

16 June 2022
Ref – Foel Trawsnant Cover Letter

Wood Group UK Limited
Canon Court
Abbey Lawn
Abbey Foregate
Shrewsbury SY2 5DE
United Kingdom
Tel +44 (0) 1743 342 000
www.woodplc.com

Ceri Morris
Head of Planning and Public Protection
Neath Port Talbot County Borough Council
The Quays,
Brunel Way,
Neath
SA11 2GG

Dear Mr Morris

Foel Trawsnant Wind Farm: Section 73 application to vary condition (3) of application ref P2014/0825

I am pleased to enclose for your consideration the submission of an application, on behalf of Pennant Walters (FoelT) Limited, for a variation to condition (3) of the approved development scheme for the Foel Trawsnant Wind Farm (application ref: P2014/0825) decided on 25th November 2021. The approved scheme is described as:

"Installation of 11 wind turbines with a maximum tip height of 145m, together with ancillary development including substation and control building, on site underground electrical cables, stone site access tracks, temporary construction compounds, turbine foundations and temporary crane pads".

The application is submitted under Section 73 of the Town and Country Planning Act 1990.

Overview of the Proposed Development

The application seeks to vary condition (3) of the approved development. Condition (3) is currently worded as follows:

Condition (3) The development shall be carried out in accordance with the following approved plans:

- 40217-Shr214 Site Layout Location Plan
- 40217-Shr215 Wind turbine - elevations
- 40217-Shr216 Substation Control building - plans and elevations
- 40217-Shr217 Transformer Housing - Plan and elevations
- 40217-Shr218 Turbine Pad Foundation plan and cross section
- Construction Traffic Management Plan

The Applicant wishes to vary condition (3) to remove reference to drawing **40217-Shr214 Site Layout Location Plan** and drawing **40217-Shr215 Wind turbine – elevations** and substitute these with reference to three new drawings submitted with the application, namely:

- **807561-WOOD-FG-OP-00002_P01 Figure 5.2 Site Layout,**
- **807561-WOOD-FG-OP-00003_P01 Figure 5.3a Wind turbine elevations – 66.5m blade length (133m rotor diameter)**
- **807561-WOOD-FG-OP-00004_P01 Figure 5.3b Wind turbine elevations – 58.5m blade length (117m rotor diameter).**

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The Applicant is therefore seeking permission for a revised development which differs from the approved development in the following respects:

- An increase in the rotor diameter of five of the consented turbines (T5, T6, T9, T10 and T11) to 133m; and;
- An increase in the rotor diameter of three of the consented turbines (T1, T2 and T8) to 117m.

To demonstrate that the environmental effects arising from the Proposed Development subject to the variation do not significantly change the assessment reported within the Environmental Statement (ES) submitted in 2019, the Proposed Development has been subject to Environmental Impact Assessment (EIA) with the findings contained in the ES Addendum (Doc ref: 807561-WOOD-RP-K-00001_C01). The ES Addendum has been formatted to reflect the original ES submission and is supported with an ES Non-Technical Summary (Doc ref: 807561-WOOD-RP-K-00002_C01) as requested by the Council.

Although the approved development is for 11 turbines, the Applicant is currently proposing to only install 8 turbines; a reduction that is allowed for following the approval of a Non-Material Amendment (NMA) application (Ref: P2022/0344). The NMA allows for a change in the description of planning permission P2012/0825 so that it reads as *"installation of up to 11 wind turbines with a maximum tip height of 145m"*.

The supporting ES Addendum therefore considers the construction and operation of 8 turbines, with turbines T3, T4 and T7, and associated infrastructure including crane pads, cabling and connecting site access tracks from the approved development being removed.

The proposed changes to the approved development are necessary as the proposed turbine (for the approved development) is no longer manufactured. **Chapter 5: Description of the Proposed Development** of the ES Addendum and the **Design and Access Statement Update** provides further detail on the proposed changes to the consented scheme.

Documents submitted

Along with the completed forms the application is supported by the following plans and documents:

- 807561-WOOD-FG-OP-00002_P01 Figure 5.2 Site Layout
- 807561-WOOD-FG-OP-00003_P01 Figure 5.3a Wind turbine elevations – 66.5m blade length (133m rotor diameter)
- 807561-WOOD-FG-OP-00004_P01 Figure 5.3b Wind turbine elevations – 58.5m blade length (117m rotor diameter)
- 807561-WOOD-FG-OP-00006_P01 1_1250 plans
- Environment Statement Addendum (doc ref: 807561-WOOD-RP-K-00001_C01) with associated figures
- Environment Statement Non-Technical Summary (Doc ref: 807561-WOOD-RP-K-00002_C01)
- Coal Authority Report (Appendix 12A of the ES Addendum)
- Revised Construction Traffic Management Plan (CTMP) (Appendix 13A of ES addendum) (Doc ref: 807561-WOOD-TN-K-00001_C01)
- Design and Access Statement Update (Doc ref: 807561-WOOD-RP-K-00003_C01)

Compliance with planning policy

ES Addendum **Chapter 6: Legislative and policy overview** and the **Design and Access Statement Update** provide an overview of the changes in policy context since the submission of the ES in 2019 whilst the also sets out the overarching policy context. At the national level there have been substantial changes to the planning framework. Future Wales: The National Plan 2040 (Future Wales) was published by the Welsh Government in February 2021 and has development plan

status. Future Wales reinforces the Welsh Government's strong support for combating the challenges posed by climate change and the support for the development of renewable and low carbon energy infrastructure.

