



Outline Planning Permission

Town and Country Planning Act 1990

Name and address of Applicant

Mr Tom Brinicombe
South Bank House
Barrow Street
Dublin
D04 TR29

Name and address of Agent (if any)

Ms Natalie Queffurus,
Arup
4, Pierhead Street
CARDIFF
CF10 4QP

Part I - Particulars of application

Date of application: **18-May-2020**

Application Number: **20/0041/PA**

Particulars and location of development:

Development of a converter station and upgraded permanent access road from Wallaston Cross to the converter station. Plus associated landscaping, drainage and other supporting infrastructure associated with the development. - Land to the south of Pembroke Power Station, Lambeeth Farm, Pembroke

Part II - Particulars of decision

The Pembrokeshire County Council hereby give notice in pursuance of the provisions of the **Town and Country Planning Act 1990** that **outline planning permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
Reason: This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.
4. The development shall be carried out in accordance with the mitigation recommendations within Chapter 6 - Biodiversity of the submitted Greenlink Environmental Statement - Onshore Wales.
Reason: To protect the wildlife and the ecological interests of the site including protected species, and in the interests of visual amenity; to accord with policies GN.1 and GN.37 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).
5. Included as Reserved Matters in respect of layout shall be drainage details. Development shall be carried out in accordance with the approved details.
Reason: To ensure adequate disposal of foul and surface water, prevention of flooding and to reduce the impact on the natural environment; to accord with policies GN.1 and GN.2 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).
6. Reserved Matters in respect of landscaping shall include external lighting details. External lighting shall accord entirely with the details so approved.
Reason: To protect the wildlife and the ecological interests of the site including protected species, and in the interests of visual amenity; to accord with policies GN.1, GN.37 and GN.38 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).
7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work. This shall be in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the recording of any items of archaeological interest; to accord with Policy GN.38 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: To protect the character and appearance of the area; to accord with policies GN.1 and GN.2 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

9. Prior to the first operation of the approved development, details shall be submitted to and approved in writing by the local planning authority of information/interpretation boards including their locations. The interpretation boards so approved shall be erected within 6 months of the first operation of the approved development and thereafter retained unless their replacement is first approved in writing by the local planning authority.

Reason: To ensure the delivery of material that explains the context of a development that has, when viewed from some viewpoints, significant visual effects; having regard to policies GN.1 and GN.2 of the Local Development Plan for Pembrokeshire (adopted 28 February 2013).

10. Prior to commencement of onsite works a Construction Traffic Management Plan (CTMP) shall be submitted to, and approved in writing by, the Local Planning Authority. All construction work, including off-site mitigation, shall be undertaken in accordance with the approved CTMP.

Reason: In the interests of highway safety and amenity; to accord with policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).

11. No development shall commence until a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance of the reinstated and newly created habitats has been submitted to, and approved in writing by, the Local Planning Authority. The LEMP shall include:

- Details of habitats, landscape, environmental and ecological features present or to be created at the site;
- Details of the desired conditions of features (present and to be created) at the site;
- Details of scheduling and timings of activities;
- Details of short and long-term management, monitoring and maintenance of new, re-instated and existing habitats, to deliver and maintain the desired condition;
- Details of management and maintenance responsibilities;
- Details of the method to review and update plans (informed by monitoring) at specific intervals as agreed.

The development shall be undertaken and operated entirely in accordance with the approved LEMP.

Reason: To ensure the successful reinstatement and management of habitats and to ensure the success of enhancement measures; to accord with policies GN.1 and GN.37 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).

12. Prior to the commencement of any works a Construction Environment Method Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall be undertaken in accordance with the approved CEMP.

Reason: In the interests of highway safety, pollution prevention, amenity and protection of biodiversity; to accord with policies GN.1, GN.2 and GN.37 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).

13. If evidence of contamination is found in or around the development area not previously identified, development must not proceed until a report on potential contamination of the site has been submitted to and approved in writing by the local planning authority. This report shall include a phased investigation approach, incorporating risk assessment, to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring. Where remediation works are required, the development shall not be occupied/used until a Validation Report, to show that the works have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate measures have been taken to mitigate against contamination; to accord with policy GN.1 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).

14. Within 6 months of the development not being used for the supply of electricity a de-commissioning and site restoration scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include provision for:
- (a) removal of all above-ground elements of the authorised development;
 - (b) removal of HVDC and HVAC cables and associated communication cables; and
 - (c) restoration of the areas disturbed by the authorised project.
- Decommissioning and restoration shall be completed in accordance with the approved decommissioning and site restoration scheme within the period set out in the approved scheme.

Reason: In order to be clear on the de-commissioning and site restoration scheme in the interests of protecting amenity and ecological interests; to accord with policies GN.1, GN.2, GN.37 and GN.38 of the Local Development Plan for Pembrokeshire (adopted 28th February 2013).

Date: 11-Aug-2020



**County Hall
Haverfordwest
Pembrokeshire**

DIRECTOR OF COMMUNITY SERVICES

Notes to Applicant

1. Having regard to the details of the application proposals and the relevant provisions of the Local Development Plan for Pembrokeshire (adopted 28 February 2013) as summarised below

Policies SP 1, SP 16, GN.1, GN.2, GN.37 and GN.38

It is considered that subject to compliance with the conditions attached in this permission, the proposed development would be in accordance with the Development Plan.

