

# BWLCH FOREST TRACK DIVERSION

## INFORMATION IN SUPPORT OF A PLANNING APPLICATION FOR THE BWLCH FOREST TRACK DIVERSION

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# 1 Introduction

- 1.1 This information has been prepared to accompany a planning application for an access track diversion, associated with development of the consented Upper Ogmere Wind Farm (Application Number DNS3213662, consented by the Welsh Ministers on 28 September 2022 and attached as Appendix 1 to this report).
- 1.2 This development will not be constructed in isolation and the consent, if granted, will only be implemented in conjunction with the Development of National Significance DNS3213662, if required, as explained below in paragraph 2.2. Whilst it would be possible to include a condition requiring that this track diversion is not implemented independently of DNS3213662, there is no planning need to do so as despite there being no practical likelihood of that occurring, in any event, there would be no adverse planning consequences were it to occur.

# 2 Description of the Development

- 2.1 The location of the application site is at National Grid Reference 290803 198137, shown on Figure 1 Site Location, and the planning application boundary is shown on Figure 2 Planning Application Boundary. Part of the planning boundary lies within Neath Port Talbot County Borough (NPT) and part lies within Rhondda Cynon Taf County Borough (RCT). Corresponding applications will be submitted to each authority.
- 2.2 The existing Bwlch Forest access track lies within land owned by the Welsh Ministers and managed by Natural Resources Wales (NRW), apart from one short section which is owned by the Secretary of State for Highways. The proposed access track diversion will provide an alternative to that part of the existing track not currently owned by the Welsh Ministers, using a design that ensures either or both would be available to be used in response to the availability of access rights at the point of construction.

# 3 Access Track Construction

- 3.1 The development will require the removal of vegetation and soils and the placing of sized stone similar in nature to the existing adjacent forest track. The soils will be stored for use in restoration following completion of the work.
- 3.2 The access track will be approximately 200m in length (80m in NPT and 120m RCT) and will adjoin the existing forestry track at each end of the diversion. The track has been designed to minimise environmental disturbance by avoiding sensitive features, such as areas of greater peat depth and the scheduled monument.
- 3.3 The access track running width will be 5.5m, with 0.25m shoulders either side. Typical access track designs are shown in Figure 4 Access Track Typical Details.

- 3.4 In areas of peat with a depth greater than 0.5m, consideration will be given to the use of floating tracks. The feasibility of a floating road construction is dependent upon a number of factors, namely: peat depth, the geomorphology of the peat, and topography.
- 3.5 All parameters noted above will be assessed at detailed design stage post consent and the best practice road construction type will be informed from the various design constraints.
- 3.6 The access track itself will be constructed of inert material of suitable grade to withstand the expected traffic loading. Track construction techniques and trackside ditches will be designed to minimise the effect on natural hydrology as much as possible.
- 3.7 Pollution control measures during the construction phase will be included in the Construction Method Statement (CDMS), which will be agreed with the Local Authority before starting construction work on site.

## 4 Peat

- 4.1 Site walkover surveys, peat probing and sampling were undertaken on 13<sup>th</sup> February 2023 by Yellow Sub Geo. The findings of the surveys have been used to determine baseline peat depths within the site boundaries.
- 4.2 Peat was found to be predominantly shallow within most of the site. However, peat accumulations are present locally within the site. Refer to Figure 3 Peat Depth Plan.
- 4.3 The peat at the site appeared modified due to the previous forestry works that encompasses the site.
- 4.4 The track layout has been developed to avoid areas of deep peat.
- 4.5 Good practice peat handling methods during the construction phase will be included in the Construction Method Statement (CDMS), which will be agreed with the Local Authority before starting construction work on site.

## 5 Drainage and hydrology

- 5.1 The Sustainable Drainage System (SuDS) serving the proposed track will be designed to mimic natural conditions to mitigate against increased flashiness in watercourses and reduced groundwater recharge. Refer to Figure 5 Track Layout Plan and Figure 4 Access Track Typical Details.
- 5.2 Surface water flows will be attenuated through the integration of trackside swales and check dams serving the new access track. Flows will discharge from the new drainage into the established drainage system serving the existing track.
- 5.3 The track will be constructed from unbound aggregate and will therefore not be fully impermeable, thus helping to reduce flow rates.

