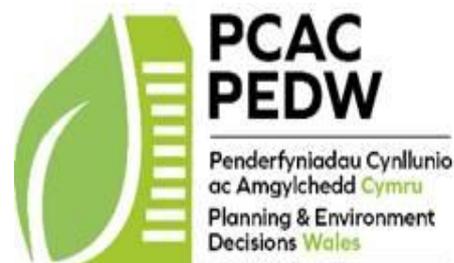


Adeilad y Goron,  
Parc Cathays, Caerdydd,  
CF10 3NQ

Crown Buildings,  
Cathays Park,  
Cardiff, CF10 3NQ



[Penderfyniadau Cynllunio ac Amgylchedd Cymru | LLYW.CYMRU](http://www.llyw.cymru)  
[Planning and Environment Decisions Wales | GOV.WALES](http://www.gov.wales)

Ffôn/tel: 03000252215  
Ebost/email: PEDW.Infrastructure@gov.wales

Ein Cyf/Our Ref: DNS/3261558  
Dyddiad/Date 1<sup>st</sup> February 2022

**Town and Country Planning Act 1990  
The Developments of National Significance (Wales) Regulations 2016**

**Application by: Brynwell Farm Solar Ltd**  
**Site: Land at Brynwell Farm, on Land between the A4232 and Leckwith Village**

The appointed Inspector, Iwan Lloyd BA BTP MRTPI, has asked me to contact you regarding this Development of National Significance (DNS) application.

This communication constitutes official notification of multiple important matters related to this DNS application. Please read the following information in its entirety. If anything is unclear, please contact us. This letter should be treated as:

- 1. Notice under Section 62L(5) of the Town and Country Planning Act 1990 (as amended) of suspension of the determination period**
  - 2. A formal request for 'further information' under Regulation 15(2) of the DNS Regulations for further information from the parties named in the relevant section**
- 1. Notice under Section 62L(5) of the Town & Country Planning Act 1990 (as amended) of suspension of the determination period**

In line with the published Guidance on the DNS process, the Inspector considers it appropriate to suspend the determination of the application to allow time for the submission of additional information in response to important consultation queries and to cover policy changes which has been introduced following the publication of the flood map for planning. The request is explained in point 2 below and to allow a 4-week publicity and consultation period in respect of the additional information.

**I hereby suspend the determination period for this application by a period of 10 weeks, to allow for additional information to be submitted within 4 weeks and to allow for the consultation period of 4 weeks, i.e. the determination period will resume on 12<sup>th</sup> April 2022.**

**2 A formal request for ‘further information’ under Regulation 15(2) of the DNS Regulations for further information from the parties named in the relevant section**

After reviewing the information submitted thus far, the Inspector has determined that further information is required from the applicant.

The required information is set out in Annex A to this letter and must be submitted within 4 weeks of the date of this letter, i.e. no later than **1<sup>st</sup> March 2022**

The Inspector does not anticipate a further round of information requests and that this request will be the final round before proceeding to determination under the written representation method of appeal.

We will carry out the necessary publicity on receipt of the requested information which will extend over a period of 4 weeks.

The responses to the Inspector’s request for information submitted by the parties, will be published to the DNS Portal website: DNS website.

The Inspector will inform the parties of the arrangements for the site visit in due course.

If you have any queries please contact a member of our team.

Yours sincerely

Nina Kinsey  
Case Officer

## **Annex A**

### **Formal request for 'further information' under Regulation 15(2) of the DNS Regulations for further information from the parties named in the relevant section**

**To be submitted no later than 1<sup>st</sup> March 2022**

#### **From the Applicant**

##### **1 Landscape and visual impact**

Consideration should be given to Vale of Glamorgan's (VOGs) Landscape Officer's comments in relation to:

- a) The submission of an additional AVR at VP5 to be provided.
- b) VP9 should be re-considered to locate the viewpoint from the public right of way as indicated on the Council's response page 3.
- c) Consider the Council's concerns in relation to the impact of the proposal on the special characteristics of the Special Landscape Area.
- d) Future hedgerow management within the site.

