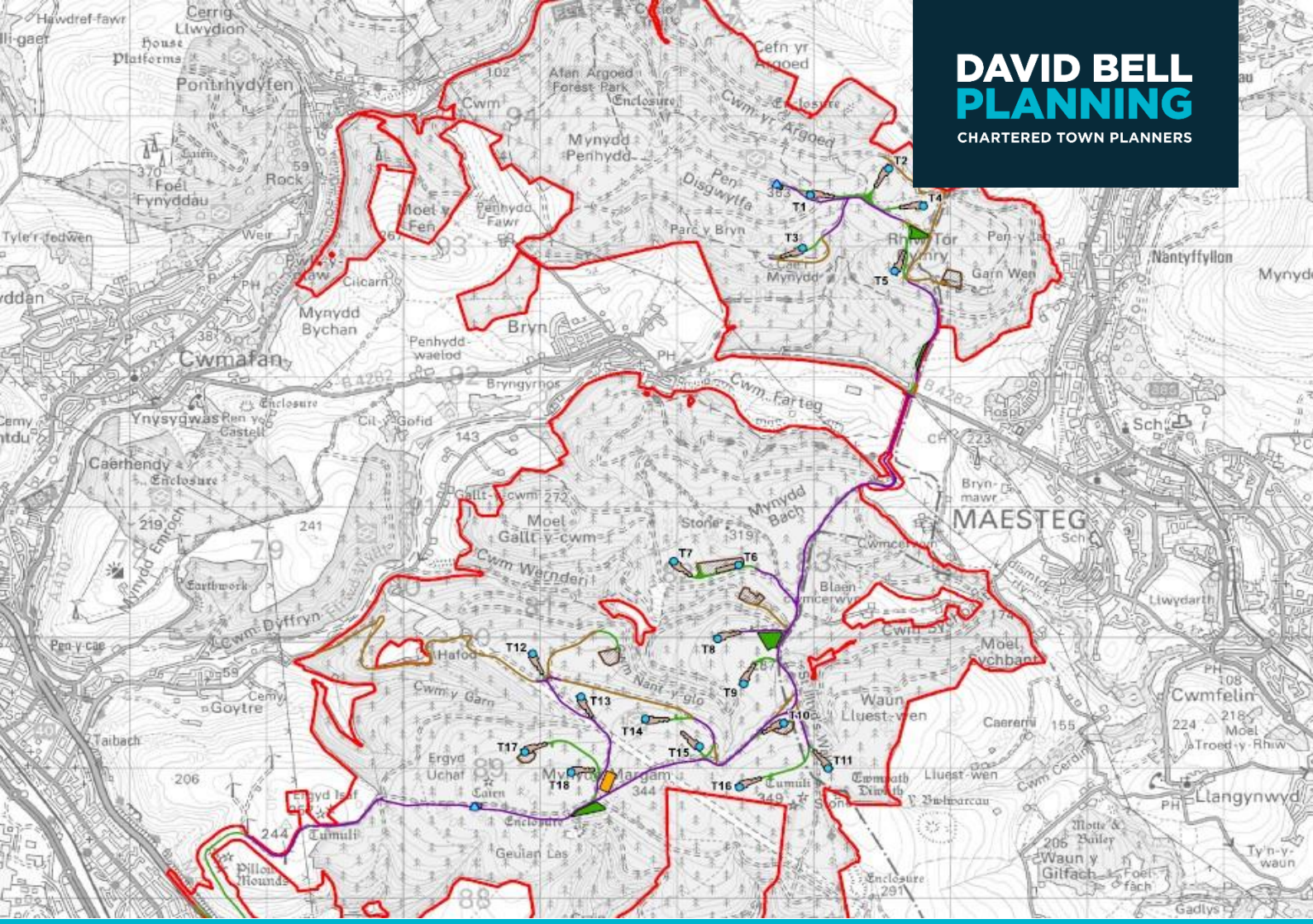


DAVID BELL PLANNING
CHARTERED TOWN PLANNERS

Y Bryn Wind Farm
South Wales:

Planning Statement

April 2023

Coriolis Energy

dbplanning.co.uk

Contents

1. Introduction

1.1 Background

1.1.1 Y Bryn Wind Farm Ltd ("the Applicant") is applying to Welsh Ministers for permission to construct and operate the Y Bryn Wind Farm and energy storage facility ("the Proposed Development") at a site north-east of the M4 motorway between Port Talbot and Maesteg. The site is located within both the Neath Port Talbot Country Borough Council (NPTCBC) and the Bridgend County Borough Council (BCBC) areas. The site location is shown on **Figure 1.1**.

