
Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement

Prepared for:

Mynydd Fforch Dwm Wind Energy 2021 Limited

Prepared by:

Savills

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Contents

Executive Summary	2
1. Introduction	3
2. The Site and its Surrounds	5
3. The Proposed Development	7
4. Design	14
5. Legislative and Policy Review	28
6. Material Considerations	50
7. Conclusion	70

Executive Summary

This Planning, Design and Access Statement has been prepared on behalf of Mynydd Fforch Dwm Wind Energy 2021 Limited ('the Applicant') and is one of a suite of documents to be issued to Planning and Environment Decisions Wales (PEDW) on behalf of the Welsh Government for consent as a Development of National Significance (DNS). The application is required to support the development of a wind farm and solar array at Mynydd Fforch Dwm within the Neath Port Talbot County Borough Council (NPTCBC) area.

The Proposed Development comprises "the construction and operation of up to six wind turbines with a maximum blade tip height of 200m and associated infrastructure, including: up to approximately 10.0 hectares of solar PV panels, mounted on frames fixed to the ground, with associated inverters, security fencing and CCTV system; wind turbine foundations; external transformer housing; crane pads/wind turbine laydown areas; access tracks, entrance and turning points; replacement bridge over Nant Blaen Pelenna; a substation and control building; underground electricity cables between the wind turbines and solar array and the onsite substation; and temporary construction and storage compounds and ancillary infrastructure."

The Proposed Development would make a significant contribution to the generation of renewable energy, required to support the reduction in carbon emissions that Future Wales and PPW are seeking to achieve. The development would also support the NPTCBC Local Development Plan policy provisions

Mynydd Fforch Dwm will also meet the well-being goals set out in the Well-being of Future Generations Act (2015), not least in terms of Goal 1, A Prosperous Wales, in creating "*an innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work*".

The Proposed Development would make a significant contribution to the achievement of the Welsh and broader UK national renewable energy targets, and to the UK's contribution to global efforts to reduce the effects of climate change. The Proposed Development has the potential to make a substantial contribution to UK 2030 energy targets and the UK's Net Zero target for 2050. Moreover, the Proposed Development would have a direct positive benefit by providing a secure and renewable energy supply, in addition to the other benefits which the Proposed Development has. The Proposed Development would reduce carbon emissions and contribute to the Welsh and UK economy by providing socio-economic and other benefits that should be taken into account. The Proposed Development will also make an important contribution to energy security, using the naturally occurring resources of light and wind and therefore reducing fuel imports; a critical driver in UK energy policy.

For all of the above reasons, the Welsh Ministers can conclude that the Proposed Development would bring significant benefits under a range of local, national and international policy considerations and legislation, would assist the UK meet its international obligations and can be satisfied that the benefits of the Proposed Development outweigh any adverse impacts.

1. Introduction

1.1. Overview

- 1.1.1. This Planning, Design and Access Statement (PDAS) has been prepared on behalf of Mynydd Fforch Dwm Wind Energy 2021 Limited ('the Applicant') by Savills ('the Agent') as one of a suite of documents supporting a planning application for the development of wind turbines and a Solar Array at Mynydd Fforch Dwm within Neath Port Talbot Council (NPT) area (referred to as the Proposed Development from here on).
- 1.1.2. The PDAS has been prepared to demonstrate the suitability of the Proposed Development in planning terms and forms part of a suite of documents to be issued to Planning and Environment Decisions Wales (PEDW) on behalf of the Welsh Government for consent as a Development of National Significance (DNS).
- 1.1.3. The PDAS sets out the approach taken to the design and access of the Proposed Development, and the Environmental Statement, which sets out an assessment of the likely significant environmental effects of the Proposed Development.

1.2. The Applicant

- 1.2.1. Mynydd Fforch Dwm Wind Energy 2021 Limited is a Special Purchase Vehicle of Naturalis Energy Developments Ltd. Naturalis Energy Developments Limited is a major new force in the UK wind, solar and battery storage sectors and brings together the combined skills, experience and financial resources of REG Power Management (REG) and Renantis .
- 1.2.2. Since its incorporation in 2005, REG has been dedicated to developing new renewable energy projects to help in the shift to a zero carbon future. To date, REG has developed over 1GW of wind, solar and bioenergy projects in the UK, Poland and Canada, with over 40 projects built and in operation today.
- 1.2.3. Falck Renewables has been active in the UK since 2002. In late 2022 Falck rebranded to Renantis, following the acquisition and subsequent delisting of the company. The rebranding is the result of a process involving internal and external stakeholders, with the aim of identifying and integrating the core values of the Group within the brand, starting with a strong focus on the concept of care for the planet and the communities that bind it.

1.2.4. Renantis has been active in the United Kingdom since 2002 and is currently operating an installed capacity of 413 MW. The company has twelve wind farms around the UK from Kilbraur in Sutherland to Cefn Croes in Ceredigion. It pioneered the co-operative ownership approach to wind farm development at its Boyndie Wind Farm and supports local investment, with co-operatives owning a stake in eight of its wind farms. Renantis designs, builds and manages power production plants from renewable sources, with an installed capacity of 1,349 MW in the United Kingdom, Italy, United States, Spain, France, Norway and Sweden, using wind and solar power, Waste to Energy and biomass technologies. Renantis is also a global player in the renewable energy technical advisory and asset management services business.

1.3. Purpose of the Planning, Design and Access Statement

1.3.1. The purpose of the PDAS is to:

- Provide a brief description of the Proposed Development, including its site history and approach to the preparation of the proposal;
- Set out the objectives of the Proposed Development and other design considerations;
- Explain the benefits of the Proposed Development in the context of need for renewable energy, legally-binding targets to reduce greenhouse gas emissions and to summarise the overall environmental performance of the proposal; and
- Review the planning policy framework and set out the conformity of the proposal with the framework.

1.4. Structure of the Planning, Design and Access Statement

1.4.1. The PDAS provides a background to the Proposed Development, together with a description of the Site and surroundings and provides an assessment of the Proposed Development against the relevant national and local planning policies and other material considerations. It comprises the following sections:

- Section 2 provides a description of the applicant, the Site, the Proposed Development, relevant planning history and Environmental Impact Assessment (EIA) approach;
- Section 3 considers the need for the Proposed Development, the issues of climate change and security of supply and as a consequence the pressing need for renewable energy. This section demonstrates how the Proposed Development could make a contribution to reducing the effects of climate change and improving security of electricity supply. Section 3 also summarises the national and local planning policy context;
- Section 4 sets out the evolution of the Design and how it responds to the surrounding environment;
- Section 5 sets out the prevailing energy policy and planning policy context, including national and local policy and guidance that is applicable to the Proposed Development
- Section 6 analyses how the Proposed Development performs against national planning policy requirements. It also sets out how the Proposed Development performs against NPTC Local Development Plan (LDP) and any other material considerations; and
- Section 7 concludes how the Proposed Development meets the planning policy requirements through the application of the planning balance.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement

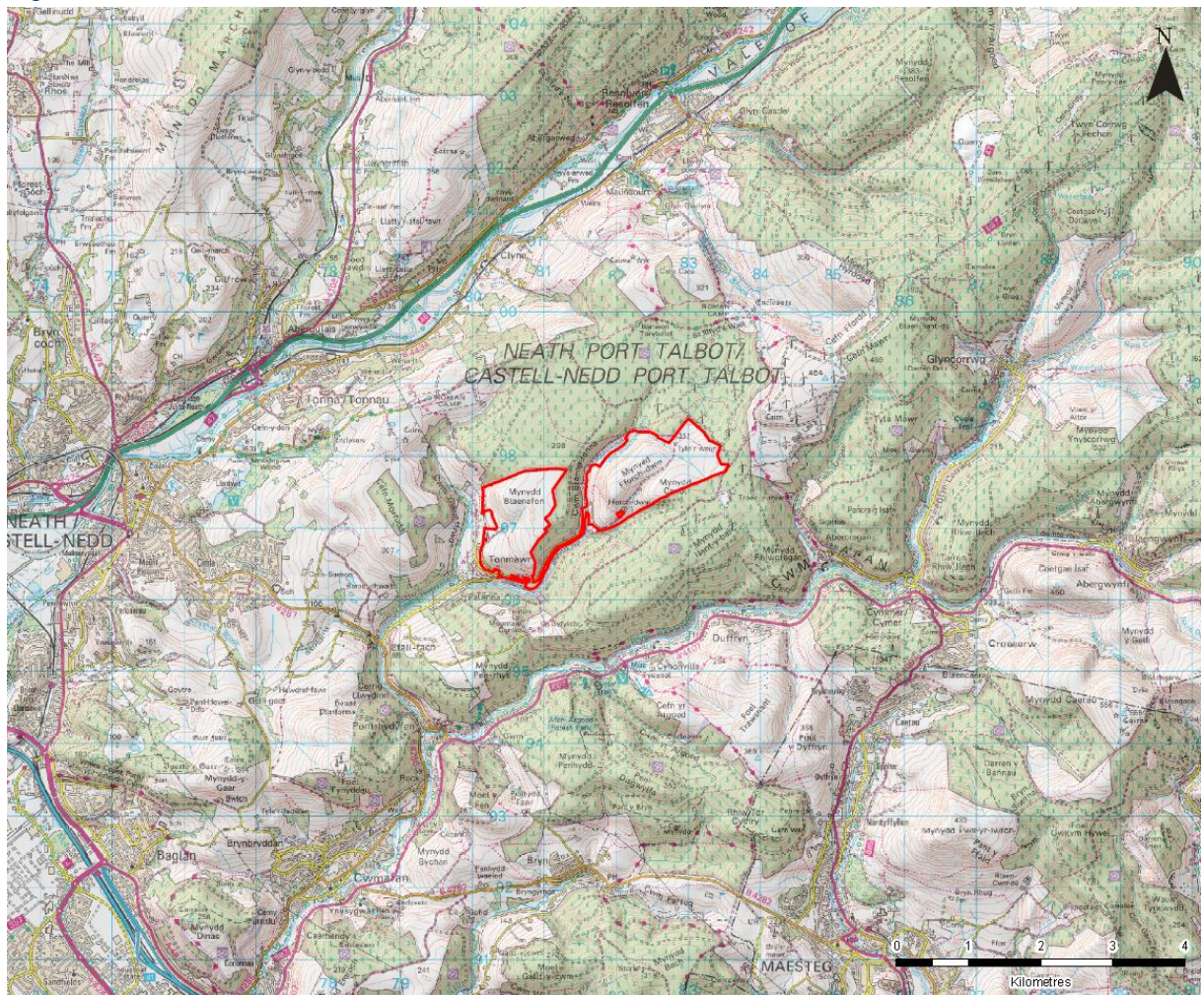


2. The Site and its Surrounds

2.1. The Site

- 2.1.1. The Site comprises approximately 290 hectares of land located on plateaus located 6 km to the east of Neath and 4 km to the south of Resolven, approximately 1 km to the north-east of the village of Tonmawr (Appendix 1. Site Location Plan 01-02-2022). The Site is comprised of two main areas as shown on Appendix 2 Site Location Plan (31/01/2022), known as Mynydd Blaenafon ('MB') to the west and Mynydd Fforch-dwm ('MFD') to the east.

Figure 1: Site Location Plan extract



Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



- 2.1.2. The MB land consists predominantly of pasture land with an area of scrub/bracken on the western slopes that is either recently planted or in preparation for tree planting. Mid-way in the area, Mynydd Blaenafon River runs from east to west. Tonmawr Farm house and associated farm buildings are positioned in the south east (excluded from the application area). A footpath leading from Fforch-dwm Road passes these buildings and leads north over the hill and back down to the northern part of Tonmawr
- 2.1.3. The MFD land is a mix of pasture land with uncultivated land on the slopes and to the east. The farm complex of Fforch-dwm is within the south of the MFD section, comprising of two residential properties and agricultural barns accessed off the Fforch-dwm Road. The north-eastern part of the Site comprises 'open country' CROW Act land, with a footpath/track that passes from south-west to north-east in a valley. It is understood the track alignment was part of a former minerals railway.
- 2.1.4. Elevations range between approximately 200 metres (m) above Ordnance Datum (aOD) along the west and north of the Site to 350 m aOD in the south east of the Site. Within the MFD Site a small ridge extends south west to north east (Mynydd Fforch-dwm), which lies between the watercourses of Nant Blaenpelenna to the north and Cwm y Pant towards the south of the Site.
- 2.1.5. In terms of adjoining land uses, the south western end of the operational Pen y Cymoedd wind farm (76 turbines with a 145 metre tip height) is immediately adjacent to the north and north east, with the operational Ffynnon Oer wind farm (16 turbines with a 92 metre tip height) to the east. Both of these wind farms are located within upland commercial forestry plantation. Other notable nearby uses include the Afan Forest Park which is approximately 3 km to the south.
- 2.1.6. The Site is within Pre-assessed area 9 of Future Wales, for which Policy 17 is a material consideration – as noted later in this Statement, and briefly here. Under policy 17, pre-assessed areas have already been modelled for likely impacts to landscape and found them to be capable of “...*accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development...in these areas*”. Policy 18 sets out the detailed criteria against which such development will be determined.

3. The Proposed Development

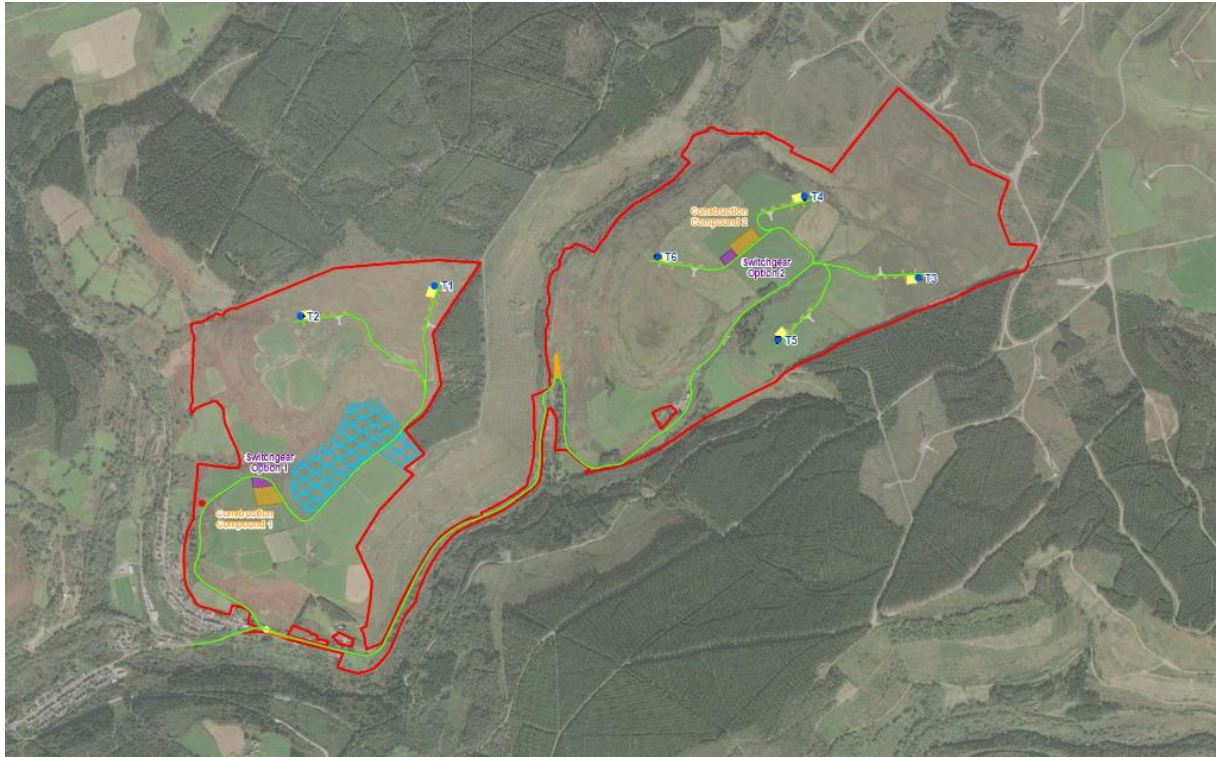
3.1. Overview

3.1.1. The Applicant is seeking planning permission for an onshore wind farm, together with a solar array, and associated equipment, infrastructure and ancillary works, as shown in Figure 2 below. It is anticipated that the Proposed Development will have a capacity of circa 35 MW based upon the candidate turbine. The MW output is subject to change as the efficiency of turbines increase, but the physical parameters of the application will not.

3.1.2. The Proposed Development comprises the following:

- up to six wind turbines (location and height listed below);
- up to approximately 10.0 hectares of solar PV panels, mounted on frames fixed to the ground, with associated inverters, security fencing and CCTV system;
- wind turbine foundations;
- external transformer housing;
- crane pads/wind turbine laydown areas;
- access tracks, entrance and turning points;
- replacement bridge over Nant Blaen Pelenna;
- a substation and control building;
- underground electricity cables between the wind turbines and solar array and the onsite substation; and
- temporary construction and storage compounds and ancillary infrastructure.

Figure 2: Proposed Site Layout plan



Wind Turbines

- 3.1.3. The Proposed Development will comprise six wind turbines. The locations of the wind turbines are defined below in Table 1, which shows easting and northing grid coordinates for each turbine. As shown in Table 1, the wind turbines will range in tip height from 180 m up to 200 m. Each wind turbine will be comprised of three blades, the hub, the nacelle, and the tower.
- 3.1.4. The layout of the wind turbines can be seen in Figure 2. Two wind turbines (T1 and T2) are proposed in the western part of the site on Mynydd Blaenafon (MB), and four wind turbines (T3, T4, T5 and T6) are proposed in the eastern part of the Site on Mynydd Fforch-dwm (MFD).
- 3.1.5. The wind turbines will be finished with white or light grey paint and lacking external markings or advertisements. The brand and model of wind turbine to be used is subject to confirmation, so the EIA has considered maximum development parameters specified above in Table 1.
- 3.1.6. It is proposed that the three wind turbines on the edge of the cluster (T2, T3, and T4) will be lit with 2000 candela (cd) lights for aircraft navigation purposes. The remaining wind turbines (T1, T5 and T6) can be identified using a lower intensity of lighting and are proposed to be lit with 200 candela lights. The wind turbine hubs will also include the provision of infrared lighting for flight safety.

