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Susan Bell
Mabbett & Associates Ltd
Via Email

Eich Cyf / Your Ref: P305150.001/pb

Ein Cyf / Our Ref: 3251545

Dyddiad / Date: 11 June 2020

Dear Ms Bell

Town and Country Planning Act 1990
The Developments of National Significance (Procedure) (Wales) Order 2016
Town and Country Planning (Environmental Impact Assessment) (Wales)
Regulations 2017

Potential DNS Application

Site Address: Land at Breton Hall Farm, Chester Road, Flintshire CH4 0DF.

Proposed Development: 30MW Solar Farm and associated infrastructure.

On the 24 April 2020 the Planning Inspectorate received a request made under regulation 31(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 ("the Regulations"), for the Welsh Ministers to make a screening direction as to whether or not the development proposed is "EIA Development" within the meaning of the Regulations.

The Planning Inspectorate is authorised by the Welsh Ministers to provide that screening direction. Although for the purposes of Environmental Impact Assessment the scheme must be considered as a whole and our assessment has been made on that basis, please note that this screening direction relates only to the part of the site within the Welsh Ministers' jurisdiction, i.e. the part of the site located in Wales (encompassing some 16 MW of the 30 MW proposed).

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

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

Rydym yn Croesawu Gohebiaeth yn Gymraeg a Saesneg

We Welcome Communications in Welsh and English

The application site is located within a C1 Flood Zone, close to the Scheduled Ancient Monument at Bretton Hall Moated Site and is in close proximity to the River Dee and Bala Lake SAC and the River Dee SSSI; however, the type of development proposed is such that significant effects in relation to those designations are unlikely. Nonetheless, the location of the site, close to the A55 and a number of settlements, the scale of development and the design of the proposed solar panels are such that despite the potential for some level of mitigation, significant visual effects are likely to result from the scheme. For that reason, I conclude that EIA is required in this instance.

Therefore, in exercise of the powers conferred by the Regulations and the authority referred to above, the Welsh Ministers hereby direct that the development subject of this application **is EIA development** within the meaning of the Regulations.

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

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

Yn gywir / Yours sincerely

C Sweet

Christopher Sweet MPlan

Swyddog Cynllunio / Planning Officer
Tîm Cynllunio a'r Amgylchedd / The Planning & Environment Team
Yr Arolygiaeth Gynllunio / The Planning Inspectorate

STAGE 1 – INITIAL EIA SCREENING ASSESSMENT

1 Case Details				
A	DNS case reference			
	3251545			
B	Brief description of development			
	30MW Solar Farm and associated infrastructure.			
2 EIA Screening Details				
2A Schedule 1				
	Is the project Schedule 1 development as described in Schedule 1 of the EIA Regulations?	No		
	<i>If Yes, under which description of development? If No, consider whether project is 'Schedule 2' development below in part 2(B).</i>			
2B Schedule 2				
(i)	Is the project listed as a description of development under Column 1 of Schedule 2 of the EIA Regulations?	Yes		
	<i>If Yes, under which description of development? If No, EIA is not required.</i>			
	3(a)			
(ii)	Does the project change or extend development described in paragraphs 1 to 12 of Column 1 of schedule 2, where the change or extension may have SIGNIFICANT* adverse effects on the environment?	No		
	<i>If Yes, provide reasons for your answer below. *If unsure, discuss with PET. Proceed to point (iii).</i>			
	Choose an item.			
(iii)	Is the project located wholly or partly within a ' Sensitive Area ' as defined by Regulation 2 of the EIA Regulations?	No		
	<i>If Yes, state which area and move to Question 3. If No, proceed to point (iv) below.</i>			
(iv)	Are the applicable thresholds/criteria in Column 2 exceeded / met?	Yes		
	<i>If Yes, note which applicable threshold/criteria. If No, EIA is not required.</i>			
	The area of development exceeds 0.5ha.			
3 LPA / Welsh Ministers' Screening				
(i)	Has the LPA issued a Screening Opinion (SO)?	No		

(ii)	Have the Welsh Ministers issued a Screening Direction (SD)?	No
4	Environmental Statement (ES)	
	Has the applicant/appellant supplied an ES for the current or previous (if reserved matters or conditions) application?	No

Is a detailed screening assessment (Section 5) required?

