

PLANNING STATEMENT

Kenfig Industrial Estate,
Margam, Port Talbot

PLANNING APPLICATION FOR SINGLE WIND TURBINE AND INSTALLATION OF ASSOCIATED INFRASTRUCTURE

PLANNING STATEMENT

ON BEHALF OF INFINITE RENEWABLES GROUP LTD

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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CONTENTS:

Page No:

1.0 Introduction 1

2.0 The Site and Background 2

3.0 Proposed Development 4

4.0 Planning Policy Context 6

5.0 Planning Assessment 10

6.0 Summary and Conclusions 19

1.0 Introduction

1.1 This Planning, Design and Access Statement has been prepared by Pegasus Group on behalf of our client Infinite Renewables Group Ltd. This Statement accompanies an application for Full Planning Permission submitted to Neath Port Talbot County Borough Council (hereafter "the Council"). The application seeks full planning permission for the erection of a replacement single wind turbine at Kenfig Industrial Estate, Margam, Port Talbot.

1.2 This Statement explains the purpose of the application and assesses the proposal against relevant planning policy and material considerations. It should be read in conjunction with the supporting plans and reports.

1.3 This Statement is supported by the following documents:

- Site Location Plan;
- Elevation Plans;
- Proposed Cable Route Plan;
- Landscape & Visual Appraisal, prepared by Amalgam Landscape;
- Shadow Flicker Assessment, prepared by windPRO;
- Transport Management Plan, prepared by Acstro;
- Noise Impact Assessment, prepared by Wardell Armstrong; and
- Ecology Statement, prepared by BSG Ecology.

Structure of Statement

1.4 The remainder of this Statement is structure as follows:

- Section 2 – The Site and Background
- Section 3 – Proposed Development;
- Section 4 – Planning Policy Context;
- Section 5 – Planning Assessment; and
- Section 6 – Summary and Conclusions

2.0 The Site and Background

The Application Site

- 2.1 The proposed development site is situated at the Kenfig industrial Estate, Kenfig (grid co-ordinates 279765, 183502). The proposed development site is located within an existing established industrial estate, where the industrial buildings are predominantly of single or two storey commercial heights. There are a number of pylons of considerable height in close proximity to the site.
- 2.2 The site is close to the M4 motorway via the A42229 and B4283 from J37 and via the B4283 from J38.

Planning Designations

- 2.3 The location of the proposed development is not considered to be a 'sensitive area' under the definition of such given in the 'interpretations' at Regulation 2(1), such as a National Park, site on the World Heritage List, a scheduled monument, an Area of Outstanding Natural Beauty or a European protected site.
- 2.4 The following designated sites are within 2km of the site:
- Kenfig Pools and Dunes is approximately 600m to the south of the site and designated as a National Nature Reserve, SSSI and Special Area of Conservation;
 - Kenfig Castle is a Scheduled Monument that is situated within the Kenfig dunes and is approximately 800m south east of the site;
 - Eglwys Nunydd Reservoir, a SSSI, is located approximately 500m north of the site;
 - Margam Moors, a SSSI, is located approximately 500m north of the site;
 - There are 2 listed bridges on the railway line located approximately 200m south of the site; and
 - There is a cluster of listed buildings approximately 500m to the east, but separated by industrial buildings and the M4 motorway.

Planning History

- 2.5 The is no relevant planning history at this site, published on the council's website, with the exception of the EIA Screening Request.

EIA Screening

- 2.6 The applicant submitted a Screening Request (ref. P2021/0495) to Neath Port Talbot County Borough Council on the 4 April 2021. On the 26 May 2021, the Council's Screening Opinion was issued stating that the planning application was not required to be supported by an Environmental Statement.

3.0 Proposed Development

3.1 This planning application seeks full planning permission for the following development;

"Erection of a single wind turbine and installation of associated infrastructure"

3.2 The proposed wind turbine consists of four main components; a rotor (a hub and three blades), a nacelle (containing a generator and often a gearbox) to which the rotor is mounted, a tower and a foundation.