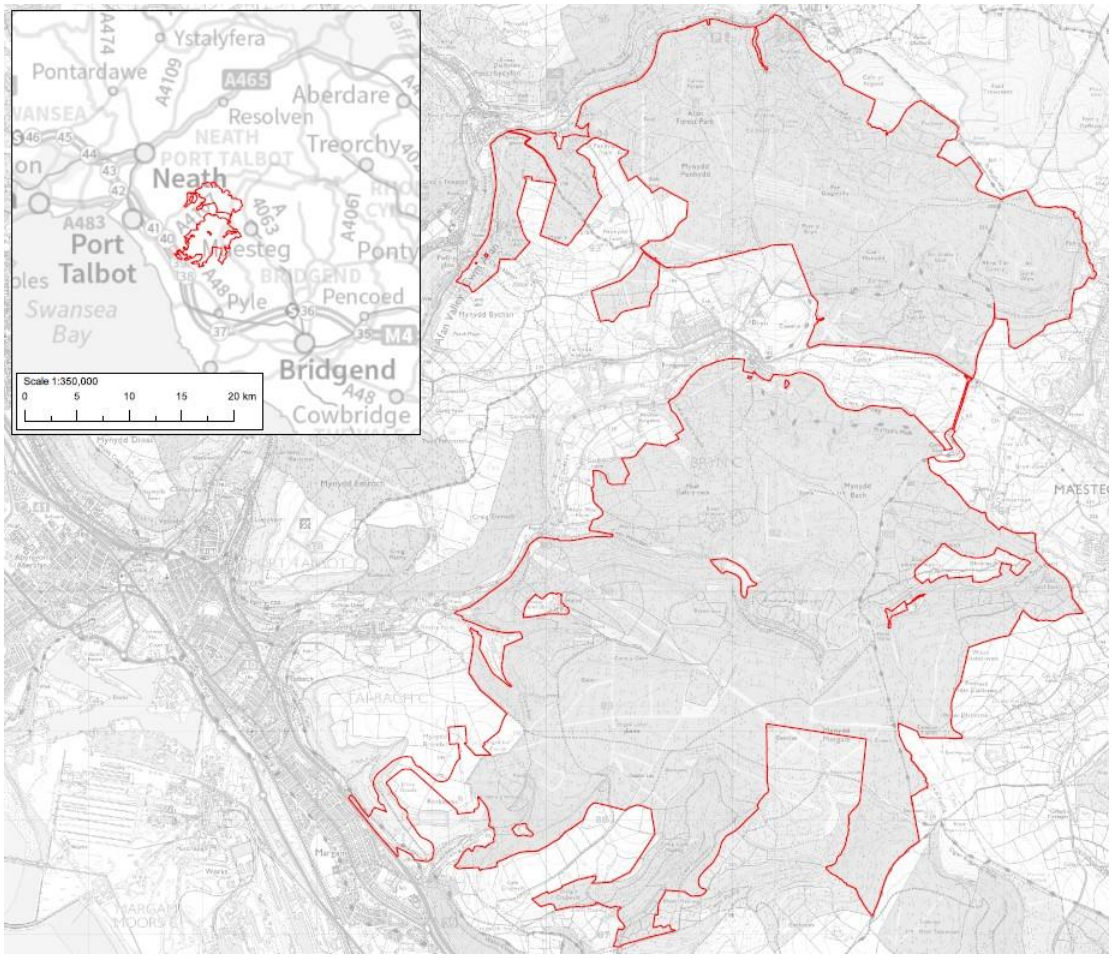


Figure 1.1: Site Location

1.1.2 The Planning (Wales) Act 2015 and the Developments of National Significance (Wales) Regulations 2016 (as amended) and subsequent regulations, provides the statutory basis for Developments of National Significance (DNS). Any proposal to construct or operate an onshore wind generating station with a capacity over 10 mega-watts (MW) falls under the DNS system and requires Welsh Ministers' consent.

1.1.3 The Proposed Development comprises the construction and operation of up to 18 wind turbines and associated infrastructure. The proposal is therefore classed as a DNS as the combined installed capacity of the power generating elements will be greater than 10 MW.

1.1.4 The Proposed Development exceeds the threshold for onshore wind developments set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) (the 'EIA Regulations'). In addition, the Proposed

Development could potentially result in 'significant' environmental effects according to the EIA Regulations, therefore the Proposed Development is classified as an EIA development and an Environmental Statement (ES) is required.

1.2 The Applicant

1.2.1 The Applicant, Y Bryn Wind Farm Limited is a project company wholly owned by development partners ESB and Coriolis Energy.

1.2.2 ESB is Ireland's premier energy company and is a leading independent power generator in the UK market. ESB has a track record of 30 years as a successful investor in the UK since commissioning one of the first independent power generating plants at Corby in Northamptonshire in 1994.

1.2.3 ESB owns and operates wind farms across the UK and Ireland with a total installed capacity of 1.2 gigawatts (GW), including the operational Mynydd y Betws Wind Farm (34.5 MW) in Carmarthenshire.

1.2.4 Coriolis Energy identifies and works on the development of wind farm proposals, and ESB constructs and operates those wind farms.

1.2.5 Coriolis Energy is a specialist independent wind farm development company operating throughout the UK. Its principals have been responsible for successfully developing 15 onshore wind farms in the UK with a capacity of 700 MW over three decades.

1.3 Purpose of this Planning Statement

1.3.1 In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 ('the 2004 Act') the application for the Proposed Development should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Under Section 38(4) of the 2004 Act, the Development Plan comprises the National Development Framework for Wales and the relevant Local Development Plans covering the site.

1.3.2 This Planning Statement provides an assessment of the proposed development against the relevant Development Plan policies, and considers any other material considerations, consistent with the requirements of Section 38(6) of the 2004 Act. The Planning Statement also considers the potential benefits and harm which may arise and concludes as to the overall acceptability of the Proposed Development in relation to the planning policy framework and relevant material considerations.

1.4 Structure of Planning Statement

1.4.1 This Planning Statement is structured as follows:

- **Chapter 2** describes the site and the Proposed Development.
- **Chapter 3** sets out the planning policy framework;
- **Chapter 4** sets out relevant renewable energy policy framework; and
- **Chapter 5** provides a planning policy assessment of the Proposed Development in relation to the Development Plan and national planning policy and describes the benefits that would result from the proposal. The Chapter concludes that the Proposed Development accords with the Development Plan, national planning policy and other material considerations.
- **Chapter 6** presents conclusions and summarises the overall planning balance, setting out the case for the permission to be granted for the Proposed Development.