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

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

STAGE 2 – DETAILED EIA SCREENING ASSESSMENT

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

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant ? <i>Include consideration of features or measures to avoid or prevent what might otherwise be significant effects</i>
CRITERION 1. CHARACTERISTICS OF DEVELOPMENT		
Question 1(a) Size and design of the Development		
Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	Yes. The proposed development would result in the site (some 49ha) being altered from agricultural use to that of a 30 MW solar farm made up of PV Panels with an upper height of up to 4.6m above ground level and associated infrastructure. As such, there would be considerable physical change to the site itself. Whilst there would be little change in terms of topography, impact on water courses, etc, based on the information provided and given the scale and nature of the proposal, significant effects in this respect must be considered likely at this stage.	Significant effect likely .
Question 1(b) Cumulation with Existing and/or Approved Development		
Are there any other factors which should be considered such as: - consequential development which could lead to environmental effects? - the potential for cumulative impacts with	There is some potential for cumulative visual effects in combination with other solar farm developments some 4.2 km to the East. However, the degree of separation is such that in my view those effects are unlikely to	Significant effect unlikely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
other existing or planned activities in the locality? - any plans for future land uses on or around the location which could be affected by the project? - transfrontier impacts?	be significant in and of themselves.	
Question 1(c) Use of Natural Resources, in particular land, soil, water and biodiversity		
Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Yes, the proposal would require a degree of land take and use of natural resources during both the construction and operational stages. However, the land would be able to be used for continued grazing during the operational phase and there is potential for a degree of material recycling at the end of the project's lifespan. Given that low degree of impact and the scale of the project, I am content that significant effects on natural resources are unlikely.	Significant effect unlikely.
Question 1(d) Production of Waste		
Will the Project produce solid wastes during construction or operation or decommissioning?	Yes, some waste will be produced during construction and, notwithstanding the potential for some recycling of materials, the decommissioning of the equipment at the end of its lifespan would result in some solid waste. However, given the scale and nature of the proposed development I do not consider that significant effects are likely in terms of waste generation.	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
Question 1(e) Pollution and Nuisances		
Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	No.	N/A
Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes, some noise and vibration likely during the construction phase, though this would be localised and time limited. There would also be a minimal amount of noise during the operational phase and potential for redirection of light in terms of glint and glare via the reflective surface of the panels. Whilst these will be considerations for the decision maker, given the location of the site and the nature of the impacts, I am content that any effects in terms of glint and glare and noise would be localised and unlikely to be of a magnitude that would be significant, such that they would warrant EIA.	Significant effect unlikely .
Will the Project release pollutants or any hazardous, toxic or noxious substances to air , or lead to risks of contamination of land or water (including surface waters, groundwater, coastal waters or the sea)?	No.	N/A