- 5.4 Typical drainage layout and details are shown in Figure 5 Track Layout Plan and Figure 4 Access Track Typical Details.
- 5.5 Sections of floated tracks will follow the principles of minimum disturbance of the vegetated layer. Stone / geotextile will be laid directly onto existing vegetation. No swales will be constructed alongside the track and water will runoff directly off track onto existing vegetation.
- 5.6 For sections of excavated tracks, the depths of the ditches will be kept to the minimum required for free drainage of the track. Individual drain lengths will be minimised to avoid significant disruption of natural drainage patterns and avoid accumulation of large volumes of water within an individual drain.
- 5.7 Drains will not directly flow into watercourses but will connect into the existing forestry track drainage system. This reduces the sudden increase of flow and encourages deposition of sediments and allows pollutants to be filtered out.

## 6 Contamination

- 6.1 Past and current industrial land uses in the vicinity of the proposed development works have been identified. The industrial land uses primarily consist of pits and quarries. A historical refuse heap dating from 1877 was also identified, located 500m in the downhill direction from the proposed works. It is noted that the pits and quarries are likely to have been used to extract stone for the construction of the existing tracks, and that any infill is unlikely to consist of contaminants due to their locations within a forestry area.
- 6.2 The proposed development works in this area consist of a small diversion of the existing access track. The area of the diversion track and therefore disturbance is limited to a 200m long corridor and less than 1m in depth. Proposed drainage will be installed to replicate the existing flow regime such that the hydrology will be unchanged.
- 6.3 In the context of the low risk of land contamination from past and present industrial land uses within the area of influence, combined with the minor nature of the proposed development works, the potential impact of land contamination is considered to be negligible.

## 7 Cultural Heritage

### Introduction

- 7.1 This statement provides information on the proposed diversion of the Bwlch Forest track to facilitate access to the Upper Ogmere Wind Farm which was consented under Development of National Significance (DNS) application (DNS/3213662).

- 7.2 Circumstances have led to the need for the existing track in the area of Bachgen Carreg Round Cairn (GM234, a Bronze Age burial mound) to be diverted to the east of the scheduled monument.

## Diversion Route

- 7.3 The proposed diversion of the track is shown in Figures 1, 2A and 2B that are being submitted with the new applications for the alteration to both Neath Port Talbot Borough Council and Rhondda Cynon Taf County Borough Council planning authorities.
- 7.4 The altered route will pass around 8m to the east of the scheduled monument at its closest point. The planning application boundaries will skirt around the defined scheduled monument boundary.

## Bachgen Carreg Round Cairn

- 7.5 The Cadw description for the monument states that it '*comprises the remains of a burial cairn, probably dating to the Bronze Age (c. 2300 - 800 BC). The grass covered cairn is approximately 11m in diameter by 0.3m high. A trackway runs north-south through the cairn*'. The cairn is located on a slight raise in the natural ground level and would have quite clear views all around, although now much of this view is blocked by existing forestry on its western side.
- 7.6 The description continues to note that '*the monument is of national importance for its potential to enhance our knowledge of prehistoric burial and ritual practices. The monument is an important relic of a prehistoric funerary and ritual landscape and retains significant archaeological potential, with a strong probability of the presence of both intact burial or ritual deposits, together with environmental and structural evidence. Cairns may be part of a larger cluster of monuments and their importance can be further enhanced by their group value.*'
- 7.7 As noted in the Cadw description, the line of the existing access track formerly ran through the centre of the monument. This had been moved in recent years away from the monument to run along a lower patch of ground on its western side. The line of the original track can still be seen running across the area of the monument as a c.0.30m deep vertical sided channel projecting to the north and south.

- 7.8 An area of former forestry lay to the east of the monument which has been felled in recent years leaving rough ground with tree stumps and hollows. The site of the round cairn was seemingly unaffected as it had not been planted.
- 7.9 The monument is not very clear on the ground due to vegetation growth. It lies on a natural raised area of land. Interrogation of available Lidar data to try and determine the extent of the cairn is also unclear, partly due to the fact that only 2m resolution information is available. The general raised area of land can be seen and this lies to the west of the proposed access track diversion.
- 7.10 No previous archaeological investigations of the Bachgen Carreg Round Cairn have been undertaken.



*Photo 1: View south from existing access track toward Bachgen Carreg Round Cairn, located on raised ground to the left of the track*



*Photo 2: View southeast from existing access track towards raised ground on which the Bachgen Carreg Round Cairn sits*



*Photo 3: View north from existing access track towards Bachgen Carreg Round Cairn*



*Photo 4: View southeast along start of proposed access track diversion from access track*



*Photo 5: View southeast of the ground conditions in the northern part of the proposed access track diversion*



*Photo 6: View north from the Bachgen Carreg Round Cairn across the area where the diverted access track will run*



*Photo 7: View northeast from Bachgen Carreg Round Cairn across the area of the proposed access track diversion, with the line of the former trackway through the cairn visible as browner vegetation within the dip*