Wind Turbine foundations

- 3.1.7. The detail of foundation requirements is subject to finalisation and is dependent on detailed ground investigation and site specific requirements. Foundations are typically comprised of a reinforced concrete base slab with dimensions of circa 20 m radius and 4 m in depth, as illustrated by Figure 4.6. The design of the foundations will seek to minimise the amount of material excavated and any projection about the existing ground level. This is to allow for the re-establishment of surface vegetation after construction is completed.

Crane Pads and Wind Turbine laydown areas

- 3.1.8. Crane hardstanding's are required to provide a stable bearing surface for the mobile cranes required for the erection of the wind turbines. Two cranes are typically used and the hardstanding specifications (which vary between manufacturers) and are formed by excavating and infilling with compacted stone.

Solar Array

- 3.1.9. The layout of the solar array is configured so as to integrate with the infrastructure associated with the wind farm, its associated infrastructure and access tracks, as well as the topography of Mynydd Blaenavon and the existing field boundaries. As shown on Figure 4.1, the solar array is located to the south of wind turbines T1 and T2 and follows the natural fall of the land in a south-westerly direction towards the switchgear station building and construction compound. The extent of the solar array is mostly located to the north of the access track onto the plateau of Mynydd Blaenavon, with a relatively small part of the solar array located on the south-eastern side of the access track.
- 3.1.10. The solar array will include electrical inverters housed within small boxes, installed adjacent to the panels. Inverters will convert the electrical current produced by the solar panels, which are then connected to power transformer units. Transformers raise the voltage of the electrical output so that it can be efficiently transmitted to the grid. The solar array will require two containers that each house a power transformer (typical container size c. 6.1 m x 2.5 m x 2.6 m high).

Electrical Infrastructure

Switchgear and control building

- 3.1.11. The electrical power will be distributed from the wind turbines & solar array to a Switching Station and Control Building. This will be subject to further specification during the detailed design phase and DNO approval process. Two options for locating the building are shown by the site layout, and both locations have been assessed in the EIA. However, only one building will be constructed, the location of which will be determined by the details of the grid connection.

Cabling

- 3.1.12. The Applicant has secured a grid connection contract with the local DNO, National Grid Electricity Distribution (formerly Western Power Distribution). The required connection works between the Site and the existing distribution network at the Briton Ferry Substation will be the subject of a separate application.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



- 3.1.13. Two Switching Station / Control Building locations are currently shown on the proposed site layout plan. However, only one will be constructed dependent upon subsequent confirmation of the grid connection arrangements from National Grid Electricity Distribution. This will house equipment for communicating with the National Grid Electricity Distribution control, via a communications mast that will be located close to the Switching Station. As noted above, at present the connection is to Mynydd Fforch Dwm.

Access tracks, entrance and turning points

- 3.1.14. The Proposed Development will be accessed directly from Fforch-dwm Road, with a new point of access to the highway, and a new track providing access to the western development area on Mynydd Blaenafon. The eastern section of the Site will be accessed from the end of Fforch-dwm Road. These two access routes would be used for all construction and maintenance associated with the Proposed Development.
- 3.1.15. It is anticipated that 5.9 km of new track will be required for the Proposed Development, with some 3.6 km of existing track/road being upgraded. The tracks will be circa 5.6 m wide, 0.25 m deep (depending on ground conditions), with a 2 m verge on either side. The tracks will be constructed of suitable stone, unless ground conditions require alternative methods. The existing tracks will be upgraded, where required. Gradients for new tracks will be no more than 12.5 percent. This will help to accommodate the requirements of delivery vehicles and allow construction plan to move safely around the Site.

Replacement Bridge

- 3.1.16. It is proposed to replace the existing bridge on Fforch-dwm Road over the Nant Blaenpelenna with a new structure, the form of which has been discussed with NRW and other stakeholders.

Temporary construction and storage compounds

- 3.1.17. Two temporary construction compounds – one of circa 7,100m² and the other of 6,100m² – are required to accommodate services and facilities associated with the construction of the Proposed Development, including but not limited to, temporary portable buildings for office and welfare use; storage of fuels, tools, materials and parts associated with construction; parking for cars and construction vehicles; and receiving area for incoming vehicles and refuelling.

Access

- 3.1.18. The Proposed Development will be accessed directly from Fforch-dwm Road, with a new link providing access to the western development area on Mynydd Blaenafon. The eastern section of the site will be accessed from the end of Fforch-dwm Road. These two accesses would be used for all construction and maintenance works associated with the Proposed Development.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



- 3.1.19. Access for Abnormal Indivisible Loads (AIL) will be taken from Swansea Docks to the two access junctions. The route selected has been considered in detail and initial consultations undertaken with local roads officers. The proposed route will be via the A483, M4, A465, A474, B4434, B4287, Ton Mawr Road and Fforch-dwm Road. The use of specialist blade lifting trailers will be necessary to negotiate the sections of the road network in Neath, Cimla, Efail fach and Tonmawr.

Grid connection

- 3.1.20. The grid connection is not included as part of the Proposed Development and will be subject to a separate application for planning permission at the appropriate time.

Telecommunications Tower

- 3.1.21. A telecommunications mast is included as part of the application to allow National Grid Electricity Distribution to communicate directly with the Switching Station and Control Building

3.2. Layout

Wind Farm

- 3.2.1. The layout of the Proposed Development is shown in the submitted plans and drawings. The Site consists of two parcels of land, known as Mynydd Blaenafon to the west and Mynydd Fforch-Dwm to the east. The wind turbine location coordinates are as follows:

Table 1: Wind farm layout

Wind Turbine ID	Easting	Northing	Maximum Tip height (m)
1	281131	197711	180
2	280629	197599	180
3	283088	197744	200
4	282628	198074	200
5	282522	197493	200
6	282036	197830	200

- 3.2.2. The location of the turbines was refined after the EIA scoping stage using the further detailed survey information, which led to the design presented in the Pre-application consultation. On the MB area, Turbine 1 was moved 80 m east, Turbine 2 was also moved east, a distance of 36 m. On MFD area, Turbine 3 was moved 36 m east; Turbine 4 moved north-east by 12 m; Turbine 5 moved 27 m south-east; and Turbine 6 moved 27 m in a south-west direction.
- 3.2.3. The location of the turbines did not change between the pre-application consultation and those submitted, albeit one turbine has been removed from the pre-application consultation layout.

Solar Array

- 3.2.4. As noted previously, the layout of the solar array is configured so as to integrate with the wind farm and associated infrastructure and access tracks, as well as the topography of Mynydd Blaenavon and the existing field boundaries. As shown on the Proposed Layout Plan, the solar array is located to the south of turbines 1 and 2 and follows the natural fall of the land in a south-westerly direction towards the substation and construction compound. The extent of the solar array largely tracks the location of the access track onto the plateau of Mynydd Blaenavon. A relatively small part of the solar array is located on the south-eastern side of the access track.

3.3. Planning history

- 3.3.1. The Site has limited planning history, confined to three previous entries on NPT's planning register – two of which are directly related to the Proposed Development. Those applications include an application to erect a 90m meteorological mast and associated works for a temporary period of three years. This application was approved and the mast has since been erected with the data obtained from the mast informing the design of the Proposed Development.
- 3.3.2. The other related application relates to a consultation request from the Welsh Ministers on the content of the scoping direction (EIA development) relating to the Proposed Development. This application was a request from PEDW to NPT for their observations. As well as being the determining body for this DNS application, PEDW also prepared the scoping direction on behalf of the Welsh Ministers, albeit obtaining input from NPT on this as the relevant Local Planning Authority.
- 3.3.3. The last entry on the NPT planning register relates to the EIA scoping report associated with the 2008 application for Pen y Cymoedd wind farm.

3.4. Environmental Impact Assessment

- 3.4.1. The Proposed Development has been subject to a full Environmental Impact Assessment (EIA), which has been based on evidence-based studies completed over a number of years. The Environmental Statement (ES) describes the significance of potential impacts caused by the Proposed Development in respect of the following key topics:

- Landscape and Visual;
- Noise and Vibration;
- Ecology;
- Ornithology;
- Geology, Hydrology, Hydrogeology and Peat;
- Archaeology and Cultural Heritage;
- Transport and Access;
- Socio-economic; and
- Other, including Aviation, telecommunications, shadow flicker and safety.

3.4.2. The ES describes the potential for significant positive and adverse effects on key assets, qualities and receptors within range of the Proposed Development and sets out appropriate mitigation measures, where necessary, to reduce adverse effects. Many of the mitigation measures are embedded in the design of the Proposed Development, whilst others are to be implemented prior to, during and/or following construction.

4. Design

4.1. Overview

- 4.1.1. This section describes the design rational for the proposal, providing an explanation of the design principles and concepts that have informed the Proposed Development, and how access has been taken into consideration. This section is structured as follows:
- Brief and Vision – sets out the brief and vision for the proposal
 - Interpretation – how the brief and vision is influenced by site context and constraints;
 - Design development – summarises the factors that were considered in the design process; and
 - The Proposal – shows the proposal responds to PPW's requirements for good design and highlights how the design process has produced an appropriate scheme.
- 4.1.2. The purpose of this section is to demonstrate and communicate the nature, location and scale of the proposal and to explain the design process undertaken, which has responded to local characteristics and satisfied good design standards.

4.2. Brief and Vision

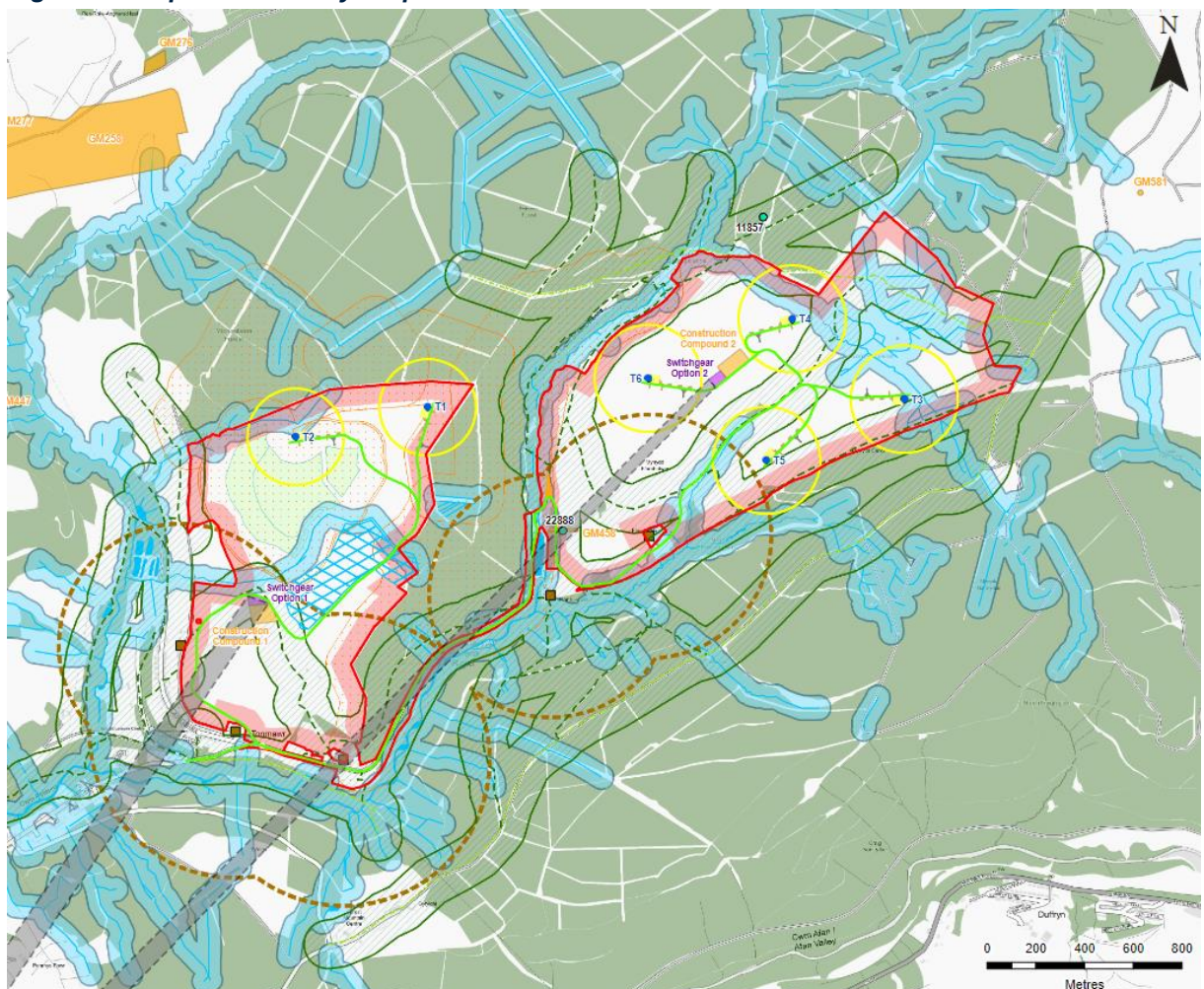
- 4.2.1. One of the guiding principles of the Proposed Development that has informed the brief and vision is the intention to design a wind farm that will provide a source of renewable energy to support the energy needs of Wales, without having significant adverse effects on the environment. This has meant that the Proposed Development has been located and designed:
- To reduce carbon emissions;
 - To be appropriately sized and located to ensure maximum yield whilst being considerate of the landscape and visual impact;
 - To provide safe and maintained public access to and around the Site, where appropriate;
 - To protect residential and environmental amenity through design.
- 4.2.2. The design approach included, and required, consultation with key consultees – both statutory and non-statutory bodies – including NPT and other interested stakeholders, including local residents.
- 4.2.3. The following sections describe the design process that reflects the brief and vision of the Proposed Development.

4.3. Interpretation

Site Characteristics

- 4.3.1. The potential developable area for the proposal was refined using an iterative process, as shown in Appendix A, B and C to this Statement, which evidence the evolution and interpretation of site characteristics and feedback received from EIA scoping direction (A) to pre-application consultation (B) to submission (C).
- 4.3.2. This evolution involved mapping the Site's characteristics and that of the surrounding area, as shown in Figure 3 below. Constraints included, but were not limited to, protected areas, terrestrial constraints, habitat and species (including appropriate buffer zones) and areas of existing and proposed forestry. These features all informed the design of the proposal and its associated infrastructure.

Figure 3: Proposed Site Layout plan with constraints



- 4.3.3. As shown in Figure 3, above, the key characteristics and constraints to the Site and its surroundings included: bridleways, byways and footpaths (including Public Rights of Way); any presence of peat; watercourse and waterbodies and associated buffer areas; buffer areas from the site boundaries and existing features; and topple and turbulence standoff distances from turbines, amongst other features.

Peat

- 4.3.4. Following initial site walkovers, it was considered prudent to ascertain what peat resource might be present on the Site, as it was assumed that some peat was likely to be present on the Site – albeit the depth of peat resource was unknown at the initial stage. A phase 1 peat survey provided an indication of the likely peat resource on the Site, as shown in Figure 4, and the EIA scoping direction layout was prepared using this data.

Figure 4: Phase 1 Peat Survey

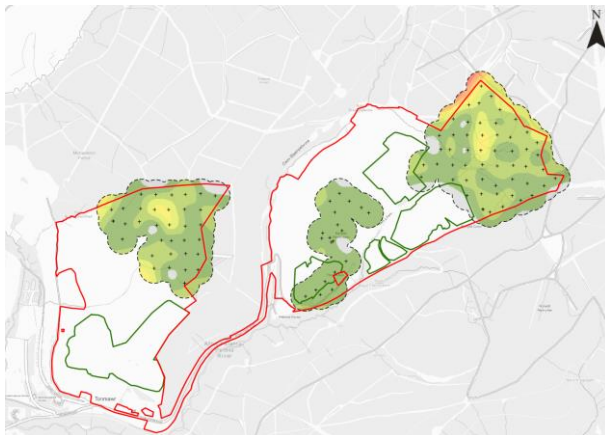
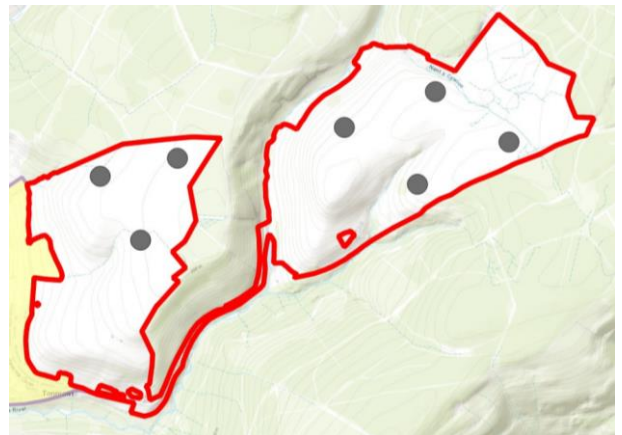


Figure 5: Initial Layout



- 4.3.5. Following the EIA scoping direction and the comments there in, the applicant commissioned a phase 2 peat survey, which provided further granularity in respect of the peat resource on the Site, as shown in Figure 6 below.

