activity surveys (nighttime bat walkover surveys, automated detector surveys)
 - Great Crested Newt (GCN) surveys
 - Otter survey
 - Water vole survey
 - Badger survey

- 7.5.2 Criteria 3 and 4 of Policy 18 in Future Wales state that renewable and low carbon energy projects qualifying as DNS will be permitted where the proposals do not have an adverse effect on the integrity of internationally designated sites and the features for which they have been designated, or on national statutory designated sites for nature conservation, protected habitats and species.
- 7.5.3 In addition, Policy 9 of Future Wales requires that all development proposals demonstrate action towards securing the maintenance and enhancement of biodiversity, providing a net benefit, and improving the resilience of ecosystems and green infrastructure assets. This should be achieved through innovative, nature-based approaches to site planning and the design of the built environment, in line with section 18.5 of the National Biodiversity Baseline (NBB).
- 7.5.4 Five statutory designated sites were detected within the Zone of Influence of the Solar Site.
- River Clwyd (Lower) SSSI is 1.2km west and designated for saltmarsh, sand dune, and estuarine habitats supporting bird species such as redshank and teal.
 - Liverpool Bay SPA lies 2.1km north and supports over 20,000 waterbirds, including red-throated diver and common scoter.
 - Elwy Valley Woods SAC is 5.0km south-east and features ancient semi-natural broadleaved woodland important for lesser horseshoe bats.
 - The Dee Estuary SAC/SPA/Ramsar is 9.9km north-east and designated for extensive intertidal habitats (mudflats, sandflats, saltmarsh) and internationally significant populations of waterbirds.
 - The Kinmel Dunes LNR is a statutory designated site of country importance and is located 1.8km north.
- 7.5.5 No part of the BESS Site is covered by statutory designations. However, there are five designations within the Zone of Influence of the BESS Site:
- Liverpool Bay SPA lies 2.1km north and supports over 20,000 waterbirds, including red-throated diver and common scoter.
 - Elwy Valley Woods SAC is 5.0km south-east and features ancient semi-natural broadleaved woodland important for lesser horseshoe bats.
 - Llwyn SAC is 10.7km south-east and supports Annex I habitats.
 - Halkyn Mountain SAC is 14.3km east and supports Annex I habitats and Annex II habitats.
 - Coedydd ac Ogofau SSSI is 1.4km south and forms a component of the Elwy Valley Woods SAC.
- 7.5.6 The results of the survey work describe the Site as comprising:
- Arable land and improved grassland, considered of low ecological value;
 - Areas of semi-improved grassland, species-poor and species-rich hedgerows, and mature trees, including linear features that function as commuting routes for bats;

- An on-site pond and wet ditches with potential for amphibians and aquatic species; and
- Mature and defunct hedgerows, which qualify as Habitats of Principal Importance (HPI) under the Environment (Wales) Act 2016.

7.5.7 Protected species and features recorded include:

- Breeding and wintering birds including lapwing, skylark, curlew, and snipe;
- Bat activity by at least five species, including pipistrelle, myotis, and noctule bats;
- GCN, detected via eDNA analysis in one waterbody;
- Occasional use by otter and badger, with evidence of activity in the wider landscape.

Impacts, mitigation and enhancement

7.5.8 The Biodiversity Chapter of the ES sets out the potential biodiversity impacts as a result of the proposed development:

- Designated Sites – No direct or indirect adverse effects are anticipated on any international, national, or local designated sites due to the separation distance and nature of the Proposed Development;
- Habitats – Low-value agricultural habitats will be converted into a network of semi-natural habitats offering long-term biodiversity enhancement;
- Protected Species – Potential short-term disturbance will be avoided or mitigated; long-term habitat creation is expected to support species of principal importance.

7.5.9 Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities to seek to maintain and enhance biodiversity so far as it is consistent with the proper exercise of those functions. As part of the Proposed Development, the following proposed enhancement measures will benefit habitats and protected species:

- Establishment of wildflower grassland across arrays and in dedicated Ecological Mitigation and Enhancement Area;
- Rotational cutting of tussocky grassland to create varied sward structure and prevent scrub encroachment;
- Creation of a new wildlife pond with adjacent amphibian-friendly grassland;
- Infill planting of hedgerows and new native hedgerow corridors to increase structural diversity and connectivity;
- Planting of native broadleaved trees and scrub to provide nesting and foraging habitats for birds and bats;
- Invertebrate banks with bare earth and south-facing slopes;
- Winter wild bird cover crop planting for farmland bird species.

7.5.0 As set out in the Green Infrastructure Statement and shown on the submitted Illustrative Landscape and Ecology Strategy, the proposed 'Ecological Enhancement and Mitigation Area' (field parcel 6) is an 'ecological haven' measuring 10 ha which will be created to the west of Kinmel Avenue area of restored ancient woodland site. This ecological area will be free from built panels and ancillary development, and will be specifically designed to support breeding and foraging habitats for farmland and wetland birds such as skylark, teal, and other farmland and migratory species. Key components of this area will include fallow land, managed on a rotation to support ground-nesting birds; shallow scrapes to create ephemeral wetland for amphibians and waders; wildlife ponds with vegetated margins; and regenerative wetland areas suitable of slowing ruff off and providing water filtration. The management of this area will be secured for the 40-year lifespan of the Proposed Development.

7.5.1 The table below provides details of the approximate number of new trees, areas of woodland copses and lengths of enhanced and new hedgerow that would be delivered by the Landscape and Ecology Strategy and managed over the operational lifetime of the Proposed Development through the LEMP.

	Solar Site	BESS Site
New Trees (No)	127	33
Hedgerow Enhancement (m)	1,000	1,265
New hedgerow (m)	8,081	123
Woodland Groups/Copse (m ²)	9,202	N/A

7.5.2 A Shadow HRA is also submitted as part of the Application. It concludes that there will be no likely significant effects on any features of nearby SACs or SPAs alone or in combination. The scheme avoids adverse effects on the integrity of all designated sites.

7.5.3 The Proposed Development will deliver net benefits to biodiversity in alignment with the goals of PPW in promoting multifunctional land use that supports climate resilience, ecosystem services, and sustainable energy generation. The shift from intensive agriculture to diverse, semi-natural habitats will contribute to soil recovery, water retention, and long-term environmental resilience. Further detail is provided within the submitted Green Infrastructure Statement (ref. 3.0.6).

7.5.4 A central component of the scheme is the creation of the Ecological Mitigation and Enhancement Area, which represents a distinctive benefit of the Proposed Development. Covering circa 10 hectares, this area will provide new habitats such as ponds, scrapes, species-rich grassland and bird crop/fallow land, all of which will be carefully managed for the lifetime of the project. This will deliver clear benefits for birds, bats, amphibians and other wildlife, while also improving habitat connectivity with the wider landscape. The long-term protection and enhancement of this area will deliver biodiversity gains and should be given significant weight in favour of the Proposed Development.

7.5.5 The submitted Green Infrastructure Statement demonstrates a clear step-wise approach: first avoiding and mitigating potential effects, and then delivering additional, long-term ecological gains. This structured process provides certainty that the Proposed Development will deliver biodiversity benefits of a scale and quality that would otherwise be unlikely to be realised at the Site without the development coming forward.