3.3 Proposals include the creation of a soil cap on the turbine base which will be seeded with common bird's foot trefoil and other pollinator-friendly species.

3.4 The key maximum parameters of the turbine are set out below:

- Blade length – up to 30.5m
- Rota diameter – up to 71m
- Maximum height to blade tip – 100m
- Number of blades - 3

3.5 The turbine would be predominantly off white in colour.

3.6 The energy generated by the proposed wind turbine will connect to the grid network. However, it is also proposed that the electricity will be sold direct to businesses on the industrial estate. This would likely be at a cheaper rate than energy purchased by a third party provider, which is a significant benefit to local businesses.

3.7 The Transport Management Plan (TMP), submitted as part of this application, identifies the main access routes, along the M4 and then two options from this point subject to the vehicle size:

- Route 1 – Exit at Junction 38 for majority of vehicles
- Route 2 – Exit at Junction 37 for wide load vehicles only.

3.8 Route 2 is required for wide loads as there is a narrow section of highway under a bridge along Route 1 which is unsuitable for wide line.

3.9 A copy of both access routes are provided in Appendix 1 of the TMP. Once operational, maintenance vehicles will continue to use the highway network to access Kenfig Industrial Estate.

4.0 Planning Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

4.2 The adopted development plan comprises the Neath Port Talbot County Borough Council Local Development Plan 2011-2026, adopted in November 2016. The policies map locates the site within a designated existing employment area and a mineral safeguarding area.

4.3 The following policies contained within the adopted Development Plan are considered relevant and informative for the proposed development:

- Policy SP1 – Climate Change
- Policy EC2 – Existing Employment Areas
- Policy W1 – In-building Waste Treatment Facilities
- Policy SP18 – Renewable and Low Carbon Energy
- Policy RE1 – Criteria for the Assessment of Renewable and Low Carbon Energy Development
- Policy M1 – Safeguarded coal Resource
- Policy SP21 – Built Environment and Historic Heritage
- Policy BE1 – Design

Other Relevant Policies, Material Considerations and Guidance

Future Wales: The National Plan 2040 (February 2021)

4.4 The document confirms that the natural resources policy includes facilitating the decarbonisation of the economy, including energy and transport choices.

- 4.5 Page 48 confirms that the Welsh economy must be prepared and adapted toward the markets of the future and demand for low carbon goods and services. With specific regard to renewable energy, the vision is for Wales to become a world leader in renewable technologies, and that the planning system "*....provides a strong lead for renewable energy development...*".
- 4.6 Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure confirms that:
- 4.7 *"The Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs. In determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency "* (our emphasis)

Planning Policy Wales (Edition 11) (February 2021)

- 4.8 Planning Policy Wales Edition 11 (PPW11) provides the policy framework for the effective preparation and delivery of development plans. PPW is based on a plan approach and the presumption in favour of development proposals which accord with its key principles and the policy objectives of sustainable development (within the planning system). PPW sets out five key principles which underpin Welsh Government's approach to sustainable development; these are as follows:
- Growing our economy in a sustainable manner
 - Making best use of resources
 - Facilitating accessible and healthy environments
 - Creating & sustaining communities
 - Maximising environmental protection and limiting environmental impact
- 4.9 Under these 5 headings, making best use of natural resources, generating renewable energy, embracing technology, clean air and being resilient to

climate change and all listed as components of sustainable outcomes.

4.10 Renewable energy targets are discussed at Paragraph 5.7.14 of PPW11, and echo that the Welsh Assembly will seek:

- For Wales to generate 70% of its electricity consumption from renewable energy by 2030;
- For one gigawatt of renewable electricity capacity in Wales to be locally owned by 2030; and
- For new renewable energy projects to have at least an element of local ownership by 2020.