2. The Site & Proposed Development

2.1 Site Location & Description

2.1.1 A detailed description of the site and the Proposed Development is provided in the Environmental Statement (ES). A summary is set out in this Chapter.

2.1.2 The site is located north-east of the M4 motorway between Port Talbot and Maesteg. The majority of the proposed infrastructure is located within NPTCBC area with some within BCBC area. The proposed site boundary comprises a large upland area primarily under coniferous forestry. The closest settlements are Bryn and Maesteg. The wider site is split in to two blocks – the Bryn block to the south of the B4282 in the Margam Forest area and the Penhydd block to the north in the Michaelston Forest area in the vicinity of Bryn and Maesteg.

2.1.3 The Llynfi and Afan valleys lie to the east and west of the site respectively. The M4 motorway, the main arterial route running east to the west through South Wales, lies to the south of the site. The approximate centre of the Bryn block is at OS Grid Ref SS 81659 89497.

2.1.4 The Bryn block to the south of the of the B4282 is found within Margam Forest atop of Margam Mountain. Margam Forest comprises three individual forest blocks which are all within close proximity, namely; Cwm Kenfig, Craig yr Aber and Bryn. The south-westerly extremity of the Bryn block is located approximately 400 m to the north-east of the Port Talbot community of Taibach. The northern extremity of the Bryn block is located immediately to the south of the community of Bryn. Residential properties are found in close proximity to the corners of the site within these communities. The site ranges in height, being approximately 106 m above ordnance datum (AOD) towards Taibach, to approximately 150 AOD immediately to the south of Bryn.

2.1.5 The development potential of the site has been appreciated by the UK wind industry and Welsh Government since at least the early 2000s, with the whole of the site lying within Strategic Search Area (SSA) 'F' as designated in Welsh Government's Technical Advice Note 8.

2.1.6 The site has been chosen due to its technical suitability for a wind farm development, with suitable wind speeds, good site access and access to a suitable grid connection. The northern part of the site (Penhydd block) lies within a Pre-Assessed Area (PAA) for wind energy (PAA 9), as zoned in Future Wales: the National Development Framework. The southern block is outside any PAA.

2.2 The Proposed Development

2.2.1 The main elements of the Proposed Development (see **Figure 2.1** below) is described in detail in Chapter 5 of the ES but in summary, will comprise:

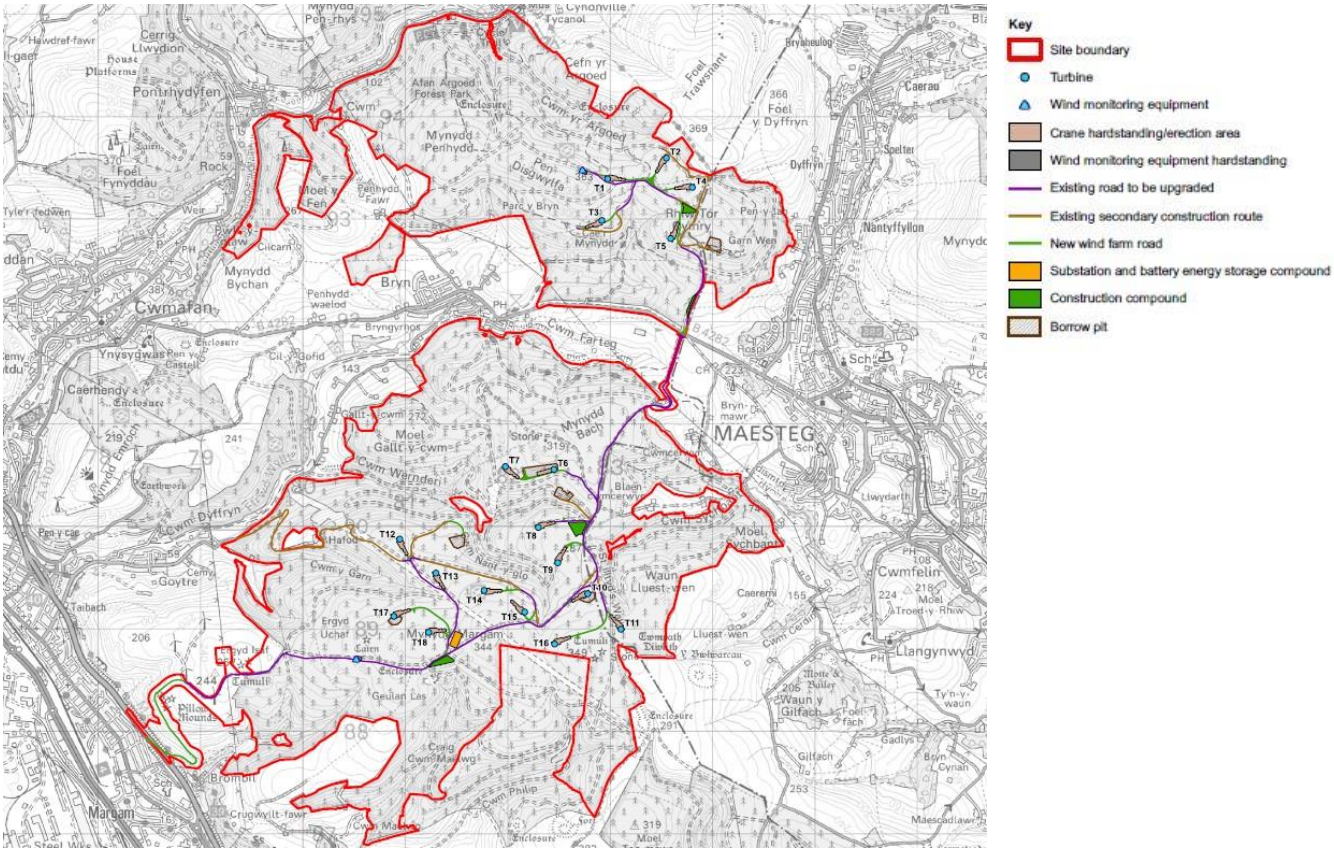
- Up to 18 wind turbines, each with a range of maximum blade tip heights of up to 206 to 250 m. The indicative output capacity at this stage is 129.6 MW, with each turbine providing up to 7.2 MW. However, this capacity may vary subject to the final turbine model chosen[1];
- Crane hard-standings and adjacent laydown areas for each turbine location;