5		Detailed Screening Questions	
Questions to be considered		Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
Question 1(f) Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge			
Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?		Yes, some small risk of accident during construction, operation and decommissioning and a degree of fire risk from the operation of battery storage units. However, given the scale and type of works involved, such risks are unlikely to be significant.	Significant effect unlikely .
Question 1(g) Risks to Human Health (for example due to water contamination or air pollution)			
Will there be any risk to human health during the construction and/or operation of the development		Some small risk in terms of health and safety during the construction phase and from fire risk during the operation of battery storage units, but given the scale and nature of the works this is unlikely to be significant.	Significant effect unlikely .
CRITERION 2. LOCATION OF DEVELOPMENT			
Question 2(a) Existing and Approved Land Use			
Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?		No.	N/A
Are there any routes or facilities on or around the location, which are used by the public for access to recreation or other facilities, which could be affected by the project?		Yes, there are a number of PRow in the vicinity of the site, the views from which may be affected. However, given the number of routes, the fact that none would be directly affected and the degree of change that would occur, I do not consider significant effects likely in this respect.	Significant effect unlikely .
Are there any transport routes which are susceptible to congestion or which cause environmental problems, which could be		The proposal would result in a temporary increase in vehicle movements, including HGVs, during the construction phase,	Significant effect unlikely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
affected by the project?	dropping to a small number of light vehicle movements during operation. Given the temporary nature of any notable increase, the potential for this to be readily controlled via a CTMP if necessary and the capacity of the local road network, I do not consider significant effects to be likely in this respect.	
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	Yes, the site is currently greenfield land in agricultural use. However, the nature of the proposal is such that grazing could continue during the operational phase and the land could be largely restored at the end of the scheme's lifespan. As such, significant effects are unlikely.	Significant effect unlikely .
Are there any areas on or around the location occupied by land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	No.	N/A
Question 2(b) Relative Abundance, Availability Quality and Regenerative Capacity of Natural Resources in the Area and its Underground		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes. The site is in agricultural use. However, whilst the site is used for grazing, that could continue during the operational phase and the effects of the proposal could be largely reversed at the end of the project's lifespan. The site is also located within a groundwater Source Protection Zone, but NRW have confirmed that due to local conditions and	Significant effect unlikely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely to be significant</u> ?
	the nature of development, that designation would not be significantly affected. I am therefore content that significant effects in these respects are therefore unlikely.	
Question 2(c) Absorption Capacity of the Natural Environment		
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, or are used by protected, important or sensitive species of fauna or flora, which could be affected by the project?	Yes, in places the site is within 1km of the River Dee and Bala Lake SAC and the River Dee SSSI; the proposed cable route would come within 200m of those designations. NRW suggest that in addition to the species identified in the information provided, there is also potential for Great Crested Newt to be present on site. However, notwithstanding the above, the scale and nature of the works proposed is such that significant effects on the identified designations and protected species are unlikely.	Significant effect unlikely .
Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No.	N/A
Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	No. The proposal would potentially be visible from the Clwydian Range and Dee Valley AONB, but the degree of separation is such that any effect would not be significant.	N/A
Is the project in a location where it is likely to be highly visible to many people?	Yes. The site is not located within a designated landscape and is not highly sensitive in terms of landscape character. However, it is located close to the A55, near	Significant effect likely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
	to the settlements of Broughton, Saltney Ferry and Saltney and would be visible from a number of locations, to a significant number of people. Whilst I acknowledge the potential for mitigation through physical screening and the low lying nature of the site, the scale and magnitude of visual change proposed and the potential for the panels to be visually prominent in the landscape by nature of their design are such that significant effects must be considered likely at this stage.	
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	No.	N/A
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes. There are a number of historic assets located within 3 km of the site. Existing buildings and natural screening would prevent significant effects on the settings of two listed buildings, the Church of St Mary (Grade II*) and Well House Farm (Grade II). The proposed development would be located some 132 m from the Breton Hall Moated Site SAM and likely forms part of land that was once part of its estate. Given the proximity, there is therefore potential for a significant impact on the setting of the SAM. However, given that such impacts would be limited to a single historic asset, I am	Significant effect unlikely .

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely to be significant</u> ?
	satisfied that significant effects on the historic environment as a whole are unlikely.	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No.	N/A
Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	Yes, the site is located within Zone C1. However, as confirmed by NRW, the type of development proposed and the lack of a need for significant land raising are such that significant effects are unlikely.	Significant effect unlikely .
Has there already been a failure to meet environmental quality standards that is relevant to the project?	No.	N/A

Statement of reasons

The application site is located within a C1 Flood Zone, close to the Scheduled Ancient Monument at Bretton Hall Moated Site and is in close proximity to the River Dee and Bala Lake SAC and the River Dee SSSI; however, the type of development proposed is such that significant effects in relation to those designations are unlikely. Nonetheless, the location of the site, close to the A55 and a number of settlements, the scale of development and the design of the proposed solar panels are such that despite the potential for some level of mitigation, significant visual effects are likely to result from the scheme. For that reason, I conclude that EIA is required in this instance.