##### **2 Passing bays and visibility splays**

Consideration should be given to the Council's points concerning the provision of passing bays/visibility splays in relation to hedgerow removal and compensation/mitigation and the question of accuracy of the submission.

The applicant should address the issue of hedgerow removal in relation to arboriculture impact, ecology and protected species. The applicant should consider liaising with Council's planner and ecologist on this matter with a view to reaching an agreed position.

A position statement of the extent of agreement and areas of disagreement should be provided for clarity.

##### **3 Ecology**

Consideration should be given to VOG's ecologist comments as regards to the laydown area, the access to the laydown area and the passing bays in relation to biodiversity and the potential for hedgerow removal having implications for dormice.

Natural Resources Wales (NRW) has indicated that the recommendations in the Ecological Impact Assessment (EIA) have not been reflected in the suggested conditions. These must be considered as part of any revised conditions on the Landscape Ecological Management Plan (LEMP) and Construction Environment Management Plan (CEMP).

##### **4 Flood Maps for planning**

Flood maps for planning are now in place providing more recent information on the risk of flooding and the potential for future flooding in relation to climate change. The flood map for planning is a material consideration for development proposals. The application in relation to the cabling crosses over zone 3, zone 2 and the defended zone to the point of connection. In the light of this I seek information on the implications of flood risk in regard to this application which may result in a revision to the submitted flood consequence

assessment. You are advised to consult with NRW on the implications of the flood map for planning and provide me with their considered response on this issue.

## 5. Interested parties

The applicants may also wish to take advantage of this opportunity to provide additional information in response to other concerns that have been raised in response to the application to assist the Inspector's consideration of the scheme. These include comments on the impact on the Brynwell listed building, traffic volume, traffic routing through Llandough village. Any such information should be provided alongside the additional information formally requested above. This will enable it to be subject to the same publicity and consultation.

All additional information should be presented in a form that clearly distinguishes it from information that has already been submitted.

## 6 Suggested conditions for the applicant and Vale of Glamorgan Council

In order that I have all the available information in preparation of my report I would need to be assured that the suggested list of conditions is complete and that the parties are in agreement on their content. If there is no agreement the parties should compile a schedule of agreed and disagreed conditions with those not agreed tabled with an alternative version of the condition.

The following are preliminary views on the suggested conditions and is provided without prejudice to my recommendation on the application.

1. There is no condition stating that the application is a temporary planning permission and that permission would expire after the stated period of the application. This is usually from the date when electricity power is first exported and that the local planning authority is advised in writing of this event.
2. In relation to the CEMP condition please note NRW's latest response. In addition consider the following comments, vii – should this also include method to avoid soil compaction, xii- should this be for temporary lighting during the construction phase, xiii- should this refer to ensuring that noise is kept to a minimum in accordance with the relevant BS standard, xviii- should this include pollution control measures for water courses, ground water and management of any necessary sewage and foul water drainage. Consideration should be given to the management and method of installing cabling through banks and hedgerows. Consideration is required of post-construction restoration of the working areas including hedgerows and soil and natural features of the area.
3. In relation to the LEMP condition please note NRW's latest response. NRW refer to monitoring and short to long-term management of the site ecological features and natural features and remediation measures should monitoring reveal deficiencies in the LEMP.
4. There is no archaeological watching brief condition imposed.
5. The EIA refers to T1 tree being removed. Consideration should be given to stating that no other tree would be removed.

6. If the post construction noise condition is necessary there is no noise condition setting the limit parameters of noise thresholds day and night on the noise sensitive boundary. Consideration should be given to this issue.
7. If a surface water management scheme condition is not necessary because the issue is dealt with under the Sustainable Drainage regime I would need some assurance that the sustainable drainage criteria covers all aspects of the suggested drainage condition.
8. Consideration should be given to the highway authority's additional conditions if they meet the circular tests.
9. Some minor omissions corrections are needed to the conditions. It is unclear what is meant with 'extents' in condition 4. Reference to a tailpiece at the end of conditions should be omitted. There is no reference to a particular class of the General Permitted Development Order in condition 9.