7.5.6 On this basis, it is concluded that the development complies with and draws strong policy support from Future Wales Policy 18, PPW paragraph 6.4.5, CLDP Policy NTE1 and DLDP

Policy VOE 5, by protecting ecological receptors and delivering meaningful biodiversity enhancements and net benefits.

7.6 Built Heritage

- 7.6.1 Criterion 6 of Policy 18 in Future Wales states that renewable and low carbon energy projects qualifying as DNSs will be permitted provided that the proposal does not have unacceptable adverse impacts on statutorily protected built heritage assets. Additionally, Paragraph 6.1.9 of Section 6 of PPW states that any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contributing to the character of place. Chapter 12 of the ES, and its appendices, address matters relating to the Historic Environment, and fulfils this requirement within PPW.
- 7.6.2 Cadw's 'Conservation Principles' (2011) states that *"balanced and justifiable decisions about change to the historic environment depend upon understanding who values different historic assets and why they do so,"* and highlights the importance of understanding the impact of proposed change on the significance of historic assets. It further advises that every reasonable effort should be made to eliminate or minimise adverse impacts, though it acknowledges that in some cases harm may need to be weighed against the benefits of development.
- 7.6.3 Policy CTH 1 of the CLDP commits to protecting and, where possible, enhancing archaeological sites, listed buildings, conservation areas, and heritage assets. Development should conserve historic character and avoid harm to cultural assets.
- 7.6.4 Policy VOE 1 Policy VOE 1: of the DLDP protects areas of historic, and built environmental significance.
- 7.6.5 The Cultural Heritage Assessment identifies a total of fifteen heritage assets whose extended settings could theoretically be affected by the Proposed Development. Most relevant of the designated assets are Kinmel Park Registered Park and Garden (Grade II), Bodelwyddan Castle Registered Park and Garden (Grade II), and several Grade II listed buildings including Toll Bar Cottage, Bodoryn Cottages, and Glan-y-Morfa.
- 7.6.6 The assessment confirms that the vast majority of these assets are visually screened from the Site due to a combination of topography, distance, and vegetation. In all cases, the magnitude of change to setting is low or negligible, and no effects greater than Minor Adverse significance have been identified. As such, no additional mitigation is considered necessary.
- 7.6.7 On this basis, it is concluded that the Proposed Development will not give rise to any unacceptable adverse impacts on built heritage assets or their settings. The proposals are considered to comply with criterion 6 of Policy 18 of Future Wales and Paragraph 6.1.6 of PPW, as well as Policies CTH1, CTH2 and CTH4 of the CLDP, and Policies VOE1, VOE4, and VOE10 of the DLDP, and with the requirements of Planning Policy Wales, all of which require that cultural and heritage assets be conserved, protected and, where possible, enhanced as part of the planning process.

7.7 Archaeology (Cultural Heritage)

- 7.7.1 An assessment of archaeological resource has been undertaken as a part of Chapter 7 of the ES, in accordance with the requirements of PPW and local policy. The assessment has been primarily based on Chapter 6 of PPW and follows further guidance in TAN 24. Additionally, the assessment fulfils the general requirements of a desktop assessment as set out by the Chartered Institute for Archaeologists' Standard and Guidance for Historic Environment Desk Based Assessments (2014 rev 2020).

- 7.7.2 The assessment concludes at paragraph 7.13.2 that *‘There are no known or potential remains of remains of high value within the Site.’ This follows the commissioning of a series of trial trenches, in accordance with a WSI that was agreed by the two local archaeological trusts.*
- 7.7.3 Paragraph 7.13.3 goes on to state that for construction and decommissioning the *‘construction effects upon archaeological remains would be largely limited and would be subject to appropriate mitigation’*. With these mitigation measures in place, such as avoidance of known areas of more sensitive archaeological remains as far as possible and using low level piling techniques, no significant effects on archaeological are anticipated as a result of the Proposed Development and the provisions of local and national planning policies would be met.
- 7.7.4 Paragraph 7.13.4 also states that impacts upon the archaeological resource are limited to the construction phase and no further effects are anticipated during operation.
- 7.7.5 A section of the Cable Corridor runs through the Kinmel Park Registered Park and Garden. It has been carefully routed to primarily utilise existing tracks and roads and avoid significant impacts on trees (notably to avoid veteran tree root protection areas), informed by archaeological, arboricultural and ecological masterplanning during the design development stage.
- 7.7.6 On this basis, the Proposal conforms with the requirements of Section 6 of the PPW, which requires development to conserve, protect and enhance the cultural heritage assets of the County Borough and, to provide robust archaeological evidence and justification where required. Relevant local planning policies for Denbighshire and Conwy are also reflective of this.

7.8 Arboriculture

- 7.8.1 As set out in the Arboricultural Impact Assessment (AIA), the Proposed Development has been carefully designed to align with relevant planning policies and minimise its impact on trees, and in particular ancient woodland, veteran trees, and category A and B trees. Efforts include reducing tree removals, adjusting the design, and applying mitigation measures. As a result, any impact on trees is expected to be minimal and not cause significant harm.
- 7.8.2 The development's masterplan was guided by arboricultural advice, resulting in the loss of only three low-quality trees and partial loss of 32 tree groups or woodlands (mostly low-quality). Out of 450 arboricultural features, impacts are minimal and any loss is more than compensated by the planting of 160 new trees and 9,202sqm of new woodland copses to be delivered by the Landscape and Ecology Strategy and managed by the LEMP.
- 7.8.3 None of the 13 veteran trees on site will be affected and they will be safeguarded by the inclusion of buffer zones embedded into the design of the proposed layouts. Protection measures will be secured through the detailed CEMP and Tree Protection Plan.
- 7.8.4 Two Tree Preservation Orders (TPOs) are present within or adjacent to the Site. These will be subject to only limited impacts arising from the underground cable installation, namely minor crown lifting and localised encroachment into root protection areas. Such works will be undertaken in accordance with BS 3998:2010 and through careful hand digging under arboricultural supervision, following the requirements of BS 5837:2012, ensuring the integrity of the TPO trees is maintained.
- 7.8.5 In terms of Ancient Woodland, statutory buffers have been embedded into the proposals and the Proposed Development only results in minor interventions, notably some limited edge tree removal (where the Ancient Woodland boundary very slightly crosses the boundary of the Solar Site at the existing access in parcel 5) and crown lifting (along the Cable Corridor, to facilitate the construction of the cables). However, these works areas are minor and will not

impact the wider habitat. All the impacts manageable through best-practice mitigation. Further details are provided in the AIA.

- 7.8.6 In terms of hedgerows, approximately 1,166m of hedgerow are due to be lost to facilitate the Proposed Development, however this is more than compensated by the proposed new hedgerows amounting to 8,204m (therefore an overall net increase of 6,858m) in addition to the enhancement of 2,265m of existing hedgerows delivered by the Landscape and Ecology Strategy and managed by the LEMP.
- 7.8.7 To support national and local policy and ensure future tree succession, new planting is recommended to enhance the site's ecological and visual value, with a focus on species diversity and long term-sustainability. The Site plans and landscape strategy include measures to offset unavoidable tree loss. Existing trees marked for retention will be protected and managed according to BS 5837:2012, including physical barriers during construction. Any necessary mitigation can be secured through planning conditions to ensure the trees' long-term health and safety.
- 7.8.8 The Proposed Development is consistent with Policy NTE1 of the Conwy LDP and Policy EN6 of the Denbighshire County Council Replacement LDP, both of which require development to conserve and, where possible, enhance trees, woodlands and hedgerows of ecological, landscape and amenity value. By embedding protection measures into the design, ensuring that unavoidable impacts are proportionate and reversible, and securing long-term management through the LEMP, the scheme responds positively to these policy objectives.