4.11 Paragraph 5.9.12 confirms that planning authorities should plan positively for the use of locally generated electricity.

4.12 Paragraph 5.9.19 provides criteria on which to assess renewable and low carbon technologies:

"In determining applications for the range of renewable and low carbon energy technologies, planning authorities should take into account:

- The contribution a proposal will make to meeting identified Welsh, UK and European targets;

- The contribution to cutting greenhouse gas emissions; and

- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development

4.13 Paragraph 5.9.24 confirms that the Welsh government support renewable and low carbon energy projects which are developed by wholly Wales based organisations.

Environmental (Wales) Act 2016

4.14 The Environment Act sets a legal target of reducing greenhouse gas emissions by at least 80% by 2050. The Act also requires a series of interim targets (for

2020, 2030 and 2040) and associated carbon budgets for key sectors.

Energy Generation in Wales 2019 Report

- 4.15 The Energy Generation in Wales 2019 Report sets out the current energy generation capacity in Wales and analyses how it has changed over time. The aim of the report is to support the Welsh Government with the development of energy policy, helping to evidence the economic, community and environmental benefits from the development of Welsh energy projects.
- 4.16 In 2017, the Welsh Government announced a target of meeting the equivalent of 70% of Wales' electricity demand from Welsh renewable electricity sources by 2030. In 2019, it is estimated that this figure stands at 51%¹. The 2019 report sets out that progress towards the renewable energy generation has slowed and there "*remain significant challenges to meeting the 70% target by 2030*". Progress has slowed as a result of significant reduction of renewable installation rates.

¹ <https://gov.wales/sites/default/files/publications/2021-01/energy-generation-in-wales-2019.pdf>

5.0 Planning Assessment

Principle of Development

- 5.1 The County Borough have set out a number of strategic policies within their development plan. The first Strategic Policy, 'SP1 Climate Change', supports the principle of development where it states that *"provision will be made for the County Borough's appropriate contribution to renewable and low carbon energy generation"*. The principle of development is further supported in Strategic Policy 18 (Renewable and Low Carbon Energy) where it states, the council will contribute to meeting national renewable energy targets, and that this will be achieved by *"encouraging where appropriate all forms of renewable energy and low carbon technology development"*.
- 5.2 The application site is located within a designated Existing Employment Area (EC2/9+ Kenfig Industrial Estate, Port Talbot). Policy EC2 seeks to protect the employment function of designated employment areas and uses are restricted to be in accordance with Policy EC3 (Employment Area Uses). The proposed wind turbine technically falls outside the uses outlined in Policy EC3. However, the policy provides an area of flexibility for alternative development *"where proposals do not cause any adverse impact on the overall function of the employment area and neighbouring commercial and residential properties, the proposal can be sustainably justified in this local and is appropriate in scale and form to the role and function of the employment"*. This is backed by supporting text in Paragraph 5.2.21 of the Local Plan which confirms in order to stimulate growth a wider mix of uses will be permitted on the allocated sites and the existing employment areas. The proposed development will not have an adverse impact on the overall function of Kenfig Industrial Estate. The proposals seek to use a nominal area within the employment site and will not result in the loss of employment use floorspace, retaining the overarching function of the estate and neighbouring commercial properties.
- 5.3 The proposals have an economic benefit through construction, and the production of renewable energy will help support the economy. In addition, it is intended that generated electricity will be sold direct to some neighbouring

businesses, to result in a cost saving and economic benefit that will support some of the businesses surrounding the industrial estate.