The application was accompanied by an Environmental Statement. Environmental impacts were fully considered and accorded due weight in the determination of the application.

This informative is intended only to be a summary of the reasons for the granting of planning permission. For further details on the decision, please see the application report under the above reference.

2. This outline consent relates to the principle of development only and not to the illustrative drawings submitted in support of the application. This consent does not imply any support by the Local Planning Authority for these illustrative plans. The applicant should discuss the detailed proposals to be submitted as Reserved Matters with the Local Planning Authority prior to formal application submission.
3. The site of this application is crossed by a public right of way, and development insofar as it affects the right of way should be kept open for public use, unless and until an Order under Section 257 of the Town & Country Planning Act 1990 for the diversion or extinguishment of the right of way has been made and confirmed.
4. Under the Wildlife and Countryside Act 1981 it is an offence to damage, destroy or obstruct access to any structure or place that bats, great crested newts or any other animal listed in Schedule 5 of the Act use for shelter or protection. Under this Act it is also an offence to disturb barn owls whilst building a nest or in the vicinity of a nest containing eggs or young.

You are advised to consult Natural Resources Wales on Telephone: 0300 065 3000 or email: enquiries@naturalresourceswales.gov.uk, before proceeding with the development hereby authorised.

5. The Wildlife and Countryside Act 1981 makes it a criminal offence to damage or destroy the nest of any wild bird whilst that nest is in use or being built. Established working practice avoids works to any hedgerow, tree or other vegetation where birds may reasonably be expected to make their nest (such as scrub) between 1 March and 31 August in any year. Care should be taken outside of this exclusion period as variations in climate may extend the nesting season.
6. Under the provisions of the Badgers Act 1991 it is an offence to interfere with any badger sett. This includes the damaging, destruction or obstruction of any entrance. You are advised to consult Natural Resources Wales on Telephone: 0300 065 3000 or email: enquiries@naturalresourceswales.gov.uk, before proceeding with the development hereby authorised.
7. Consultation responses at the time of the application include advice on the scope of the CEMP and CTMP required of conditions 10 and 12. Copies of these responses are available from the local planning authority. The applicant is advised to agree the scope of the CEMP and CTMP with the local planning authority prior to formal submission.
8. Pembrokeshire Council is a Land Drainage Authority. You are advised to consult the Council's Engineer (Drainage), County Hall, Haverfordwest with regards to the drainage issues of the development including for advice in relation to obtaining SAB approval and development within 20m of a watercourse.
9. The applicant is referred to consultation responses on the planning application from Dwr Cymru Welsh Water, Western Power Distribution, Natural Resources Wales, National Grid, Pembrokeshire Coast National Park Authority and Dyfed Archaeological Trust. Copies are available from the Local Planning Authority.

Notes

If you are in receipt of a householder or minor commercial decision and are aggrieved by the decision of the local planning authority to refuse permission, or to grant permission or approval subject to condition, then you can appeal to the Welsh Ministers under Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of the notice of the decision or determination giving rise to the appeal.

If you are in receipt of any other decision notice and are aggrieved by the decision of the local planning authority to refuse permission or, or to grant permission or approval subject to condition, then you can appeal to the Welsh Ministers under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of the notice of the decision or determination giving rise to the appeal. The Welsh Government has power to allow a longer period for the giving of a notice of appeal but it will not normally be prepared to exercise this power unless there are special circumstances which exclude the delay in giving notice of appeal. The Welsh Government is not required to entertain an appeal if it seems to it that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of any development order, and to any directions given under the order. In practice, the Welsh Government does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Welsh Government.

How can you submit your appeal?

You can download the appeal forms online through the planning portal website at: www.planningportal.gov.uk/wales/public. Once you have downloaded the appeal forms you can complete them electronically and email them to us at wales@pins.gsi.gov.uk.

You can also either print off the downloaded appeal forms or get a copy of the forms by contacting us on 029 2082 5670 and complete them by hand. They need to be sent into the address: The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff. CF10 3NQ.

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Welsh Government on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Your attention is drawn to the fact that the proposed development may be located in an area affected by radon gas. Further information may be obtained from the Council's Building Control Section.

Note: This decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under Building Regulations or any other enactment, byelaw, order or regulation. You are advised to contact that Section separately to ascertain whether you require their prior approval before commencing any work on site.

This planning permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control of the applicant, including Council owned land.

From 7th January 2019, all new developments of more than 1 property or where the construction area that has drainage implications is 100 square metres or more, will require sustainable drainage systems (SuDS) for surface water. The SuDS must be designed and built in accordance with Statutory SuDS Standards published by the Welsh Ministers and SuDS Schemes must be approved by the local authority acting in its SuDS Approving Body (SAB) role, before construction work begins.

For further advice in relation to this matter please contact Pembrokeshire County Council as SuDS Approving Body (SAB):

**SAB
Community Services Directorate
Infrastructure Division
Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP**

e-mail: sab@pembrokeshire.gov.uk

**The SAB team can be contacted by telephone as follows
Paul Morgan 01437 776142 or Emyr Williams 01437 776143.**