7.9 Noise and Vibration

- 7.9.1 The potential impacts of the existing and proposed sources of noise on the existing sensitive receptors during the daytime and night-time periods have been assessed.
- 7.9.2 For the vast majority of both sites, the noise rating levels will be below the existing background noise level. In accordance with BS 4142:2014+A1:2019, this is likely an indication of an impact between Low Impact and Adverse Impact, depending on the context.
- 7.9.3 A noise intrusion assessment was also undertaken, particularly with night-time noise levels. With windows opened, internal noise levels resulting from the proposed development within the sensitive receptors are within the BS 8233:2014 criteria during both the daytime and the night-time periods.
- 7.9.4 The Noise Impact Assessment confirms that the Proposed Development is not expected to give rise to unacceptable harm to health or local amenity because of noise. With mitigation in place, the majority of predicted operational noise levels at the nearest receptors are below existing background, with only limited exceedances of up to +2 dB at the Solar Site and +3 dB at the BESS Site. These levels fall within the BS 4142:2014+A1:2019 range of "low impact" to "below adverse impact", depending on context.
- 7.9.5 Furthermore, a noise intrusion assessment demonstrates that internal noise levels within dwellings remain within BS 8233:2014 guideline values during both the daytime and night-time periods. On this basis, it is concluded that any significant adverse effects on public health, the environment or local amenity can be avoided.
- 7.9.6 Taking the above into account, the Proposed Development is considered to satisfy the requirements for noise protection afforded by Criterion 7 of Policy 18 of Future Wales, Policy RD1 of the Denbighshire LDP, and Policy DP1, DP4 and DP6 of the Conwy LDP.
- 7.9.7 The Proposed Development also accords with PPW (Chapter 5, para. 5.7.1) which requires that development avoids unacceptable impacts on amenity, health, and quality of life.

7.10 Glint and Glare

- 7.10.1 Criterion 7 of Policy 18 of Future Wales requires that development has no unacceptable adverse impacts by way of, among other things, reflected light. Pager Power has undertaken a Glint and Glare Study to assess the possible effects of glint and glare from the Proposed Development and pertains particularly to effects upon road safety, residential amenity and aviation activity.
- 7.10.2 There is no existing planning guidance for the assessment of solar reflections from solar panels towards roads and nearby dwellings. Pager Power has, however, produced guidance for glint and glare and solar photovoltaic developments, which was published in early 2017, with the fourth edition published in 2021. The guidance document sets out the methodology for assessing roads and dwellings with respect to solar reflections from solar panels
- 7.10.3 A low impact is predicted upon aviation activity associated with Ysbyty Glan Clywd Hospital Heliport. Mitigation is not recommended, but it is advised that continued dialogue with the hospital is carried out.
- 7.10.4 No significant impacts are predicted upon road safety, residential amenity and aviation activity associated with Rhedyn Coch Farm Airfield and Bryngwyn Bach Airfield. Mitigation is not required.
- 7.10.5 As such, the proposal is compliant with the Policy 18, Criterion 7 of Future Wales and the PPW requirement for renewable energy projects to be designed in a way that avoids adverse effects on nearby receptors.

7.11 Highways and Traffic

- 7.11.1 Criterion 9 of Policy 18 in Future Wales states that renewable and low carbon energy projects qualifying as DNSs will be permitted provided that the proposal does not have unacceptable impacts on the transport network through the transportation of components or source fuels during its construction and / or ongoing operation.
- 7.11.2 The construction of the Proposed Development will be in three principal phases – solar, cable route and BESS. The construction programme for the solar and associated infrastructure will be approximately 12-24 months, and will consist of the following (but not limited to) principal activities:
- Site establishment and enabling works for construction, including the erection of perimeter fencing and implementing any required ecological/environmental protection measures;
 - Implementation of temporary construction facilities, temporary security measures and internal access track;
 - Deliveries and construction of the solar farm, including the installation of mounting framework, solar panels and ancillary units;
 - Deliveries and construction of the BESS infrastructure and substation compound;
 - Cable trenching, ducting and backfilling to connect solar generating equipment to the substation equipment and from the substation equipment to the BESS Site and point of connection;
 - Testing and commissioning of the generating station equipment, BESS infrastructure and grid connection equipment; and

- Landscaping and biodiversity enhancements.

7.11.3 The submitted oCTMP provides a framework for management of construction vehicles associated with the Proposed Development during the process summarised above. Key mitigation measures include:

- Adherence to designated routes for all construction vehicles, ensuring access is taken directly to and from the A55 and avoiding sensitive areas such as schools and residential streets;
- Scheduling and management of deliveries via a booking system to ensure that HGVs and other construction vehicles arrive outside peak hours (08:00–09:00 and 17:00–18:00), with unbooked deliveries turned away;
- Management of abnormal indivisible loads (such as transformers), which will be delivered infrequently and, where possible, outside normal working hours to reduce disruption, with localised road widening undertaken where required;
- Implementation of strict access and on-site traffic controls, including traffic marshals to manage vehicle movements, forward-gear only manoeuvres, wheel washing facilities to prevent mud and debris leaving the site, and a 5mph on-site speed limit;
- Application of a Staff Travel Plan, with measures such as car sharing and shuttlebus provision to minimise single-occupancy car trips;
- Requirement for all contractors and hauliers to meet recognised best practice standards, including membership of the Fleet Operator Recognition Scheme (FORS) and compliance with Construction Logistics and Community Safety (CLOCS) standards; and
- Appointment of a Construction Logistics Manager to monitor vehicle trips, manage complaints and incidents, and ensure compliance with agreed measures, with non-compliant operators removed from the project where necessary.

7.11.4 A detailed CTMP will be produced once a Principal Contractor has been appointed. The CTMP would be in accordance with the oCTMP and submitted to the LPA for approval via a planning condition,

7.11.5 The Transport Statement (TS) sets out the proposed access arrangements, the anticipated construction programme and associated numbers and routing of deliveries. The TS considers the suitability of the highway network and impact from construction traffic and the site access arrangements. Additionally, a review of road safety has been undertaken and forms part of the TS.

7.11.6 During operation, the development will not generate daily traffic demand. Vehicle movements will be limited to occasional visits associated with routine inspection and periodic maintenance only. As such, operational traffic will be negligible and will have no material impact on the local highway network.

7.11.7 In conclusion, the Proposed Development can be accommodated on the adjacent highway network without any significant negative impact. The TS concludes that the Proposed Development will not produce a negative impact on the local highway network and will not be detrimental to highway safety.

- 7.11.8 As such, it is considered that the Proposed Development meets the objectives of Policy 18 of Future Wales, PPW, Denbighshire LDP Policies ASA1 and ASA2 and Conwy LDP Policies STR1 and STR3.