Future Wales Policy 17 states that decision makers must give *significant weight* to the need to meet Wales's international commitments on climate change and the Welsh Government's target for 70% of consumed energy to be provided by renewable sources by 2030. Future Wales also removes references to Strategic Search Areas (SSA) and Technical Advice Note 8 and replaces these with references to Pre-Assessed Areas (PAA) for Wind. The application site is within PAA for Wind 9 (as well as the SSA, which is still referred to in the Local Development Plan). Policy 17 sets out a presumption in favour of large-scale wind development within the identified PPAs for Wind.

Planning Policy Wales (Edition 11) (PPW11) was published at the same time as Future Wales. PPW11 sets out the overall planning principles for land use in Wales. PPW11 para 3.30 references the climate emergency declared by the Welsh Government in 2019 and says that the planning system has a key role in combatting climate change. Para 5.7.6 states that the planning system should secure an appropriate mix of energy provision whilst para 5.7.7 states that the benefits of renewable energy for addressing the climate emergency and increasing Wales' energy security is of paramount importance. At para 5.7.14 PPW11 identifies the Welsh Government targets:

- 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.

The key role of wind power to achieving these targets is identified in PPW11 para 5.9.16.

Neath Port Talbot County Borough Council's (NPTCBC) Local Development Plan (LDP) (2011-2026) was adopted in January 2016 and remains relevant for consideration of the application. Progress towards a replacement LDP is at an early stage and is not considered relevant to the consideration of the application. The publication of Future Wales and the approach for PAA for Wind and removal of SSAs effectively means that the locational elements of LDP *Policy RE1 Criteria for the Assessment of Renewable and Low Carbon Energy Development* are superseded.

The principle of large-scale wind farm development in the PAA for Wind and the need to address climate change is established. The acceptability of impacts related to the Proposed Development are considered in the ES Addendum. The findings of the ES Addendum are briefly outlined below.

Landscape and Visual: The ES Addendum Chapter 7 concludes that the Proposed Development would not result in any receptors experiencing significant landscape or visual effects in addition to those previously identified in relation to the approved development.

Non-Avian Ecology: The Proposed Development does not change the conclusions of the 2019 ES, with the effects on biodiversity receptors remaining 'Not Significant'.

Ornithology: It has been agreed in pre-application discussions with NPTCBC that further survey work is undertaken between now and early July to support the assessment of effects of the Proposed Development. Until completion of the surveys currently being undertaken and the production of updated Collision Risk Modelling (CRM), it is not possible to conclude whether any changes to the original assessment conclusions would occur. However, based on the relatively low levels of bird activity across the site during the various surveys undertaken over the years and initial results from the 2021/2022 survey work, it is considered unlikely that any major changes would occur.

Noise: Chapter 11 of the ES Addendum finds that by adhering to the environmental measures outlined, the predicted residual effects of the Proposed Development would be not significant.

Traffic and Transport: Apart from updating Swept Paths Analysis (SPA) and the Construction Traffic Management Plan (see Appendix 13A) based on the worst-case longest blade length (67m) of the turbines under consideration, all other traffic and transport related environmental effects remain unchanged from those considered in the 2019 ES.

Shadow Flicker: The assessment has identified the potential for significant shadow flicker effects at 31 occupied buildings, and non-significant effects at two occupied buildings. Mitigation has been identified in the form of a control system which automatically shuts down the wind turbine causing the effect to restrict effects to less than 30 minutes per

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day and/or 30 hours per year at any property. With this measure in place no shadow flicker significant effects would arise from the Proposed Development.

The impacts of the Proposed Development are therefore considered acceptable.

Application Fee

As the application is to vary an existing condition under Section 73 of the Town and Country Planning Act 1990 the required fee is £230.

I trust that the enclosed is in order and I look forward to hearing from you in due course. If I can be of assistance or if you require clarification regarding any element of our submission, please do not hesitate to contact me.

Yours sincerely

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andrew.williamson
Date: 2022.06.16 16:58:18
+01'00'

Andrew Williamson

Principal Consultant

Direct Line – 07976124464

E-mail – andrew.williamson@woodplc.com