

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: DNS/3245065 - qA1463060

Ms Charlotte Peacock
Wessex Solar Energy (WSE Pembrokeshire Limited)
Barmoor Farm House
Hepscott
Morpeth
Northumberland
NE61 6LB

E-mail: cep@wessexsolarenergy.co.uk

27 October 2021

Dear Ms Peacock,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 62D
THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (WALES) REGULATIONS 2016
APPLICATION BY WESSEX SOLAR ENERGY (WSE PEMBROKESHIRE LIMITED)
THE PROPOSED DEVELOPMENT IS A SOLAR PARK AND ASSOCIATED
INFRASTRUCTURE ACROSS A 34.25HA SITE. IT WOULD BE CAPABLE OF
EXPORTING UP TO 22 MW AC OF ELECTRICITY INTO THE REGIONAL ELECTRICITY
GRID.**

**LAND AT BLACKBERRY LANE, NASH, PEMBROKESHIRE, SA27 4SJ
APPLICATION REF: DNS/3245065**

1. Consideration has been given to the report of the Inspector, Nicola Gulley MA MRTPI who held hearings to examine the planning application.
2. In accordance with section 62D of the Town and Country Planning Act 1990 and Regulation 3 of The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, the application was made to the Welsh Ministers for determination.
3. The Inspector held Hearings on 8, 9 and 10 June 2021 and made a site visit on 17 June 2021. The Inspector recommends planning permission be refused. A copy of the Inspector's report ("IR") is enclosed. All references to paragraph numbers, unless otherwise stated, relate to the IR.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Main Considerations

4. I agree the main considerations are those listed at IR101:
 - The landscape and visual qualities of the surrounding area;
 - Cultural heritage;
 - The ecology and ornithology of the site and surrounding area;
 - Highway safety; and
 - Best and Most Versatile (“BMV”) agricultural land.

Landscape Character and Visual Amenity

5. Planning Policy Wales (“PPW”) makes clear that all the landscapes of Wales are valued for their intrinsic contribution to a sense of place, their special characteristics should be protected and enhanced whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places. In doing so PPW requires: international responsibilities and obligations for landscapes continue to be met; statutorily designated sites are properly protected and managed; the value of all landscapes for their distinctive character and special qualities are protected; and ensuring the opportunities landscapes provide for tourism, outdoor recreation, local employment, renewable energy and physical / mental health and well-being are taken into account and multiple well-being benefits for people and communities secured. (IR102)
6. The Environmental Statement (“ES”) includes a Landscape and Visual Impact Assessment (“LVIA”) and the Inspector is satisfied the assessment conforms to best practice and is both comprehensive and robust. (IR103-104)

Landscape Character

7. The application site comprises eight fields, set out in a largely linear form and enclosed by a combination of mature hedgerows, trees and woodland. The Inspector considers despite the proximity to a busy trunk road, the application site retains a sense of rural tranquillity. The development proposes the erection of a large-scale solar park with 70,000 PV panels to be laid out in densely packed south facing solar arrays which run east to west across the site. The proposed inverter and transformer cabins would be dispersed throughout the site and, for the most part, would be located close to existing/proposed hedgerows. (IR105-106)
8. The Inspector notes a landscaping scheme is proposed which requires the planting of new hedgerows throughout the site, the gapping up of existing hedgerows, the planting of woodland/tree belts both along the northern boundary and on an east to west orientation across the central and eastern fields, the sowing of the site with a rich grass mixture which includes native wildflowers and the use of the land as a pasture for the grazing of sheep. (IR107)
9. The Inspector acknowledges the construction of a solar park, will inevitably, have an adverse impact on the landscape character of the application site throughout the lifetime of the development. However, the Inspector notes subject to the implementation of the proposed landscaping scheme and the use of the land as pasture for the grazing of sheep, the development would have some benefits for the future use of the site. These benefits would result in the significant screening of the proposed development, the strengthening of the pattern of field boundaries through the provision of new and improved hedgerows, trees and woodland and the grazing of sheep which would

maintain the agricultural use of the site. The Inspector is of the view that the impact of the proposal on the application site would be localised in nature. (IR108)