6		Outcome of assessment	
(ii)	If a SO/SD has been provided do you agree with it?	N/A	
(iii)	Is EIA required?	Yes	
Outcome		Action	✓
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area but not likely to have significant effects on the environment		Issue direction stating EIA Not Required (Letter 1)	
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area and likely to have significant effects		Issue direction stating EIA Required (Letter 2)	✓
Project does not fall within the EIA Regulations as either: (a) it is listed within the descriptions of development Column 1 of Schedule 2 of the EIA Regulations but does not meet relevant threshold/criterion; or (b) it does not fall within the categories of development in Column 1 of Schedule 2 of the EIA Regulations.		EIA Not Required - Issue direction stating either: (A) project listed within descriptions of development in Column 1 of Schedule 2 of the EIA Regs but does not meet relevant threshold/criterion; or (B) project does not fall within the categories of development in Column 1 of Schedule 2 of the EIA Regs (Letter 3)	
Schedule 2 development but effects not clear at this stage – file to be reviewed at a later stage		No action – review when appropriate i.e. on receipt of new information/case progress	
Schedule 2 development – appeal is at an advanced stage – referred for Direction; likely to have significant effects		Issue direction stating EIA Required (Letter 4)	
Development relates to a Report case, i.e. where the Welsh Ministers will make the final decision.		Ensure Welsh Government are copied in to Screening Direction when it is issued.	
Name and Job Title of Assessor		Chris Sweet – Planning Officer	
Date of Assessment		10/06/2020	

Robert Sparey

Planning Inspectorate
dns.wales@planninginspectorate.gov.uk

Eich cyfeirnod
Your reference

DNS/3251545

Ein cyfeirnod
Our reference

Dyddiad
Date

11 May 2020

Llinell uniongyrchol
Direct line

Ebost
Email:

Dear Robert

PROPOSED DEVELOPMENT: EIA Screening - 16 MW solar farm with associated infrastructure
LOCATION: Bretton Hall Farm, Chester Road, Flintshire, CH4 0DF

Thank you for your letter of 28 April 2020 asking for Cadw's view on the likely impact of the proposed development described above on the environment and whether or not Environmental Impact Assessment (EIA) is required.

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

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

Our records show that the following historic assets are potentially affected by the proposal.

Listed Buildings:

80779 Church of St Mary II*
85415 Well House Farm II

Scheduled Ancient Monuments:

FL185 Bretton Hall Moated Site

The above designated heritage assets in Wales are located inside 3km of the proposed development. Views between listed building 80779 Church of St Mary II* and the proposed development will be blocked by existing buildings and therefore there will be no impact on the



setting of this designated heritage asset. The proposed development will be probably be visible from listed building development 85415 Well House Farm but in these views it will be heavily screened by existing vegetation, consequently it is unlikely to have a significant impact on the setting of this designated heritage asset.

The proposed development will be located some 132m from scheduled monument FL185 Bretton Hall Moated Site. The monument comprises the remains of a well-preserved medieval moated homestead. It was probably a manorial centre and it is likely that the application area was part of its' estate and farmed from it. As such the proposed development will have impact on the setting of the scheduled monument and this could be significant.

The proposed development is only likely to have a potentially significant impact on the setting of one designated heritage asset. As such the impact on the overall historic environment is not is not sufficient to require an environmental impact assessment to be produced. However, the impact of the proposed development on the setting of scheduled monument FL1985 will be a material consideration in the determination of the application. An assessment of the impact of the development on the setting of the monument will therefore be required to accompany the application whether or not an environmental impact assessment is required.

Yours sincerely

Jenna Arnold
Diogelu a Pholisi/ Protection and Policy

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

The Planning Inspectorate
Cathays Park
Cardiff
CF10 3NQ

ebost/email:

Ffôn/Phone:

13/05/2020

Dear Sir/Madam,

**BWRIAD / PROPOSAL: 16MW SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE
(PART OF LARGER SCHEME WHICH INCLUDES AN ELEMENT IN ENGLAND, TOTAL
CAPACITY CIRCA 30 MW)**

**LLEOLIAD / LOCATION: LAND AT BRETTON HALL FARM, CHESTER ROAD,
FLINTSHIRE**

Thank you for your letter dated 27 April 2020 requesting Natural Resources Wales's (NRW) views on whether the above proposed development is likely to have a significant environmental effect.

From the information provided, we consider that the proposed development is unlikely to have a significant environmental effect.

Reasons

Our view on the likelihood of significant effect on each of the environmental interests which are within NRW's remit is set out below:

Flood Risk

The site lies almost entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note (TAN) 15 Development and Flood Risk (July 2004). Our Flood Map confirms the site to be located almost entirely within the 0.5% (1 in 200) and 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outlines. The site also lies in the historical flood outline.