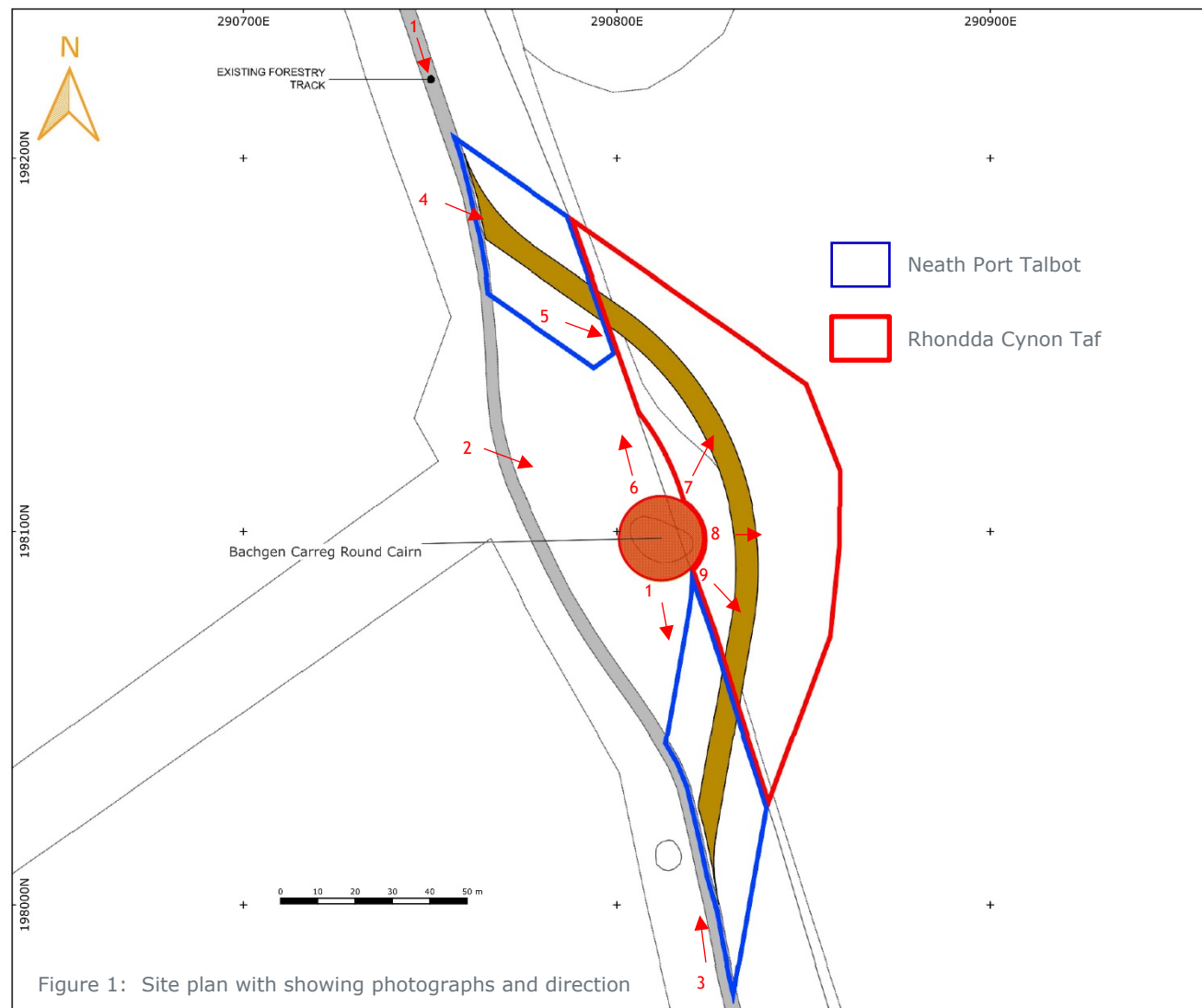
*Photo 8: View east from Bachgen Carreg Round Cairn showing the area of the proposed access track diversion*



*Photo 9: View southeast from Bachgen Carreg Round Cairn showing the area of the proposed access track diversion*



*Photo 10: View south from Bachgen Carreg Round Cairn showing the area of the proposed access track diversion*



## Potential Impacts to the Bachgen Carreg Round Cairn

7.11 The proposed diversion of the route of the access track to the west of the scheduled monument of Bachgen Carreg Round Cairn will not involve any direct impacts to the scheduled monument. In terms of impacts to the significance of the monument from changes to its setting, this is considered to be very slight, as a track already lies to the west and the general character of the area will be unchanged.