Figure 6: Phase 2 Peat Survey

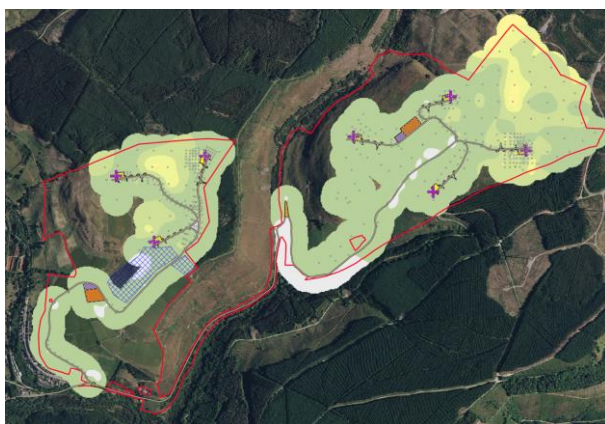
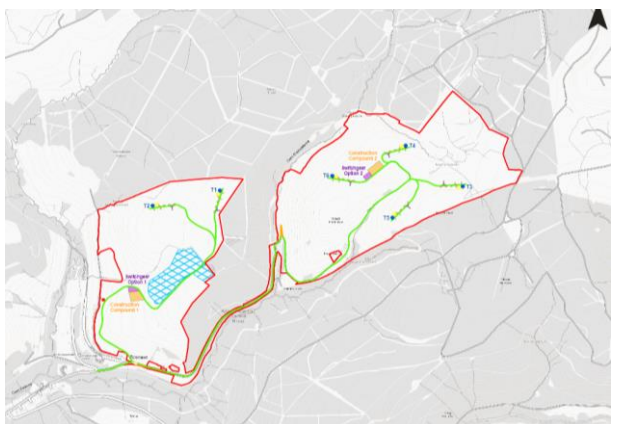


Figure 7: Proposed Layout



- 4.3.6. The phase 2 peat surveys consisted of the additional probing focussed in the areas around where the turbines were likely going to be located. This improved the granularity of likely presence and depth of peat resource, and was used in refining the most appropriate locations for the turbines with a specific response to peat. As shown in Figures 5 and 7, the layout of the turbines has been modified to reflect the phase 1 and 2 peat survey results.
- 4.3.7. With specific regard to peat, turbine 1 has shifted slightly eastwards so that the turbine is not located within a deeper pocket of peat. However, turbine 1 cannot be moved any further eastwards due to a buffer from the adjacent woodland in respect of ecological interests. In both layouts, turbine 2 has been located in areas of shallower or no peat. However, the linear configuration of the associated infrastructure (laydown areas and crane pads) has meant that the access track has been amended. The design for the access tracks required for turbine 1 and turbine 2 has had to take account of the glastir forestry grant (noted below) in identifying the route alignment. Furthermore, where the access track splits to provide access to turbine 1 and 2, this junction has been moved in an eastwards direction to avoid an area of deeper peat.
- 4.3.8. Turbine 3 is located in an area that as has an undulating depth of peat. The turbine has been moved west from its initial location to avoid an area of slightly deeper peat to its immediate east. As with all of the turbines, the associated infrastructure is configured to minimise areas of development, laydown areas and crane pads that encroach into areas of deeper peat.
- 4.3.9. Turbines 4, 5 and 6 are located on existing agricultural land on MFD that is used for grazing, so the peat resource was initially assumed to be minimal and was not surveyed as extensively by the phase 1 survey. However, as part of the phase 2 survey, following advice from NPT, all three areas were extensively surveyed to document the depth of any peat in these areas, and found to be generally between 0.0 m – 0.3 m.
- 4.3.10. Note that the key utilised in Figure 4 was altered when producing Figure 7. The change reflects the change in granularity used in respect of depths of peat shown. Figure 7 shows the depths in line with the Soil Survey of England and Wales (1980) – which reflects advice and other assessments by both LQAS and NRW. For ease, the 0.5m depth was retained noting that this is also used as an indicator (as LPA and NRW have previously).

Buffer areas

Public Rights of Way

- 4.3.11. Public Rights of Way (PRoWs) were mapped onto the constraints plan used to design the layout of the Site. The PRoWs include footpaths, Byways and bridleways. Whilst there is no legislation or guidance about buffers or stand-off distances from PRoWs, consultation with NPTCBC PRoW officer was undertaken to agree an appropriate precautionary approach in relation to the amount of use of paths in the vicinity. This established that it is acceptable to locate the turbines a distance of 200 m away from a Bridleway, and 110 m from a public footpath.
- 4.3.12. The proposed turbine layout was shared with the Public Rights of Way officer at Neath Port Talbot, to inform a discussion on the proximity of the wind turbines and other elements of the Proposed Development to the PRoW network. NPT advised that the precautionary approach taken was appropriate, and that the distances between the wind turbines and PRoW network was sufficiently large so that no issues were raised. As such, it is considered that the Proposed Development will not impact the use of the PRoW network: no permanent diversions or stopping up orders are required.

Adjacent woodland including associated habitats and features

- 4.3.13. The location of each wind turbine was informed by Natural England's guidance note (TIN051) 'Bats and onshore wind turbines'. A standoff distance from the features that would be associated with the possible activity of bats in the countryside was applied to the initial constraints mapping (Figure 2.1). The use of this guidance and the output noted has been reviewed and agreed by Neath Port Talbot Council previously.

Glastir / Forestry planting at Mynydd Blaenavon

- 4.3.14. In August 2020, the landowner of some of the MB area of the Site received permission to afforest part of the Site for commercial forestry. The planting has already commenced. As part of the design process, the turbine layout has responded to the constraints of this afforestation – which is most evident in the design of the route of the access track to turbine 2 (which is also influenced by peat constraints). No tree planting has taken place in close proximity to the location of either proposed wind turbine, so as to ensure future tree growth remains beyond the recommended standoff distance in accordance with the guidance of TIN051.

Hydrological flows

- 4.3.15. The creation of new access tracks, the solar array and wind farm infrastructure may alter runoff or local hydrology and thereby cause peat dewatering and/or have an effect on a groundwater dependent terrestrial ecosystem (GWDTE). The response to these potential effects are detailed in the chapter on hydrology, from paragraph 11.6.11 onwards. Good practice measures for the management of erosion and sedimentation mobilisation have been set out in a Peat Management Plan (Appendix 11.2).

Other

4.3.16. Other factors and constraints that influenced the design include, but are not limited to:

- Site topography – the topography of the site has been surveyed and used to inform the location of the wind turbines, which are focused upon the plateaus of both Fforch Dwm and Blaenavon;
- Distance between wind turbines – to minimise any turbulence between the wind turbines e.g. the wake effects, the wind turbines have been separated by set distances by reference to the rotor diameter of the proposed wind turbines, both perpendicular to and in line with the prevailing wind direction. This design features is key in optimising the generation of the Proposed Development;
- Existing land use – whilst the Proposed Development occupies a relatively small proportion of the Site, the existing use of the land has been considered in the layout of the Proposed Development. For example, existing tracks will be reused and enhanced where possible;
- The presence, size and proximity of woodland is an important feature – both in terms of future screening but also how it interacts with the Proposed Development.

Surrounding Characteristics

4.3.17. Noting the scale of wind turbines, in this instance up to 200m to tip, potential effects extend beyond the immediate boundary of the Site and over a larger geographical area. In this respect, visual effects on a wide range of receptors, such as protected landscapes, residential properties and areas used recreationally can occur and need to be taken into consideration. These receptors were integral to the assessment undertaken as part of the Environmental Statement.

Micro siting

4.3.18. The application seeks a micro-siting allowance for the wind turbines and associated infrastructure. The allowance which is being sought is up to 50m for wind turbines and 100m for internal wind farm tracks and other infrastructure such as switchgear buildings and compounds. This would allow minor changes to wind turbine locations at the construction stage and this allowance has been accounted for in the EIA process.

4.4. Design Development

4.4.1. The design of the Proposed Development has been informed by a series of considerations, including environmental, planning, engineering and existing and proposed land uses. The aim of this process has been to identify an appropriate solution that has considered and balanced these constraints alongside the need for a sufficient scale of development to deliver a significant quantum of renewable energy.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement

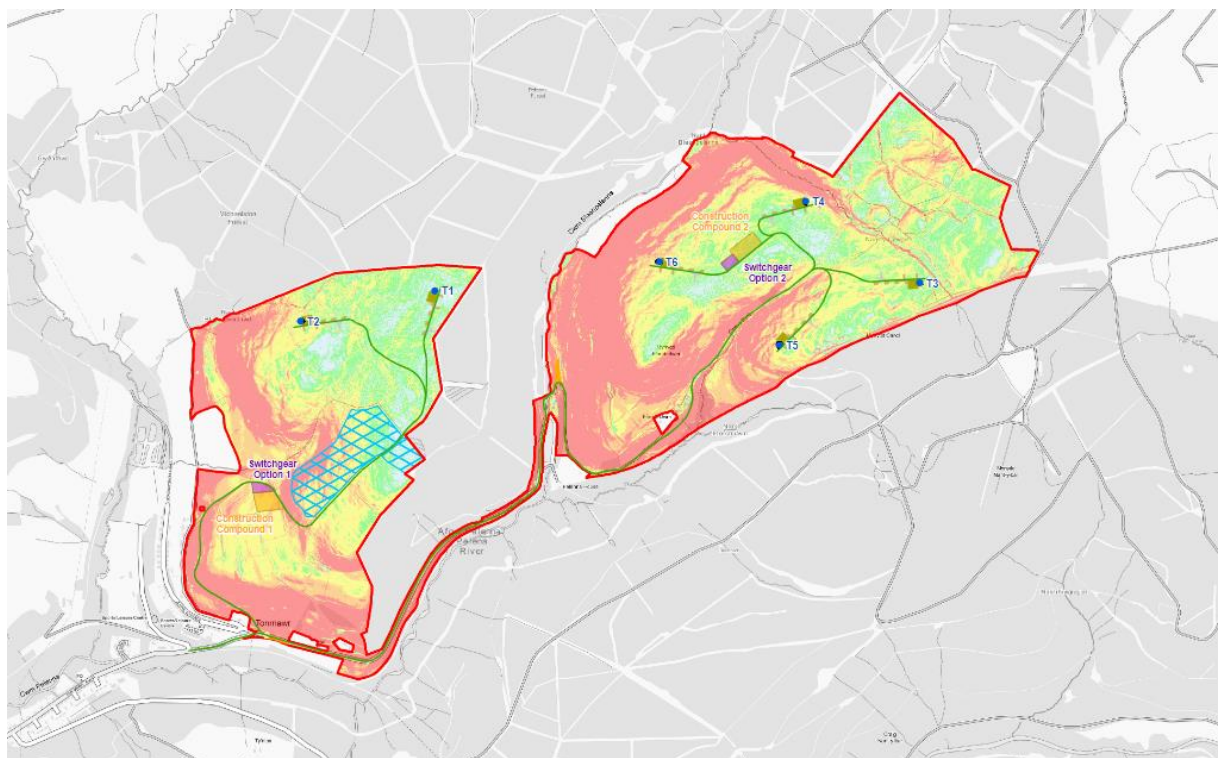


- 4.4.2. In parallel to, and informing the design process, is the environmental assessment process that has identified opportunities for positive design – whether that be the location and height of the wind turbines, the routing of access tracks or other benefits. This positive approach to design is a key feature in tilting the planning balance in favour of the Proposed Development (noting the policy support afforded to the Site given its location within the pre-assessed area for wind within Future Wales).

Consultation

- 4.4.3. As noted in the Pre-Application Consultation report, the submitted scheme differs from the scheme consulted upon as part of the statutory Pre-Application Consultation process. The main changes between the two iterations are: the removal of one turbine (known as turbine 2 at the point of consultation); reducing the tip height of turbines 4 and 5 (as per previous numbering); and the reorganisation of the solar array.
- 4.4.4. Further information relating to how the scheme has changed since Pre-Application Consultation are detailed within the Pre-Application Consultation report.

Figure 8: Proposed Site Layout plan with slope



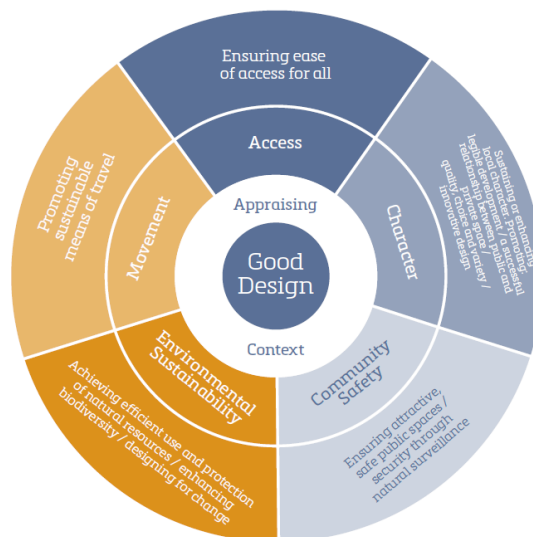
Designing Wind Farms in Wales (2014)

- 4.4.5. In October 2014, the Design Commission for Wales (DCfW) published a guidance document called “Designing Wind Farms in Wales”. The guidance is intended to be used by Local Authorities in reviewing wind farm applications. The guidance runs through the strategic and criteria-based planning of wind farm developments, the siting and design of wind farms, environmental considerations and designing in landscapes with multiple wind farms.
- 4.4.6. The guidance has, in large parts, been superseded by Future Wales, PPW and other legislation, policy and guidance. In October 2022, DCfW closed the first part of consultation on the second iteration of its guidance – albeit this sought views from third parties and did not provide any information in relation to how the guidance will change or when it will be published.
- 4.4.7. In April 2023, DCfW starting their second engagement on new draft guidance for Designing for Renewable Energy in Wales, with the engagement ending on 19th June 2023. In the foreword of the consultation document it states that “the purpose of this document is to set out the key design objectives and considerations for the sensitive development of large-scale onshore wind and solar farms as well as ancillary development in Wales”.
- 4.4.8. The guidance indicates that in designing wind farms applicants should have regard to: location; scale; layout; colour and design; lighting; environmental impacts; movement; shadow flicker; noise; cumulative impacts; telecommunications, television and aviation systems; ornithology; archaeology; local physical impacts; and ancillary infrastructure – all of which have been thoroughly addressed in the application documents.
- 4.4.9. It is not anticipated that the guidance will be published in its final form prior to the submission, nor determination, of the project. It is important to note, as the document does, that it is not a policy document but provides guidance relating to policy. The relevant policy is identified in section 5 of this Statement.

4.5. The Proposal

- 4.5.1. All of the above, and the following, demonstrates how the Proposed Development meets the objectives of good design as noted in PPW, which is also in line with the Welsh Government’s DAS guidance. The objectives of good design, which are shown in Figure 10 below, are:
- Character – sustaining or enhancing local character promoting legible design and a successful relationship between public and private spaces;
 - Access – ensuring access for all;
 - Movement – promoting sustainable means of transport;
 - Environmental Sustainability – ensuring the efficient use and protection of resources; and
 - Community Safety – ensuring safe and attractive spaces.

Figure 10: Objectives of good design



Character

Wind Farm

Wind turbines

- 4.5.2. The Proposed Development consists of six wind turbines, each with a three-bladed rotor with an indicative radius of up to 75m, an indicative hub height of up to 125m and maximum height to blade tip of 200m. The wind turbines proposed are variable speed pitch regulated, with the rotor and nacelle being mounted on a tower. This reflects a typical, modern, horizontal-axis design comprising of four main components: a rotor; a nacelle; a tower; and the foundations.
- 4.5.3. The specific choice of wind turbine is dependent on the final commercial and technical choice by the Applicant but it would not exceed the physical parameters specified within this application (and assessed within the Environmental Statement).
- 4.5.4. The Wind Farm has been designed to be operational for up to 35 years and will include site management to ensure that the Site facilities, such as access tracks, boundaries, gates and signeted are maintained. At the end of the operational life of the wind turbines there will be two possible options. Firstly, to decommission the wind farm and remove the wind turbines. Secondly, to apply to install new equipment on the Site (for which a further planning consent would be required).

Foundations

- 4.5.5. The full foundation requirements will be subject to post-consent, detailed ground investigations and site specific requirements, as well as reflecting comments received during the determination stage. The design of the foundations will minimise the quantum of material excavated and any visible projection above the existing ground level while allowing for the re-establishment of surface vegetation when construction is completed. Foundations usually comprise a reinforced concrete base slab with dimensions of circa 20m radius and are up to circa 4m in depth.

Solar Array

- 4.5.6. The design of the solar array has worked with the infrastructure associated with the wind turbines – aligning its layout and orientation with that of the turbines and access tracks. This approach has created an integrated scheme, allowing the solar array to work alongside the wind turbines in a harmonious manner.

Switching Station

- 4.5.7. The Applicant has received an offer of a grid connection from National Grid Electricity Distribution. The connection between the on-site substation and the electricity grid at Briton Ferry will be the subject of a separate application.
- 4.5.8. Two substations are currently shown on the Proposed Site Layout Plan. However, only one will be constructed dependent upon the final grid connection design details and specifications required by National Grid Electricity Distribution. As noted above, at present the connection is to Mynydd Fforch Dwm. However, it would be preferable to have a connection to Mynydd Blaenavon.
- 4.5.9. As such, whilst we await the outcome of a grid application to Mynydd Blaenavon we have indicated two substations – one on each site. The applicant would be happy to condition the construction of only one substation, if required (the Applicant sees no scenario where both would be required). The ES has assessed both to reflect a worst case scenario, albeit one that will not materialise.

Access

Site Access

- 4.5.10. The Proposed Development will be accessed directly from Fforch-dwm Road, with a new link providing access to the western development area on Mynydd Blaenafon. The eastern section of the site will be accessed from the end of Fforch-dwm Road. These two accesses would be used for all construction and maintenance associated with the Proposed Development and the Site.
- 4.5.11. Access for Abnormal Indivisible Loads (AIL) will be taken from Swansea Docks to the two access junctions. The route selected has been considered in detail and initial consultations undertaken with local roads officers. The proposed route will be via the A483, M4, A465, A474, B4434, B4287, Ton Mawr Road and Fforch-dwm Road. The use of specialist blade lifting trailers will be necessary to negotiate the sections of the road network in Neath, Cimla, Efail fach and Tonmawr.

Construction

- 4.5.12. It is anticipated that 5.9km of track will be required for the Proposed Development, and circa 3.6km of existing track being upgraded. The tracks will be circa 5.6m wide, 0.25m deep (depending on ground conditions), with a 2m verge on either side. The tracks will be constructed of suitable stone, unless ground conditions require alternative methods. The existing tracks will be upgraded, where required.
- 4.5.13. Gradients for new tracks will be kept to no more than 12.5 percent where possible (steeper gradients can be negotiated by wind turbine delivery transports). This will help to accommodate the requirements of delivery vehicles and allow construction vehicles to move safely around the Site.

Operation

- 4.5.14. During the operational phase, the expectation is that the Proposed Development would require routine maintenance, as well as reactive maintenance if faults occur. More maintenance may be required towards the end of the 35 year lifespan of the Proposed Development.