10. The ES indicates, when observed from the identified viewpoints the proposed development would, have a small and medium effect on the character of the landscape. The Inspector does not consider the proposal would have a significant effect on the character of the wider landscape. The exception to this are viewpoints 1 and 4, which offer closer views of the application site from the site entrance on Nash Lane and from Paskeston Road. The Inspector notes the ES found the proposed development would have a large-scale effect on the character of the landscape from these points. Whilst the Inspector agrees the impact on landscape character from these viewpoints would be more pronounced, the Inspector does not consider the effect would be more than localised. (IR109-110)
11. In respect of Pembrokeshire Coast National Park ("PCNP"), the ES explains although the proposed solar park would have some effects on the special qualities which contribute to the scenic beauty of the National Park, these would be limited to small scale effects on 'remoteness, tranquillity and wildness' and medium scale effects on landscape character within the area north of the application site. The long-term effects on the designation were judged to be medium/small scale and limited in extent. The Inspector agrees whilst there may be some short-term effects on Landscape Character Areas ("LCA") 25 and 28, and PCNP notes these would be limited in nature and would be reduced by the planting and improvement of hedgerows, trees and woodland across the application site. (IR111)
12. The operational, approved and 'in planning' solar schemes relevant to the proposed development are outlined in Chapter 8 of the ES and shown in Figures 8.7 and 8.8. The ES concluded although there is, theoretically, some cumulative impact in respect of the application site and the existing developments, in practice the visibility is reduced by the frequency of hedgerows and trees within the landscape making in combination views of the sites infrequent. The Inspector agrees with the findings of the ES that whilst some view of the application site with the existing solar and wind farm developments may be possible, these views would be discrete and limited in nature. Additionally, the Inspector does not consider in-succession views, between existing or proposed renewable energy developments, are likely to be observed or experienced by people travelling in either an easterly or westerly direction along the trunk road. (IR112-113)

Visual Amenity

13. The application site is located in the open countryside between the small rural settlements of Lower Nash and Paskeston and forms an intrinsic part of the landscape close to the northern boundary with PCNP. The largely rural nature of the area means the receptors are primarily those people associated with the dwellings, the Church, those travelling through the area on foot, bicycle and private/commercial vehicles and visitors to the area. (IR114)
14. The Inspector considers the presence of Lower Nash Farm, and the Church of St Mary at the terminus of the lane, together with the proximity of the A477, means the lane is subject to regular use by a range of people using bicycles and private/commercial vehicles. When this use is considered in conjunction with the alignment of the highway, it is clear people travelling its length would be afforded clear and unrestricted views of the site compound and the fields of solar arrays beyond. The Inspector considers, although localised, this would have a significant impact on the visual qualities of Nash Lane. In order to ameliorate this situation, the Inspector agrees with the views of Natural

Resources Wales (“NRW”) that a short length of new hedgerow planted close to the site entrance would be necessary to screen views of the development. (IR115-116)

15. The northern boundary of the application site is located close to the narrow, heavily wooded highway of Paskeston Road, which is located just within the boundary of the National Park. The Inspector is satisfied the presence of woodland trees around the junction to Paskeston, together with the southern facing orientation of the solar arrays and the proposed landscape mitigation measures would ensure the proposal would not be a prominent feature, have an adverse impact on the special qualities of the National Park or the experience of people in this area. (IR117)
16. In respect of the Church of St Mary, views of the application site would be afforded through the small gaps in the existing hedgerow which forms the field boundary of the site. The Inspector notes these views were considered to have an adverse impact on the experience of people visiting the Church and churchyard. In order to address this issue, the submitted application proposes landscape mitigation works. Subject to the mitigation proposed and based on her own observations, the Inspector agrees the development would not have an adverse impact on the churchyard or the experience of receptors. (IR118)
17. Concerns were also expressed by local residents that the visual impact of the proposed development would have an adverse effect on the visitor economy of the area. The evidence presented by the applicant makes clear the proposed development would not have an adverse impact on the visual qualities of the area or the experience of people when viewed from primary visitor attractions/destinations, local services catering for tourists, such as cafés and public houses, or the main transport corridors in the area surrounding the application site. In the absence of any compelling evidence to the contrary, the Inspector agrees with the applicant’s assessment on this matter. (IR119)
18. In light of the above, and subject to the implementation of the agreed landscape mitigation scheme, the Inspector concludes the proposed development would not have a significant adverse impact on the landscape character, the special qualities of the PCNP or visual qualities of the application site or the surrounding area. As such the Inspector considers the proposal would accord with the requirements of Policy 18 of Future Wales, PPW and Policies SP16 and GN.1 of the adopted Local Development Plan (“LDP”). (IR120)