7.12 In order to avoid any accidental damage to the scheduled monument a number of mitigation measures can be implemented:

- Place a temporary fence during the construction of the access road and its operation around the perimeter of the scheduled area. This fence will need to be erected outside of the scheduled area;
- Ensure all site contractors and vehicle operators are aware of the scheduled monument and its boundary, and their responsibilities in relation to this (see below);
- Do not allow any vehicles moving within the monument boundary, do not use the area for storage of materials or spoil from the ground works and avoid any access within the scheduled area.

7.13 Cadw state the following in relation to damage to a scheduled monument<sup>1</sup>:

*It is a criminal offence to destroy or damage a scheduled monument without scheduled monument consent. The person commissioning or carrying out the works is responsible for avoiding damage to scheduled monuments. Anyone found guilty of damaging or destroying a scheduled monument can be prosecuted.*

*It is also a criminal offence to carry out works without scheduled monument consent. A lack of knowledge of the status or location of a scheduled monument will only be permitted as a defence if the accused can prove that they took all reasonable steps to find out if a scheduled monument would be affected by the works. A defence is also*

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<sup>1</sup> <https://cadw.gov.wales/advice-support/historic-assets/scheduled-monuments/damage-to-scheduled-monuments#section-damage-and-unauthorised-works>

*permitted for works urgently necessary in the interests of health and safety, provided notice in writing is given to the Welsh Ministers as soon as reasonably practicable.*

*To avoid carrying out unauthorised works, it is important that you familiarise yourself with the location and details of all the scheduled monuments on your land, and understand the full extent of the scheduled areas. ...*

*If you become aware of unauthorised damage to your scheduled monument, you should contact Cadw immediately. Cadw will investigate all reports of possible damage to scheduled monuments. Where they are substantiated, Cadw will inform the police who will conduct their own investigation to provide evidence for consideration by the Crown Prosecution Service. Decisions to prosecute lie with the Crown Prosecution Service.*

*A conviction can be punishable by a fine and in the case of intentional or reckless damage or destruction can also result in imprisonment.*

- 7.14 A cultural heritage management plan which will be submitted to the local planning authorities prior to construction of the track diversion and this will ensure that the boundaries of the scheduled monuments are clearly marked during construction to prevent any accidental damage.

## Disturbance to archaeological remains within the route of the access track

- 7.15 Lying close to the scheduled monument of Bachgen Carreg Round Cairn indicates a potential for hitherto unknown archaeological remains to be present within the route of the proposed access track diversion. Such remains could be dealt with through conditions placed upon planning permission for the diversion from both Neath Port Talbot Council and Rhondda Cynon Taf County Borough Council.
- 7.16 It should be noted that the area of the proposed access track diversion will have suffered disturbance from both the planting and removal of forestry within the area. As noted, the area has a number of tree stumps and hollows resulting from the removal of the forestry. Archaeological investigations undertaken in areas of former forestry and other formal tree planting schemes do show how significant disturbance can be from these activities (examples include works undertaken by the author in forestry around Dolaucothi in Carmarthenshire and from assessments at Margam Country Park in Neath Port Talbot, and from willow planting for biofuel at Bluestone Resort in Pembrokeshire). Disturbance comes from vehicle movements across the area during planting, tree root growth, further vehicle movement during removal of trees and from removal of tree stumps. Such activity may not have disturbed all archaeological remains.

## Conclusion

- 7.17 In conclusion the proposed diversion of the access track will involve the construction of a new track to the east of the scheduled Bachgen Carreg Round Cairn (GM234). This will run through an area of previous forestry.
- 7.18 The area of the monument will need to be marked during construction to avoid any accidental damage to the monument, as will be outlined within the cultural heritage management plan for the site. Demarcation would be best done in the form of a temporary fence to be in-situ during construction works for the track and the wind farm. This must be located beyond the defined edge of the scheduled area.
- 7.19 All site contractors and vehicle operators must be made aware of the location and boundary of the monument as well as their responsibilities in relation to this. They should be made aware that it is a criminal offence to destroy or damage a scheduled monument without scheduled monument consent and can lead to prosecution and/or fines.
- 7.20 Archaeological investigation may be required in advance of or during the construction of the access track, although it is noted that the area has probably been previously disturbed through forestry operations.

## 8 Ecological Appraisal Report

PLEASE SEE APPENDIX 2

## Figures

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| Figure 2 | Planning Application Boundary |
| Figure 3 | Peat Depth Plan               |
| Figure 4 | Access Track Typical Details  |
| Figure 5 | Track Layout Plan             |

## Appendices

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| Appendix 2 | Ecological Appraisal Report                                       |