Accessibility

- 4.5.15. The Proposed Development is not designed to enable access for members of the public, irrespective of their level of mobility. Therefore, provisions for disabled access have not been incorporated into the design. Although the access tracks are capable of being used by the public and have been designed to provide safe and appropriate access, unless they are existing public rights of way, they have not been designed to enable access for all.
- 4.5.16. As noted, a number of Public Rights of Way (PRoW) cross the Site. The impact upon these PRoWs are assessed in section 6 of this Statement and in the Environmental Statement.

Movement

- 4.5.17. As noted previously, the Proposed Development will only be accessed by construction personnel and maintenance teams, who will periodically attend the Site to service the Proposed Development.
- 4.5.18. However, PRoWs exist on and in the vicinity of the Site so there is the potential for the public to have access to the area. It is assumed that any PRoWs which run through the Site will be temporarily closed to prevent public access, with appropriate diversions put in place during construction. This is proposed as a health and safety measure, to protect members of the public from potential conflict with construction traffic.
- 4.5.19. The approach to ensuring safe access in the construction phase will be set out within the Construction Traffic Management Plan (CTMP). Construction works will be sign posted and users of the PRoW network notified of activity, in line with the legislation relating to PRoWs as well as management methods set out in the CTMP and CEMP.

Environmental Sustainability

- 4.5.20. The Proposed Development would help to ensure environmental sustainability through the production of renewable energy which will support the move away from fossil fuels. The Proposed Development would prevent the emission of at least 53,207 tonnes of CO₂ in to the atmosphere each year. The additional renewable electricity generation from the Proposed Development will assist in meeting both Welsh and UK Government policies and goals while simultaneously increasing security of electricity supply and reducing Greenhouse Gas (GHG) emissions, thus helping to meet legally-binding targets.
- 4.5.21. The site design reflects an optimal wind turbine layout, balancing the objectives of achieving the greatest level of renewable electricity generation (and reducing turbulence between and from wind turbines) while limiting environmental effects to an acceptable level.
- 4.5.22. The Site is assessed to be predominantly Agricultural Land Classification (ALC) grade 5 – with grades 5 and non-agricultural land also indicated on and immediately adjacent to the Site. Therefore, no land that is considered to be the ‘Best and Most Versatile’ (BMV) (grades 1 – 3a) will be lost as a result of the Proposed Development. Furthermore, the area of land subject to new built development e.g. the wind turbine foundations, cover a small percentage of the overall site area.
- 4.5.23. Measures embedded in the design will ensure that the soil removed during construction is reused on Site wherever possible.
- 4.5.24. As noted previously, the Site is within a Pre-Assessed Area for Wind Energy (area 9) and, as such, the impact of wind farm development in this location has already been considered with a “*presumption in favour of large-scale wind energy development*”. Accordingly, in respect of the likely impact of the Proposed Development on the landscape, the Site has been found to be capable of accommodating development in an acceptable way. Whilst there may be some localised effects, it is not considered that the presence of wind turbines would exceed the capacity of the landscape to accommodate the development.

Community Safety

- 4.5.25. The Proposed Development will be delivered in a safe manner and will ensure that any opportunities for crime are minimised through effective design measures, such as fencing around the solar array being incorporated into the Proposed Development. Additionally, the construction compound would be lit and it is anticipated that appropriate control measures would be established and put into place, which will be noted within the CTMP and CEMP.

Responding to the planning policy context

- 4.5.26. The planning policy context is set out in Section 5 The Proposed Development comprises a wind farm within an area identified in Future Wales Policy 17 as a location suitable for large scale wind development (as a pre-assessed area for wind energy) and a solar array of some 10.0 hectares. The pre-assessed areas have been identified by the Welsh Government as areas where onshore wind projects of heights up to 250 m to tip would be acceptable, subject to the criteria within policies 17 and 18 of Future Wales.
- 4.5.27. The Proposed Development would make a significant contribution to the generation of renewable energy, required to support the reduction in carbon emissions that Future Wales and PPW are seeking to achieve. The development would also support the NPTCBC Local Development Plan policy provisions, as noted elsewhere in this Statement.
- 4.5.28. The Proposed Development has been designed to minimise the use of land, the impact on the landscape and the effects on biodiversity assets. Additionally, through the ES the effects of the Proposed Development on a range of other environmental receptors have been assessed. The EIA process has helped to ensure that where possible the design of the wind farm and solar array has sought to avoid, reduce and/or mitigate environmental impacts. Detailed consideration has therefore been given to the criteria in Policy 18 of Future Wales through site selection and design refinement.

4.6. Summary

- 4.6.1. The Proposed Development positively contributes to the achievement of the UK and Wales' goal to increase renewable energy generation to help combat the challenges posed by climate change. The design of the Proposed Development has been informed by consideration of technical, environmental and policy constraints. Additionally, the iterative design process has been informed by consultation with key stakeholders and the local community.
- 4.6.2. The design has been informed by the EIA process. The ES demonstrates that the effects in respect of a range of environmental subjects have been assessed and a range of measures have been proposed to reduce, avoid and/or mitigate the potential impacts of the Proposed Development on the environment where possible.
- 4.6.3. Whilst the ES identified that some significant environmental effects are predicted to occur at a local level, national policy highlights that these are often inherent in the development of onshore wind turbines and solar arrays and that the level of effect should be balanced against the environmental benefits and socio-economic benefits arising from the mitigation of climate change.

- 4.6.4. There will be some disruption to public access within the Site during the construction phase, but this will be temporary and once operational the Proposed Development will not restrict public access with the adopting of appropriate mitigation measures. The ES states there will be no significant negative effects regarding public access to the Site, or within it, as a result of the construction activities proposed. Furthermore, non-significant effects will be further reduced via the adoption of management measures in the form of a Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP).

5. Legislative and Policy Review

5.1. Introduction

- 5.1.1. This section outlines the relevant UK and Welsh legislative and policy framework for the development of renewable energy schemes. Current legislation, national policies, and local policy and guidance recognise climate change as a pressing concern. The approach taken by the UK and Wales to addressing climate change has been shaped and informed by a range of international agreements and climate change obligations including the Kyoto Protocol, the Paris Agreement and the 2021 Glasgow Climate Compact reflecting the UK's role as a signatory to the United Nations Framework Convention on Climate Change (UNFCCC). This section sets out the material planning considerations relevant to the Proposed Development in respect of topics of climate change and energy.

5.2. Legislative Context

- 5.2.1. This section firstly sets out the international agreements that the UK government is a signatory to. It then outlines the key Acts of Parliament and regulations that set out the legislative framework for consideration of renewable energy schemes. It then sets out the national strategies and policies for renewable energy that set the UK wide and Welsh national agenda for renewable energy generation.

International agreements

Paris Agreement 2015¹

- 5.2.2. The UNFCCC is the major international body responsible for managing climate change and carbon emissions. In 2015, parties to the UNFCCC adopted the Paris Agreement, the aims of which are stated as: *"This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by: a) Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change; and (b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production."* The agreement sets targets for countries' greenhouse gas (GHG) emissions, but these are not legally binding or enforceable.

¹ United Nations Framework Convention on Climate Change (2015). Paris Agreement. (Online) Available at: https://unfccc.int/sites/default/files/english_paris_agreement.pdf

Glasgow Climate Pact 2021²

- 5.2.3. The Conference of the Parties (COP 26) under the UNFCCC held in Glasgow in November 2021, resulted in almost 200 countries agreeing on: the acceleration of action on climate change this decade to reduce emissions (mitigation); helping those already impacted by climate change (adaption); enabling countries to deliver on their climate goals (finance); and working together to deliver even greater action (collaboration). This agreement is in the form of the Glasgow Climate Pact which reaffirms the long-term goal to limit global warming to 1.5°C above pre-industrial levels and resolves to pursue efforts to achieve this, recognising that limiting global warming to 1.5°C *“requires rapid, deep and sustained reductions in global greenhouse gas emissions, including reducing global CO₂ emissions by 45% by 2030 relative to the 2010 level and to net zero around mid-century, as well as deep reductions in other greenhouse gases”*.

COP27, November 2022

- 5.2.4. The most recent (at the time of the planning submission for the Proposed Development) Conference of the Parties (COP 27) under the UNFCCC was held in Egypt in November 2022. *“COP27 resulted in countries delivering a package of decisions that reaffirmed their commitment to limit global temperature rise to 1.5 degrees Celsius above pre-industrial levels. The package also strengthened action by countries to cut greenhouse gas emissions and adapt to the inevitable impacts of climate change, as well as boosting the support of finance, technology and capacity building needed by developing countries...”*³.

Acts of Parliament and regulations

Climate Change Act 2008 (as amended)⁴

- 5.2.5. One of the key provisions of the original 2008 Act was the introduction of legally-binding targets on GHG emissions comprising reductions of at least 80% GHG emissions by 2050, and reductions in emissions of at least 26% by 2020, against a 1990 baseline. The Climate Change Act 2008 (2050 Target Amendment) Order 2019⁵ came into force on 27 June 2019.
- 5.2.6. This amended the legally-binding target to reduce GHG emissions set in section 1 of the Climate Change Act 2008 from 80% to 100% against a 1990 baseline, achieving ‘net zero’ emissions. The Act also requires the Government to establish 5-year carbon budgets. The generation of electricity by renewable means such as wind and solar energy is considered to be a key contributor to meeting these targets.

² United Nations Framework Convention on Climate Change (2021). COP26 The Glasgow Climate Pact. (Online) available at: <https://ukcop26.org/wp-content/uploads/2021/11/COP26-Presidency-Outcomes-The-Climate-Pact.pdf> (

³ COP27 Reaches Breakthrough Agreement on New “Loss and Damage” Fund for Vulnerable Countries, 20 November 2022, UN Climate Press Release (<https://unfccc.int/news/cop27-reaches-breakthrough-agreement-on-new-loss-and-damage-fund-for-vulnerable-countries>)

⁴ UK Government (2008). Climate Change Act 2008. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents>

⁵ UK Government (2019). The Climate Change Act 2008 (2050 Target Amendment) Order 2019. (Online) Available at: <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

The Carbon Budgets Order 2009⁶

- 5.2.7. This legislation implements the carbon budgets set out in the Climate Change Act 2008. The budgets require the UK to continually reduce emissions in line with the carbon reduction commitments established under the Climate Change Act. The carbon budgets are:
- first carbon budget, 2009 to 2012, 3,018 mega tonnes carbon dioxide equivalent (MtCO₂e) representing 25% reduction below 1990 levels;
 - second carbon budget, 2013 to 2017, 2,782 MtCO₂e representing 31% reduction below 1990 levels;
 - third carbon budget, 2018 to 2022, 2,544 MtCO₂e representing 37% reduction below 1990 levels by 2020;
 - fourth carbon budget, 2023 to 2027, 1,950 MtCO₂e representing 51% reduction below 1990 levels by 2025;
 - fifth carbon budget, 2028 to 2032, 1,725 MtCO₂e representing 57% reduction below 1990 levels by 2030; and
 - sixth carbon budget, 2033 to 2037, 965 MtCO₂e representing a 78% reduction below 1990 levels by 2035.
- 5.2.8. Government figures show a significant shortfall in expected carbon reductions against legally binding target. An article published on the 26th October 2022⁷ explains that the UK is currently on track to miss its legally-binding targets to cut greenhouse gas emissions in the mid-2030's by a *"huge margin"*. Data from the Department for Business, Energy and Industrial Strategy (BEIS) shows that with existing and near-fully planned policies, the UK is projected to emit nearly double the amount of greenhouse gases than it should under its legally-binding objectives.
- 5.2.9. The BEIS document 'Updated energy and emissions projections 2021 to 2040' published in October 2022⁸ states: "The Climate Change Act (CCA), passed in 2008, established a system of legally binding interim targets called carbon budgets, covering successive five-year periods. Since June 2019, the 2050 target under the CCA is to reach net zero⁶. EEP provides projections of performance against carbon budget targets under EEP-ready policies. Carbon Budgets 3 and 4 (CB3 and CB4), covering 2018-2022 and 2023-2027 respectively, are projected to be met. Under EEP-ready policies, projected gaps between target and performance remain for Carbon Budgets 5 and 6 (CB5 and CB6, covering the periods 2028-2032 and 2033-2037 respectively)...".

⁶ UK Government (2009). The Carbon Budgets Order 2009 (Online) Available at:
<https://www.legislation.gov.uk/uksi/2009/1259/contents/made>

⁷ <https://www.energyvoice.com/oilandgas/north-sea/454843/uk-well-off-track-to-meet-2030s-carbon-cutting-goals-official-figures-project/>

⁸ <https://www.gov.uk/government/publications/energy-and-emissions-projections-2021-to-2040>

The Energy Act 2008⁹, 2011¹⁰, 2013¹¹, 2016¹²

- 5.2.10. The Energy Act (2008) implemented the legislative aspects of the 2007 Energy White Paper. The content of the Bill included strengthening the Renewables Obligation to drive greater and more rapid deployment of renewables in the UK. The Energy Act (2011) sought to increase investment in energy efficiency whilst the Energy Act (2013) put in place measures to reform the UK energy market to attract investment. The Energy Act (2016) formally established the Oil and Gas Authority as a regulator for that sector whilst it signalled the closure of the Renewables Obligation for onshore wind.

Well-Being of Future Generations (Wales) Act 2015¹³

- 5.2.11. This Act places a duty on public bodies (including Local Authorities) to carry out sustainable development. The Act puts in place seven well-being goals to help ensure that public bodies are all working towards the same vision of a sustainable Wales. The wellbeing goals are:
- a prosperous Wales;
 - a resilient Wales;
 - a healthier Wales;
 - a more equal Wales;
 - a Wales of cohesive communities;
 - a Wales of vibrant culture and thriving Welsh language; and
 - a globally responsible Wales.
- 5.2.12. The well-being goals act together to ensure outcomes across economic, environmental, social and cultural sustainability strands. The Act defines sustainable development in Wales as “*The process of improving the economic, social, environmental and cultural wellbeing of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.*”
- 5.2.13. One of the well-being goals – achieving a prosperous Wales – specifically recognises the benefits of developing a low carbon society that recognises the vulnerability of the environment and uses resources efficiently.
- 5.2.14. Similarly, another goal – globally responsible Wales – includes the requirement that action on climate change benefits both people and communities in Wales, as well as making a contribution to the wider, global effort to tackle the causes of climate change and reduce its effects.

⁹ UK Government (2008). Energy Act 2008. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2008/32/contents>

¹⁰ UK Government (2011). Energy Act 2011. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2011/16/contents>

¹¹ UK Government (2013). Energy Act 2013. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2013/32/contents>

¹² UK Government (2016). Energy Act 2016. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2016/20/contents>

¹³ UK Government (2015). Well-being of Future Generations (Wales) Act 2015. (Online) Available at: <https://www.futuregenerations.wales/wp-content/uploads/2017/02/150623-guide-to-the-fg-act-en.pdf> (Accessed April 2022).

Planning (Wales) Act 2015¹⁴ and the Developments of National Significance (Wales) Regulations 2016 (as amended)¹⁵

- 5.2.15. The Planning (Wales) Act 2015 and the Developments of National Significance (Wales) Regulations 2016 (as amended) alongside subsequent regulations, provides the statutory basis for DNS. Any proposal to construct or operate a power generation scheme with a capacity greater than 10 MW and under 350 MW, with no upper limit for onshore wind generating stations, falls within the DNS system and requires the consent of Welsh Ministers.

Environment (Wales) Act 2016 (as amended)¹⁶

- 5.2.16. The Environment (Wales) Act 2016 (as amended) places a duty on the Welsh Ministers to reduce GHG emissions in Wales by at least 100% in 2050¹⁷. The target of net zero emissions (rather than 80% as originally stated in the Act) reflects the Welsh Government's acceptance of the independent CCC recommendation¹⁸ that Wales could achieve a net zero reduction in emissions, which had previously been considered unfeasible. The Environment (Wales) Act 2016 (as amended) requires Ministers to set a series of interim targets and five-year carbon budgets to achieve the 2050 target. For 2021-26 this stands at 37% reduction compared to the baseline and for 2026-30 this is set at an average of a 58% reduction¹⁹.

Wales Act 2017²⁰

- 5.2.17. The Wales Act 2017 sets out a number of changes to the model of devolution and provides further powers for the Welsh Government. Amongst its provisions, decisions are devolved for energy planning development consent for projects up to 350 MW onshore and offshore in Welsh waters. The Act effectively removes the Secretary of State's power under the Planning Act 2008 to grant development consent in relation to electricity generating stations, up to those of 350 MW (with no limit for onshore wind). Such projects are effectively transferred into the Town and Country Planning Act (TCPA) regime in Wales, if they are onshore.

¹⁴ UK Government (2015). Planning (Wales) Act 2015. (Online) Available at: <https://www.legislation.gov.uk/anaw/2015/4/contents>

¹⁵ UK Government (2016). The Developments of National Significance (Wales) Regulations 2016. (Online) Available at: <https://www.legislation.gov.uk/wsi/2016/56/contents>

¹⁶ UK Government (2016). Environment (Wales) Act 2016. (Online) Available at: <https://www.legislation.gov.uk/anaw/2016/3/contents>

¹⁷ The Environment (Wales) Act 2016 (Amendment of 2050 Emissions Target) Regulations 2021 changed the statutory target within the Environment Act from 80% to 100% and came into force on 12 March 2021.

¹⁸ Climate Change Committee's (2020) The path to Net Zero and progress on reducing emissions in Wales.

¹⁹ The Climate Change (Carbon Budgets) (Wales) (Amendment) Regulations 2021 amended the 2021-2025 carbon budget from an average reduction of 33% to 37% lower than the baseline and came into force on 19 March 2021. The regulations set the carbon budget for the 2026-2030 period and limit to an average of 58% lower than the baseline.

²⁰ UK Government (2017). Wales Act 2017. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2017/4/contents>

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017²¹

- 5.2.18. The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (EIA Regulations) apply to applications falling under the DNS regime. The EIA Regulation Schedules define the applicability of the regulations. EIA development is defined as either:
- Schedule 1 development; or
 - Schedule 2 development, which is considered to be “development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.”
- 5.2.19. In the context of the Proposed Development, Schedule 2 is the relevant schedule. In particular, paragraph 3(i) (*“Installations for the harnessing of wind power for energy production (wind farms)”*) provides the relevant thresholds against which the applicability of EIA regulations are assessed. The Proposed Development subject to this Draft ES qualifies as EIA development due to it being above the relevant thresholds; quantum (set at more than 2 wind turbines) and hub height (being more than 15 metres).
- 5.2.20. Schedule 4(3) sets out the requirements for the assessment to be included in the ES: “A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.”