7.12 Hydrology and Flood Risk

- 7.12.1 The southern parcel is not considered at significant flood risk, with minor surface water issues arising from on-site water that can be managed through the development's drainage system. In contrast, the northern parcel lies largely within Flood Zones 2 and 3 due to potential fluvial flooding from the Afon Clwyd and tidal flooding from the Clwyd Estuary, with additional risk from the Afon Gele and Bodoryn Cut, which are part of a broader drainage network for the low-lying surrounding area.
- 7.12.2 Detailed modelling indicates that, with defences in place, the site is not at risk during a future 1 in 200 year tidal event or 1 in 100 year fluvial event, but parts of the northern parcel may be affected during an extreme 1 in 1,000 year flood, with depths generally below 0.6 m and localised areas up to 1.1 m. Solar arrays and associated equipment will be raised above predicted flood levels to ensure resilience, and containerised infrastructure in higher risk areas will be designed to be flood-resistant and easily replaced if required.
- 7.12.3 A Flood Consequence Assessment and Conceptual Drainage Strategy (submitted as Appendix B.1 to the ES) demonstrate that the Proposed Development does not result in an unacceptable risk of flooding over its 40-year operational lifetime, taking climate change into account. The CDS confirms that a formal surface water drainage scheme is required at the BESS Site, due to the impermeable nature of the proposed infrastructure, while a formal scheme is not required for the Solar Site since the panels and associated tracks occupy a small proportion of the land area and are designed to maintain permeability and existing flow paths.
- 7.12.4 Mitigation measures, including raised panel heights, permeable access tracks, attenuation capacity beneath isolated containers, and a lined, granular sub-base drainage system at the BESS, will ensure that runoff is controlled at greenfield rates and that extreme rainfall events, including a 1 in 100 year +40% climate change event, can be safely managed. The FCA confirms that, even during rare breach scenarios, the vast majority of the Solar Site would remain operational and no risk to life would arise, as the facility will be remotely operated with no requirement for access during flood conditions.
- 7.12.5 TAN 15 paragraph 10.22 states that proposals in Zone 3 require the strongest justification in favour of their development, with paragraph 2.23 allowing exceptions for projects that address energy security or climate change, provided there is a clear locational need and flood consequences are found to be acceptable. In this case, the FCA confirms that flood consequences are acceptable and can be safely managed.
- 7.12.6 The development will also deliver substantial climate and energy benefits, generating up to 110 MW of renewable electricity and storing an equivalent amount within the BESS element. This will support grid stability by storing surplus renewable energy and discharging it when demand is high. Grid capacity is a key national constraint, and the Site's proximity to the Bodelwyddan Substation offers a rare, viable connection point. On this basis, the proposals are considered to meet the requirements of TAN 15, Policy NTE8 and NTE10 of the Conwy LDP, Policies VOE1, VOE6 and VOE10 of the Denbighshire LDP, and Chapter 6 of PPW.

7.13 Ground Conditions

- 7.13.1 Chapter 9 of the ES assesses the potential effects from the disturbance of existing contamination within the ground on human and environmental health during the construction, operational and decommissioning phases of the Proposed Development.

- 7.13.2 A Phase 1 Geo-Environmental Assessment (GCA) has identified very low risks from on-site contamination (mainly agrichemical residues) and low to moderate risks from nearby off-site sources (e.g. industrial sites, landfill) during all project phases. Risks are manageable with standard mitigation measures and good construction practices. For the BESS Site, shallow foundations are expected, but if deeper piles are needed, short-term sediment release to groundwater could pose a low risk.
- 7.13.3 As a result, the Proposed Development is not expected to give rise to significant adverse effects on ground conditions, contamination, land stability, or safeguarded mineral resources during construction, operation, or decommissioning. All residual effects are assessed as Negligible or Minor Adverse and therefore Not Significant.
- 7.13.4 The Proposed Development therefore accords with relevant national and local planning policy, including PPW Paragraph 6.9.1 and TAN 15 (development and flood risk), by safeguarding controlled waters, preventing unacceptable risks to human health, and ensuring that land instability is avoided. The proposals are also consistent with Conwy LDP Policies MWS1, MSW2, MSW3 and MSW4, and Denbighshire Policies PSE15 and PSE16 relating to the management of land contamination risks through appropriate site investigation, risk assessment, and mitigation.

7.14 Soils and Agricultural Land

- 7.14.1 Both CLDP and DLDP planning policies seek to protect Best and Most Versatile (BMV) agricultural land, as does PPW, which applies a sequential approach to the release of such land for development.
- 7.14.2 CLDP Policy DP6 and Denbighshire's Renewable Energy SPG both emphasise avoiding development on high-quality agricultural land *where possible*. National guidance, including Planning Policy Wales and TAN 6, similarly prioritises the protection of BMV land *unless significant material considerations apply*. Whilst Policies 17 and 18 of Future Wales are silent on the matter of BMV agricultural land in the context of renewable energy development, it does place an emphasis on the need to value and protect agricultural land¹¹ and by virtue of PPW and the LDP policies referenced above, the impact on BMV land is material.
- 7.14.3 PPW stipulates that:
- 'In development plan policies and development-management decisions, considerable weight should be given to protecting of such [BMV] land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower-grade land has an environmental value... which outweighs the agricultural considerations. If there is a choice between sites of different grades, development should be directed to land of the lowest grade.'*¹²
- 7.14.4 In light of the approach of planning policy at all levels to the protection of BMV land, agricultural land quality was a key part of the Applicant's initial site selection exercise, alongside other important factors such as statutory planning and environmental designations, topography, proximity to local population, technical deliverability and land availability (i.e. willing landowners).
- 7.14.5 The starting point for any renewable energy generation project is identifying a part of the national grid where there is available grid capacity for a viable connection (which in this case

¹¹ Page 27, Future Wales

¹² Paragraph 3.59, PPW

is at Bodelwyddan Substation). This operational requirement places a locational restriction on site selection that limits the number of appropriate sites for larger scale renewable energy projects, as well as their distance from this available grid capacity.

- 7.14.6 Below in **Figure A** is an extract from Welsh Government's online Agricultural land classification: predictive map, with the Solar and BESS Sites, and Bodelwyddan Substation, illustrated. The extract shows that the land between the Substation and the Solar Site is almost entirely within sub Grade 3a BMV land (dark green) or is urban (red) or non-agricultural (orange) land. There are small pockets of Grade 3b land (light green), but they are not of a scale that could accommodate the Proposed Development. The Applicant's search area therefore focussed on available land within an area closest to the Substation yet unconstrained by BMV land, and other environmental considerations. Given the concentration of BMV land (or urban and non-agricultural land) in the wider area, there are clearly very limited opportunities surrounding Bodelwyddan substation to accommodate a site of the size that is required to achieve a generation capacity of approximately 110MW on non-BMV land.