- 5.4 The site is also allocated as a potential area for in-building waste treatment facilities within Policy W1 (W1/1©) and within a Mineral Safeguarding Area (Policy M1). It is considered that the proposed development will not prohibit the use of existing buildings or alternative land within the Kenfig Industrial Estate to be used as a waste treatment plant in the future and thus should not be refused on this basis. Similarly, development is compliant with Policy M1 whereby there is a need, and principal support (Policies SP1 and SP18), for renewable energy generation developments. Notwithstanding this, proposals are for a temporary development and therefore should future mineral extraction be required at the site then this will be possible.
- 5.5 At a national level, planning policy has changed and has progressively increased support for the principle of the development as the recognition of, and need for, renewable energy and low carbon developments. PPW11 clearly identifies how and why local planning authorities should support the principle of development and positively contribute to the delivery of renewable energy generation to meet the national targets.
- 5.6 In 2017 the Welsh Government announced a target of meeting the equivalent of 70% of Wales' electricity demand from Welsh renewable electricity sources by 2030. In 2019, it is estimated that the figure stands at 51%². The latest Energy Generation in Wales (2019) report states renewable installation rates have significantly reduced as a result of reductions in support and electricity network constraints. The report continues to explain "*Wales has significant potential for further onshore wind development*".

Landscape and Visual Impact

- 5.7 The landscape around the proposed development is dominated by industrial

² <https://gov.wales/sites/default/files/publications/2021-01/energy-generation-in-wales-2019.pdf>

development, including and extending towards Port Talbot to the north and north-west. Visual amenity receptors consist of scattered residential properties and farms and towns and villages connected by a network of transport corridors including major and minor roads and public rights of way. Selected views are only possible from limited scattered receptors, generally only in close proximity, or when elevated open land allows occasional expansive and more distant views.

- 5.8 The proposed development site is not recognised for its value through any landscape relevant designations, although there are scattered landscape relevant designations within the study area. The Merthyr Mawr, Kenfig and Margam Burrows Landscape of Historic Interest, also locally designated as Kenfig Burrows Special Landscape Area, occurs to the south. Margam Mountain Landscape of Historic Interest, containing Margam Park Registered Park and Garden is also locally designated and Margam Special Landscape Area is to the north. Some of the centres of the scattered towns and villages are designated as Conservation Areas. There are also a few widely scattered Ancient Woodlands present.
- 5.9 The design and location of the proposed development, set within an industrial landscape, also minimises the impacts on landscape character, landscape relevant designations and nearby visual amenity receptors. However, the proposed development, due to its scale, will to a degree affect both landscape character and visual amenity receptors and their views during construction, operation, and decommissioning.
- 5.10 The containment and enclosure provided by the immediate industrial buildings will also ensure that the proposed development will only have only minimal effects on both landscape character and visual amenity receptors and their views during construction and decommissioning.
- 5.11 During construction and decommissioning, the crane will be visible from some receptors, however this will not be out of place within the industrial landscape. The cranes are temporary and will also be only present for a very short period of time.

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- 5.12 Once operational, the majority of effects on landscape character and visual amenity receptors and their views will be neutral, largely because of the enclosure provided by the surrounding landform as well as mature vegetation and development in the wider landscape.
- 5.13 The majority of effects on landscape character, landscape relevant designations and visual amenity receptors and their views will therefore be neutral largely because of the enclosure provided by the surrounding landform, development and vegetation.
- 5.14 With regard to the landscape character areas, the proposed development will not dramatically change the characteristics of the wider landscape or affect the integrity of landscape relevant designations. The setting of the proposed wind turbine within an industrial landscape, which is tolerant to change, will ensure that there will be very limited indirect effects on landscape character areas and the setting of landscape relevant designations. The proposed development will be selectively visible but will largely be perceived as a single built element, within a landscape already extensively influenced by development. The proposed development will fit within the existing landscape pattern and will not be out of scale with the surrounding landscape.
- 5.15 In summary, the proposed development will:
- Add a single built vertical moving element to the landscape;
 - Avoid direct impact on any designated landscapes;
 - Be set within a landscape heavily influenced by industry, with a very good to substantial ability to accommodate change without detriment to its landscape character;
 - Be perceived in close proximity as a prominent vertical element, occasionally in combination with an existing operational wind turbine;
 - Very quickly become 'lost' within the wider expansive undulating landscape; and
 - Overall, have limited impacts on landscape relevant designations, landscape character and visual amenity receptors and their views.

