

**Application Number:** DM/2021/01421

**Proposal:** Installation of new solar panels to roofs of existing railway carriages

**Address:** Old Station, Tintern, Chepstow, NP16 7NX

**Applicant:** Monmouthshire County Council

**Plans:** All Proposed Plans A9814/RC/01 - , Location Plan - , Other ECOLOGY REPORT - , Heritage Statement

**RECOMMENDATION: Approve**

Case Officer: Ms. Kate Young  
Date Valid: 07.09.2021

**This application is presented to Planning Committee as the application is submitted by Monmouthshire County Council's Tourism and Leisure Department and there are some unresolved objections**

**1.0 APPLICATION DETAILS**

Site Description

1.1 The site which is the subject of this application is the Old Station Railway and Picnic Site, Tintern. The site is located in an area of open countryside within the Wye Valley Area of Outstanding Natural Beauty. There are several listed buildings and structures on the site but the existing railway carriages, sited permanently in the grounds of the station that are the subject of this application, are not deemed to be curtilage listed.

1.2 The railway carriages lie wholly within a C2 Flood Zone as defined by the Development Advice Map (DAM) of Technical Advice Note (TAN)15 - Development and Flood Risk. The site is outside but adjacent to the 50m buffer of the Wye Valley Special Area of Conservation and is outside the Phosphorous Sensitive Area of the River Wye.

Proposal Description

1.3 The application seeks the erection of 16 solar panels on the roof of the railway carriages. Each carriage would have eight curved panels positioned centrally above each large window. The panels would measure 2.6m by 1m. The High Efficiency CIGS PV cells would be held in place by pressure. The solar panels would help to make the tourist attraction more energy efficient.

1.4 The solar panels are part of a general upgrade of the facilities at Tintern Station. In many cases the provision of photovoltaic panels do not require the benefit of planning permission but in this case they do because the panels will be within one metre of the edge of the roof.

A Heritage Impact Statement and an Ecology Report were submitted as part of the application.

**2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
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DM/2019/00022	Formation of new access door for transportation of sit on train unit, to and from current storage location within the signal box.	Approved	04.04.2019
DM/2021/01416	Proposed installation of 2no. shower/toilet blocks, to serve site visitors and nearby camp site.	Pending Consideration	
DM/2021/01421	Installation of new solar panels to roofs of existing railway carriages.	Pending Determination	
DC/2012/00543	Renewal of planning consent 2007/00190 - Phase 1: to lay 500m of 12 1/4 inch railway track from existing signal box to Brockweir bridge, to erect a steel carriage shed (clad in wood) to house engine and rolling stock. Phase 2: to continue track southwards by 280 metres.	Approved	30.10.2012
DC/2007/00190	Phase One - to lay 500 metres of 12 1/4 inch railway track from existing signal box to Brockweir Bridge; to erect a steel carriage shed (clad in wood) to house engine & rolling stock - sited by play area. Phase Two - to continue track southwards by 280 metres.	Approved	29.06.2007
DC/2006/01466	Re-surfacing Of Existing Stoned Footpath On Dismantled Railway Formation With Dense Bitumen Macadam Binding Course Finished With Sealing Grit, Of Dimensions - 2.5M Wide, 395M Long = 987.5 M2	Approved	27.06.2006

DC/2014/00875	Siting of two moveable camping huts.	Withdrawn	25.11.2015
DC/2009/00913	Replacement of two railway carriages	Approved	18.11.2009
DC/2010/00085	Flag to be flown from single flag pole.	Approved	14.04.2010
DC/2005/00059	Creation Of A Shared Surfaced Path For Cyclists & Pedestrians	Approved	08.09.2006

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S5 LDP Community and Recreation Facilities S11  
LDP Visitor Economy  
S12 LDP Efficient Resource Use and Flood Risk  
S13 LDP Landscape, Green Infrastructure and the Natural Environment S17  
LDP Place Making and Design

#### **Development Management Policies**

SD1 LDP Renewable Energy  
SD2 LDP Sustainable Construction and Energy Efficiency LC4  
LDP Wye Valley AONB  
NE1 LDP Nature Conservation and Development EP1  
LDP Amenity and Environmental Protection DES1  
LDP General Design Considerations

#### **Supplementary Planning Guidance**

Sustainable Tourism Accommodation SPG November 2017:  
<https://www.monmouthshire.gov.uk/app/uploads/2016/10/Sustainable-Tourism-Accommodation-SPG-November-2017.pdf>