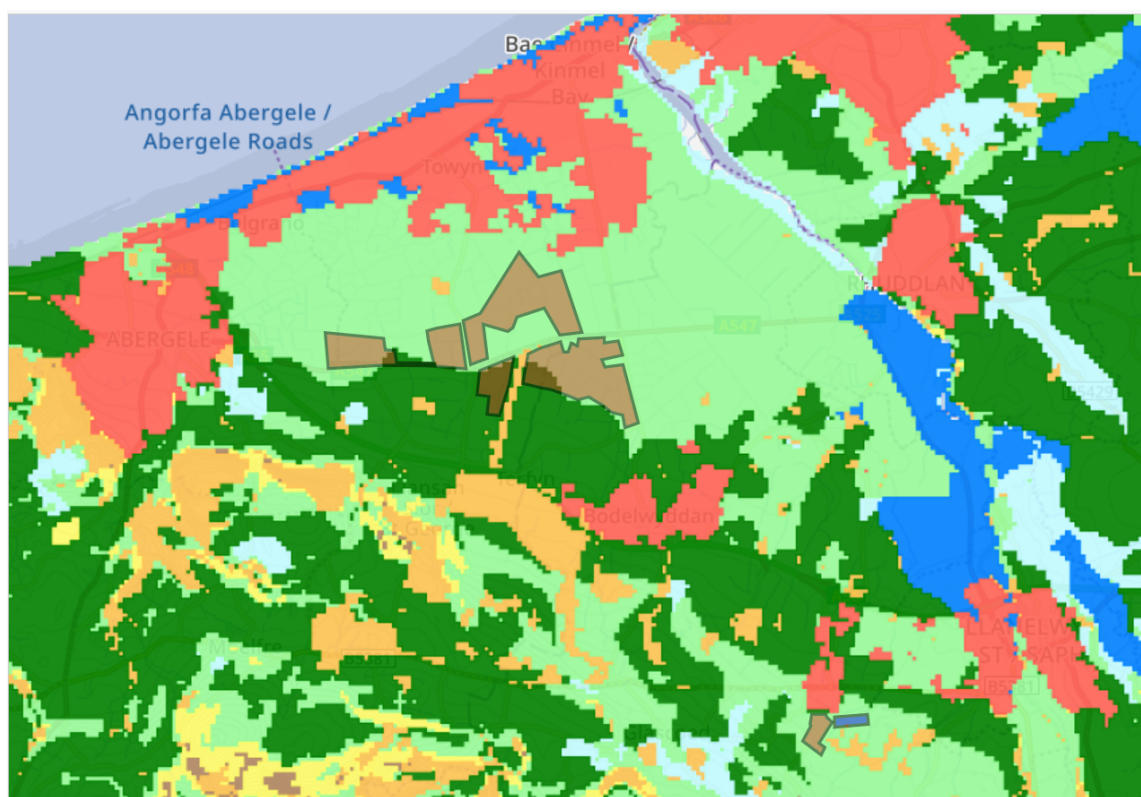


Figure A – Extract from Welsh Government Agricultural land classification: predictive map

- 7.14.7 The Applicant wrote to landowners in the area and the Application Site was found to be the only land available.
- 7.14.8 Solar farm developments have very specific locational needs, in addition to the need to take account of environmental and other potential constraints to development. The Applicant has sought to select a Site which limits the amount of BMV land proposed for development as much as possible, having regard to applicable planning policies and the sequential approach set out in PPW, by targeting lower Grade agricultural land as close to the PoC as possible, illustrated clearly in Figure A.

- 7.14.9 After selecting the Site for potential development the Applicant commissioned a detailed Agricultural Land Classification (ALC) Report (included at Appendix I.2 of the ES), which confirms that the Site predominantly comprises Grade 3b (moderate quality) land, amounting to over 93.4% of the total area. Only 11.3 ha (c. 6.6%) of the Site is identified as Subgrade 3a, with no higher grades (1 or 2) present. **Figure B** below contains an extract from the ALC report (Map 2A) showing the results of the classification exercise, which clearly shows a lesser extent of Grade 3a land than indicated on the predictive map in Figure A. The ALC Report also confirmed that the BESS Site is entirely Grade 3b.

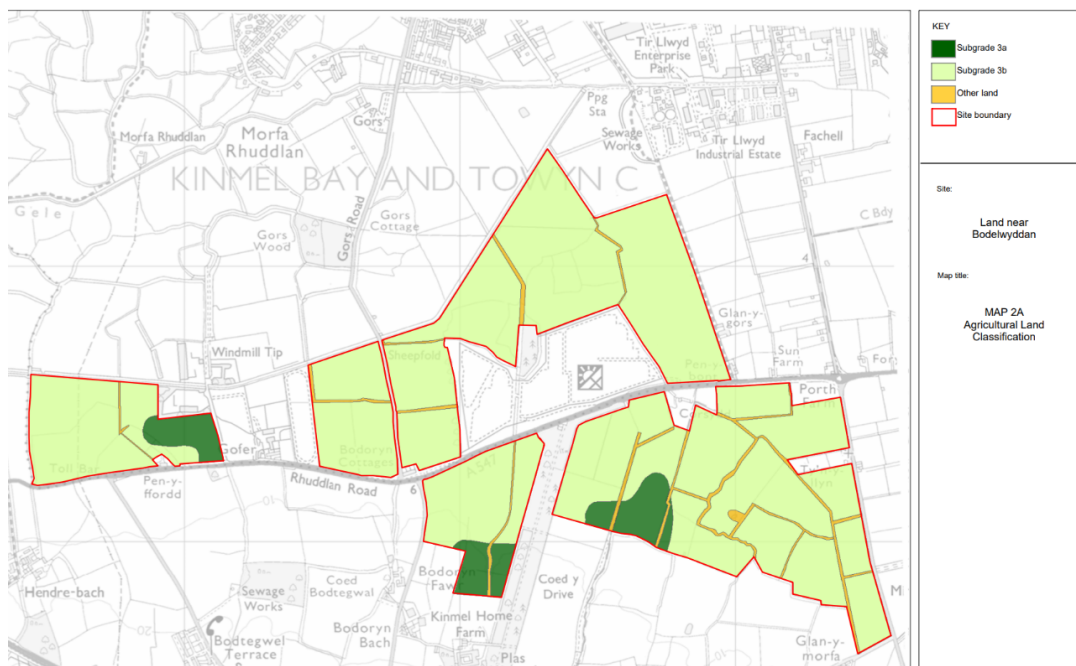


Figure B: Extract from ALC Report 'Agricultural Land Classification' 'Map 2A'

- 7.14.10 As can be seen from Figure B, the limited Grade 3a land occurs in three small, scattered pockets interspersed within larger fields of Grade 3b; at no time occupying an entire field parcel or a single consolidated block. This fragmentation significantly reduces its practical agricultural utility, as these areas cannot readily be managed as independent BMV fields. In effect, the distribution of this 3a land dilutes its contribution to the overall agricultural value of the holding and the BMV land is not used for any differing purpose to the Grade 3b land. The area of BMV land is therefore not limited in scale and is not capable of being farmed any differently to the surrounding lower Grade agricultural land.
- 7.14.11 A further consideration is that this loss will be limited to the operational lifetime of the solar farm and BESS development, which will be 40 years. It will not be lost in perpetuity. After that period planning conditions would require the land to be returned to its former condition. The submitted oSMP confirms that this is achievable, with no significant long-term impact on soil resources or agricultural land quality, as soils can be readily restored through careful handling, storage and reinstatement in line with good agricultural practice.
- 7.14.12 It has therefore been established that there was a sequential approach to the Site's selection, that the limited amount of BMV land within the Site is disbursed and being put to no differing agricultural use than the lower Grade land within which it lies, and that the BMV land will not be lost in perpetuity.
- 7.14.13 Turning now to the scale of land to be lost during the operation of the Proposed Development. At only circa 6.6% it represents a very small proportion of the overall site area. In addition, the amount of BMV land, 11.3 ha, is not significant. This factor was a consideration in the

determination of the Parc Traffwll 35MW Solar Farm DNS (DNS/3217391) where the Inspector concluded, at paragraph 318, that:

“The 6.3ha of BMV land to which it is agreed that PPW applies is also well below the threshold of 20ha above which the DNS (Procedure) (Wales) Order 2016 (para p of Schedule 5) requires consultation with Welsh Ministers. The corollary of this is that such an amount is not nationally significant.”