Cultural Heritage

- 5.16 The proposed site is located within an area characterised by industrial units of Kenfig Industrial Estate, as well as other industrial operations within proximity to the site.
- 5.17 The application site is not known to be within the vicinity of any historical receptors that may be impacted by the proposed development. It is therefore considered that the proposals are compliant with Strategic Policy 21 which seeks to conserve and enhance the built environment and historic heritage within the County Borough.

Ecology

- 5.18 The application is supported by an Ecological Assessment, prepared by BSG Ecology. The assessment concludes that the proposed turbine and associated infrastructure is likely to result in minimal effects on biodiversity.
- 5.19 It is concluded that habitats, flora and invertebrate communities of Kenfig SAC, SSSI and Margam Moors SSSI are considered to be sufficiently distant from the Site that they will not be directly or indirectly impacted as a result of the proposed development. Similarly, there is not considered to be an impact on the Eglwys Nunydd Reservoir as the survey suggests that there is no frequently used flight path of waterfowl (excluding gulls) to it designated.
- 5.20 It is not anticipated that the local SINC and LNR identified will be directly or indirectly impacted as a result of the proposed development, due to the distance and lack of connectivity between the site and their habitats. The overall risk assessment for the Site based on bat activity levels and Site risk is low. For pipistrelle species it is likely that collision risk will be further mitigated through the location of the turbine, which is well away from any linear features likely to be preferentially used for foraging and commuting. For noctule the distance from linear habitat features is unlikely to significantly mitigate risk, but habitat quality is low and detected activity was not high (and was lowest

during autumn), indicating overall risk is low (based on the SNH *et al* approach).

- 5.21 It is considered that the risk of collision of target species is very low, given the infrequency of target species flights over the Site, coupled with accepted avoidance rates for these species (Urquhart, 2010), and the commuting nature of these flights (during which birds are more likely to detect and avoid moving blades).
- 5.22 To ensure the development complies with Section 6 of the Environment (Wales) Act 2016, '*to maintain and enhance biodiversity*' the ecology assessment outlines measures to benefit protected species and encourage their use of the Site. This includes the creation of a soil cap on the turbine base which will be seeded with common bird's foot trefoil and other pollinator-friendly species.

Noise Impact

- 5.23 The planning application is supported by a Noise Assessment prepared by Wardell Armstrong LLP. The Assessment details the baseline acoustic levels in comparison to the noise associated with the proposed development. The test applied to operational noise is whether the predicted wind turbine noise at nearby noise sensitive properties lies between ETSU-R-97 (noise assessment guidance's) noise limits.
- 5.24 Noise limits were established for the receptor that is nearest to the proposed wind turbine. Noise limits have been determined based on a noise survey and available weather data in line with guidance.
- 5.25 The noise assessment concludes that the development will not exceed noise limits at any existing sensitive receptors. The operation of the wind turbine noise is therefore not predicted to have a significant impact at the nearest sensitive receptors and noise should not be a reason for refusal.

Shadow and Flicker

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- 5.26 During sunny conditions under certain combinations of geographical position and the time of day, the sun may pass behind the moving rotor blades and cause a shadow to flicker on and off on neighbouring commercial properties. This is known as shadow flicker.
- 5.27 A Shadow and Flicker Assessment has been prepared by windPRO and has been submitted as part of this application. The Assessment has been undertaken against 5no. shadow receptors identified. Data analysis is provided within the windPRO report.