Cultural Heritage

19. An assessment of the likely significant effects of the proposed development on archaeology and cultural heritage is contained in Chapter 10 of the ES. The findings indicated there are three areas of archaeological significance within the site and the proposed development would, because of the intervisibility between the Churchyard and the application site, have an adverse impact on the setting of the Church of St Mary. Cadw have indicated, subject to the mitigation detailed in the submitted application, it raises no objection to the proposed development. The Inspector agrees subject to the proposed mitigation the development would not have an adverse impact on the areas of archaeological significance or the setting of the Church. (IR121-122)
20. In light of the above, and subject to the implementation of the proposed landscape mitigation measures, the Inspector concludes the proposed development would not have a long-term adverse impact on the areas of archaeological significance or the setting of the Church of St Mary. The proposed development would therefore accord with the requirements of Policy 18 of Future Wales and PPW. However, the Inspector is mindful, because of the nature of the mitigation, the development would have a short-

term impact on the setting of the listed church and as such would be contrary to Policy GN.38 of the adopted LDP. (IR123)

Ecology and Ornithology

21. PPW makes clear the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Policy 9 of Future Wales provides a framework for the management and enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure. Chapter 9 of the ES provides a baseline assessment of the application site and surrounding area, explains the mitigation measures and biodiversity enhancements built into the proposal and the likely significant effects associated with the development after these measures have been applied. The baseline information indicated: there are 40 statutory designated sites located within 10 kilometres of the site; the site contains a mixture of habitats; and a number of protected species were found within 3 kilometres of the application site. (IR124-126)
22. The Inspector notes there is potential for the impacts of the construction, operational and decommissioning phases of the proposed development to effect valuable ecological features, habitats and species within the application site and surrounding area. None of the main parties have raised any objections to the ES and the Inspector has no reason to disagree with these conclusions. Moreover, on the basis of the evidence presented, the Inspector is satisfied the approach to the assessment of the ecology and ornithology in the ES is rigorous and conforms to best practice guidance. (IR127-130)
23. The site and surrounding area provide a habitat for a range of species; including small mammals, reptiles, amphibians and birds. Overall, the Inspector is satisfied the proposed development would have no unacceptable effect on valuable ecological features, habitats and/or protected species and, as such would accord with the requirements of Policy 18 of Future Wales and Policy GN.37 of the adopted LDP. The measures beneficial to biodiversity which have been incorporated within the scheme and those which would be secured through recommended conditions are significant, as is the extent to which conditions would avoid or mitigate any potential harmful impacts. Accordingly, and mindful of the duty under Section 6 of the Environment (Wales) Act 2016 to maintain and enhance biodiversity, the Inspector considers, in line with the requirements of Policy 18 of Future Wales, the proposal includes biodiversity enhancement measures to provide a net ecological benefit. (IR131-140)

Habitat Regulations Assessment

24. The Conservation of Habitats and Species Regulations 2017, as amended, imposes a requirement to consider the potential effects of a development proposal on the national site network. In this case the network includes: Pembrokeshire Bat Sites / Bosherton Lakes Special Area of Conservation ("SAC"), Pembrokeshire Marine / Sir Benfro Forol SAC, Yerboston Tops SAC, Limestone Coast of South Wales SAC, Bristol Channel Approaches SAC, Carmarthen Bay and Estuaries SAC, West Wales Marine SAC, Castlemartin Range Special Protection Area ("SPA"); and Skomer, Skolkholm and the Seas off Pembrokeshire SPA. (IR141)
25. The submitted application was accompanied by a Shadow Habitat Regulations Assessment ("shadow HRA"). Of the nine sites only Pembrokeshire Bat Sites / Bosherton Lakes SAC, was considered to have the potential to be affected by the proposed development. The initial screening exercise undertaken in respect of Pembrokeshire Bat Sites / Bosherton Lakes found the proposed development would

have no significant effect on the qualifying features of the SAC. As a consequence, an appropriate assessment is not required. (IR142)

26. None of the main parties have raised any objections to the shadow HRA and the Inspector has no reason to disagree with these conclusions. (IR143)

Highway Safety

27. The ES provides an explanation of the existing baseline conditions in respect of traffic and infrastructure, the potential impact the construction, operational and decommissioning phases of the development would have on the highway network and details of the mitigation measures necessary to address any adverse effects. In addition, the submitted application is supported by a draft Construction Traffic Management Plan ("CTMP"), which is intended to guide the delivery of staff, materials and equipment to and from the application site during the construction phase of the development in a manner which minimises nuisance and disturbance to the existing road network. (IR144-145)
28. Based on the evidence presented, and subject to a condition requiring the inclusion of various measures in the CTMP for the site, the Inspector is satisfied the proposed development would not have an adverse impact along Nash Lane or on the wider highway network. As such the proposed development would accord with Policy 18 of Future Wales, PPW and Policy GN.1 and GN.3 of the adopted LDP. (IR146-148)