7.14.14 The Minister for Climate Change, in approving the application, concluded at paragraph 61 of the Decision Letter that:

“I agree with the Inspector that there is no reason to disagree with [Welsh Government’s Soil Policy and Agricultural Land Use Planning Unit’s (SPALPU)] representations and its conclusion that the application is not considered a matter of national agricultural interest. In this context, for this particular development proposal, I consider the proposal’s capacity to generate a significant amount of renewable energy outweighs the need to protect the BMV land within the application site boundary. In coming to this view I have taken into account the comments of SPALPU that only 6.3ha of the total amount of BMV land within the application site boundary could be practically farmed to its full potential.”

7.14.15 In the case of Parc Traffwll, it is clear that the Welsh Ministers considered the significant amount of renewable energy generated by the 35MW solar farm outweighed the need to protect BMV land, while concluding that the loss of 6.3ha of BMV land was not a matter of national agricultural interest. Ministers also had regard to the practicality of farming the land in question to its full potential. Whilst each proposal must be treated on its own merits, there are clear parallels with the Proposed Development, which will generate in excess of three times more renewable energy than Parc Taffwll (at 110MW), and involves the loss of only 11.3 ha of disbursed and irregular BMV land, which cannot practically be farmed in any other way than the surrounding lower Grade agricultural land.

7.14.16 Further to the above, there is an overriding need for the Proposed Development that is highly material to the consideration of the loss of BMV land. This Planning Statement sets out the plethora of policies, and local and national initiatives and legislation that highlights the essential need to increase the amount of renewable energy generation in Wales in order to meet national, legally binding targets. The recent Alaw Mon Solar Farm (DNS/3274702) DNS decision is a clear case where the loss of a significant quantum of BMV land to a solar farm development, 159ha (36.6 ha of Grade 2 and 122.3 ha of Grade 3a), amounting to 59.2% of the site, was balanced against the need for renewable energy generating development, in addition to the particular site circumstances and doubts over whether the BMV land would ever be used for purposes other than that for which the surrounding lower Grade agricultural land would be used. Paragraphs 20 and 21 of the Minister’s decision letter states:

“20. The Inspectors consider that in determining the weight to be given to the policy conflict [relating to the loss of BMV land] in this case it is relevant to bear in mind that policy does acknowledge that an overriding need can, in certain circumstances, justify development on [BMV agricultural land].

“21. The Inspectors consider there appears to be only a remote possibility that the productive farming use of the land would change significantly during the lifetime of the development and they weigh this against the degree of certainty that the and would be productively used for renewable energy generation on a significant scale. In these circumstances, the Inspectors consider that the

identified need for renewable energy overrides the need to protect MBVAL which is not being used to the productive potential that justifies its protection.”

7.14.17 The Minister goes on to conclude the following, at paragraph 75:

“...I concur with the Inspector’s view that the scheme’s significant contribution to renewable energy generation should be given considerable weight in the planning balance. The proposal aligns with and supports Wales’ renewable energy targets and broader climate objectives. I note Policy 17 of [Future Wales] requires decision-makers, when considering applications for renewable energy development, to give significant weight to the need to meet Wales’ international commitments and renewable energy targets. In addition, I recognise the supplementary benefits associated with the scheme, including biodiversity enhancements. For these reasons, in this particular case I consider the benefits of the scheme outweigh any harmful effects, including the impact of the proposal on BMVAL and I agree the scheme accords with relevant development plan policies.”

7.14.18 The Proposed Development will involve the development of a significantly smaller area of BMV land (11.3ha) than in the case of Alaw Mon, as well as a significantly lower percentage proportion of the Site, and it does not amount to a nationally significant quantum of BMV land. In addition, the small proportion of BMV land is in disbursed patches and, as a result, is not used to its full potential; it would be very difficult to use it any differently to the non-BMV land alongside which it is farmed. It is considered that the significant benefits of the proposed development outweigh the limited harm arising from the temporary loss of BMV land in this case, for the reasons highlighted above, and represents the overriding need necessary to justify development, as required by paragraph 3.59 of PPW.

7.14.19 An Outline Soil Management Plan (oSMP) (Appendix I.5 of the submitted ES) has been prepared to guide soil handling during construction, operation, and decommissioning. The oSMP establishes principles for timing of works, soil stripping and storage, reinstatement, and compaction avoidance, in line with industry best practice (BSSS, BRE and Institute of Quarrying guidance). Implementation of the oSMP will ensure that soils remain in good condition and can be returned to productive agricultural use post-decommissioning.

7.14.20 In conclusion, there is an overriding need for the proposed development of BMV land in this case, on account of the significant level of renewable energy that will be delivered by the Proposed Development, and the BMV land in question cannot be practically farmed to its full potential. The Applicant’s Site search process also demonstrates that the sequential approach advocated by PPW (paragraph 3.59) has been followed. It can therefore be concluded that the proposed development is in accordance with PPW and development plan policy relating to the development of BMV land.

7.15 Compliance with Planning Policy

7.15.1 This policy assessment has considered the key planning issues associated with the Proposed Development. The principle of the Proposed Development is unequivocally supported by national and local planning policy and guidance.

7.15.2 Policy 17 of Future Wales provides strong support for the principle of developing renewable and low carbon energy and requires decision makers to give significant weight to the need to meet Wales’ international commitments, and the target to generate significant weight to the need to meet Wales’ international commitments, and the target to generate 70% of consumed electricity by renewable means by 2030 (being a higher percentage target being consulted upon).

7.15.3 Proposals for renewable and low carbon energy projects qualifying as DNS will be permitted subject to Policy 17 of Future Wales and the criteria set out in Policy 18 of Future Wales, which are summarised below.