In respect to advising whether the proposal is likely to have a significant environmental effect, there is limited information available to inform our opinion. Based on the Screening Report, it appears that the solar panel units will be raised to mitigate flood risk, and land raising would not be required to manage flood risks. It is not clear how the flood risk to other vulnerable elements, such as inverters, transformer units etc. would be mitigated. On the basis that significant land raising **would not** be required, we advise that there is unlikely to be a significant environmental effect as a result of the proposals, subject to the production

of a Flood Consequences Assessment (FCA), as part of any planning submission, which fully mitigates flood risk in accordance with the requirements of TAN15. If significant changes to existing ground levels are anticipated as a result of the development, then we ask to be re-consulted to provide further comments. We provide further advice in Annex 1 on the scope of the FCA that would be expected to support any planning submission.

Geoscience

The proposal is located within a Source Protection Zone (SPZ), however the principal aquifer is at depth and is (normally) covered by a significant thickness of low permeability superficial deposits, till and tidal flat deposits (Secondary aquifer). Based on the information provided, we consider the proposal would be unlikely to have significant environmental effects with respect to the SPZ. We provide further advice in Annex 1 on matters that will need to be addressed as part of any planning submission.

Protected Sites

The main site proposed for solar panel installation is located approximately 1km from the the River Dee and Bala Lake Special Area of Conservation (SAC) and the Afon Dyfrdwy (River Dee) Site of Special Scientific Interest (SSSI). We note that the cabling for connecting the proposal to the substation will be located within 200m of the SAC/SSSI at its closest point.

Based on the information provided, we consider the proposal is unlikely to have significant effects on protected sites. However, we provide further advice in Annex 1 on matters that should be addressed as part of any planning application.

Protected Species

We note the ecological report (Gritten Ecology, 27/11/2019) provided to inform the EIA Screening. The report concludes that bats, otters and water voles are unlikely to be affected by the proposal, however there is no consideration of great crested newts within the report. We consider there is the potential for great crested newt to be present on site.

Based on the information provided, we advise that the proposal is unlikely to have significant environmental effects. However, we provide advice in Annex 1 on further details that should be provided in support of any planning application.

Protected Landscape

The proposal is located approximately 15km (at its closest point) from the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). The AONB is on rising ground with views overlooking the lowlands around the lower Dee Valley and estuary. The proposal would potentially be visible from the AONB, however at such distances we do not consider the proposal would be likely to have significant effects on the AONB.

Other Matters

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

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, any environmental permit, the submission of more detailed information, or an Environmental Statement. If you have any queries concerning the above, please contact me on the details below.

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

Yn gywir / Yours faithfully

Bryn Griffiths

Uwch-gynghorydd - Cynllunio Datblygu / Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales

[CONTINUED – ANNEX 1 below]

ANNEX 1

Flood Risk

As advised above, the site lies almost entirely within Zone C1 and the 0.5% (1 in 200) and 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outlines. An FCA will be required in support of any planning application. The FCA will need to assess the flood risk from all sources, including the Balderton Brook system, and the tidal River Dee. Based on our knowledge of the area, we are aware that the Balderton Brook system floods frequently, and floodwaters are typically present for a prolonged duration of time. This is supported by the model outputs, which suggest the site would flood in low return period events. The applicant will need to consider whether this could cause any operational difficulties. We have a hydraulic model available for both the tidal River Dee and Balderton Brook, which can be requested from [REDACTED]

In order to comply with TAN15, we would expect the FCA to demonstrate the following:

- All solar panel bottom edges should be raised a minimum of 300 mm above the 0.5% AEP breach event with an allowance for climate change for tidal flood risk, and the 1% AEP event with an allowance for climate change for fluvial flood risk. If there are any structures (culverts) that could influence flood risk at the site, blockage of such structures should also be considered for the design event.
- All water sensitive infrastructure should be raised at least 300 mm above the 0.5% AEP breach event with an allowance for climate change for tidal flood risk, and the 1% AEP event with an allowance for climate change for fluvial flood risk (including culvert blockage if appropriate)
- The FCA will need to assess the flood risk posed to the site and access in the extreme event, in relation to the tolerable thresholds outlined in A1.15 of TAN15. The events that should be considered are the 0.1% AEP breach event with an allowance for climate change for tidal flood risk, and the 0.1% AEP event for fluvial flood risk
- It would need to be demonstrated that the proposal does not have an adverse impact on flood risk elsewhere. If no ground raising/reprofiling is proposed then this will need to be outlined clearly in the FCA