BMV Agricultural Land

29. The application site comprises 34.25 hectares of agricultural land set over eight fields and enclosed by a combination of hedgerows, trees and woodland. The site forms part of the much larger agricultural holding of Lower Nash Farm. 20.75 hectares of the application site is made up of grade 2 and grade 3a BMV agricultural land. The proposal exceeds the 20 hectares threshold over which the development of BMV agricultural land for alternative uses is considered to be nationally significant and therefore the Welsh Government's Soil Policy & Agricultural Land Use Planning Unit ("WGSP") was consulted in accordance with Article 14 of and Paragraph (s) of Schedule 4 to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) and Annex B of Technical Advice Note ("TAN") 6 – Planning for Sustainable Rural Communities (2010). (IR149-150)
30. PPW explains agricultural land of grades 1, 2 and 3a is the best and most versatile, and should be conserved as a finite resource for the future. The Inspector notes the guidance makes clear, when considering the search sequence and development management decisions, considerable weight should be given to protecting such land from development, because of its special importance and grades 1, 2 and 3a agricultural land should only be developed if there is an overriding need for the development and either previously developed land or land in lower agricultural grades are unavailable. Further guidance in relation to BMV agricultural land is contained in TAN 6 which suggests once agricultural land is developed, even for 'soft' uses such as golf courses, its return to agriculture as BMV land is seldom practicable. In addition, local guidance contained in the Renewable Energy Supplementary Planning Guidance ("SPG") makes clear it is preferable to avoid placing solar farms on BMV agricultural land. (IR151)

The Search Area and Site Selection Process

31. The Inspector notes the site search area was limited to the administrative boundary of Pembrokeshire County Council. The initial search, undertaken in 2013, included a high-

level mapping exercise which restricted the search to sites within a 2km radius of a suitable grid connection, in this case the 132kV substation at Golden Hill. Only two of the sites identified, the application site and land at Chapel Hill, were considered suitable for solar development. Grid connection applications were submitted for both sites and viable offers received in 2013. (IR153)

32. The Inspector states the findings of the Agricultural Land Classification and Soil Resources Study indicated the site comprised a mixture of grade 2, 3a and 3b land. Further studies confirmed 83% of the site was BMV agricultural land and the applicant has provided a strategy for ensuring the effective management of land quality during the construction, operational and decommissioning phases of the development. An approach which it suggested would ensure the development did not have a significant negative effect on the quality of the BMV agricultural land within the site. (IR154-155)
33. The Inspector notes the applicant accepts the proposal would result in the temporary development of BMV agricultural land. However, the applicant maintains the requirements of national planning policy do not place a moratorium on the development of BMV agricultural land for uses such as proposed, which it is considered are necessary to assist in addressing the climate emergency and providing future energy security. As such, the applicant considered the inclusion and identification of the application site in the selection process was appropriate. (IR156)
34. The Inspector notes concerns have been expressed by WGSP regarding the adequacy of the approach taken to the definition of the search area and the site selection process. It was suggested the definition of the search area should not have been restricted to Pembrokeshire County Council's administrative boundary, but should have included the whole of Wales. In addition, it is noted WGSP maintain the initial selection process should have identified the application site included a substantial area of BMV agricultural land and, once this was established, further analysis of alternative sites should have been undertaken. (IR157-158)
35. The Inspector notes the concerns of WGSP, however is mindful that PPW does not provide detailed guidance on how a search area for the development of a solar park should be defined or how potential sites should be selected. Rather, the approach to be taken is one for individual developers to determine based on the requirements of national planning policy and consideration of the relevant practical, social, economic and environmental issues. In addition, the Inspector considers PPW does not place a requirement on developers to revisit the site selection process and identify additional alternative sites, where a preferred site is found to be constrained. (IR159)
36. In this case, the Inspector is content the approach taken by the applicant to the definition of the search area and the site selection process was logical, structured and comprehensive and, in the case of the site selection process, had appropriate regard to the need to consider suitable alternative sites. The Inspector is satisfied the requirements of national policy in respect of BMV agricultural land, do not in themselves, prevent the development of such land. (IR160)