Table 1 - Future Wales Policy 18 Compliance

Criterion		Summary
1	Outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty).	The LVIA concludes that, overall, the effects of the Proposed Development on landscape and visual receptors are limited, localised, and will reduce over time'
2	There are no unacceptable adverse visual impacts on nearby communities and individual dwellings	Overall, the visual impact on nearby sensitive receptors, including residential properties from the Proposed Development is not unacceptable, and none of the properties within the Study Area were considered to meet the Residential Visual Amenity Threshold.
3	There are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons of Overriding Public Interest (IROPI) and appropriate compensatory measures have been secured)	The Proposed Development will not have an adverse effect on the integrity of internationally designated sites, as confirmed in submitted Shadow HRA.
4	There are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species	The Proposed Development will not have an adverse effect on the integrity of nationally designated sites, as confirmed in Chapter 10 of the ES and in the Shadow HRA Report (Appendix F.2).
5	The proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity	The Proposed Development has the potential to employ enhancement measures to benefit habitats and protected species. This is fully set out in the biodiversity chapter of the ES and the Green Infrastructure Statement.
6	There are no unacceptable adverse impacts on statutorily protected built heritage assets	The Cultural Heritage Chapter of the ES assesses the Proposed Development's impact on the historic environment. With the proposed mitigation measures employed, a negligible level of harm is predicted in terms of heritage assets and archaeology.
7	There are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance.	There will be no unacceptable impacts in relation to shadow flicker, air quality or electromagnetic disturbance. The NIA demonstrates that the noise levels as a result from the proposed development is not expected to result in unacceptable harm to health or local amenity. Further, the submitted Glint and Glare Report and Management Plan confirm there will be no adverse impacts in terms of reflected light from the solar panels or associated equipment.

8	There are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T).	Given the nature and location of the development, no significant impacts upon aviation activity are predicted, and therefore, no further mitigation with respect to these receptors is recommended.
9	There are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation.	The Transport Statement concludes that the local highways network operates safely and there are no highway safety concerns which are likely to be exacerbated by the Proposed Development and associated traffic that will be generated as a result. Overall, the Proposed Battery Energy Storage System, Solar Electricity Generating Facility and Cable Route Corridor sites are anticipated to produce low levels of daily construction traffic over the construction phase. Additionally, as the construction and staff trips are to avoid peak hours, no further assessment of the traffic impact is required.
10	The proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources.	The general principles of waste minimisation are to design proposals sustainably, to reduce the amount of waste generated, conserve natural resources and re-use waste materials and recycle materials where possible. The Proposed Development has been through an iterative design process and as a result, incorporates suitable measures to minimise the generation of waste. It is also considered that once the photovoltaic panels have been removed from the site, these can be recycled for other development and uses. An outline Construction Environmental Management Plan has been submitted, and sets out actions to meet the waste hierarchy, including details of the types and quantities of waste that will be produced by the Contractor as part of the construction phase. A full Construction Environmental Management Plan will be produced post-approval.
11	There are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.	The Proposed Development is expected to have an operational lifetime of up to 40 years after the date on which electricity is first exported to the National Grid, with the site returned to its original state and use thereafter.
The cumulative impacts of existing and consented renewable energy schemes should also be considered.		The ES assesses the cumulative effects of the Proposed Development in each subject area. In each case no significant effects are predicted.

7.15.4 In light of the preceding planning assessment, it is considered that the Proposed Development complies with all criteria set out in Policies 17 and 18 of Future Wales, which provides the primary decision-making framework for renewable and low carbon technologies.

- 7.15.5 In addition to the criteria in Policy 18, the Proposed Development is also considered to accord with applicable policies of the DLDP and CLDP and national planning policy contained in PPW.
- 7.15.6 The Proposed Development is therefore clearly acceptable in relation to the policy tests set by the Development Plan and should be approved accordingly.

7.16 Compliance with Well-being of Future Generations (Wales) Act 2015.

- 7.16.1 The Proposed Development would improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Section 3 of the Well-being of Future Generations (Wales) Act 2015, and is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out as required by Section 8 of the Well-being of Future Generations (Wales) Act 2015.
- 7.16.2 In addition to the benefits of energy generation and carbon savings associated with the Proposed Development, the Proposed Development will generate a range of wider benefits which include:
- Carbon savings of around 35,569 tonnes annually. Over a 40-year operational lifespan, this equates to more than 1,400,000 tonnes of avoided emissions. The avoided emissions translate into a projected carbon cost saving of approximately £56.2m by 2050.
 - Energy generation export capacity of up to 110MW, which would generate the equivalent of the domestic electricity requirements of 26,657 homes based on annual average household consumption.
 - Community Benefit Fund. Details of this are to be confirmed post-PAC, as it will be directed by feedback from the community and stakeholders on what this could include.
 - Local economic impact of jobs created or safeguarded during the construction and installation phase, and further maintenance jobs during the operational phase.
 - Contribution to local services and infrastructure.
 - Enhancement to biodiversity, including to habitats and species and the creation of a dedicated ecological mitigation area, resulting in significant net benefits.
 - The enhancement of existing and creation of new hedgerows, grassland, woodland corpse and trees.
 - The creation of a circa 10 ha dedicated Ecological Enhancement and Mitigation Area, including wildlife ponds, scrapes, and bird crop / fallow land rotation area. Retention and enhancement of the existing pond within parcel 5. Proposed barn owl boxes (2no) and tit/woodpecker boxes (2no)
 - Enhancement of existing ditches
- 7.16.3 Section 5 of PPW explains ways in which places can contribute to each of the seven goals of the Well-being of Future Generations Act (page 74 of PPW, Edition 12) including:

- Achieved through...increased economic activity across all sectors and at all scales. This is realised through [...] investment in renewable and low carbon energy sources...' (A Prosperous Wales);
- Supported by [...] renewable energy generation. (A Resilient Wales);
- Achieved through the reduction in emissions and air pollution as a result of generating energy from non-carbon sources. Greater distribution of our economic wealth can also help alleviate poverty which is a key determinant of health. (A Healthier Wales);
- Achieved through promoting sufficient employment and enterprise opportunities for people to realise their potential and by recognising and building on the existing economic strengths of places to assist in delivering prosperity for all. (A More Equal Wales);
- Supported by the provision of jobs and economic activity...(A Wales of Vibrant Culture and Thriving Welsh Language); and
- Promoted by reducing our carbon footprint through [...] the promotion of renewable energy over carbon emitting sources and resource choices through which multiple benefits can be realised. (A Globally Responsive Wales).

7.16.4 As such, through the benefits of the Proposed Development - including renewable energy generation, decarbonisation, economic impact, and job creation / safeguarding for the local workforce - the Proposed Development is considered to be in accordance with all seven of the wellbeing goals set out in the Well-being of Future Generations Act.