UK wide strategies and plans

British Energy Security Strategy (2022)²²

- 5.2.21. On 7th April 2022, the Department for Business, Energy and Industrial Strategy (BEIS) published the British Energy Security Strategy. The Strategy seeks to accelerate the transition away from fossil fuels and towards renewables. As part of the 10 point plan for a green industrial revolution, significant investment into renewables has been identified – with the desire to go further and faster.
- 5.2.22. The Strategy notes that onshore wind is one of the cheapest forms of renewable power. Furthermore, the strategy supports the co-location of solar alongside onshore wind generation.

²¹ UK Government (2017). The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. (Online) Available at: <https://www.legislation.gov.uk/ksi/2017/567/contents>

²² Department for Business, Energy and Industrial Strategy (BEIS) (2022). <https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy>

UK Renewable Energy Strategy (2009)²³

5.2.23. The UK Renewable Energy Strategy (HM Government, 2009) outlined the UK's commitment to source 15% of energy from renewable sources by 2020, whilst reducing its fossil fuel consumption by 10% and gas imports by 20-30%. The aim was to generate more than 30% of the UK's electricity needs, 12% of its heating needs and 10% of its transport energy with renewables. The strategy puts in place the financial mechanisms necessary for the advancement of these goals with around £30 billion to be invested between 2009 and 2020. The Strategy was supported by the Renewable Energy Action Plan and Road Map which sought to increase onshore wind capacity.

5.2.24. In 2020, 13.6% of final energy consumption in the UK was generated by renewables, below the 15% target. Of the total electricity generated, renewable electricity amounted to 43.1% (BEIS, 2021)²⁴

Clean Growth Strategy (2017)²⁵

5.2.25. The key message of the Clean Growth Strategy (CGS): Leading the Way to a Low Carbon Future (BEIS, 2017) is that clean growth means growing our national income while cutting GHG emissions. The CGS sets out a comprehensive set of policies and proposals that aim to accelerate the pace of 'clean growth' i.e. delivering increased economic growth with simultaneous decreased emissions. The Strategy draws on the UK's commitments under the Climate Change Act 2008 and the associated 'Carbon Budgets'.

Industrial Strategy (2017)²⁶

5.2.26. The Industrial Strategy entitled Building a Britain fit for the future (HM Government, 2017) aims to create an economy that boosts productivity and earning power throughout the UK. The Strategy identifies four 'Grand Challenges' that are set to put the UK at the forefront of the industries of the future and one of these is 'Clean Growth', including "*use of low carbon technologies, systems and services that cost less than high carbon alternatives*".

²³ HM Government (2009). The UK Renewable Energy Strategy. (Online). Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228866/7686.pdf

²⁴ Department for Business, Energy and Industrial Strategy (BEIS) (2021). Digest of UK Energy Statistics (DUKES): renewable sources of energy.

²⁵ HM Government (2017). The Clean Growth Strategy. Leading the way to a low carbon future. (Online) Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700496/cleangrowth-strategy-correction-april-2018.pdf

²⁶ HM Government (2017). Industrial Strategy. Building a Britain fit for the future. (online) Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/664563/industrialstrategy-white-paper-web-ready-version.pdf

National Infrastructure Strategy (2020)²⁷

- 5.2.27. The National Infrastructure Strategy (HM Treasury, 2020) presents the UK Government's plans to deliver significant improvements to UK infrastructure which will enable economic growth and progress towards the net zero by 2050 ambition.
- 5.2.28. At page 51 the strategy recognises the need to increase capacity from onshore wind: "To deliver net zero, the share of generation from renewables needs to dramatically increase. While the UK leads the world in the deployment of offshore wind, greater generation capacity will need to come from onshore wind and solar as well."

Net Zero Strategy: Build Back Greener (2021)²⁸

- 5.2.29. The Net Zero Strategy: Build Back Greener (BEIS, 2021) provides the overarching UK wide strategy to reach the UK's target for net zero emissions in 2050. The strategy set outs a delivery pathway to achieve net zero in 2050 with policies and proposals to keep the UK on track for emissions reduction targets to up to the sixth carbon budget covering the period 2033-2037. Amongst its policies, the strategy seeks to fully decarbonise the UK power system by 2035. Key to achieving this is the commitment to "*transform (the UK's) energy system away from fossil fuels to low carbon sources of energy, such as renewable electricity generated in the UK*" (page. 39).

Welsh national strategies and plans

A Low Carbon Revolution: Wales' Energy Policy Statement (2010)²⁹

- 5.2.30. The Energy Policy Statement (EPS) set the objective for Wales to become a world leader in low carbon energy following consultation on the Energy Route Map. The EPS summarises the pressing arguments to tackle climate change highlighting that: "*unless we quickly reduce our emissions of greenhouse gases, the world will probably be another 3°C hotter by 2060 and there will be much higher risks of catastrophic global climate changes*".

²⁷ HM Treasury (2020). National Infrastructure Strategy. Fairer, faster, greener. (online) Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938539/NIS_Report_Web_Accessible.pdf

²⁸ HM Government (2021). Net Zero Strategy: Build Back Greener. (Online). (Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1033990/net-zerostrategy-beis.pdf

²⁹ Welsh Assembly Government (2010). A Low Carbon Revolution – The Welsh Assembly Government Energy Policy Statement. (Online) Available at: <http://www.marineenergywales.co.uk/wp-content/uploads/2016/01/WAG-low-carbonrevolution2.pdf>

- 5.2.31. The headline target contained within the EPS is “to renewably generate up to twice as much electricity annually by 2025 as we use today” (page 26). With regard to onshore wind the target identified is “*to have 4.5 kWh/d/p [per day, per person] of installed onshore wind generation capacity by 2015/2017*” (page 14). It recognises that the average electrical power consumption in Wales is approximately 22 kWh/d/p, so this target represents 20% of electricity consumption coming from onshore wind within the seven years following publication (to 2017).

The Climate Change Strategy for Wales (2010)³⁰

- 5.2.32. This document sets out the Welsh Government’s commitments to and strategy for managing climate change in Wales through reducing GHG emissions and enabling effective adaptation in Wales. The Strategy sets targets to reduce GHG emissions in Wales by 3% every year and achieve at least a 40% reduction by 2020 compared to figures from the 1990 baseline. The commitments have subsequently been superseded by the legal requirements of the Environment (Wales) Act 2016.

Energy Wales: A Low Carbon Transition (2012)³¹

- 5.2.33. Energy Wales sets out the how the Welsh Government will work in partnership with private, public and social sectors to ensure the transition to a low carbon economy to secure a wealthier, more resilient and sustainable future for Wales. Amongst other measures, the document states that the Welsh Government seeks to make the best use of commercially proven renewable energy sources, facilitate appropriate deployment to deliver against Wales’s low carbon objectives and realise the significant wealth generating opportunities Wales has.

- 5.2.34. The Welsh Government wants to provide leadership on the energy agenda in Wales. It aims to improve a number of areas to ensure the energy agenda progresses towards lower carbon generation. In relation to delivering renewable energy, the statement explains that in 2010 capacity from wind farms was 562 MW, with 62% of renewable energy coming from wind or solar. The aim is to make best use of proven renewable sources, including onshore wind, and deliver against low carbon objectives. This will include improvements to the planning and consenting regime and ensure that the necessary infrastructure for a diverse portfolio of renewable energy is delivered.

Energy Wales: A Low Carbon Transition Delivery Plan (2014)³²

- 5.2.35. The Energy Wales Delivery Plan sets out how the Welsh Government would develop proposals set out in the Energy Wales (2012) document. The Delivery Plan includes a number of themes and priority project areas which are within the gift of the devolved administration to support.

³⁰ Welsh Assembly Government (2010). Climate Change Strategy for Wales. Delivery Plan for Emission Reduction. (Online) Available at: <https://gov.wales/sites/default/files/publications/2019-04/climate-change-research-emission-reductions-scenarios.pdf>

³¹ Welsh Government (2012). Energy Wales: A Low Carbon Transition. (Online) Available at: <https://gov.wales/sites/default/files/publications/2019-07/energy-wales-a-low-carbon-transition.pdf>

³² Welsh Government (2014). Energy Wales: A Low Carbon Transition Delivery Plan. (Online) Available at: <https://gov.wales/sites/default/files/publications/2019-07/energy-wales-a-low-carbon-delivery-plan.pdf>

Energy Generation Targets for Wales: Statement to Assembly Members (2017)³³

- 5.2.36. In September 2017, the Welsh Government Cabinet Secretary for Environment and Rural Affairs announced to the Welsh Assembly that the Welsh Government was setting a target for Wales to generate 70% of its electricity consumption from renewable energy by 2030 and a target for 1GW of renewable electricity capacity in Wales to be locally owned by 2030. Additionally, it set a target for all renewable energy projects to have an element of local ownership.

Review of Wales' renewable energy targets

- 5.2.37. Between 24th January 2023 and 18th April 2023, the Welsh Government consulted on proposed new renewable energy targets. The targets will make sure that Wales meets their duties and ensure renewable generation delivers wider benefit to Wales.
- 5.2.38. As noted in the Welsh Government's Energy Generation in Wales: 2021 (noted elsewhere in this Statement), in 2021 renewables in Wales generated the equivalent of 55% of Wales' electricity use against a target of 70% by 2030. However, the consultation notes that the deployment of renewables in Wales and the UK has slowed since 2015. Whilst renewables-based electrical capacity continues to increase year-on-year, the current rate of growth will not be enough to meet Wales' demand, especially in light of future electricity demands.
- 5.2.39. The Welsh Government are consulting as they have a statutory duty to reduce greenhouse gas emissions; have a duty to carry out sustainable development; and need a secure, affordable energy supply.
- 5.2.40. As part of the consultation, the Welsh Government also published "Welsh energy targets review: graphing outputs." This document notes that *"An analysis of active and in-development renewable electricity generation projects has identified a potential pipeline of 4.2 GW of onshore and offshore projects. Approximately 1.7 GW of this pipeline is made up of onshore wind and solar PV, most of which has an accepted grid connection. Approaching 2.5 GW of in-development offshore wind projects were identified. While this healthy pipeline of projects, if deployed, could approximately double current Welsh renewable electricity generation, it is not substantial enough to match future Welsh electricity demand."*
- 5.2.41. As such, it is important that significant weight is applied in favour of renewable energy development projects, as per policies 17 and 18 of Future Wales. The consultation provide a clear justification and requirement for the deployment of renewable energy in Wales. The Proposed Development is part of the identified pipeline that will support these targets and the need for the development, and the circa 35 MW of wind energy and 10 MW of solar energy should be given significant weight due to it comprising a sizeable contribution to Wales' current and future targets to help address climate change.

³³ Welsh Government (2017) Lesley Griffiths high on ambition for clean energy. (Online) Available at: <https://gov.wales/lesley-griffiths-high-ambition-clean-energy>

- 5.2.42. Noting the extract in the previous paragraph, the document identifies that to deliver a higher 2035 target would require significant new onshore and offshore projects to being development in the next 5 years. Referencing back to the IPCC report, only swift, positive action can avert climate catastrophe.

Energy Generation in Wales Report 2019 (2020)³⁴

- 5.2.43. The latest Energy Generation in Wales Report covering 2019 sets out the latest data on energy generation from renewables, The Report states that capacity had increased in Wales in recent years although increases have slowed down. It set out that an estimated 7.5TWh of energy in Wales was from renewables in 2019. In comparison to the target for 70% of consumed energy to be provided by renewables, the 2019 report estimates that this figure stands at 51%. The Report also notes that there is 825 MW of locally owned renewable energy capacity in Wales, which is 83% of the way towards the 1GW target by 2030. In 2019 total onshore wind capacity stood at 1.25GW an increase in capacity of 12% from 2018.

Policy Statement: Local Ownership of Energy Generation in Wales – Benefitting Wales Today and for Future Generations (2020)³⁵

- 5.2.44. This places considerable importance on moving from polluting energy generating technologies to renewables. It also identifies that Wales has made considerable and impressive gains in ensuring energy generating facilities have some form of public ownership, contributing to local economies considerably more than traditional ownership structures.
- 5.2.45. The Policy Statement clarifies the definition of local ownership as “energy installations, located in Wales, which are owned by one or more individuals or organisations wholly-owned and based in Wales, or organisations whose principal headquarters are located in Wales. This includes the following categories: Businesses; Farms and estates; Households and other domestic scale generation; Local Authorities; Other public sector organisations; Registered Social Landlords; Third sector organisations including social enterprises and charities, their subsidiaries, trading arms and special purpose vehicles.”

Guidance for developers, local communities and decision makers – Local and shared ownership of energy projects in Wales (June 2022)³⁶

- 5.2.46. Following on from the above, this guidance encourages engagement between developers and local stakeholders, enabling them to jointly identify and secure benefits by setting out: a clear benchmark for what developers and stakeholders can realistically expect from one another; a description of what good practices look like, and how they will be delivered by all parties; and the opportunity for developers to be recognised for better projects.

³⁴ Welsh Government (2020). Energy generation in Wales 2019. (Online) Available at: <https://gov.wales/sites/default/files/publications/2021-01/energy-generation-in-wales-2019.pdf>

³⁵ Welsh Government (2020). Policy Statement: Local Ownership of Energy Generation in Wales – Benefitting Wales Today and for Future Generations. (Online) Available at: <https://gov.wales/sites/default/files/publications/2020-02/policystatement-local-ownership-of-energy-generation-in-wales.pdf>

³⁶ Welsh Government (2022) (Online) Available at: Local and shared ownership of energy projects: guidance <https://gov.wales/local-and-shared-ownership-energy-projects-guidance>

- 5.2.47. Amongst other matters, the guidance provides advice on the preparation of a Collaborative Benefits Report with the intention that this documents the engagement between a developer and local stakeholders. The outcomes which the Welsh Government seeks are: more open communication in local areas responding to proposals; ensuring decision makers are shown the full weight of wider benefits secured by projects; increasing the likelihood of local ownership being agreed; increasing the actual share of economic benefits of development for local people based on a fair level of shared risk and investment; and delivering better energy projects for Wales.

Programme for Government (2021)³⁷

- 5.2.48. The Welsh Government's Programme for Government published in June 2021 sets out the actions that the Welsh Government intend to take over the lifetime of the Senedd. It seeks to ensure that tackling the climate and nature emergencies is at the heart of Welsh Government activity. One of the objectives is *"Embed our response to the climate and nature emergency in everything we do."*

Net Zero Wales (2021)³⁸

- 5.2.49. The Environment (Wales) Act 2016 (as amended) Act requires the publication of a report setting out policies and proposals for each carbon budget period. In October 2021, the Welsh Government published Net Zero Wales: Carbon Budget 2 (2021 to 2025) which builds upon their previous plan Prosperity for All: A Low Carbon Wales (Welsh Government, 2019). This sets out a large number of policies for action in the five-year carbon budget period and proposals for action in the longer term to ensure that Wales meets the required average reduction of 37% in GHG emissions against the baseline and is on track to achieve net zero emissions in 2050.

- 5.2.50. The Plan reinforces the importance of delivering energy generation from renewable sources to meet the energy needs of Wales. The plan plays an important role in meeting challenges posed by the climate emergency declared by the Welsh Government in April 2019³⁹.

Renewable Energy Deep Dive (2021 and 2022)

- 5.2.51. The Welsh Government undertook an exercise, known as the Renewable Energy Deep Dive, to identify the barriers to significant scaling up renewable energy in Wales and identifying steps to overcome those barriers – looking at short, medium and long term steps – with a focus on retaining benefits and ownership within Wales wherever possible.

³⁷ Welsh Government (2021). Programme for Government: Well-being Statement. (Online) Available at: <https://gov.wales/sites/default/files/publications/2021-06/programme-for-government-2021-to-2026-well-beingstatement.pdf>

³⁸ Welsh Government (2021). Net Zero Wales Carbon Budget 2 (2021-25). (Online) Available at: <https://gov.wales/sites/default/files/publications/2021-10/net-zero-wales-carbon-budget-2-2021-25.pdf>

³⁹ Welsh Government (2019) Minister for Environment, Energy and Rural Affairs Lesley Griffiths Welsh Government makes climate emergency declaration

- 5.2.52. The Deep Dive published a series of recommendations in December 2021 and in September 2022 setting out the progress being made on those recommendations. The recommendations are centred around strategy; grid; consenting and licensing; finance; community and local energy; economy and social value; and innovation.
- 5.2.53. The vision for Wales, within the Deep Dive but replicated elsewhere, is to generate renewable energy to at least fully meet Wales' energy needs and utilised surplus generation to tackle the nature and climate emergencies.
- IPCC Synthesis Report (2023)**
- 5.2.54. On 20th March 2023, the Intergovernmental Panel on Climate Change (IPCC) published the "synthesis report" of its sixth assessment report. The report encompasses the entire range of human knowledge of the climate system. The report drew together the most important findings and highlighted some key measures that governments and countries must take immediately if we are to avoid climate catastrophe.
- 5.2.55. The report noted that renewable energy, in the form of wind and solar power, is now cheaper than fossil fuels across most of the world. Furthermore, the IPCC found that solar and wind power were two of the tree measures with the strongest potential for reducing greenhouse gas emissions globally.