Impact on BMV Agricultural Land

37. The Inspector notes the ES and supporting evidence explains the temporary nature of the development and indicates the combination of the proposed solar arrays, buildings, access and compound would impact on less than 3% of the total area of the site. As such, it is contended the potential impacts of the proposal on land quality during the construction, operation and decommissioning of the development would not have a significant negative affect on the site. Once constructed, the areas around the solar

arrays would be used for the grazing of sheep and for silage production which is an agricultural use the applicant maintains would be consistent with the existing use of the site. (IR162)

38. The Inspector confirms objections to the proposed development and its potential impact on BMV agricultural land have been raised by the WGSP. The comments explained only 10-15% of agricultural land in Wales is classified as being BMV and, as such, the land is a finite and nationally significant resource which needs to be protected in order to secure future food supplies. WGSP is concerned the development could, through matters such as compaction, waterlogging and the mixing of top and sub-soils, cause structural damage to the soil and in doing so reduce its flexibility, productivity and efficiency to such an extent it would no longer be BMV agricultural land. The Inspector states evidence presented suggests these concerns are compounded by the veracity of the evidence supporting the application and the inherent uncertainty about the ability of any restoration scheme to successfully return land to a given quality. (IR163)
39. In order to address these concerns, the applicant proposed the imposition of conditions which would provide details of the management of topsoil within the site and the measures intended to assist with the avoidance of compaction. The Inspector notes the applicant's contention about the potential impact of the development and the suggested conditions, however considers the structure of agricultural soil is fragile and easily damaged and the construction of a development of the scale proposed is likely to result in a substantial amount of ground disturbance across the application site. This disturbance would arise from the engineering operations necessary to construct a solar park of the scale proposed and from the potential for widespread soil compaction caused by the movement and use of heavy vehicles and machinery required for the installation of the supporting posts and the excavation of trenches, access paths and foundations across the site. The Inspector is of the view the impact of these operations and the nature of the vehicles and equipment required are not comparable to agricultural practices and are likely to significantly damage the structure of the soil and result in the loss of BMV agricultural land. (IR164-165)
40. With respect to the suggestion the site would continue to be in agricultural use during the operational period of the development, the Inspector considers it is clear the land could continue to be used for the grazing of sheep and silage production over the lifetime of the development. However, the Inspector is mindful the development of a solar park on the application site would mean the land would, effectively, be unavailable for the cultivation of food crops for a period of 40 years. The Inspector is of the view the use of the site for complementary agricultural uses, such as the grazing of livestock, does not compensate for the loss of BMV agricultural land even for a temporary period. (IR166)
41. With regard to restoration, the Inspector is mindful of the guidance contained in TAN 6 which advises restoring land to BMV quality is seldom practicable. In this case, despite the evidence presented about the rigorous approach which would be taken to the decommissioning of the site, the Inspector does not consider, given the nature and scale of the disturbance, the land can be effectively restored to BMV quality and that it would be lost for future arable food production. (IR167-169)
42. Overall, the Inspector considers for the aforementioned reasons, the proposed development would be likely to result in the loss of BMV agricultural land and, in doing so, have an impact on the objective of ensuring future food security. As such, the proposed development would be contrary to the requirements of policy 18 of Future Wales, with particular regard to the provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration, which in this case, would not be acceptable due to the impact of

the proposed development on BMV agricultural land. The proposal would also be contrary to the policies of PPW and TAN 6. (IR170)

Other Matters

43. Objectors to the proposal raised a number of other concerns including those relating to the impact of the development on the designated groundwater Source Protection Zone, the cost of decommissioning the site and the benefits of the scheme for local communities. The Inspector is satisfied the approach contained in the ES in respect of these matters is robust and addresses the concerns identified in an appropriate manner. (IR171)
44. A number of local residents also expressed concern about the adequacy of the public consultation undertaken by the applicant and have suggested all decisions relating to the development should be put on hold, until the current pandemic is over and the public can be properly consulted. The Inspector has reviewed the evidence presented in respect of the approach taken by the applicant to pre and post application public consultation, and is content it accords with the requirements of the relevant legislation which sets out the procedure for Developments of National Significance applications and has provided everyone with a fair opportunity to comment on the proposal. (IR172)