8 Conclusion

- 8.1.1 Future Wales is clear that decision makers must give significant weight to Wales' need to meet its international commitments, and its target of generating 70% of consumed electricity by renewable means by 2030 (revised to 100% by 2035). Future Wales is the latest expression of national planning policy. Due to the contribution that the Proposed Development will make to meeting Wales' renewable energy targets and net zero objectives, it is considered to be fully compliant with Policy 17 of Future Wales.
- 8.1.2 This Statement, alongside the wider application documentation, including the ES, clearly demonstrates how the Proposed Development will accord with Policy 18 of Future Wales through a consideration of each of the 11 criteria set out in the policy, supported by a robust assessment of the likely environmental effects of the proposals. In each case, there is considered to be no conflict with the policy objectives of Future Wales.
- 8.1.3 The proposals also align with Section 5.9 of PPW, DLDP Policy VOE10 and PSE5, and CLDP Policy NTE6, all of which support renewable energy where environmental and community impacts are acceptable and appropriately mitigated.
- 8.1.4 It is recognised that the Proposed Development will result in some localised environmental change, including visual effects and temporary impacts during construction. However, these have been carefully assessed and can be appropriately mitigated through design, embedded measures, and planning conditions. Importantly, no unacceptable adverse impacts have been identified that would significantly or demonstrably outweigh the benefits of the scheme, which include:
- Contribution to statutory energy and climate change targets: The Proposed Development will make a material contribution towards UK energy and climate change legislation and policy, including the legally binding Net Zero by 2050 target, and Wales' target of 100% renewable electricity by 2035.
 - Scale and urgency: With an export capacity of 110MW, together with a 110MW / 440MWh BESS the Proposed Development will provide an early and significant contribution to decarbonisation at a time of urgent local and national need.
 - Biodiversity net benefit: Delivery of biodiversity enhancements across the Site, including significant new tree and hedgerow planting, a dedicated 10ha ecological enhancement area, and the option for continued livestock grazing.
 - Grid connection: The Site benefits from an accepted grid offer and proximity to a viable point of connection, which is a considerable advantage given the national shortage of such opportunities. This ensures deliverability in the short term.
 - Protection of Best and Most Versatile (BMV) land: The Site is predominantly Grade 3b (non-BMV) land, thereby safeguarding higher-quality BMV land in accordance with Planning Policy Wales. Opportunities for projects of this scale on non-BMV land are limited in the wider area, which is predominantly BMV, and the loss of only a small quantum of BMV land in this case is outweighed by the benefits of the Proposed Development.
 - Reversibility and restoration: At the end of its 40-year operational life, the scheme is fully reversible, with agricultural fields restored to their current condition.

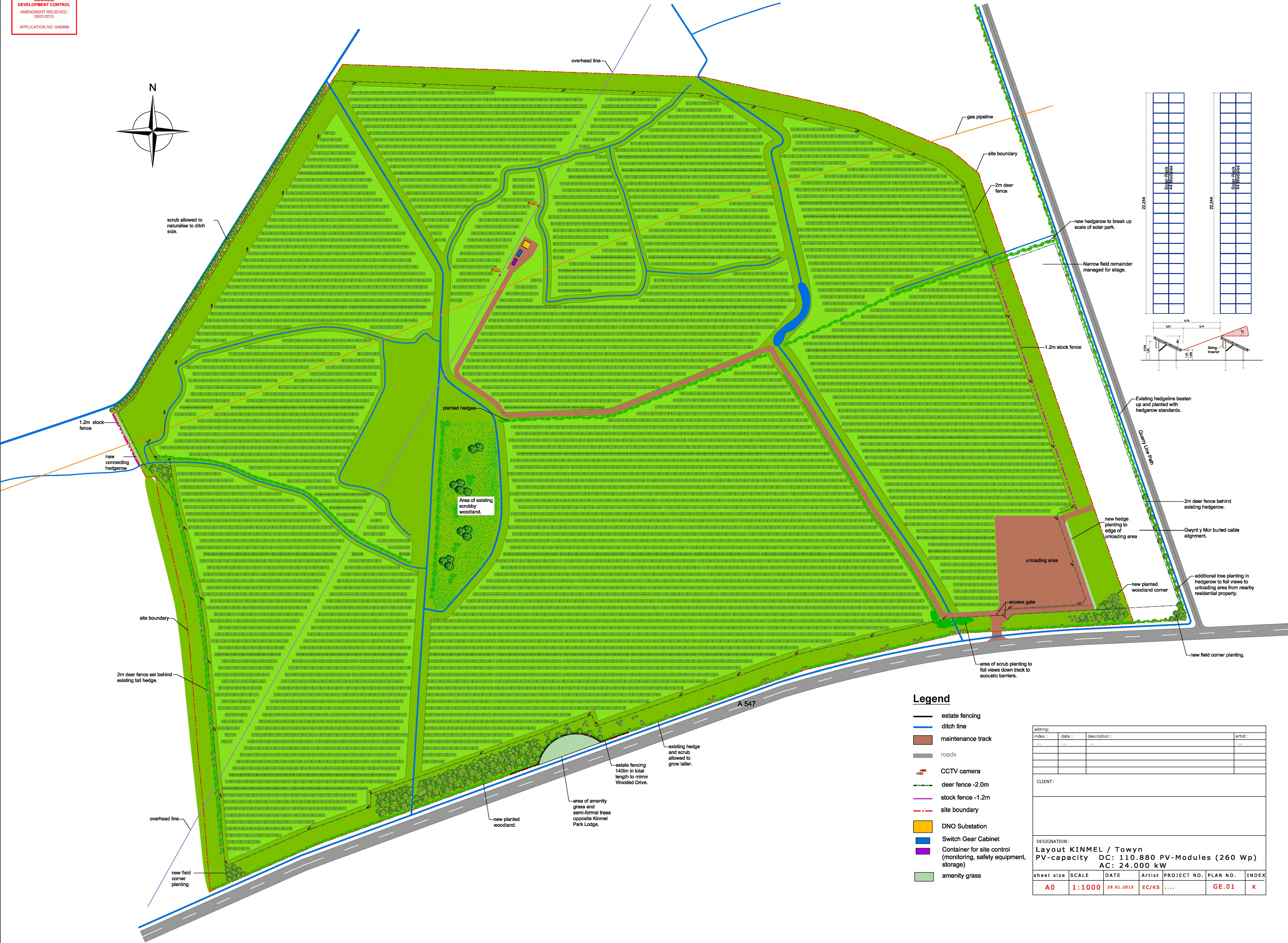
- Socio-economic benefits: Local and regional employment opportunities, supply chain investment, and business rates contributions.
- Environmental resilience: Flood risk mitigation and drainage improvements, together with embedded construction management controls and a Battery Safety Management Plan, ensure the Proposed Development can operate safely and without unacceptable environmental effects.

8.1.5 On balance, when the limited and mitigable harms are weighed against the considerable and enduring benefits, the benefits clearly outweigh the harms. The principle of development is acceptable, and the Proposed Development is suitable for the Site and its surroundings, consistent with Future Wales, PPW, the DLDP, CLDP, and other relevant material considerations.

8.1.6 The Proposed Development is therefore in accordance with the Development Plan and PPW, and it is respectfully requested that this DNS application be approved.

Appendix A 2015 Consent Site Layout Plan (LPA ref. 0/40999)

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Legend

- estate fencing
- ditch line
- maintenance track
- roads
- CCTV camera
- deer fence -2.0m
- stock fence -1.2m
- site boundary
- DNO Substation
- Switch Gear Cabinet
- Container for site control (monitoring, safety equipment, storage)
- amenity grass

editing:	index :	date :	description :	artist :
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CLIENT:				
DESIGNATION:				
Layout KINMEL / Towyn				
PV-capacity	DC: 110.880	PV-Modules (260 Wp)		
	AC: 24.000	kW		
sheet size	SCALE	DATE	Artist	PROJECT NO.
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A	SPL	SR	08.01	Native scrub identification
Dis	Drawn	Checked	Date	Description

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Kimmel Solar Park

Boundary & Solar Array
Plan

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Checked By:	S.Ryder	Date:	18.12.2014
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Drawing No.	14180	PL	103	Revision	A
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