[1] The turbine to be used will be subject to a tendering process if the application receives consent. This means that output capacity could change from that currently envisaged based on current market options, however the turbine selected would need to fall within the parameters for which consent is granted and as assessed in the ES.

- Approximately 8.93 km of new access tracks and upgrading of approximately 12.6km of existing tracks;
- An electrical substation and control building;
- Battery energy storage infrastructure;
- Alterations to the public road network;
- New slip road exiting the M4 for Abnormal Indivisible Loads (AIL);
- Underground electricity cables;
- Two permanent wind monitoring equipment locations, expected to comprise of anemometry masts or lidar;
- 6 temporary borrow pits (local temporary sources of construction aggregate which are solely for the purpose of the wind farm construction);
- Temporary concrete batching plant(s);
- Appropriate drainage measures across the Y Bryn site boundary;
- Temporary construction and storage compounds, laydown areas and ancillary infrastructure;
- Habitat Management Plan (HMP) and enhancement measures; and
- Access Management and Enhancement Plan (AMEP) measures.

2.2.2 The Proposed Development Layout is shown in **Figure 2.1** below.

Figure 2.1: Proposed Development Layout



2.2.3 It is proposed that the turbines and other infrastructure will be subject to no more than a 50 m micro-siting allowance which will be applied should adverse ground conditions be encountered during pre-construction ground investigations, or where more optimal ground conditions are available.

2.2.4 As the Proposed Development's turbines will exceed 150 m maximum height to tip, they will need to be lit in accordance with the requirements of the Civil Aviation Authority's (CAA) Air Navigation Order (ANO). Full details of the proposed lighting scheme and its rationale is provided in Chapter 15 of the ES.

2.2.5 The expected operational life of the Proposed Development is 50 years from the date of commissioning. Following the 50-year operational period, the Proposed Development will be decommissioned, or a separate application may be made to extend the operational life of the energy park or repower.

3. The Planning Policy Framework

3.1 Introduction

3.1.1 This Chapter references the relevant national and local planning policy framework applicable to the proposed development, covering the Development Plan and national planning policy provisions.

3.2 Future Wales: The National Plan 2040

3.2.1 Future Wales (2021) is the Welsh Government's National Development Framework ('Future Wales') and is the highest tier of the development plan in Wales. It sets out (page 96) that proposals for large scale energy development are classed as DNSs and 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*".

3.2.2 Future Wales is a framework for planning the change and development Wales will need over the next two decades. Future Wales supports and helps deliver the aims of the Economic Action Plan[2]. It states (page 14) that Future Wales:

"*Supports a low carbon economy and the decarbonisation of industry, and the growth of sustainable and renewable energy*."

3.2.3 As the most recent expression of national planning policy and as the highest tier of the Development Plan, Future Wales is considered to have primacy in the planning policy hierarchy. The introduction to Future Wales (Chapter 1) sets out that it is a development plan with a strategy for addressing key national priorities through the planning system including sustaining and developing a vibrant economy and achieving decarbonisation and climate resilience, as well as developing strong ecosystems and improving the health and well-being of communities.

3.2.4 Page 10 of Future Wales sets out that "*the specific purpose of Future Wales is to ensure the planning system at all levels is consistent with, and supports the delivery of, Welsh Government strategic aims and policies*".

3.2.5 Future Wales (page 15) explains the structure of the Welsh planning system, referring to the three tiers of development plan which should be aligned and complement each other: namely, Future Wales, Strategic Development Plans (SDPs) and Local Development Plans (LDPs). It adds that LDPs must be in conformity with Future Wales and the SDPs for their respective area should they be in place. It adds that LDPs must be kept up to date to ensure that they and Future Wales work together effectively.

3.2.6 It is also explained that the content and policies of all tiers of the Development Plan are strongly influenced by Planning Policy Wales (PPW), which is the complete land use planning policy document for Wales (as referred to below) and a material consideration in the decision making process for DNS applications.

3.2.7 Future Wales does not contain statements on all land use planning issues as set out in PPW, however importantly, it does state that (page 15): "*deciding where to locate renewable energy generation technology is a spatial issue of such significance that national ambitions are unlikely to be achieved without national planning policies*".

3.2.8 On page 15 of Future Wales, it is set out that PPW is not part of the development plan but as the principal statement of national planning policy "*it has substantial weight*" in the planning process. It adds that development plans must be consistent with national policy.