Renewable Energy and Energy Efficiency SPG March 2016:  
<http://www.monmouthshire.gov.uk/renewable-energy-energy-efficiency-supplementary-planning-guidance>

#### **National Planning Policies (If Any)**

Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010):  
<http://gov.wales/docs/desh/policy/100722tan6en.pdf>

Technical Advice Note (TAN) 15: Development and Flood Risk (2004):  
<http://gov.wales/topics/planning/policy/tans/tan15/?lang=en>

### **4.0 NATIONAL PLANNING POLICY**

#### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

#### **Planning Policy Wales (PPW) Edition 11**

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

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive

to maximising its contribution to the well-being of Wales and its communities.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Tintern Community Council** - Approve

**MCC Heritage** - No Objection

The structures in question are later reinstatement train carriages, to the historic, Grade II listed station buildings at Tintern.

As the carriages originally in situ have been replaced since listing with other historic carriages, they have previously been considered not to be curtilage listed structures and therefore do not need Listed Building Consent for alteration.

Notwithstanding this, the primary consideration for development within the curtilage of a listed building is the preservation of its special interest, which includes its setting.

The works proposed however are particularly 'light-touch' in their use of solar units which match the profile of the current roof, and we see no reason why these would affect the visual form of the carriages or the setting of the listed building as a result.

**MCC Ecology** - No objection

The Old Station building itself will not be impacted by the current proposals, and therefore roosting bats should not be impacted.

### 5.2 Neighbour Notification

These proposals are trying to introduce changes to the carriages and land that are not just contrary to the laws and covenants that protect them but detrimental to public amenity and endangered species in the meadows and field.

The biodiversity and protected habitats will suffer.

### 5.3 Other Representations

**Brockweir Community Council** - Supports the application.

It was strongly felt that any enhancements to the site would bring significant benefit to the local community.

**Tintern Station Friends** - Introducing changes to the carriages and land that were never intended and contrary to covenants and other protections.

Tintern Station Picnic Area is not a tourist attraction to be developed commercially.

Proposals do not preserve the unique distinctiveness of this setting and its sense of place.

There will be adverse impact on the historic environment and heritage of this site.

On the face of it solar panels are an environmentally friendly addition but that is before reading the intended plans:

Detract from the historic and traditional use.

Not in keeping with the environment of the carriages or an AONB.

The carriages were replaced in 2009/10 using heritage lottery funding, and have not been maintained since.

MonLife have not allowed the carriages to open.

Turning Tintern Station Picnic Area into a tourist accommodation site and entertainment venue is contrary to its heritage and listed designation:

Not subservient to the primary purpose to conserve and enhance the natural beauty of the area.

It will harm the character of the area.

The ecology report is limited in its remit.

Flooding may not be an issue for the solar panels but it will be for electrical cables etc. below the carriages including heat pumps.

Consultation and publicity procedures were not followed.

Where are the planning applications for the alarm and CCTV cameras, the new car parking machine and signage? None of these additions are in keeping with the heritage site and must

breach CADW guidelines.

These proposals neither maintain nor protect the character and unique quality of this site nor enhance its cultural heritage and historic environment.

Little regard to the conservation areas, biodiversity and ecological heritage.

Does not improve the environmental and cultural well-being of residents and visitors.

MCC will be approving a planning application for its own commercial business, to increase income at the expense of residents, heritage and conservation.

Please note all representations can be read in full on the Council's website: <https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

6.1.1 The proposed solar panels are part of a larger scheme to decarbonise the site and to improve visitor facilities.

PPW11 supports facilitating the move towards decarbonising the economy and reducing reliance on energy generated from fossil fuels, it encourages the use of renewable energy and actively managing the transition to a low carbon economy. Policy S12 of the LDP supports sustainable and efficient resource use; this includes energy efficiency and increasing the supply of renewable energy. In a small way, the installation of these solar panels on the roof of the railway carriages, will help to meet the objectives of PPW by providing more sustainable energy for this tourist facility. The alterations will make the site more energy efficient and reduce its environmental impact. Thus, the proposal is acceptable in principle.

