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Neath Port Talbot Council

(sent via Planning Applications Wales)

27th April 2022

Dear Sir / Madam,

Planning Application for a Single Wind Turbine and Installation of Associated Infrastructure at Kenfig Industrial Estate, Margam, Port Talbot

This full planning application is submitted in respect of a “*Single Wind Turbine and Associated Infrastructure*” at Kenfig Industrial Estate, Margam, Port Talbot.

As you will be aware, an application for a single wind turbine and the installation of associated infrastructure was submitted on the same site in August 2021 (LPA Ref: P2021/0838) and is currently undetermined. This planning application seeks to change the siting of the proposed wind turbine to the north-east, within the same site. A Site Location Plan detailing the proposed turbine location is submitted as part of this application.

The proposed wind turbine has been re-sited following concerns raised by the Highways Authority, regarding the proximity of the proposed wind turbine in relation to Kenfig Industrial Estate Road. The proposed wind turbine is now set back approximately 120m from the highway, which is the blade tip height (100m) plus 20%. The Highways Authority stated that a setback distance of height plus 50m was required, but that a variation to this requirement may be considered appropriate. This is as far back as the turbine can be set within the site and the distance is considered more than appropriate for a secondary transport network road. A Safety and Risk Assessment is also submitted as part of this application.

This new planning application has been submitted, as the new proposed siting of the wind turbine, is located outside the red line boundary of the previous planning application. In writing this letter we intend to engage with the Council to ensure that full clarity is provided around the proposal and intention to deliver a single wind turbine at Kenfig Industrial Estate – it is our intention to only develop one turbine at the John Pye Auctions site.

The application is supported by the following documents:

- Covering Letter
- Planning Application Form and Certificates
- Proposed Location Plan (Drawing No 2020 101 (P), Rev C)
- Site Layout Plan (Drawing No: IR-Kenfig-201, Rev M)
- Elevation Plan (Drawing No: V-70 901)
- Transport Management Plan (July 2021)
- Noise Assessment Report (April 2022)
- Shadow Flicker Report (March 2022)
- Ecological Assessment (April 2021)
- Landscape and Visual Appraisal (“LVIA”) with Addendum (January 2022) & Viewpoints A1-A4
- LVIA Figures 1-15

The wind turbine would provide power directly (via private wire) to John Pye Auctions at Kenfig Industrial Estate

To assist your understanding and review of the site and proposals, this letter provides an outline of:

- Site Description and Context;
- Proposed Development;
- Key Planning Policy Context;
- Assessment; and
- Conclusion

Site Description and Context

The Appeal Site comprises 0.4 ha and forms part of the yard/car park of John Pye Auctions in Kenfig Industrial Estate, Margam. The Industrial Estate consists predominantly of two storey steel commercial/industrial buildings, with significant amounts of hardstanding, grass verges and ornamental trees on broadly flat ground, at 10-12m elevation above sea level. There are a number of pylons and overhead cables of considerable height, to the north, in close proximity to the site.

The Industrial Estate is surrounded by areas of scrub and bare ground, and is bordered by sections of the local rail network to the north and south and railway sidings to the west, and the M4 motorway to the east.

The wider landscape comprises Eglwys Nunydd reservoir beyond the railway to the north of the Industrial Estate, a large freshwater waterbody with adjacent pasture, scrub and woodland. The urban area of Port Talbot and Tata Steel lie north of the reservoir. The land beyond the M4 motorway, to the east, consists of pasture fields under arable rotation and livestock grazing. The Kenfig Reserve is located beyond the railway to the south, and consists of an expanse of dunes, scrub and woodland, and includes the Kenfig Rivermouth and Kenfig Pool. Morfa sand gravel and landfill site is located beyond the railway sidings, to the west of the Industrial Estate, beyond which is the Bristol Channel coast and Kenfig Sands. To the north-west of the Industrial Estate (between Eglwys Nunydd Reservoir and the Bristol Channel) is Margam Moors, which consists of agriculturally managed coastal levels.

Proposed Development

As stated above, the details of the proposed development are consistent with the details of the other proposed wind turbine (LPA Ref: P2021/0838). The sole difference between the previous proposal and this application is the siting of the wind turbine and associated transformer.

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.

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

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

The turbine would be predominantly off white in colour.

The turbine would have an electrical output of up to 2.1MW. The low cost green energy generated by the proposed wind turbine would be provided directly to John Pye Auctions via a private wire. Excess power not used on the Industrial Estate would be exported to the grid (up to 900kw - this may increase in the future) contributing to the decarbonising of the network and its reliance on fossil fuels.

Key Planning Policy Context

The following section provides an overview of the relevant planning policy framework relating to the application proposal. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, this application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The statutory Development Plan comprises Future Wales: The National Plan 2040 and the Neath Port Talbot Borough Council Local Development Plan 2011-2026 ("LDP"). Material planning considerations include policies contained within Planning Policy Wales (Edition 11, February 2011) ("PPW") and guidance contained within Pembrokeshire Supplementary Planning Guidance ("SPG").