5.3. Welsh national policy

Future Wales: The National Plan 2040⁴⁰

- 5.3.1. Future Wales: The National Plan 2040 (Future Wales) was published by the Welsh Government in February 2021. Future Wales sets out the national development framework for Wales and has development plan status. As the highest tier of the development plan, it provides the framework for the development of regional level Strategic Development Plans (SDPs) (which have yet to be produced) and Local Development Plans (LDPs). Future Wales is the Welsh Government's "*strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong eco systems and improving the health and well-being of our communities*" (page. 6). Future Wales is the policy document against which DNS applications (including the Proposed Development) must be determined in accordance with unless material considerations indicate otherwise, in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 5.3.2. Future Wales has been prepared to provide a clear, long term spatial direction for Government policy, action and investment in Wales. It sets out a framework for addressing key national priorities through the planning system, inclusive of decarbonisation. It states (page. 46): "*Future Wales together with Planning Policy Wales will ensure the planning system focuses on delivering a decarbonised and resilient Wales through the places we create, the energy we generate, the natural resources and materials we use and how we live and travel.*"
- 5.3.3. Future Wales recognises the role that Wales can play in supporting the use of renewable energy. It recognises that "*Wales can become a world leader in renewable energy technologies*" (page. 48). Furthermore, it recognises that "*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).
- 5.3.4. Future Wales sets out 11 outcomes to provide a vision for change to 2040. Outcome 11 seeks "A Wales where people live ... in places which are decarbonised and climate-resilient" (page. 56). Further it states, "The challenges of the climate emergency demand urgent action on carbon emissions and the planning system must help Wales lead the way in promoting and delivering a competitive, sustainable decarbonised society" (page. 56).
- 5.3.5. Future Wales reaffirms the Welsh Government's commitment to maximising renewable and the Welsh Government targets:
- For 70% of electricity consumption to be generated from renewable energy by 2030;

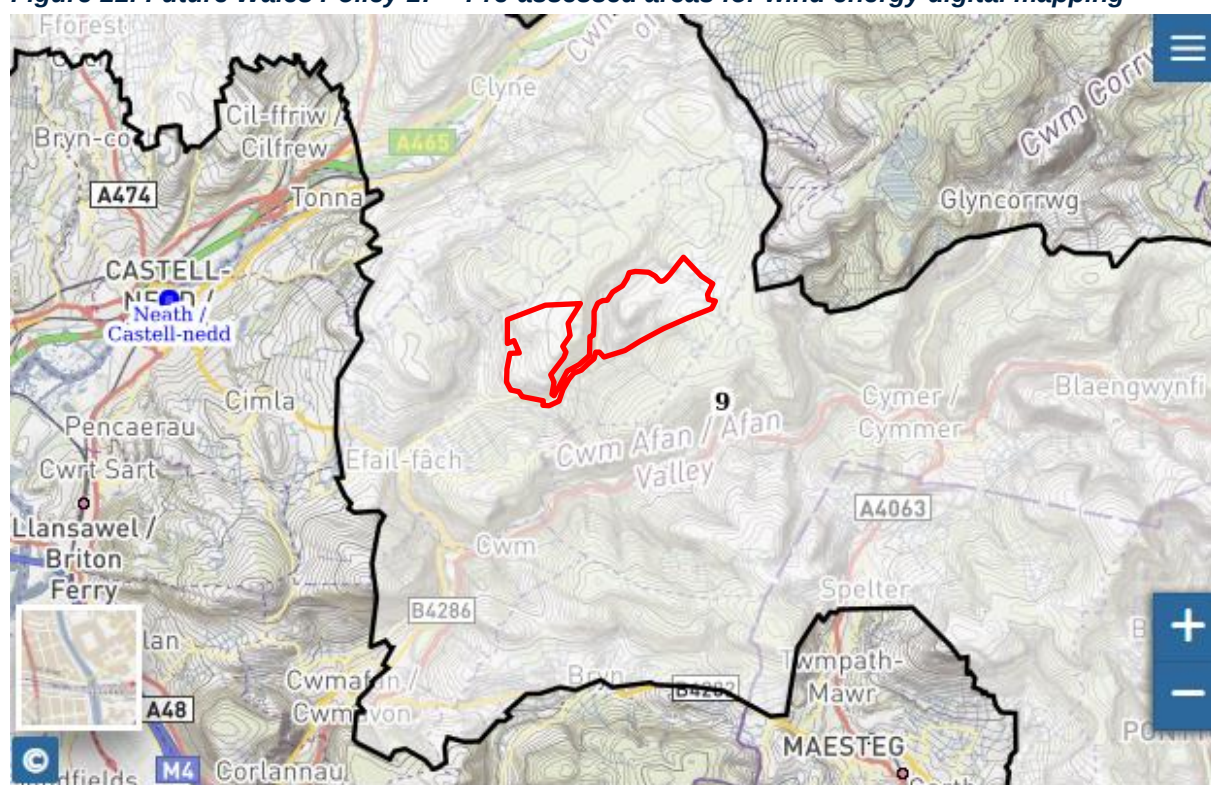
⁴⁰ Welsh Government (2021). Future Wales: The National Plan 2040. (online) Available at: <https://gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf>

- for one gigawatt of renewable energy capacity to be locally owned by 2030; and
- for new renewable energy projects to have at least an element of local ownership from 2020.

5.3.6. Future Wales confirms that energy generation accounted for 29% of GHG emissions in 2018 and is clear that large scale renewable electricity generation is vital to meeting renewable energy and climate change targets and that alternative of smaller scale developments and initiatives would not meet the targets (page. 97):

“The Welsh Ministers have considered alternatives to the need for new large-scale electricity generation infrastructure, including building-mounted installations and energy efficiency measures. Although we believe that these measures have an important part to play in meeting our energy, decarbonisation and climate change targets, they will not enable us to meet these objectives on their own.”

Figure 11: Future Wales Policy 17 – Pre-assessed areas for wind energy digital mapping



- 5.3.7. Future Wales identifies 10 PAAs for wind within which there is a presumption in favour of large-scale wind development under Future Wales' Policy 17 - Renewable and Low Carbon Energy and Associated Infrastructure subject to detailed criteria in Policy 18 – Renewable and Low Carbon Energy Developments of National Significance. Policy 17 states that *"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"* whilst decision makers are required to give *"significant weight"* to the need to meet international commitments and Wales' target to generate 70% of energy from renewables by 2030. Policy 18 provides a detailed decision-making framework for the renewable and low carbon energy developments.
- 5.3.8. The accompanying text to policy 18 states that "In the 'Pre-Assessed Areas for Wind Energy' the Welsh Government has undertaken an assessment to identify these areas to provide certainty where, in principle, developments would be acceptable. In these areas there is a presumption in favour of large-scale on-shore wind energy development and the associated landscape change subject to the criteria in policy 18."
- 5.3.9. Furthermore, the accompanying text goes on to state that "The Welsh Government...will work with relevant stakeholders to help unlock the renewable energy potential of these areas and the economic, social, cultural and environmental benefits they can bring to communities."

Planning Policy Wales Edition 11 (2021)⁴¹

- 5.3.10. Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. PPW Edition 11 was adopted in February 2021 to coincide with the publication of Future Wales. PPW, with the supporting Technical Advice Notes (TAN), Circulars and Policy Clarification letters comprise national planning policy but do not form part of the development plan.
- 5.3.11. At para 3.30 PPW states that "In 2019 the Welsh Government declared a climate emergency in order to coordinate action nationally and locally to help combat the threats of climate change. The planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources."
- 5.3.12. Chapter 5: Productive and Enterprising Places sets out the planning policy approach to energy within Wales. Para 5.7.6 states that *"The planning system should secure an appropriate mix of energy provision, which maximises benefits to our economy and communities whilst minimising potential environmental and social impacts. This forms part of the Welsh Government's aim to secure the strongest economic development policies, to underpin growth and prosperity in Wales, recognising the importance of decarbonisation and the sustainable use of natural resources, both as an economic driver and a commitment to sustainable development."*

⁴¹ Welsh Government (2021). Planning Policy Wales Edition 11. (Online) Available at: https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf

5.3.13. PPW11 reaffirms the Welsh Government's targets for renewable energy generation and local ownership. Para 5.7.7 states that "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." PPW11 states that the planning system should (Para 5.7.7):

- "integrate development with the provision of additional electricity grid network infrastructure;
- optimise energy storage;
- facilitate the integration of sustainable building design principles in new development;
- optimise the location of new developments to allow for efficient use of resources;
- maximise renewable and low carbon energy generation;
- maximise the use of local energy sources, such as heat networks;
- minimise the carbon impact of other energy generation; and
- move away from the extraction of energy minerals, the burning of which is carbon intensive."

5.3.14. PPW states that local planning authorities should ensure "development plan policies are supportive of renewable and low carbon energy development in all parts of Wales, direct developments to the right locations and set out clearly the local criteria against which proposals will be evaluated" (Para 5.9.10). PPW11 is also clear that local planning authorities should not seek to amend the PAAs identified in Future Wales within their LDPs.

5.3.15. PPW11 affirms that planning applications for onshore wind generating projects over 10 MW are made directly to Welsh Ministers as part of the DNS process and are to be considered under the policies of Future Wales.

Consultation on Planning Policy Wales

5.3.16. Between 9th March and 31st May 2023, the Welsh Government consulted on changes to section 6 of Planning Policy Wales, which focused on net benefit for biodiversity and ecosystems resilience. The purpose of the consultation is a targeted update of policy in section 6.4 of PPW relating to biodiversity and the resilience of ecosystems and to strengthen policy on designated sites, in particular sites of special scientific interest, and on trees and woodlands.

5.3.17. Notwithstanding the final form of the amendments to PPW or the metric that will follow in due course, the Proposed Development has had regard to Future Wales, notably policy 6, and PPW, alongside NPTCBC LDP during the development of the project. Notably, the project includes habitat enhancement measures within the Habitat Management Plan (which has been informed by consultation with NPTCBC, both their ecologist's and peatlands team). The Habitat Management Plan will provide biodiversity net benefit, particularly through improvements to the Local Wildlife Sites and bog habitat, amongst other benefits as noted in the Collaborative Benefits Report and in this Statement.

Technical Advice Notes

- 5.3.18. The Welsh Government has produced a number of Technical Advice Notes (TAN) which supplement PPW11. There are a number of guidance notes that are applicable to the development of onshore wind farms.

Technical Advice Note 5: Nature Conservation and Planning (2009)

- 5.3.19. TAN 5 provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation within Wales. It sets out the key principles of planning for nature conservation for both LDPs and when deciding planning applications. These include:
- Being mindful of the principles of sustainable development, environmental limits, the precautionary principle;
 - contributing to the protection and improvement of the environment;
 - promoting the conservation and enhancement of statutorily designated areas and undeveloped coast;
 - ensuring that appropriate weight is attached to designated sites of international, national and local importance;
 - protecting wildlife and natural features in the wider environment;
 - ensuring that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation;
 - ensuring that the range and population of protected species is sustained; and
 - avoiding harm to nature conservation, minimising unavoidable harm by mitigation measures, offsetting residual harm by compensation measures and looking for new opportunities to enhance nature conservation.

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

- 5.3.20. TAN 6 states that planning authorities should support the diversification of the rural economy and that the planning system has a key role to play in supporting the delivery of sustainable rural communities. It notes the need to respond to the challenges posed by climate change and identifies that one method which can contribute to this is renewable energy generation, particularly using local renewable sources. In paragraph 3.7.2, TAN 6 considers farm diversification and notes the range of activities which can be sustainably located on farms and notes that the production of renewable energy is likely to be an appropriate use.

Technical Advice Note 11: Noise (1997)

- 5.3.21. TAN 11 provides advice on how the planning system can be used to minimise the adverse impact of noise, without placing unreasonable burdens on applications. Local planning authorities must ensure that noise generating developments do not cause an unacceptable degree of disturbance.

Technical Advice Note 12: Design (2016)

- 5.3.22. The TAN says that good design can be facilitated. There are a number of key objectives in relation to design:

- Access - Ensuring ease of access for all;
- Character - Sustaining or enhancing local character, promoting legible development, promoting a successful relationship between public and private space, promoting quality, choice and variety and promoting inclusive design;
- Community Safety - Ensuring attractive, safe public spaces and security through natural surveillance;
- Environmental Sustainability - Achieving efficient use and protection of natural resources, enhancing biodiversity and designing for change; and
- Movement - Promoting sustainable means of travel.

TAN 18: Transport

- 5.3.23. This TAN outlines the transport issues to consider when assessing planning applications. Whilst the Proposed Development is not considered to be a trip generating development, regard has been had to this TAN noting the possible impacts upon existing road infrastructure and the monitoring of this during construction – and any remedial works required.

Technical Advice Note 19: Telecommunications (2002)

- 5.3.24. This TAN deals with both the creation of telecommunication links and also the potential for radio interference from the Proposed Development. It notes that large prominent structures such as wind farms can cause disruption to television and other telecommunications services due to the physical obstruction. It puts the onus on local planning authorities to satisfy themselves that the potential for interference has been fully taken into account in the siting and design of such developments and that appropriate mitigation is built into the scheme if necessary.

Technical Advice Note 23: Economic Development (2014)

- 5.3.25. TAN 23 sets out guidance for the approach to economic development. Under paragraph 2.1.13 the TAN restates that the planning system should support (*inter alia*) the low carbon economy. TAN 23 states that the balance between economic benefits and social and environment impacts need to be carefully weighed up and decisions on each case will depend on local circumstances.

Technical Advice Note 24: The Historic Environment (2017)

- 5.3.26. TAN 24 provides guidance on how the planning system should consider the historic environment during development plan preparation and decision making on planning applications.

Practice Guidance

Planning Implications of Renewable and Low Carbon Energy (2011)

- 5.3.27. This practice guidance is intended for use by local planning authorities and sets out how the development of policies and the decision-making process can support and facilitate the deployment of renewable and low carbon energy systems. The guidance provides a non-technical description of the technology, a review of the key technological and financial constraints, key planning issues and a summary of the key land use planning impacts and benefits.

5.4. The Local Development Plan

5.4.1. As described in Section 4.3 above, Future Wales forms the highest tier of the Development Plan and contains the primary planning policies against which DNS are determined. This section of the Planning, Design and Access Statement sets out the key LDP policies relevant to the consideration of the Proposed Development.

5.4.2. The Proposed Development is located within the administrative area of NPT, the development plan for which is the Neath Port Talbot Local Development Plan (LDP) (2016). The policies of particular relevance to the Proposed Development include:

Policy SP1: Climate Change;	Policy SC1: Settlement limits;
Policy SP4: Infrastructure;	Policy I1: Infrastructure Requirements;
Policy SP14: The Countryside and Undeveloped Coast;	Policy EN6: Important Biodiversity and Geodiversity Sites;
Policy SP15: Biodiversity and Geodiversity;	Policy EN7: Important Natural Features;
Policy SP16: Environmental Protection;	Policy M1: Development in Mineral Safeguarding Areas;
Policy SP17: Minerals;	Policy RE1: Criteria for the Assessment of Renewable and Low Carbon Energy Development;
Policy SP18: Renewable and Low Carbon Energy;	Policy TR2: Design and Access of New Development;
Policy SP20: Transport Network;	Policy BE1: Design.
Policy SP21: Built Environment and Historic Heritage;	

5.4.3. The following NPT-approved SPG documents are also relevant to the application:

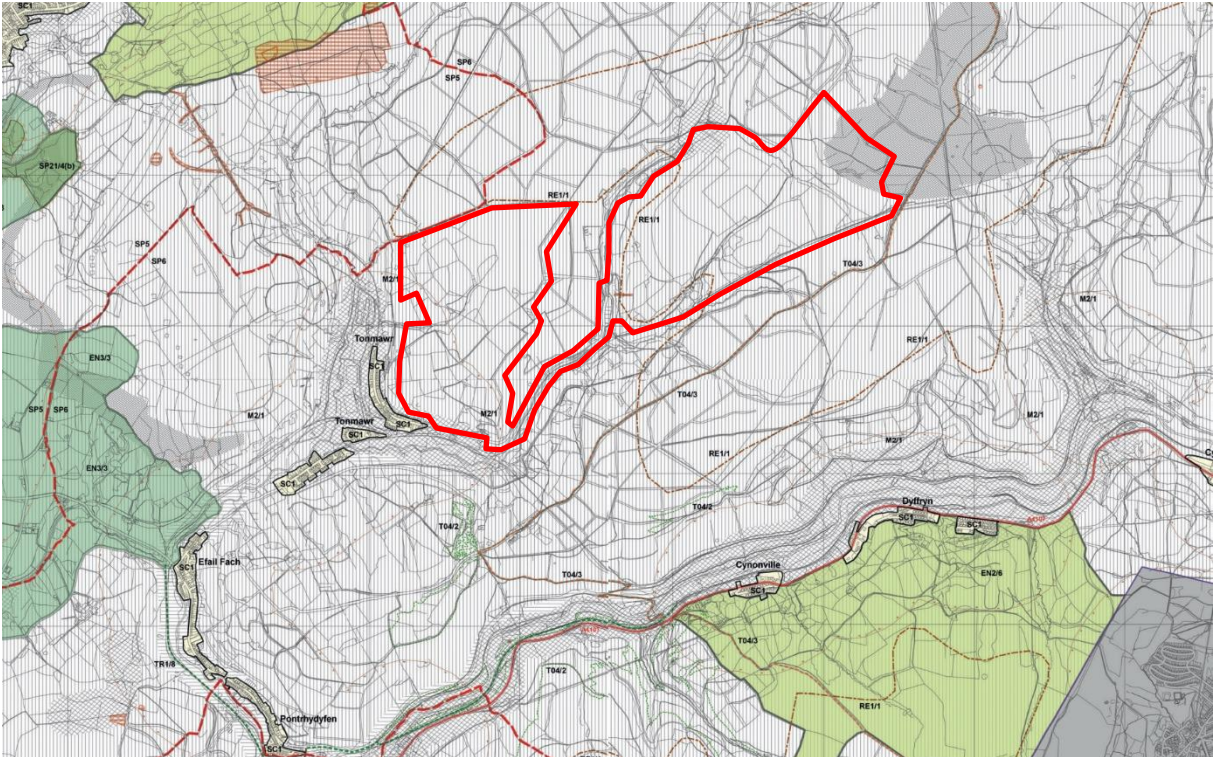
- Planning Obligations (October 2016);
- Pollution (October 2016);
- Open Space and Greenspace (July 2017);
- Renewable and Low Carbon Energy (July 2017);
- Design (July 2017);
- Landscape and Seascape (May 2018);
- Biodiversity and Geodiversity (May 2018); and
- The Historic Environment (April 2019).

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Figure 12 :Neath Port Talbot LDP proposals map extract



	The Site		Safeguarded Category 2 Sandstone Resource (M1)
	Valleys Strategy Area (SP6)		Settlement protection zone (M2/1)
	Settlement limit (SC1)		Refined Strategic Search Area (RE1/1)
	Scheduled Ancient Monument (SP21/4(d))		

Emerging LDP

5.4.4. In NPT’s July 2020 LDP Review Report it was concluded that a Replacement LDP (RLDP) should be prepared by the Council. When adopted, the RLDP will supersede the existing LDP and become part of the statutory development plan for the County Borough, alongside Future Wales, PPW and other policies noted herein.