Policy SD1 of the LDP sets out that renewable energy schemes will be permitted where:

- (1) There are no unacceptable adverse impacts upon the landscape, townscape and historic features and there is compliance with Policy LC5, with regard to protection and enhancement of landscape character;
- (2) There are no unacceptable adverse impacts on biodiversity;
- (3) There are no unacceptable adverse impacts on the amenities of nearby residents by way of noise, dust, odour or increases in traffic;
- (4) The wider environmental, economic, social and community benefits directly related to the scheme outweigh any potentially adverse impacts; and
- (5) The distinct identity of Monmouthshire will not be compromised.

For all types of renewable energy, cumulative impacts will be an important consideration where there are other renewable energy schemes currently operating in the area.

Policy SD2 of the LDP refers specifically to proposals for the installation of renewable and low carbon technologies on existing buildings and says that they will be permitted subject to detailed planning considerations. The principle of providing solar panels is acceptable and complies with one of the key objectives of PPW11 and the development plan for encouraging renewable energy and reducing reliance on fossil fuels.

The site is a well-established tourist facility and Policy S11 of the LDP supports development proposals that provide sustainable forms of tourism.

### **6.2 Sustainability**

6.2.1 The solar panels are being installed to make the site more energy efficient, reduce its environmental impact and enhance the tourist experience. This is an objective that promotes sustainability and reduces dependence on fossil fuels by providing a more renewable energy source.

#### Good Design and Place Making

6.2.2 PPW 11 says that good design is fundamental to creating sustainable places where

people want to live, work and socialise. The special character of an area should be central to its design. In this case the solar panels would be installed on the roof and held on place by pressure. They are made of a thin, flexible material that follows the contours and shape of the carriage roofs. The roof of the carriages are already painted black so the black panels will have very little additional visual impact. There is no upstand on the panels so when viewed from the ground they would appear as though the roof of the carriages had been re-painted. MCC's Heritage Officer has no objection to the proposal saying that, "The works proposed are particularly 'light-touch' in their use of solar units which match the profile of the current roof and this will not affect the visual form of the carriages or the setting of the listed building as a result." The proposal will preserve the special interest and setting of the listed buildings on the site. The proposed new solar panels on the roof of the railway carriages are considered acceptable and would comply with the objectives of Policy DES1 of the LDP and PPW11, promoting good design. The panels will have very little visual impact and will preserve the natural beauty of the Wye Valley. Therefore, they comply with Policy LC4 of the LDP.

## Energy

6.2.3 The proposal will have very little visual impact and therefore there will be no unacceptable adverse impacts upon the surrounding landscape. The site is surrounded by mature trees which help to screen the railway carriages when viewed in the wider landscape. There will be no impact on the landscape character of the area. The site is outside of the Tintern Conservation area and not seen within the context of Tintern Abbey. There will be no impact on biodiversity as the panels will be attached to the roof of the carriages and there is limited potential for bat roosts within the carriages. There are no residential properties within 50 metres of the site that could be affected by way of noise, dust, odour or increase in traffic. In this case there would be minimal impact resulting from the proposal. There are no other renewable energy schemes close to the site so there is no cumulative impact. When the technology is no longer operational it can be removed from the site and this can be imposed by condition. The proposal therefor accords with all of the objectives of Policy SD1 of the LDP.

## **6.3 Biodiversity**

6.3.1 An Ecology Survey Report by Just Mammals was submitted as part of the application. An external and internal daytime inspection of the carriages was carried out in May 2021 and found no evidence for the presence of bats. No potential roost features were identified in the railway carriages and with a negligible level of potential, no additional survey effort was directed to these structures. Internal and external inspection of the carriages found no live bats or evidence of roosting, no bat droppings or insect remains. No features were identified to offer roosting opportunities for bats within the structure of the carriages. A single inactive bird nest was found under the northern carriage. The proposed work underneath the carriages will avoid the bird nesting season of March to August (inclusive). MCC Ecologists have reviewed the submitted survey report and agree with its findings and recommendations. The Old Station building itself will not be impacted by the current proposals, and therefore roosting bats should not be impacted. Where works cannot be undertaken outside of the nesting bird season (March - August), a pre-works inspection by an experienced ecologist should be undertaken. The submitted ecology report recommends that two additional bird boxes are installed at the site. This is considered an appropriate level of enhancement for an application of this scale. However, the location or specification of the boxes has not been shown on any of the submitted plans. This can be conditioned.