[2] Welsh Government, Prosperity for All, Economic Action Plan (2017).

3.2.9 Future Wales was prepared with regard to a number of Welsh Government policy documents and statute including:-

- The Well-being of Future Generations (Wales) Act 2015;
- The Environment (Wales) Act 2016;
- Prosperity for All: A Low Carbon Wales (March 2019); and
- Policy Statement: Local Ownership of Energy Generation in Wales – Benefitting Wales Today and for Future Generations (February 2020).

3.2.10 Chapter 2 of Future Wales explains how the policy document has been informed by a range of challenges and opportunities and a key matter is climate change. It sets out (page 45) that climate projections "*show an increased chance of milder, wetter winters and hotter, drier summers, rising sea levels and an increase in the frequency and intensity of extreme weather events*".

3.2.11 It states that climate change is an equality issue as it will disproportionately affect the most vulnerable communities and that:

"*it is vital that we reduce our emissions to protect our own well-being and to demonstrate our own global responsibility. Future Wales together with PPW will ensure the planning system focusses on delivering a de-carbonised 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*".

3.2.12 With regards to renewable energy, the plan notes (page 48) that:

"*Wales can become a world leader in renewable energy technologies. 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 emissio*ns."

3.2.13 Future Wales also has a focus on the need to protect natural resources and states (page 48) that there is a need "*to reverse biodiversity decline and assist nature recovery which is seen as being of imperative importance in its own right*."

Outcomes

3.2.14 Section 3 of Future Wales sets out the expected Government outcomes which are described as: "*collectively a statement of where we want to be in 20 years' time. Every part of Future Wales… is concerned with achieving the outcomes*".

3.2.15 The Proposed Development would contribute to Outcome 2 (creating vibrant rural places), Outcome 3 (sustainable growth) and the Outcome 11 is of principal relevance which is as follows:-

"*A Wales where people live… in places which are decarbonised and climate resilient*.

The challenges of the climate emergency demand urgent action on carbon emissions and the planning system must help Wales in leading the way and promoting and delivering a competitive, sustainable decarbonised society. Decarbonisation commitments and renewable energy targets will be treated as opportunities to build a more resilient and equitable low carbon economy, develop clean and efficient transport infrastructure, improve public health and generate skilled jobs in new sectors".

Development Management Policies

3.2.16 Policies 17 and 18 set out requirements in respect of renewable energy and are the policies against which DNS applications will be determined. Policy 17 – 'Renewable and Low Carbon Energy and Associated Infrastructure' states:

"*The Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs.*

In determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency.

In Pre-Assessed Areas for Wind Energy the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development (including repowering) in these areas, subject to the criteria in policy 18.

Applications for large-scale wind and solar will not be permitted in National Parks and Areas of Outstanding Natural Beauty and all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment.

Proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental, and cultural improvements to local communities.

New strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities. The Welsh Government will work with stakeholders, including National Grid and Distribution Network Operators, to transition to a multi-vector grid network and reduce the barriers to the implementation of new grid infrastructure."

3.2.17 Policy 18 – 'Renewable and Low Carbon Energy Developments of National Significance' provides the criteria for assessing large scale proposals for renewable and low carbon energy and it is required to be read together with Policy 17. It states:

"*Proposals for renewable and low carbon energy projects (including repowering) qualifying as Developments of National Significance will be permitted subject to policy 17 and the following criteria*:

1. Outside of the Pre-Assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty);

2. There are no unacceptable adverse visual impacts on nearby communities and individual dwellings;

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);

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;

5. The proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity;

6. There are no unacceptable adverse impacts on statutorily protected built heritage assets;

7. There are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance;

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);

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;

10. The proposal includes consideration of the materials needed or generated by the development to ensure the sustainable use and management of resources;

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. The cumulative impacts of existing and consented renewable energy schemes should also be considered."

3.2.18 The supporting text to Policies 17 and 18 (page 96) sets out that Wales is abundant in opportunities to generate renewable energy: "*and the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of our commitment to decarbonisation and tackling the climate emergency*".

3.2.19 Reference is then made to a number of targets for the generation of renewable energy as follows:

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

3.2.20 It adds that Policies 17 and 18 contain strategic spatial and criteria-based policy provisions which are required to be considered together in the determination of applications, along with detailed advice on assessing benefits and impacts in PPW. It should be noted that these targets are currently subject to consultation being undertaken by the Welsh Government (further referred to below).

3.2.21 The supporting text with regard to Policy 17 also adds that "*proposals should ensure that there is no significant unacceptable detrimental impact on the surrounding natural environment and local communities and that development delivers positive social, environmental, cultural and economic benefits*".

3.2.22 On page 97, the supporting text to the policies sets out that the Government recognises that there are landscapes across Wales "*whose intrinsic value should be protected from inappropriate development. Sites in National Parks and Areas of Outstanding Natural Beauty are considered unsuitable for large scale wind and solar*". It adds, however, that outside of these areas "*a positive policy framework exists*".

3.2.23 Within the PAAs for wind energy (map on page 94 of Future Wales), it adds that 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 onshore wind energy development and the associated landscape change subject to the criteria in Policy 18*". It adds that outside of the PAAs "*a positive policy framework still exists, subject to Policy 18*".

3.2.24 The supporting text adds that the Welsh Government will use its policy levers to assist in the delivery of renewable energy projects in these areas by coordinating strategic action to build the case for new or reinforced grid infrastructure where necessary and that they 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*".