We also note that the development proposal is located directly adjacent to several Main Rivers; one of which lies in Wales (Smallholdings), and one of which forms the border between Wales and England (Boundary Drain Lache). It will need to be ensured that the proposals do not adversely impact on our ability to access and maintain the Main Rivers covered by our permissive powers. Further discussions will be needed once a more detailed layout is available. A bespoke Flood Risk Activity Permit (Environmental Permitting Regulations England & Wales, 2016) may be required for any works in, over, under or near a main river or within a flood plain. Further advice and guidance is available on our website at: <http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/>

Protected Sites

At its closest point, works would be undertaken within 200m of the River Dee and Bala Lake SAC. The Construction Environmental Management Plan (CEMP) will need to identify all the potential pollution risks from the proposal and ensure that there are adequate mitigation measures put in place to prevent pollution from occurring for each risk identified. The applicant should refer to PPG6 – pollution prevention guidelines for construction and demolition sites.

We advise that any planning application should assess whether the proposed site is used (e.g. for roosting or feeding) by birds that form part of the Dee Estuary Special Protection Area (SPA) i.e. assess whether the site is functionally linked to an SPA.

Protected Species

The screening submission includes an ecological report (reference Gritten, R. (2019). Bretton Hall Farm – Ecological Surveys. Gritten Ecology. Unpublished).

The report considers a number of protected species, including bats, otters and water voles, but does not consider great crested newts. Bats, otters and great crested newts are protected under the Conservation of Habitats and Species Regulations 2017. Water voles are protected under the Wildlife and Countryside Act 1981.

We agree with the conclusions of the report for screening purposes, however we advise further surveys will need to be undertaken, and any necessary mitigation measures identified, in support of any planning application. Ecological assessments will need to consider construction, operation and decommissioning phases of the scheme and should demonstrate that the proposal would not be detrimental to the favourable conservation status of the species concerned. In terms of conservation status, assessments will need to consider both current conservation status and favourable conservation status.

Geoscience

The proposal is located within a Source Protection Zone.

We advise that appropriate conditions may need to be secured as part of any planning permission to ensure that piling work does not have adverse effects on the environment. In practice, through undertaking piling in an appropriate manner the piles will 'self-seal' as they penetrate the low permeability deposits.

In relation to the fluid filled cables, we refer the applicant to Environment Agency groundwater protection statement C5. The applicant will need to address these issues as part of any planning application.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf



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Robert Sparey

Planning Inspectorate

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Eich cyfeirnod
Your reference

DNS/3251545

Ein cyfeirnod
Our reference

Dyddiad
Date

11 May 2020

Llinell uniongyrchol
Direct line

0300 025 0566

Ebost
Email:

Cadwplanning@gov.wales

Dear Robert

PROPOSED DEVELOPMENT: EIA Screening - 16 MW solar farm with associated infrastructure

LOCATION: Bretton Hall Farm, Chester Road, Flintshire, CH4 0DF

Thank you for your letter of 28 April 2020 asking for Cadw's view on the likely impact of the proposed development described above on the environment and whether or not Environmental Impact Assessment (EIA) is required.

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

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

Our records show that the following historic assets are potentially affected by the proposal.

Listed Buildings:

80779 Church of St Mary II*

85415 Well House Farm II

Scheduled Ancient Monuments:

FL185 Bretton Hall Moated Site

The above designated heritage assets in Wales are located inside 3km of the proposed development. Views between listed building 80779 Church of St Mary II* and the proposed development will be blocked by existing buildings and therefore there will be no impact on the

Mae'r Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



setting of this designated heritage asset. The proposed development will be probably be visible from listed building development 85415 Well House Farm but in these views it will be heavily screened by existing vegetation, consequently it is unlikely to have a significant impact on the setting of this designated heritage asset.

The proposed development will be located some 132m from scheduled monument FL185 Bretton Hall Moated Site. The monument comprises the remains of a well-preserved medieval moated homestead. It was probably a manorial centre and it is likely that the application area was part of its' estate and farmed from it. As such the proposed development will have impact on the setting of the scheduled monument and this could be significant.