Statutory Development Plans

Future Wales: The National Plan 2014

Future Wales: The National Plan 2014, is the national development framework for Wales and has development plan status.

The Welsh Government strongly supports the principle of developing renewable and low carbon energy and Wales has the opportunity to become a world leader in renewable energy technology.

"Our wind and tidal resources, our potential for solar generation, our support for both large and community scaled projects and our commitment to ensuring the planning system provides a strong lead for renewable energy development, mean we are well placed to support the renewable sector, attract new investment and reduce carbon emissions" (Page 48)

Policy 17 Renewable and Low Carbon Energy and Associated Infrastructure, states:

*“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)*

NPTCBC Local Development Plan

The adopted development plan comprises the Neath Port Talbot County Borough Council Local Development Plan 2011-2026 (“LDP”), adopted in November 2016. The proposal map shows the site is located within a designated existing employment area and a mineral safeguarding area.

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 EC3 – Existing Employment Areas
- Policy SP18 – Renewable and Low Carbon Energy
- Policy SP21 – Built Environment and Historic Heritage
- Policy RE1 – Criteria for the Assessment of Renewable and Low Carbon Energy Development
- Policy M1 – Safeguarded coal Resource
- Policy BE1 – Design

Material Considerations

Planning Policy Wales

Planning Policy Wales (Edition 11) (February 2021), sets out the land use policies of the Welsh Government.

PPW seeks to secure an appropriate mix of energy provision. Paragraph 5.7.7 states:

“The benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of paramount importance ... The planning system should ... Maximise renewable and low carbon energy generation”

Paragraph 5.9.11 states:

“The Welsh Government encourages the use of local renewable and low carbon energy as part of the imperative to reduce carbon emissions. Renewable and low carbon energy developments offer significant potential for communities and small businesses to develop their own projects for local benefit.”

Paragraph 5.9.20 states:

“Planning authorities should ensure development plan policies are supportive of renewable and low carbon energy development in all parts of Wales...”

Supplementary Planning Guidance: Renewable and Low Carbon Energy (July 2017)

This document gives information about the planning approach to renewable and low carbon energy in Neath Port Talbot and sets out the relevant matters that will need to be taken into consideration when developments are being planned in the County Borough.

Assessment

Principle of Development

The principle of renewable energy development, both large and community scaled projects, are supported by the Welsh Government and Neath Port Talbot Council. The Welsh Government through Future Wales and PPW aim to ensure the planning system provides a strong lead for renewable energy development to tackle climate change and create a decarbonised society.

The proposed wind turbine is supported by Local Development Plan, Strategic Policy SP1 (Climate Change), which 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 by Policy 18 (Renewable and Low Carbon Energy), where the council will contribute to meeting national renewable energy targets and this will be achieved by *“encouraging where appropriate all forms of renewable energy and low carbon technology”*.

The proposed wind turbine will provide a direct low cost green energy supply to a major employer. The proposed development will help to minimise the businesses resource demand, reduce long term running costs of the business and assist in meeting Welsh Government targets to tackle climate change.

The site is located within an existing employment area. Policy EC2 (Existing Employment Areas) seeks to protect the employment function of designated employment areas and uses are restricted to be in accordance with Policy EC3 (Employment Area Uses). Policy EC3 states that within existing employment areas uses will be restricted to, among others, *“ancillary facilities or services which support and complement the wide role and function of the primary employment”*. The proposed wind turbine will be ancillary to John Pye Auctions, providing it with a direct supply of low-cost green energy.

Landscape and Visual Impact

A Landscape and Visual Assessment with Addendum (“LVA”) has been prepared by Amalgam Landscape and is enclosed with this application.

The landscape around the proposed development is dominated by industrial development, including extending towards Port Talbot to the north and north-west. Visual amenity receptors consist of scattered residential properties, farms, villages and towns connected by 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.

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.

Mitigation measures during site selection and design stages have ensured that the proposed development will have no direct effects on landscape elements and no landscape vegetation will be lost. The design and location of the proposed development within an industrial landscape also

minimises the impacts on landscape character, landscape relevant designation and nearby visual amenity receptors.

The LVA concludes that the proposed development will:

- add a single built vertical moving element to the landscape;
- avoid and does not have a 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.

The siting of the proposed development minimises impacts on visual amenity and the natural environment in accordance with LDP Policy RE 1.

Heritage

A Historic Visual Impact Assessment has been prepared by South West Archaeology Ltd. and is enclosed with this application.

The proposed wind turbine would be located within the existing Kenfig Industrial Estate, a low-rise sprawl of steel portal-framed sheds, straight roads, and wide verges. A carbide factory was established here in 1940 due to the proximity of good rail connections, limestone, and coal. The factory closed in 1966 and the site became a generic industrial estate. Prior to this it had been an area of enclosed fields, some of medieval pedigree and others enclosed from the coastal lowlands. The archaeological potential of the site is deemed to be low.