3.2.25 The document adds that large scale renewable and low carbon energy schemes can generate direct social and economic benefit to local communities and that developers should explore "*how infrastructure improvements associated with a development (including transport infrastructure and communication systems) may be utilised by the host communities to bring additional, non-planning related benefits. Although not a planning consideration, local ownership of projects, in whole or in part, can ensure these benefits are accrued over the long term*".

3.2.26 Future Wales adds (page 97) that irrespective of location or scale, "*the design and micro siting of proposals must seek to minimise the landscape and visual impact, particularly those in close proximity to homes and tourism receptors. Both within and outside Pre Assessed Areas, communities should be protected from significant cumulative impacts to avoid unacceptable situations whereby, for example, smaller settlements could be potentially surrounded by large wind schemes*".

3.3 Planning Policy Wales: Edition 11 (February 2021)

3.3.1 *Planning Policy Wales* (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of *Technical Advice Notes* (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the overall national planning policy framework for Wales.

3.3.2 Its key principles are:

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities; and
- Maximising environmental protection and limiting environmental impact.

3.3.3 PPW recognises the importance of renewable energy in the context of international targets, highlighting the abundance of resource and the benefits that renewable energy development can bring. PPW sets out a set of national planning policy objectives which are designed to support growth, protect the environment, and ensure that decisions are made at the local level. Chapter 6 of PPW is currently the subject of some revisions which are currently out for consultation (until the end of May 2023).

3.3.4 The PPW advocates the transition to a 'low carbon future' via utilisation of sources of renewable energy. Paragraph 5.7.1 States:

"*The Welsh Government's highest priority is to reduce demand wherever possible and affordable. Low carbon electricity must become the main source of energy in Wales. Renewable electricity will be used to provide both heating and transport in addition to power.*"

3.3.5 Paragraph 5.7.6 requires the planning system to secure an appropriate energy mix, which maximises economic and social benefits and minimises environmental and social impacts. Paragraph 5.7.7 continues 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... The planning system should… maximise renewable and low carbon energy generation"

3.3.6 With regards to renewable energy targets, PPW also notes that The Welsh Government has set targets for the generation of renewable energy (as set out above at paragraph 3.2.19).

3.3.7 Paragraph 5.9.1 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. In doing so, planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved*."

3.3.8 The target is for Welsh renewables to generate electricity equal to 70% of Wales's consumption by 2030. It should be noted that the Welsh Government issued a consultation document entitled 'Review of Wales' Renewable Energy Targets' on 24 January 2023 – this is referenced below in section 4.4.

3.3.9 PPW notes that for large scale wind energy development that Wales has an abundant wind resource, and that wind energy forms a key part of meeting the Welsh Government's vision for future renewable energy production.

3.3.10 Paragraph 5.9.20 places a requirement on planning authorities to identify opportunities to "*avoid, mitigate or compensate adverse impacts of renewable and low carbon energy development throughout all life stages of the development*" (construction, through to aftercare and decommissioning/remediation). This should include consideration of the following:

- "*The need to minimise impacts on local communities, such as from noise and air pollution, to safeguard quality of life for existing and future generations;*
- *The impact on the natural and historic environment;*
- *Cumulative impact;*
- *The capacity of, and effects on the transportation network;*
- *Grid connection issues where renewable (electricity) energy developments are proposed; and*
- *The impacts of climate change on the location, design, build and operation of renewable and low carbon energy development.*

  In doing so, consider whether measures to adapt to climate change impacts give rise to additional impacts."

3.3.11 Paragraph 5.9.21 follows with a requirement for developers to "*wherever possible, consider how to avoid, or otherwise minimise, adverse impacts through careful consideration of location, scale, design and other measures*."

3.4 Building Better Places (July 2020)

3.4.1 The Welsh Government published *Building Better Places 'The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid-19 Recovery' in* July 2020 in order to pinpoint the most relevant policy priorities contained in PPW that will aid in the recovery from the Covid-19 crisis. This document also refers to the climate change emergency declared by the Welsh Government.

3.4.2 The document states (page 11) with regard to climate change and decarbonisation, that this is directly relevant to the climate emergency, with "*PPW setting out an ambitious and comprehensive policy framework for planning authorities to address the causes and effects of climate change*". It adds that other relevant PPW policy areas relating to tackling climate change and making more resilient places include, inter alia: "*a requirement for local planning authorities to establish targets for renewable energy generation in development plans*."

3.5 Technical Advice Notes

3.5.1 A series of Technical Advice Notes (TANs) supplement PPW. Those of relevance to the application are:

- TAN 5: Nature Conservation and Planning (2009);
- TAN 11: Noise (1997);
- TAN 12: Design (2014);
- TAN 15: Development and Flood Risk (2023);
- TAN 18: Transport (2007); and
- TAN 24: The Historic Environment.

3.6 Local Development Plan Policy

3.6.1 As explained above, Future Wales makes it clear that applications for DNS must be determined in accordance with Future Wales as the highest tier of the Development Plan hierarchy. There are no Strategic Development Plans (SDPs) covering the site.

3.6.2 Local Development Plans (LDPs) require consideration as part of the statutory Development Plan alongside Future Wales. There are two LDPs which cover the site. The relevant Development Plan documents are as follows:

- The Neath Port Talbot LDP (2011 - 2026) adopted January 2016; and
- The Bridgend LDP (2006 – 2011) adopted September 2013.