## **6.4 Impact on Amenity**

6.4.1 The nearest residential property to the carriages is Station House approximately 52 metres to the north-west. It is set at a higher level than the carriages but given the intervening distance and the mature trees at the site, the occupiers of Station House will not be affected by the proposed solar panels. There are no other residential properties in the near vicinity that could be affected by this proposal.

## **6.5 Highways**

6.5.1 There are no highway implications as a result of this development. There will be

no increase in traffic or loss of parking spaces resulting from the siting of the solar panels.

## **6.6 Flooding**

The railway carriages lie wholly within a C2 Flood Zone as defined by the Development Advice Map (DAM) of Technical Advice Note (TAN)15. The solar panels are to be located on the roofs of the existing carriages and therefore will have no impact on flood levels. If additional equipment is required at ground level at some point in the future, it will be assessed on its merits subject to the details to be supplied. The current application only relates to the siting of the panels themselves and these do not impact on flooding.

## **6.7 Phosphates**

6.7.1 Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SACs. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is outside of the SAC catchment and does not result in any foul water discharge and therefore it will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

## **6.8 Tourism**

6.8.1 The site is a well-established tourist facility and Policy S11 of the LDP supports development proposals that provide sustainable forms of tourism. The provision of solar panels on the roof of the existing carriages will not affect the number of people who visit the site.

## **6.9 Response to the Representations of Third Parties**

One local resident says that the proposals are contrary to the laws and covenants that protect the carriages; there may be covenants in place but that is a private legal matter between the parties involved and not a material planning consideration. It is for the local planning authority to determine the application based on adopted planning policy and advice. Planning and heritage officers do not consider that the solar panels are detrimental to public amenity for the reasons stated above. The issues of ecology have been discussed in detail in the main body of the report and the positioning of solar panels on the roof of the carriages was found not to have a detrimental impact on protected species.

Friends of Tintern Station set out that this is not a tourist attraction that should be developed commercially. Planning officers consider that provided that the alterations are sensitive and respect their historic setting, there is no reason why the site cannot be developed commercially. It is the Council's policy to support the growth of sustainable tourism. The solar panels will have very little visual impact and will preserve the character of the Wye Valley AONB. This current application is for solar panels only and other developments on the site will be determined on their merits if planning permission is required.

## **6.10 Well-Being of Future Generations (Wales) Act 2015**

6.10.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## **6.11 Conclusion**

6.11.1 The alterations will make the site more energy efficient and reduce its environmental impact; the proposal therefore accords with one of the key objectives of PPW11 as well as LDP Policy S12 both of which support sustainable and efficient resource use. The proposal also complies with the objectives of LDP Policy SD2 which refers specifically to proposals for the



installation of renewable and low carbon technologies on existing buildings. The site is a well-established tourist facility and Policy S11 of the LDP supports development proposals that provide sustainable forms of tourism. The proposed new solar panels on the roof of the railway carriages are acceptable and comply with the objectives of LDP Policy DES and PPW11 in promoting good design. The panels will have minimal visual impact and would preserve the natural beauty of the Wye Valley, complying with LDP Policy LC4. The proposal will preserve the special interest and setting of the listed buildings on the site. The solar panels will not harm any ecological interests and comply with the objectives of LDP Policy NE1. This planning application is policy compliant in all respects and is therefore recommended for approval.

## **7.0 RECOMMENDATION: APPROVE**

### Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Within six months of the cessation of electricity generation by the facility, all associated works/equipment shall be removed from the site and the land restored to its previous condition in accordance with the approved restoration plan.

REASON: In the interests of visual amenity and to ensure compliance with LDP Policy DES1.

4 No works to the train carriages shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a pre-works inspection of the carriage(s) for active birds' nests immediately before the work commences and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

REASON: to ensure that nesting birds are not disturbed by development works and to enable the Local Authority to fulfil its obligation under Section 25 (1) of the Wildlife & Countryside Act (1981) as amended.

5 Prior to the commencement of development, full details of bird enhancement measures as proposed within Section 10.7 of the submitted 'Ecological Survey Report' by Just Mammals Ltd shall be submitted to and approved in writing by the local planning authority. This shall include full details of the location and specification of the bird boxes/nests/cups and the timing of their inclusion. The details shall then be implemented as approved and shall be retained in perpetuity.

REASON: To provide biodiversity net benefit and ensure compliance with PPW11, the Environment (Wales) Act 2016 and LDP Policy NE1