There are 82 Listed Buildings or structures within 5km of the proposed site, and 17 Scheduled Monuments. Most of the high value assets are either churches, or gentry houses and associated structures, in particular the structures and designated landscapes associated Margam Castle, which incorporates medieval buildings and landscapes.

Most of the designated heritage assets in the wider area are located at such a distance as to minimise the impact of the proposed development, or else the contribution of setting to overall significance is less important than other factors. The landscape context of many of these buildings and monuments is such that they would be partly or wholly insulated from the effects of the proposed wind turbine by a combination of local blocking from trees or buildings, or that other modern intrusions have already impinged upon their settings. However, the impact on 13 of these assets was adjudged to be greater than negligible, with a likely appreciable effect on the historic landscapes.

In summary, the Assessment concluded the overall impact of the proposed development would be minor to moderate adverse. The impact of the development on the buried archaeological resource would be negligible but permanent and irreversible. It is considered that the proposed development complies with LDP Policy SP21 which seeks to conserve and enhance the built environment and historic heritage within the area.

Ecology

An Ecological Assessment has been prepared by BSG Ecology and is enclosed with this application.

A desk study and survey work (Phase 1 survey, bird VP survey and bat static detector survey) were undertaken during 2020-2021, to inform an assessment of the likely ecological impacts of the proposed wind turbine.

The proposed turbine location is set within an area of hardstanding of negligible biodiversity value. Desk study and survey have established that a small number of waterfowl and raptor species occasionally commute over the Site. A minimum of three bat species; common pipistrelle, soprano pipistrelle and noctule, which are known to be at risk of collision with turbines, were recorded during survey work. Potential for other protected and priority species to occur and be affected by construction and operation of the scheme was found to be minimal.

Due to the low value of the habitats within the site for bats, the scale of the development, and their recorded activity levels, it is concluded that effects on bats are likely to be very limited. Similarly, the infrequency of commuting waterfowl and raptor flights through the area suggests that collision risk for these species is likely to be very low. A flight corridor used by gulls apparently commuting to their roost site in winter passes over the northern part of the Kenfig Industrial Estate. Accepted avoidance rates of turbines by large gulls, combined with the distance of the flight corridor from the proposed turbine location (approximately 200m) and the commuting nature of these gull flights, suggest that their collision risk is likely to be low. A breeding colony of herring and lesser black-backed gulls (of approximately 45 pairs in number) was recorded on the roof of the adjacent John Pye Auction House warehouse.

The Assessment recommends that a Habitat Management Plan identifying how biodiversity enhancement measures will be delivered around the turbine base, and long-term objectives with regard to what they will seek to achieve, is made a condition of planning consent. This will ensure that the scheme meets the requirements of planning policy.

Noise

An updated Noise Assessment was undertaken by Wardell Armstrong, to assess the impact of the operation phase of the turbine on existing noise sensitive receptors. 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.

Noise limits were established for the receptors nearest to the proposed wind turbine. Noise limits have been determined based on a noise survey and available weather data in line with guidance.

The results show that the turbine will not exceed noise limits at any exiting sensitive receptor. The operation of the wind turbine noise is therefore not predicted to have a significant impact at nearest sensitive receptors, in accordance with LDP Policy RE1 there will be no unacceptable impacts on residential amenity.

Shadow and Flicker

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.

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

The site is located within the car park of John Pye Auction House. There is established vehicle access through Kenfig Industrial Estate adjoining to Water Street (B4283).

The new location will not result in the loss of any car parking spaces.

A Transport Management Plan (TMP), prepared by Acstro, describes the proposed transport route, convoy size, traffic management, delivery times, highway works, structures, trial runs, public awareness, environmental impact, construction traffic and consultees.

The turbine components will arrive in the UK via boat, the port is to be confirmed. It is envisaged components will be transported into Wales via lorry on the M4.

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.

The TMP provides the swept path analysis for both the blade delivery vehicles (Abnormal Indivisible Loads) and the generator delivery. The swept paths confirm that it is not necessary to carry out any highway works to accommodate the deliveries to the application site.

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

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. The development will not compromise highway safety in accordance with LDP Policy RE1.

Minerals

The site is allocated as a potential area for in-building waste treatment facilities within Policy W1 (W1/1c) 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 LDP 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.

Conclusion

The electricity generated by the turbine will be provided to John Pye Auction House (a key local employer) at a discounted rate via a Power Purchase Agreement thereby reducing their energy costs and carbon footprint. The power supplied will promote renewable energy in the locality of the site.

The proposal is in accordance with national and local targets to promote the use of zero/low carbon energy technology.

The principle of development is acceptable and the technical assessment work undertaken demonstrates that there would be no unacceptable impacts as a result of the proposed wind turbine.

The previous application has been extensively consulted on for a period of 9 months, with only the proximity of the turbine to the Industrial Estate Road an outstanding issue. The siting of the turbine has now been addressed and as such, the application can move swiftly to determination within the statutory period.

I trust the submitted documents provide you with sufficient information to approve the application and that no further information is required, although if you have any queries then please do not hesitate to contact me.

Yours faithfully

L Tomos Harry

Laura Tomos Harry

Planning Associate