- 5.4.5. The Delivery Agreement for the RLDP was published in January 2022 and the Council is currently in a 'Pre-deposit participation/preparation (regulation 14)' stage. At the same time, the Council has undertaken its first call for candidate sites as part of this process and consulted on these sites in Summer 2022.
- 5.4.6. The Delivery agreement for the RLDP states that the pre-deposit consultation will not take place until March 2023 and that the plan is not expected to be adopted until July 2025. As such, our ability to both review and comment on the plan prior to submission of this application was not possible – however, we will continue to monitor its progress during the examination of this application and beyond.

NPT Renewable Energy Assessment (2012)

- 5.4.7. This Renewable Energy Assessment (REA) draws upon a pilot study renewable energy assessment undertaken by Pembrokeshire County Council in 2010 and was produced in light of the 'Planning for Renewable and Low Carbon Energy – A toolkit for Planners' project. The REA considers a number of renewable energy technologies and how they can contribute to targets, noting the technical maturity, commercial viability and extent of institutional and infrastructural support.
- 5.4.8. With regard to electrical resource, the REA is influenced by the presence of the Strategic Search Areas from Technical Advice Note 8: Planning for Renewable Energy – Strategic Search Areas (SSA)– which has since been revoked. Two of the SSAs, Pontardawe (E) and Coed Morgannwg (F) are within the NPT administrative area.
- 5.4.9. In undertaking the assessment, the REA assumed a rated output of wind turbines as 2 MW, with 80m hub height and 80m rotor diameter, with height to blade tip at the highest point being 120m and an areas experiencing wind averages of 6m/s or more.
- 5.4.10. The wind energy resource constraints map within the REA shows the Site as being partly covered on the Blaenavon site as a high unconstrained wind resource but with no other constraints. The REA assumed a 7km separation distance to be applied to existing developments, including Melin Court, Ffynnon Oer and Pen y Cymoedd. However, the REA notes that this is not an exclusion and further detailed in-combination assessment be undertaken.

6. Material Considerations

6.1. Overview

6.1.1. This chapter of the PDAS provides an assessment of the key matters to be considered in the planning balance for the Proposed Development. It considers the technical assessment work undertaken and presented in the ES and appraises that against the relevant planning policies. The chapter also demonstrates and concludes on the acceptability of the Proposed Development in planning terms. The following matters are considered to be material to the acceptability of the Proposed Development:

- Principle of Development / Policy 17 of Future Wales
- Policy 18 of Future Wales;
- The Development Plan;
- Other material considerations; and
- Well-being of future generations.

6.1.2. Future Wales is the primary planning policy document against which DNS applications are to be assessed – as confirmed on page 96 of Future Wales, which states “*As set out in legislation, applications for Developments of National Significance must be determined in accordance with Future Wales, which is the national development plan for Wales.*” As such, this section focuses upon the relevant policies within Future Wales and how the Proposed Development complies with those policies. Notwithstanding this, the Proposed Development is also considered against PPW, the relevant TANs and the relevant policies of the adopted LDP.

6.2. Principle of Development / Policy 17 of Future Wales

Climate Emergency

- 6.2.1. Both the Welsh Government and Neath Port Talbot County Borough Council have declared a climate emergency.
- 6.2.2. Alongside the above, the Environment (Wales) Act) 2016 (as amended) places a duty on the Welsh Ministers to reduce greenhouse gas (GHG) emissions in Wales by at least 100% by 2050. As such, significant weight must be given by decision makers to the need to meet Wales’ international commitments on climate change and the target to deliver 70% of consumed energy from renewable sources by 2030 (and likely 100% by 2035).
- 6.2.3. The Welsh Government has also set an interim target of net Welsh emissions to be 63% lower than the 1990 baseline by 2030. However, it is understood that the Welsh Government is behind in respect of achieving its 2050 targets (net zero).

- 6.2.4. In this respect, Welsh energy policy acknowledges that renewable energy development is (and will be) a key contributor to achieving the net zero target. The Welsh Government's 'Prosperity for All: A Low Carbon Wales' aims to accelerate the deployment of renewable energy generation to help cut emissions whilst at a UK level the British Energy Security Strategy aims to accelerate the transition from fossil fuels to renewables and aims to go further and faster in respect of renewable energy development.
- 6.2.5. To this end, PPW states that "the planning system has an active role to help ensure the delivery of these targets, in terms of new renewable energy generating capacity" as well as "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". Therefore, it is considered that the Proposed Development aligns with these aims and objectives at a national level.

Benefits of the Proposed Development

- 6.2.6. The Proposed Development could deliver 35 MW of electrical generating capacity and would accordingly provide enough renewable energy to power nearly 29,546 homes. It is also anticipated that the Proposed Development would reduce CO₂ emissions by over 53,207 tonnes each year, thus offering substantial environmental benefits. This Proposed Development would also offer significant socio-economic benefits including those associated with job creation during the construction phase and business rates payable during operation.
- 6.2.7. As detailed further within the Collaborative Benefits Report, the proposed Development will have a carbon payback time of 1.0 to 1.4 years (12 to 17 months) when compared to the fossil fuel mix of electricity generation. After that time, the Proposed Development would be in a net gain situation and would contribute toward national objectives.
- 6.2.8. The Proposed Development could lead to a community benefit fund of up to £180,000 per year or £6,300,000 over its lifetime, with innovative approaches to this fund being explored. Furthermore, opportunities for local and shared ownership are well progressed, with a Memorandum of Understanding in the process of being agreed with Awel Aman Tawe and up to one sixth of the project being offered through this – with the potential for some shares to be gifted to local community organisations.
- 6.2.9. The socio-economic assessment has identified significant positive benefits from the construction and operation of the Proposed Development. Furthermore, the Proposed Development will have ecological benefits on existing habitats both within and near to the Site.
- 6.2.10. The Proposed Development would generate enough electricity to power 29,546 homes per year, reflecting a significant contribution to the local, regional and national renewable energy generation demand targets and objectives.

- 6.2.11. The Welsh Government's 'Energy Generation in Wales 2020' report (May 2022) sets out the energy generation capacity in Wales in 2020 and analyses how it has changed over time. The report notes that both offshore and onshore wind play a major role in renewable electricity generation in Wales, accounting for 29% and 39%, respectively – and 23% of all electricity generation in Wales – thereby accounting for over two thirds of Wales' progress towards the 70% renewable electricity target.
- 6.2.12. Onshore wind capacity stood at 1,273 MW in 2020, 34% of which is within the Swansea Bay City Region. Within NPT, the report indicates that there are 12 onshore wind projects, comprising 230 MW in generation capacity.
- 6.2.13. The Proposed Development is located within the Swansea Bay City Region, where an estimated 49% of renewable energy generation came from onshore wind in 2020 – the highest contribution from any single technology in the region and twice as much as the next technology, solar PV.
- 6.2.14. The energy vision scenario within the South West Wales Energy Strategy (March 2022) identifies an increase in onshore wind capacity of 399 MW. This would double the capacity within the region due to the availability of suitable sites, including new projects in pre-assessed search areas 9 of Future Wales.

Policy 17 of Future Wales

- 6.2.15. Future Wales sets out two policies concerned with renewables and low carbon energy – policies 17 and 18. To address the climate emergency, the planning system's role is to deliver nationally significant renewable energy projects, such as the Proposed Development – which is emphasised in Policy 17 of Future Wales in that *"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"* – which is expanded upon below.
- 6.2.16. Policy 17 requires that *"Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities"*.
- 6.2.17. The Proposed Development is located wholly within Pre-Assessed Area for Wind Energy (Area 9). As such, there is a presumption in favour of such a project, a large-scale onshore wind farm in this instance, subject to compliance with the tests set out in Policy 18 of Future Wales.

6.3. Policy 18 of Future Wales

- 6.3.1. As noted above, the Site is located within a Pre-assessed area for wind energy (Area 9) which the Welsh Government has already modelled up to 250m tip height in respect of the likely impacts on the landscape and found them to be capable of accommodating development in an acceptable way. Policy 18 expressly omits any test in respect of landscape impacts for wind energy proposals located within the Pre-assessed areas for wind energy.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Table 2: Assessment against Future Wales policy 18 requirement

Policy 18 criteria	Compliance
2. there are no unacceptable adverse visual impacts on nearby communities and individual dwellings;	Chapter 7 - Landscape and Visual Impact of the Environmental Statement (ES) assesses the likely visual impacts of the Proposed Development. The LVIA concludes that The Proposed Development would introduce additional, larger wind turbines to the south west of the existing and consented Ffynon Oer, Pen y Cymoedd and Melin Court wind farms. Construction and decommissioning stage effects would be substantively the same. They would involve short-term activities and effects which would not be significant. Significant effects would arise on the Cwm Afan and Cwm Pelenna landscape character areas which would be host to three of the wind turbines and the solar panels at Mynydd Blaenafon. Significant changes to the character of this area would arise from the change of the site from its present state (and future baseline of forestry) to become a renewable energy development, and a sense of proximity to the wind turbines as a result of relatively close views from lower lying areas in and around Tonmawr and Efail-fach. Significant visual effects would arise for receptors within 2km of the site to the west, east and north, and 3km to the south. The receptor groups within this area include: • Users of PRoWs and access land across the Site and within 2km; • Tonmawr (0.8km, southwest); • Local road and PRoW users south and south-east of Cimla (3km, southwest). The only significant night-time effects would be on people staying at the camp site or in the glamping pods at Bryn Bettws Lodge, where they would have close, open views of the wind turbine lights set against a dark sky as they move about the site.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
	Existing, consented and Proposed Developments within 30km of the site have been considered within this assessment. The only project identified as requiring detailed consideration was Y Bryn wind farm, a proposal for 21No. 250m wind turbines located 2.6km to the southeast of the Site. This proposal was assessed based on its published scoping layout. There would be no change to the significant effects arising from the Proposed Development in the context of Y Bryn wind farm; the only differences to effects would be in areas close to the Y Bryn site where minor changes to the effects have been assessed as remaining non-significant. Wind farms, by their very nature, create visual effects and the role of the decision-maker is to consider the extent to which these effects outweigh (or not) the positive benefits of the proposal such that the application could be considered unacceptable. Recognition should also be given to the fact that the ES assessment commonly considers views of wind turbines to be negative (i.e. 'worst-case') when the experience of an individual receptor may be positive or neutral. Future Wales calls for significant weight to be attached to the positive benefits of onshore wind. The significant effects identified within the ES are those which could be anticipated arising from a development of this kind and are not so significant or widespread as to outweigh the benefits which would derive from its operation.
3. there are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons of Overriding Public Interest (IROPI) and appropriate compensatory measures have been secured);	Chapter 9 – Ecology and Chapter 10 - Ornithology of the ES examine the likely effects on internationally designated sites and features. In respect of Ecology, the ES identifies that the potential for connectivity between the Site and designated sites has been considered on the basis of the Zone of Influence of the Proposed Development and depending on the nature of such sites and their qualifying interests. The Proposed Development was considered to not have potential for connectivity with any statutory designated site. The potential for impacts to the three SINCs are noted below and within the ES – as these are national designations, rather than international. Notwithstanding this, the Proposed Development would achieve renewable energy generation target that could be considered as an imperative reason of overriding public interest and the Outline Habitat Management Plan includes a series of enhancements to habitats as part of the Proposed Development – a biodiversity net benefit.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
	With regard to Ornithology, the ES summarises that impacts on Red Kite are minor adverse and not significant, with no mitigation required. Effects on the three identified designated sites with ornithological interest within 10km of the Site were scoped out due to the considerable spatial separation between the Proposed Development and these sites and the absence of pathways for significant effects, as well the sites not being sensitive to wind farm developments. Accordingly, it is considered that the Proposed Development satisfies the criteria.
4. there are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species;	Chapter 9 – Ecology and Chapter 10 - Ornithology of the ES also consider the impacts on nationally protected habitats and sites. As noted in the ES, whilst they are not statutory designated sites, there are three Sites of Importance for Nature Conservation (SINC) within a zone of influence of the site, including: Tyle'r Waum; Cwm Blaenpelenna; and Tonmawr Mine water Treatment and surrounding habitats. The SINCs, which are the highest value areas of habitat, will not be affected by the Proposed Development. In respect of Tyle'r Waum; Cwm Blaenpelenna SINCs, enhancement measures for these sites are included within the Outline Habitat Management Plan, with a view to improving the habitat interests within these SINCs. These SINCs are noted to be threatened by encroachment of scrub and conifer from adjacent forestry, as well as grazing. In the absence of nature conservation management to halt their decline, the conditions will continue to deteriorate with associated reduction in their suitability for species which are supported by those habitats. This makes adopting the habitat enhancement measures within the OHMP even more prudent. Accordingly, it is considered that the Proposed Development satisfies the criteria.
5. the proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity;	The Applicant has prepared and submitted an Outline Habitat Management Plan (OHMP) which sets out the objectives for biodiversity protection, mitigation, monitoring and habitat enhancement measures, where applicable. This has, and will be, further developed in consultation with NPT and an outline document has been prepared to accompany the submission of the application. The OHMP will aim to mitigate habitat loss within the Site and it will set out the long-term habitat management and monitoring proposed, focussing on key habitats. The OHMP has been prepared in discussion with Neath Port Talbot Council officers and The Lost Peatlands Project, amongst other parties.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
	Accordingly, it is considered that the Proposed Development satisfies the criteria.
6. there are no unacceptable adverse impacts on statutorily protected built heritage assets;	Chapter 12 – Archaeology and Cultural Heritage of the ES assesses the potential for significant effects on historic assets resulting from the construction and operation of the Proposed Development. The Proposed Development could directly impact the Scheduled Monument of Cwm Pelenna Colliery Ventilation Furnace. To mitigate this, it is recommended that a 'floating road' scheme is devised. This would avoid direct and physical significant effects upon a Scheduled Monument. The Proposed Development could also directly impact the non-designated medieval platform site (00693w), situated within the western area of the Site. No other known archaeological remains will be physically affected by the proposals. There is, however, the potential of encountering previously unrecorded archaeological remains within the Site. In the first instance, it is recommended that the Site should be the subject of a geophysical survey before development commences. Additionally, the likelihood of increased traffic and activity during both the construction and operational phases of the Proposed Development could cause a Minor to Moderate Adverse Effect upon Cwm Pelenna Colliery Ventilation Furnace and Cwm Pelenna Ventilation Stack. However, these effects are not considered to be significant. Accordingly, it is considered that the Proposed Development satisfies the criteria.
7. there are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance;	Chapter 6 of the ES assesses the likely impacts in respect of shadow flicker. One residential property could experience over 30 hours of shadow flicker in a year, Fforch-dwm. Shadow flicker effects on Fforch Dwm could arise from wind turbines 1 and 3, most frequently in the early evening in summer from wind turbines 1, and in early morning in the summer from wind turbine 3. Based on the significance criteria outlined, the shadow flicker effects on this property would be significant without mitigation. However, it is likely in practice actual hours of shadow flicker would be considerably less than this due to the wind not always blowing and the sun not always shining during periods when shadow flicker could otherwise occur. When average sunshine hours are applied to the results it is likely Fforch-dwm could experience under 30 hours per year of shadow flicker. No other properties are anticipated to experience any shadow flicker effects resulting from the Proposed Development. Mitigation, in the form of a shadow flicker control module is proposed, as is an associated planning condition. Chapter 8 – Noise and Vibration of the ES assesses noise.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
	Construction noise has been assessed in a desk-based study of the potential construction programme and by assuming the Proposed Development is constructed using industry-standard methods. Noise levels have been calculated for receiver locations closest to the areas of work and compared with guideline and baseline values. Noise associated with construction traffic has been considered on the basis of relative changes to, or absolute, traffic levels. It is concluded that, following mitigation, noise generated through construction activities would have a minor effect at most, which is Not Significant. Operational wind turbine noise levels have been assessed using the ETSU R 97 guidelines and relevant good practice, on the basis of new and historical baseline survey data and site-specific considerations. This included consideration of relevant cumulative sites. It was concluded turbines of the type and size which would be installed can operate within the derived ETSU R 97 limits, even when including consideration of noise from cumulative sites. Operational wind turbine noise levels are therefore considered to be Not Significant in EIA terms. Potential noise from the substation and solar array for the Proposed Development was assessed in line with the relevant standard. Following mitigation, these would be associated with a minor effect at most, which is Not Significant. The addition of these sources to that of the wind turbines would not affect the outcome of the above assessment and overall operational noise, combining the noise emissions from all sources during the operational phase of the Proposed Development, would remain Not Significant. Chapter 6 of the Environmental Statement assess glint and glare; and aviation lighting. In respect of glint and glare, solar reflections are not geometrically possible towards the assessed 0.7km section of Ton-Mawr Road. No impacts are predicted, and no mitigation is required. Solar reflections are geometrically possible towards 28 of the 118 assessed dwellings. Screening in the form of existing vegetation and intervening terrain is predicted to obstruct views of reflecting panels, therefore no impact is predicted and no mitigation requirement has been identified. No impact is predicted upon road safety and residential amenity, and no mitigation is recommended. In respect of aviation lighting, the requirements for both visible, Civil Aviation Authority (CAA) approved aviation lighting and Ministry of Defence (MOD) approved Infra-Red (IR) lighting for the Mynydd Fforch Dwm Wind Farm have been assessed. The proposed layouts have been sent to the CAA and MOD for approval. The MOD will approve the IR lighting layout as there is no concession required and the CAA have approved the lighting concession.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
	The report also assesses the brilliance of lights that will be visible taking into account the elevation angle between the wind turbine hub obstruction light and the viewpoints and the distance between each wind turbine and each viewpoint. The report shows that for up to 88% of the time, the medium intensity lights will only be required to operate at 10% luminosity intensity, which will significantly reduce obstruction light effects in the area. The report then identifies additional mitigation options that, should the regulatory process allow, enable the visible medium intensity wind turbine lights to be switched off for the vast majority of the time and activated only on those rare occasions in this location when an aircraft activates the system, enabling future lighting effects to be mitigated to the extent of becoming almost non-existent. Impacts on air quality were scoped out of the Environmental Statement but mitigation measures are embedded within the CEMP. In respect of telecommunications, British Telecom (BT), Mobile Broadcast Network Limited (MBNL), Virgin Media, O2, and Vodafone have confirmed they have no objections to the Proposed Development based on the current turbine layout. Atkins had passed the request for link information onto Dwr Cymru (Welsh Water) and they have subsequently confirmed that they have no objections to the Proposed Development based on the current turbine layout. Following further analysis undertaken by the Joint Radio Company (JRC) an initial objection to the Proposed Development was removed. Therefore, the JRC has no objections to the Proposed Development based on the current turbine layout. Arqiva provided details of their communications infrastructure in the area, accompanied by an objection to one wind turbine location. The subsequent 2D analysis has shown that wind turbine 1 (T1) infringes the exclusion zone associated with the link path. The applicant and Pager Power have had correspondence with Arqiva with respect to their communication infrastructure. The Proposed Development is predicted to affect one UHF communication link, which traverses the Proposed Development site. Following consultation, Arqiva undertook a preliminary desktop assessment and confirmed that there is a technically viable mitigation solution that does not involve wind turbine movement. Mitigation of the communications link will be agreed upon and implemented post-consent. Accordingly, it is considered that the Proposed Development satisfies the criteria.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
8. there are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T);	Chapter 6 of the ES identifies the likely effects on aviation and telecommunications. In respect of aviation, this is a relatively uncomplicated development from an aviation perspective. The wind turbines will be visible to the radar at Cardiff Airport and a technical mitigation scheme will become available subject to contractual agreements between the applicant and the airport and the imposition of a planning condition to protect the interests of the airport. The only other mitigation required is for aviation lighting to fulfil the requirements of both the CAA and the MOD, again through the imposition of a planning condition. Accordingly, it is considered that the Proposed Development satisfies the criteria.
9. there are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation;	Chapter 13 – Transport and Access of the ES assesses the potential effects on the transport network. Existing traffic data established a baseline for determining the impact during the construction phase and was factored to future levels to help determine the effect of construction traffic on the local road network. The construction traffic will result in a temporary increase in traffic flows on the road network surrounding the Proposed Development. The maximum traffic effect associated with construction of the Proposed Development is predicted to occur in Month 5 of the construction programme. During this month, an average of 138 HGV movements is predicted per day and it is estimated that there will be a further 24 car and light van movements per day to transport construction workers to and from the Site. A series of mitigation measures and management plans have been proposed to help mitigate and offset the impacts of both the construction and operational phase traffic flows. No link capacity issues are expected on any of the roads assessed due to the additional movements associated with the Proposed Development. The effects of construction traffic are temporary in nature and are transitory. Accordingly, it is considered that the Proposed Development satisfies the criteria.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
10. the proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources;	The Proposed Development has been designed to minimise the materials needed during construction. The calculations of total carbon dioxide emission savings and payback time for the Proposed Development indicates the overall payback period of a wind farm with six wind turbines with an installed capacity of 5.5 MW each would be around 1.0 to 1.4 years, when compared to the fossil fuel mix of electricity generation. This means that the Proposed Development is anticipated to take around 17 months (1.4 years) to repay the carbon exchange to the atmosphere (the CO2 debt) through construction of a wind farm; the Site would in effect be in a net gain situation following this time period and can then claim to contribute to national objectives. All construction activities will be informed by a Construction Environmental Management Plan (CEMP) which will be secured by condition. The CEMP will include measures to manage, amongst other items, waste during construction. No materials will be generated or removed from the Site during the operation of the wind farm. Accordingly, it is considered that the Proposed Development satisfies the criteria.
11. there are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.	Chapter 4 of the ES sets out the likely decommissioning programme for the proposal, which can be summarised as per: At the end of the lifespan of the Proposed Development (35 operational years), there will be two options. Firstly, to decommission the wind farm and remove the turbines. Secondly, to apply to install new equipment on the Site (for which a further planning consent would be required). Decommissioning would take approximately six months. The environmental effects of decommissioning are considered to be no greater than construction effects but experienced over a much shorter time period. It is considered that the decommissioning plan can be secured by way of planning condition, as technology/techniques to decommission the Site would likely be different in 35 years from that what may be proposed now. Accordingly, it is considered that the Proposed Development satisfies the criteria.
The cumulative impacts of existing and consented renewable energy schemes should also be considered.	The ES sets out an assessment of the cumulative effects of the Proposed Development in combination with existing and consented schemes – including other renewables schemes as well as other forms of development.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Policy 18 criteria	Compliance
	Chapter 15 of the ES outlines the approach to the assessment. The chapter sets out that there would be potential for adverse effects during the construction and operational phase, relating to transport, construction noise and PRoW access during construction and landscape during operation. Construction effects can be managed through the CEMP and transport assessment, whilst landscape effects would be significant. At the same time, highly beneficial effects from job creation also arise from the Proposed Development. Accordingly, it is considered that the Proposed Development satisfies the criteria.