The proposed development is only likely to have a potentially significant impact on the setting of one designated heritage asset. As such the impact on the overall historic environment is not is not sufficient to require an environmental impact assessment to be produced. However, the impact of the proposed development on the setting of scheduled monument FL1985 will be a material consideration in the determination of the application. An assessment of the impact of the development on the setting of the monument will therefore be required to accompany the application whether or not an environmental impact assessment is required.

Yours sincerely

Jenna Arnold
Diogelu a Pholisi/ Protection and Policy

Maes Y Ffynnon,
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The Planning Inspectorate
Cathays Park
Cardiff
CF10 3NQ

13/05/2020

Dear Sir/Madam,

**BWRIAD / PROPOSAL: 16MW SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE
(PART OF LARGER SCHEME WHICH INCLUDES AN ELEMENT IN ENGLAND, TOTAL
CAPACITY CIRCA 30 MW)**

**LLEOLIAD / LOCATION: LAND AT BRETTON HALL FARM, CHESTER ROAD,
FLINTSHIRE**

Thank you for your letter dated 27 April 2020 requesting Natural Resources Wales's (NRW) views on whether the above proposed development is likely to have a significant environmental effect.

From the information provided, we consider that the proposed development is unlikely to have a significant environmental effect.

Reasons

Our view on the likelihood of significant effect on each of the environmental interests which are within NRW's remit is set out below:

Flood Risk

The site lies almost entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note (TAN) 15 Development and Flood Risk (July 2004). Our Flood Map confirms the site to be located almost entirely within the 0.5% (1 in 200) and 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outlines. The site also lies in the historical flood outline.

In respect to advising whether the proposal is likely to have a significant environmental effect, there is limited information available to inform our opinion. Based on the Screening Report, it appears that the solar panel units will be raised to mitigate flood risk, and land raising would not be required to manage flood risks. It is not clear how the flood risk to other vulnerable elements, such as inverters, transformer units etc. would be mitigated. On the basis that significant land raising **would not** be required, we advise that there is unlikely to be a significant environmental effect as a result of the proposals, subject to the production

of a Flood Consequences Assessment (FCA), as part of any planning submission, which fully mitigates flood risk in accordance with the requirements of TAN15. If significant changes to existing ground levels are anticipated as a result of the development, then we ask to be re-consulted to provide further comments. We provide further advice in Annex 1 on the scope of the FCA that would be expected to support any planning submission.

Geoscience

The proposal is located within a Source Protection Zone (SPZ), however the principal aquifer is at depth and is (normally) covered by a significant thickness of low permeability superficial deposits, till and tidal flat deposits (Secondary aquifer). Based on the information provided, we consider the proposal would be unlikely to have significant environmental effects with respect to the SPZ. We provide further advice in Annex 1 on matters that will need to be addressed as part of any planning submission.

Protected Sites

The main site proposed for solar panel installation is located approximately 1km from the the River Dee and Bala Lake Special Area of Conservation (SAC) and the Afon Dyfrdwy (River Dee) Site of Special Scientific Interest (SSSI). We note that the cabling for connecting the proposal to the substation will be located within 200m of the SAC/SSSI at its closest point.

Based on the information provided, we consider the proposal is unlikely to have significant effects on protected sites. However, we provide further advice in Annex 1 on matters that should be addressed as part of any planning application.

Protected Species

We note the ecological report (Gritten Ecology, 27/11/2019) provided to inform the EIA Screening. The report concludes that bats, otters and water voles are unlikely to be affected by the proposal, however there is no consideration of great crested newts within the report. We consider there is the potential for great crested newt to be present on site.

Based on the information provided, we advise that the proposal is unlikely to have significant environmental effects. However, we provide advice in Annex 1 on further details that should be provided in support of any planning application.

Protected Landscape

The proposal is located approximately 15km (at its closest point) from the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). The AONB is on rising ground with views overlooking the lowlands around the lower Dee Valley and estuary. The proposal would potentially be visible from the AONB, however at such distances we do not consider the proposal would be likely to have significant effects on the AONB.

Other Matters

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

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, any environmental permit, the submission of more detailed information, or an Environmental Statement. If you have any queries concerning the above, please contact me on the details below.