3.6.3 The relevant policies within the respective LDPs are set out in **Appendix 1** to this Planning Statement, together with comments on the most relevant aspects of the policy provisions. Appendix 1 should therefore be referred to for detailed policy wording, however the list of relevant policies within each of the LDP documents is set out below.

Relevant Policies in Neath Port Talbot LDP

- Strategic Policy SP1 Climate Change;
- Strategic Policy SP4 Infrastructure;
- Strategic Policy SP14 The Countryside and the Undeveloped Coast;
- Strategic Policy SP15 Biodiversity and Geodiversity;
- Strategic Policy SP16 Environmental Protection;
- Strategic Policy SP18 Renewable and Low Carbon Energy;
- Strategic Policy SP21 Built Environment and Historic Heritage;
- Policy RE1 Criteria for the Assessment of Renewable and Low Carbon Energy Development;
- Policy EN2 Special Landscape Areas;
- Policy EN6 Important Biodiversity and Geodiversity Sites;
- Policy EN7 Important Natural Features; and
- Policy EN8 Pollution and Land Stability.

Relevant Policies in Bridgend LDP

- Policy PLA4 Climate Change and Peak Oil;
- Policy PLA9 Development affecting Public Rights of Way;
- Policy ENV3 Special Landscape Areas;
- Policy ENV4 Local/Regional Nature Conservation Sites;
- Policy ENV6 Nature Conservation;
- Policy ENV7 Natural Resource Protection and Public Health
- Policy ENV8 Heritage Assets and Regeneration;
- Policy ENV18 Renewable Energy Developments;
- Strategic Policy SP4 Conservation and Enhancement of the Natural Environment;
- Strategic Policy SP5 Conservation of the Built and Historic Environment;
- Strategic Policy SP8 Renewable Energy.

NBTCBC Replacement LDP

3.6.4 NPTCBC is in the process of preparing a replacement LDP. A Delivery Agreement was approved by the Welsh government on 11th January 2022 to allow the Council to formally commence preparation of the Replacement Local Development Plan (RLDP). The Agreement sets out process to anticipated adoption of an RLDP in July 2025 with a plan end date of 2036. The Agreement also sets out that the programme anticipates that the deposit of the RLDP for consultation will take place around March 2024 with an anticipated submission of the RLDP to the Welsh Government for Examination in October 2024.

BCBC Replacement LDP

3.6.5 BCBC is progressing a replacement LDP. The BCBC replacement LDP (Deposit Plan 2018-2033) was placed on deposit and the consultation closed in July 2021. The Council submitted the Deposit LDP for Examination in October 2022 to Welsh Government and Planning and Environment Decisions Wales and the replacement LDP is currently going through the Examination process.

3.6.6 The most relevant policy for the Proposed Development within the Deposit Consultation Document of BCBC's replacement LDP is Policy SP13 (Renewable and Low Carbon Energy Development), which is now more closely aligned to Future Wales than the adopted LDP and focusses on acceptability of impacts as per the wording in Policy 18 of Future Wales. Policy SP13 states:

"*Renewable and low carbon development proposals which contribute to meeting national and local renewable and low carbon energy and energy efficiency targets will be permitted where:*

- *it can be demonstrated that there will be no unacceptable impacts on the natural and historic environment or local communities (such as noise and air pollution) and that no other unacceptable cumulative impacts will arise;*
- *Satisfactory mitigation can be put in place to minimise the impacts of renewable and low carbon proposals and its associated infrastructure; and*
- *Proposals make provision for the appropriate restoration and aftercare of the land for its beneficial future re-use.*

The following Local Search Areas (LSAs) are identified as areas considered suitable for wind and solar energy development:

- LCA1: Llangynwyd Rolling Uplands & Forestry (Suitable for Wind Energy);
- LCA8: Ogmore Forest and Surrounding Uplands (Suitable for Wind Energy); and
- LCA 12: Newton Down Limestone Plateau (Suitable for Solar Energy).

Within the Local Search Areas (LSA), proposals for wind and solar energy generation will be permitted subject to criteria 1a), 1b) and 1c) and other relevant policies in this plan. Proposals for other development within these areas will only be permitted where they can demonstrate that they would not unacceptably prejudice the renewable energy generation potential of the LSA or the Future Wales' Pre-Assessed Areas for Wind Energy."

3.6.7 The Local Search Areas introduced in the replacement LDP are not currently included on the proposals map, however, in relation to BCBC's Supplementary Planning Guidance, the area of the proposed development that sits within BCBC lies entirely within the Llangynwyd Rolling Upland and Forestry (LCA1) LSA.

3.6.8 Table 10 in the replacement LDP introduces targets for renewable energy technologies within BCBC, with a target of 81 MW for wind energy, in addition to a figure of 64MW of current installed capacity. These targets are not attributed to any of the LSAs designated in the plan. One of the proposed turbines within this application is located within BCBC, which will contribute up to 7.2 MW to the LDP's targets.

3.6.9 Whilst only very limited weight can be placed on the policy provisions of the emerging LDP at this time, it is clear that the policy provisions in relation to renewable energy mirror those as set out in Future Wales and addressing the climate emergency and seeking to encourage and support renewable energy generation throughout the Council area is a key policy aim.

3.7 Renewable Energy Assessments

3.7.1 NPTCBC does not have an up-to-date Renewable Energy Assessment (REA) for the administrative area. It is understood that the Council is currently seeking to commission a renewable and low carbon energy study to form part of the evidence base to inform the preparation of the RLDP which, as noted above, is in the very early stages of preparation.