6.4. The Development Plan

Future Wales

- 6.4.1. In addition to the policies noted above, there are other policies within Future Wales that are relevant to the Proposed Development. This includes policy 9 – Resilient Ecological Networks and Green Infrastructure which requires *“in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based system approaches to site planning and the design of the built environment”*.
- 6.4.2. The supplementary text to Policy 29 of Future Wales – Regional Growth Areas – Carmarthen and the Haven Towns – sets out that *“it is vital the region [South West Wales] plays its role in decarbonisation and supports the realisation of renewable energy...The Welsh Government wishes to see energy generation, storage and management play a role in supporting the South West economy”*.

Planning Policy Wales

- 6.4.3. Planning Policy Wales (PPW) seeks to protect and enhance landscapes, habitats, biodiversity, geodiversity and the historic environment in their own right. PPW also describes the benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, as of paramount importance.
- 6.4.4. In this context, PPW indicates that the planning system should integrate development with the provision of additional electricity grid network infrastructure, optimise energy storage and maximise renewable and low carbon energy generation. Furthermore, PPW states that *“Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this”*.
- 6.4.5. PPW also restates that Future Wales sets out the Welsh Government’s policies for the determination of renewable energy schemes of 10MW or more e.g. DNS applications.

Technical Advice Notes

- 6.4.6. Technical Advice Notes (TANs) provide detailed planning advice that Local Planning Authorities take into account when preparing development plans and determining planning applications. The following TANs are considered to be relevant to the Proposed Development and, following assessment, the Proposed Development is found to comply with the relevant TANs.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Table 3: Compliance with Technical Advice Notes

Technical Advice Note	Compliance with Proposed Development
5 – Nature Conservation and Planning	In line with Future Wales and the Environment Act 2016, the Proposed Development complies with this TAN as it will deliver biodiversity net benefit.
6 – Planning for Sustainable Rural Communities	The Proposed Development complies with the TAN as the provision of renewable energy is considered likely to be an appropriate use in this location given that it lies within a Pre-Assessed Area for wind farm development.
11 - Noise	The Proposed Development has been designed and assessed in line with the TAN with a view to reducing and mitigating adverse noise impacts that might arise.
12 - Design	The Proposed Development has been designed to make the most effective use of land for wind power generation, with effects mitigated as far as possible for development of this type. The earlier section of this report provides further detail about the Site's context and character, movement and access arrangements, and community safety, this demonstrating compliance with the requirements of TAN 12.
18 - Transport	The Proposed Development will result in a temporary increase in traffic flows on the road network and with mitigation plans to offset the impacts, with impacts being temporary and transitory.
19 - Telecommunications	The Proposed Development avoids any impacts on telecommunications through design and mitigation.
23 – Economic Development	The Proposed Development would lead to investment in the local and regional economy and the provision of employment in the construction and operational phase. The ES sets out further consideration of these effects.
24 – The Historic Environment	The Proposed Development avoids direct and physical effects on the historic environment through mitigation.

Local Development Plan

6.4.7. Whilst Future Wales and PPW are the principal policy documents in determining DNS applications, regard has been had, in Table 4 below, to the relevant policies within the Neath Port Talbot Council Local Development Plan and how the Proposed Development aligns or is compliant with those policies. NPT has recently started to prepare their Replacement Local Development Plan. However, at present there are no strategies or policies available which the Proposed Development can be considered against.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



Table 4: LPA LDP policies

LDP policy	Policy summary	Compliance with policy
Policy SP1: Climate Change;	The causes and consequences of climate change will be addressed by the provision of renewable and low carbon energy generation.	The Proposed Development will lead to the provision of renewable energy generation.
Policy SP4: Infrastructure;	Developments will be expected to make efficient use of existing infrastructure and ensure there are no detrimental effects on the area and community.	The Proposed Development will conserve and enhance existing infrastructure on and around the Site, principally the highway network leading to the site and access tracks on the Site. No long-term or significant detrimental effects on the area/community have been identified.
Policy SP14: The Countryside and Undeveloped Coast;	The countryside will be protected and, where feasible, enhanced through the protection of the open countryside through the control of inappropriate development.	The Site is within a pre-assessed areas for wind energy within Future Wales which identifies that the development of wind turbines in this location is appropriate.
Policy SP15: Biodiversity and Geodiversity;	Important habitats, species and sites of geological interest will be protected, conserved, enhanced and managed.	The Proposed Development has been designed to minimise potentially significant effects on sensitive ecological and ornithological features and peat reserves. Opportunities for restoration and enhancement have been identified in the Outline Habitat Management Plan have also been identified, which in turn will aim to enhance the biodiversity, flood storage and carbon sequestration/storage of the Site.
Policy SP16: Environmental Protection;	The environment will be protected and where feasible improved by ensuring that proposals have no significant effects on water, ground or air quality and do not increase pollution levels.	The assessment of hydrological, hydrogeological and geological conditions have been assessed and the conclusion is that potential impacts are not significant, presuming that best practice guidance and mitigate measures are implemented.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



LDP policy	Policy summary	Compliance with policy
Policy SP17: Minerals;	The supply and demand of minerals will be managed alongside the impact of development by maintaining a minimum supply throughout the plan period and ensuring that mineral development will not have an unacceptable impact on the environment and amenity of local residents.	The Proposed Development is temporary (35 years) and does not preclude the extraction of minerals, if required, during that temporary period. As such, the Proposed Development does not affect the supply and demand of minerals.
Policy SP18: Renewable and Low Carbon Energy;	A proportionate contribution to meeting national renewable energy targets and energy efficiency targets will be made while balancing the impact of development on the environment and communities. This will be achieved by: 1. Encouraging where appropriate, all forms of renewable energy and low carbon technology development; 2. Encouraging energy conservation and efficiency measures in all new major development proposals; 3. Ensuring that development will not have an unacceptable impact on the environment and amenity of local residents.	The Proposed Development represents a renewable energy development within a Pre-Assessed Area for wind farm development that therefore aligns with the intention of this policy. As demonstrated within this application, the Proposed Development will not have an unacceptable impact on the environment and amenity of residents.
Policy SP20: Transport Network;	The transport system will be developed in a safe, efficient and sustainable manner, including by requiring development to be designed to provide safe and efficient access.	The Proposed Development leads to a temporary increase in traffic flows, with no link capacity issues on any roads associated with the additional movements. The effects are considered to be temporary and are transitory.
Policy SP21: Built Environment and Historic Heritage;	The built environment and historic heritage will be conserved and enhanced safeguarding features of historic and cultural importance.	Through mitigation, impacts from the Proposed Development on the built environment and historic heritage will be avoided.
Policy SC1: Settlement limits;	Outside settlement limits, development will only be permitted under the following circumstances: 10. It is associated with energy generation.	The Proposed Development satisfies criteria 10 of the policy.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



LDP policy	Policy summary	Compliance with policy
Policy EN6: Important Biodiversity and Geodiversity Sites;	Development that would affect important biodiversity and geodiversity sites will only be permitted where they conserve and, where possible, enhance the Site; or where development could not reasonably be located elsewhere and the benefits of the development outweigh the natural heritage importance of the Site.	As noted in relation to policy SP15, biodiversity net benefits are proposed as part of the Proposed Development. These enhancements are proposed to enhance nearby features, including Tyle'r Waum and Cwm Blaenpelenna SINCs.
Policy EN7: Important Natural Features;	Development that would adversely affect ecologically or visually important natural features will only be permitted where full account has been taken of those features and measures put in place to retain and protect them; or mitigation measures are agreed where removal is unavoidable.	As noted in policy SP15 and EN6 above, the measures proposed at the SINCs noted above would aim to support and encourage existing activities that maintain and enhance the biodiversity interest of the land.
Policy M1: Development in Mineral Safeguarding Areas;	Proposals within mineral safeguarding areas will only be permitted where there is an overriding need for the development, in respect of temporary development the site can be restored within the timescale that the mineral may be required, and the scale and location of the development would have no significant impact on the possible working of the resource.	As per SP17, the Proposed Development is temporary (35 years) and does not preclude the extraction of minerals, if required, during that temporary period. As such, the Proposed Development does not affect the supply and demand of minerals.
Policy RE1: Criteria for the Assessment of Renewable and Low Carbon Energy Development;	Proposals for renewable and low carbon energy development will only be permitted subject to the following criteria: 1. Large scale wind farm developments (>25 MW) will be expected to be located within the boundaries of the refined Strategic Search Areas.	1. Notwithstanding that Future Wales and the pre-assessed areas have primacy over the LDP, half of the Site is located within the Strategic Search Areas; 2. Future Wales has assessed and identified that the landscape effect of developing wind farms in this location is acceptable; 3. N/A 4. a) The layout of the Proposed Development has been informed by both visual receptors and the natural environment it is located in;

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



LDP policy	Policy summary	Compliance with policy
	2. Proposals for wind farms of any size outside the SSAs will only be permitted where it is demonstrated that there will be no unacceptable impact on visual amenity or landscape character through the number, scale, size, design and siting of wind turbines and associated infrastructure. 3. Small scale wind farm developments (<5 MW) will be required to demonstrate that impacts are confined to the local scale. 4. All renewable energy or low carbon energy development proposals will be required to demonstrate that: (a) Measures have been taken to minimise impacts on visual amenity and the natural environment; (b) There will be no unacceptable impacts on residential amenity; (c) The development will not compromise highway safety; (d) The development would not interfere with radar, air traffic control systems, telecommunications links, television reception, radio communication and emergency services communications; and (e) There are satisfactory proposals in place for site restoration as appropriate.	b) As noted in the Residential Visual Amenity Assessment, impacts arising from the Proposed Development are not sufficient to trigger the threshold, in so much as effects would not be of such nature and / or magnitude that it potentially affect living conditions at any property. c) As noted elsewhere, the Proposed Development will lead to a temporary increase in traffic flows on the network but through mitigation and management, impacts will be offset. No link capacity issues are expected on any of the roads associated with the additional movements. d) As noted both within the ES and in criterion 7 of the Future Wales compliance table above, the Proposed Development will not interfere with aviation or telecommunications. e) As noted in section 3.4 of this Statement, there is an appropriate plan in place in respect of decommissioning and site restoration.
Policy TR2: Design and Access of New Development; and	Proposals will only be permitted where they do not compromise the safe, effective and efficient use of the highway network.	The Proposed Development will lead to a temporary increase in traffic flows on the network but through mitigation and management, impacts will be offset. No link capacity issues are expected on any of the roads associated with the additional movements.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



LDP policy	Policy summary	Compliance with policy
Policy BE1: Design.	Development will be expected to demonstrate high quality design which takes into account the natural, historic and built environmental context to the creation of attractive, sustainable places.	As shown by this Statement, the Proposed Development has considered a range of factors and constraints in the evolution of the design, including the natural, historic and built environmental to propose an effective and viable scheme.

Mynydd Fforch Dwm Wind Farm and Solar Array

Planning, Design and Access Statement



6.5. WBFGA

- 6.5.1. The Well-being of Future Generations (Wales) Act 2015 (WBFGA) is concerned with improving the economic, social, environmental and cultural well-being of Wales.. The Proposed Development would enhance these features, as well as being in accordance with the sustainable development principle. The Proposed Development would have positive benefits in respect of energy generation, carbon savings, habitat enhancement, economic impact and others.
- 6.5.2. In addition, the applicant is proposing to establish a Community Benefit Fund that would bring benefits to the local communities and has engaged with Awel Aman Tawe (and in the process of signing a Memorandum of Understanding) to host a Cooperative which could acquire up to one sixth of the Proposed Development – further details are included in the Collaborative Benefits Report.
- 6.5.3. It is noted that the benefits referred to in this section 6.5 are not material considerations in determining the application but have been included to evidence the approach taken by the applicant to deliver wider benefits, which aligns with Policy 17 of Future Wales. Further details of the above are available in the Collaborative Benefits Report that accompanies this application.
- 6.5.4. Taking all of the above together, the Proposed Development – and its benefits – is considered to be in accordance with all seven of the well-being goals set out in the WBFGA.

7. Conclusion

7.1. The Planning Balance

- 7.1.1. The planning application seeks planning permission for a proposed onshore wind farm, solar array together with associated equipment, infrastructure and ancillary works at 1km north of Tonmawr, 4km south of Resolven and 6km east of Neath.
- 7.1.2. As demonstrated by this application, the Proposed Development has been carefully designed and appropriately assessed which together demonstrate that the significant positive benefits of the project outweigh the identified adverse effects.
- 7.1.3. Future Wales is clear in that decision makers must give significant weight to Wales' need to meet its international commitments (and its target of generating 70% of consumed electricity by renewable means by 2030). As such, it is considered that whilst the Proposed Development may lead to some adverse effect these are significantly and decisively outweighed by the contribution that it will make to meeting Wales' renewable energy targets and net zero objectives, amongst other benefits.
- 7.1.4. The Proposed Development has been thoroughly assessed and subject to critical review by third parties, resulting in the evolution of the scheme as demonstrated within this Statement. The Proposed Development is considered to comply with the relevant policies in Future Wales and Planning Policy Wales, as well as supporting the goals of the Well-being of Future Generations Act. On balance, the benefits of the Proposed Development and the need for the scheme are considered to comprise material considerations to the Inspector and Welsh Minister when writing their report and reaching their decision, respectfully.
- 7.1.5. Accordingly, it is concluded that the Proposed Development should be granted planning permission, subject to conditions.