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

Yn gywir / Yours faithfully

Bryn Griffiths

Uwch-gynghorydd - Cynllunio Datblygu / Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales

[CONTINUED – ANNEX 1 below]

ANNEX 1

Flood Risk

As advised above, the site lies almost entirely within Zone C1 and the 0.5% (1 in 200) and 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outlines. An FCA will be required in support of any planning application. The FCA will need to assess the flood risk from all sources, including the Balderton Brook system, and the tidal River Dee. Based on our knowledge of the area, we are aware that the Balderton Brook system floods frequently, and floodwaters are typically present for a prolonged duration of time. This is supported by the model outputs, which suggest the site would flood in low return period events. The applicant will need to consider whether this could cause any operational difficulties. We have a hydraulic model available for both the tidal River Dee and Balderton Brook, which can be requested from datadistribution@cyfoethnaturiolcymru.gov.uk.

In order to comply with TAN15, we would expect the FCA to demonstrate the following:

- All solar panel bottom edges should be raised a minimum of 300 mm above the 0.5% AEP breach event with an allowance for climate change for tidal flood risk, and the 1% AEP event with an allowance for climate change for fluvial flood risk. If there are any structures (culverts) that could influence flood risk at the site, blockage of such structures should also be considered for the design event.
- All water sensitive infrastructure should be raised at least 300 mm above the 0.5% AEP breach event with an allowance for climate change for tidal flood risk, and the 1% AEP event with an allowance for climate change for fluvial flood risk (including culvert blockage if appropriate)
- The FCA will need to assess the flood risk posed to the site and access in the extreme event, in relation to the tolerable thresholds outlined in A1.15 of TAN15. The events that should be considered are the 0.1% AEP breach event with an allowance for climate change for tidal flood risk, and the 0.1% AEP event for fluvial flood risk
- It would need to be demonstrated that the proposal does not have an adverse impact on flood risk elsewhere. If no ground raising/reprofiling is proposed then this will need to be outlined clearly in the FCA

We also note that the development proposal is located directly adjacent to several Main Rivers; one of which lies in Wales (Smallholdings), and one of which forms the border between Wales and England (Boundary Drain Lache). It will need to be ensured that the proposals do not adversely impact on our ability to access and maintain the Main Rivers covered by our permissive powers. Further discussions will be needed once a more detailed layout is available. A bespoke Flood Risk Activity Permit (Environmental Permitting Regulations England & Wales, 2016) may be required for any works in, over, under or near a main river or within a flood plain. Further advice and guidance is available on our website at: <http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/>

Protected Sites

At its closest point, works would be undertaken within 200m of the River Dee and Bala Lake SAC. The Construction Environmental Management Plan (CEMP) will need to identify all the potential pollution risks from the proposal and ensure that there are adequate mitigation measures put in place to prevent pollution from occurring for each risk identified. The applicant should refer to PPG6 – pollution prevention guidelines for construction and demolition sites.

We advise that any planning application should assess whether the proposed site is used (e.g. for roosting or feeding) by birds that form part of the Dee Estuary Special Protection Area (SPA) i.e. assess whether the site is functionally linked to an SPA.

Protected Species

The screening submission includes an ecological report (reference Gritten, R. (2019). Bretton Hall Farm – Ecological Surveys. Gritten Ecology. Unpublished).

The report considers a number of protected species, including bats, otters and water voles, but does not consider great crested newts. Bats, otters and great crested newts are protected under the Conservation of Habitats and Species Regulations 2017. Water voles are protected under the Wildlife and Countryside Act 1981.

We agree with the conclusions of the report for screening purposes, however we advise further surveys will need to be undertaken, and any necessary mitigation measures identified, in support of any planning application. Ecological assessments will need to consider construction, operation and decommissioning phases of the scheme and should demonstrate that the proposal would not be detrimental to the favourable conservation status of the species concerned. In terms of conservation status, assessments will need to consider both current conservation status and favourable conservation status.

Geoscience

The proposal is located within a Source Protection Zone.

We advise that appropriate conditions may need to be secured as part of any planning permission to ensure that piling work does not have adverse effects on the environment. In practice, through undertaking piling in an appropriate manner the piles will 'self-seal' as they penetrate the low permeability deposits.

In relation to the fluid filled cables, we refer the applicant to Environment Agency groundwater protection statement C5. The applicant will need to address these issues as part of any planning application.

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