Access

- 5.28 The site is located within the car park of John Pye Auction House, Kenfig Industrial Estate. There is established vehicle access through Kenfig Industrial Estate adjoining to Water Street (B4283).
- 5.29 A Transport Management Plan (TMP), prepared by Acstro, has been submitted as part of this planning application. The TMP describes, the description of proposed transport route, convoy size, traffic management, delivery times, highway works, structures, trial runs, public awareness, environmental impact, construction traffic and consultees for TMP.
- 5.30 The turbine components will arrive in the UK via boat a port that is to be confirmed. It is envisaged components will be transported into Wales via lorry on the M4.
- 5.31 During the construction phase, with the exception of the turbine elements, the majority of traffic is normal construction plant and will include grading tractors, excavators, cranes, forklifts and dumper trucks. Most will arrive on site on low loader transporters.
- 5.32 The TMP provides the swept path analysis for both the blade delivery vehicles (Abnormal Indivisible Loads) and the generator delivery (see Appendix 3 and 4 of TMP). The swept paths confirm that it is not necessary to carry out any

highway works to accommodate the deliveries to the application site.

5.33 To mitigate any impact on the local highway network, as part of the process, police, emergency and other applicable will be consulted and occupiers of the industrial estate will be notified of the planned delivery of the blades.

5.34 Due to the scale of the proposed development (a single wind turbine), the environmental impact associated with the traffic generated during the construction and operation phase will be insignificant.

Benefits of the Proposed Development

5.35 There are a number of benefits associated with the proposed development, including, but not limited to, the following:

- Significant contribution to renewable energy generation and carbon emission targets for Wales and the UK.
- Generate 3 million KWhr of clean renewable energy per annum equating to enough power to supply 750 residential properties.
- Providing local energy generation will boost the local economy.

5.36 Policy RE1 of the Local Plan provides the criteria for the assessment of renewable and low carbon energy development, of which criteria 2-4 are applicable to small-scale (<5MW) wind proposals:

- **Criteria 2** - The technical assessments supporting this application have demonstrated that the proposals will have no unacceptable impact on visual amenity or landscape character.
- **Criteria 3** - Any minor impacts associated with the proposed development are confined to local scale and are considered to align with the industrial and commercial context of Kenfig Industrial Estate.
- **Criteria 4:**
 - The site and location, within a built up area, has been chosen based on an aim to limit adverse impacts on visual amenity and natural

environments;

- The development will result in no unacceptable impact on residential amenity;
- The development will not compromise highway safety;
- the development will not interfere with radar, air traffic control systems, telecommunications links, television reception, radio communication and emergency services communications; and
- There are satisfactory proposals in place for the site restoration as appropriate.

6.0 Summary and Conclusions

- 6.1 This application seeks permission for the erection of a single wind turbine with a maximum tip height of 100m. The site is located within Kenfig Industrial Estate which presents a commercially developed area that is acknowledged to be dominated by industrial development, including and extending towards Port Talbot. The site is not recognised for its visual landscape value, nor located within a designated landscape area.
- 6.2 The proposed development has been assessed against the adopted development for the County Borough. The principle of development, renewable energy generation, is supported by local and national planning policy by positively contributing to County Borough's provision of renewable energy, as outlined in Policy SP1 and Policy SP18. Whilst the site is located within a designated existing employment site, Policy EC2 recognises that alternative developments are supported where there is no detrimental impact to the function of the employment area.
- 6.3 The application site presents an area of low ecological value. The proposed development seeks to enhance biodiversity, in accordance with Section 6 of the Environmental (Wales) Act 2016, within a small development area by creating a seeded soil cap on the turbine base to encourage ecology within the industrial estate.
- 6.4 The application is supported by a number of technical documents demonstrating the proposed development is in accordance with the relevant guidance and conclude the proposed development will not detrimentally impact on local amenity, cultural heritage, ecology and the landscape. Any impacts from the proposed development are confined to local scale, and thus the proposals are in accordance with the criteria for the assessment of renewable energy development outlined in Policy RE1.
- 6.5 For the reasons outlined in this Statement, it is considered that the application proposals are entirely consistent with the relevant planning policies and

guidance at local and national levels. As such, planning permission should be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.