Planning Balance and Conclusions

45. Decisions are required to be made in accordance with the development plan unless material considerations indicate otherwise. In this regard the relevant policies of Future Wales and the adopted LDP, the Local Impact Report, the representations and associated evidence in this case have been taken into account. (IR179)
46. Future Wales together with PPW make clear one of the primary objectives of the planning system is to contribute towards the delivery of sustainable development and, in doing so, improve the social, economic, environmental and cultural wellbeing of Wales. A central requirement of both documents is the need to achieve the decarbonisation of energy, build resilience to the impacts of climate change and ensure Wales focuses on generating the energy it needs to support its communities and industries over the next twenty years. In this regard the Inspector considers the proposed development would align with, and support, the requirements of Future Wales and PPW. (IR180)
47. The Inspector notes the benefits of the proposed development include: a reduction in the emission of greenhouse gases; the generation of energy from a renewable source which would serve up to 7,825 households on an annual basis over the lifetime of the scheme; an increase in the diversity and reliability of the UK energy supply; and a total investment of £14 million in the proposed development, a proportion of which would be spent in the local economy. The Inspector considers the benefits of the proposed development are considerable and will assist in meeting national renewable energy targets, reduce reliance on energy generated from fossil fuels and actively facilitate the transition to a low carbon economy. As such, the Inspector is of the view the benefits of the development should carry significant weight in the determination process. (IR181)
48. The Inspector concludes, subject to the mitigation measures proposed and appropriate planning conditions, the development would not have an adverse impact on landscape and visual impact, cultural heritage, ecology and ornithology or highway safety. However, the Inspector also concludes the proposal would have a significant adverse impact on BMV agricultural land, which is a finite and nationally significant resource. For the reasons set out in paragraphs 37 to 42, the Inspector considers the development

would, potentially, result in the loss of 27.75 hectares of BMV agricultural land and, as a consequence, assist in undermining the objective of ensuring food security for future generations. (IR182)

49. The Inspector notes the applicant's contention about the contribution the proposed development would make towards addressing the climate emergency and securing future energy provision. However, the Inspector does not consider the scale of the energy generated from the site would, in itself, be sufficient to override the need to protect BMV agricultural land. (IR183)
50. The Inspector concludes the proposal would therefore be contrary to Policy 18 of Future Wales, in relation to the acceptability of the provisions for the decommissioning and restoration of the proposed development, and the requirements of PPW, which seeks to conserve BMV agricultural land as a finite resource for the future. Overall, the Inspector considers the benefits of the proposal, in providing renewable energy, would not outweigh the harm caused to BMV agricultural land. (IR184-185)

Conclusion and Decision

51. I agree with the Inspector's appraisal of the main considerations, the conclusions of the IR and the reasoning behind them, and I accept the recommendation. Therefore, I hereby refuse planning permission for DNS/3245065.

Well-being of Future Generations (Wales) Act 2015 ("WFG Act")

52. The Welsh Ministers must, in accordance with the WFG Act, carry out sustainable development. In reaching my decision on the application, I have taken into account the ways of working set out at section 5(2) of the WFG Act and 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the WFG Act'. My assessment against each of the ways of working is set out below.

Looking to the long-term

53. The decision takes account of the long-term benefits of protecting BMV agricultural land, supporting the Welsh Government's objective to continue to value and protect our agricultural land and ensure it can feed and support us. Refusing planning permission for the proposed development ensures the BMV agricultural land is protected and maintained for the long term.

Taking an integrated approach

54. I have considered the impacts from this decision on the Welsh Government's well-being objectives, which incorporate the well-being goals set out in section 4 of the WFG Act. Where an objective is not set out, the effect of this decision is neutral.

Impact on well-being objectives

- Build an economy based on the principles of fair work, sustainability and the industries and services of the future – positive effect
- Build a stronger, greener economy as we make maximum progress towards decarbonisation – negative effect
- Embed our response to the climate and nature emergency in everything we do – positive effect.

Involving people/Collaborating with others

55. Within the framework of a statutory decision making process, which is governed by prescribed procedures, the application was subject to publicity and consultation, providing the opportunity for public and stakeholder engagement. Representations received through these procedures have been considered and taken into account in making a determination on this application.

Prevention

56. Although the decision would result in the refusal of a renewable energy scheme, the decision to refuse the application and protect BMV agricultural land prevents its loss for future generations. The decision, by protecting a significant area of BMV land, helps meet the Welsh Government's well-being objectives focussed on and addressing the climate and nature emergency.
57. I have taken the ES and all other environmental information provided into account in the consideration of this application, as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.
58. A copy of this letter has been sent to Pembrokeshire County Council and to those persons and organisations appearing at the Hearings.

Yours sincerely,



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change