3.7.2 However, BCBC does have a relatively up to date REA in place which was prepared in January 2020 by the Carbon Trust.

3.7.3 The REA for BCBC (Executive Summary, page 11) sets out that in relation to Welsh Government renewable energy and net zero targets, local authority planning departments "*will need to work with renewable energy developers and ensure that renewable energy generation within their authorities is maximised*".

3.7.4 The assessment examines current and future energy demands of the County Borough and considers progress in meeting these from local low carbon energy generation assets. Against this backdrop, the REA examines land within the County Borough boundary to identify the potential for renewable and low carbon energy project deployment from a resource perspective.

3.7.5 It sets out that BCBC should consider setting "*ambitious renewable energy deployment targets to maximise the use of the local resources available within the County Borough. The County Borough has high wind resource and solar resource, with much of the County Borough designated for priority large scale wind and solar developments in the Welsh Government's (2019a) draft National Development Framework*."

3.7.6 Policy recommendations in the report include the following:

- Targets: Adopt a local renewable power deployment target of 340 MW and 418 GWh per annum with 81 MW and 191 GWh per annum anticipated to be met by wind energy and the remainder to be met by a mixture of ground mounted solar and other technologies; and
- Local search areas: Prioritise the least sensitive landscape character areas for wind and solar developments including LCA1: Rolling Uplands.

3.7.7 Chapter 9 of the REA sets out overall conclusions including that an approximately tenfold increase in local renewable energy generation would be required to meet/offset the proposed future energy demand of BCBC, from local sources. With respect to the resource potential within the County Borough, wind and solar are identified as the predominant energy resources available.

3.7.8 The overall conclusion is set out that BCBC can continue "*to lead the decarbonisation agenda by… delivering and facilitating deployment of proven low carbon projects e.g. by extending the fleet of wind and solar farms in the County Borough*."

3.8 TAN 8: Renewable Energy

3.8.1 TAN 8 has been superseded by Future Wales. Nonetheless, both the main policy document, together with supporting studies and secondary (local) policy documents, are considered to still remain part of the planning history evidence base.

3.8.2 TAN 8 identified seven SSAs, as the most appropriate locations for wind farm development of greater than 25 MW capacity out to 2020. The Proposed Development is located entirely in an area that was identified as SSA F. Local authorities were also able to propose their own refinements to the SSA boundaries under Annex D of TAN 8. A Consortium of South Wales Valley Authorities – including NPTCBC and BCBC – did so in 2006. The Proposed Development is located entirely within what was these refined SSA boundaries.

3.8.3 The relevant LDP policies prepared by the local authorities were prepared prior to the adoption of Future Wales, and therefore refer to SSAs.

3.9 Conclusions on the Planning Policy Framework

3.9.1 This Chapter has set out the applicable planning policies that are relevant to the Proposed Development, from the national level through to the respective LDPs for the two Council areas which cover the site. The Future Wales element of the Development Plan makes it expressly clear that it is the primary policy consideration for the assessment of DNS applications. Chapter 5 of this Planning Statement sets out a planning policy assessment which is focused on the various development management provisions within Future Wales. The assessment is presented by way of relevant environmental and technical topics which are referenced in Future Wales, and it also makes reference to the LDP provisions where relevant.

4. The Renewable Energy Policy Framework

4.1 Introduction

4.1.1 This Chapter refers to the renewable energy policy and emissions reduction legislative framework with reference to relevant international, UK and Welsh Government provisions. The framework of international agreements, legally binding targets and climate change global advisory reports is the foundation upon which national energy policy and emissions reduction law is based. This underpins what can be termed the need case for renewable energy from which the proposed development can draw a high level of support.

4.1.2 Relevant Government policy is a material consideration. It is not necessary for new Government policy, where relevant, to find explicit expression in national planning policy for it to be or become a material consideration. The weight given to any policy, subject to taking a reasonable and rational approach, is a planning judgement and a matter for the decision maker.

4.1.3 The Proposed Development must therefore be considered against a background of material UK and Welsh Government energy and climate policy and legislative provisions, as well as national planning policy and advice.

4.1.4 It is evident that there is clear and consistent policy support at all levels, from international to local, for the deployment of renewable energy generally (including onshore wind) to combat the global heating crisis, diversify the mix of energy sources, achieve greater security of supply, and to attain legally binding emissions reduction targets.

4.1.5 Government renewable energy policy and associated renewable energy and electricity targets and the need for a recovery from the Covid-19 pandemic are important considerations. It is important to be clear on the current position as it is a fast-moving topic of public policy.

4.2 International Commitments

The Paris Agreement (2016)

4.2.1 In December 2015, 195 countries adopted the first ever universal, legally binding global climate deal at the Paris Climate Conference (COP21). The Paris Agreement within the United Nations Framework Convention on Climate Change sets out a global action plan towards climate neutrality with the aims of stopping the increase in global average temperature to well below 2^0C above pre-industrial levels, and to pursue efforts to limit global warming to 1.5^0C.

4.2.2 Moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links through to the Committee on Climate Changes' (CCC) advice to both the UK and Welsh Governments on 'net zero' targets which have now, at both the UK and Welsh Government levels, been translated into new legislative provisions and targets leading to Net Zero by 2050. This is referred to below in more detail.

4.2.3 The Paris Agreement does not itself represent Government policy in the UK or Wales. However, the purpose of domestic and renewable energy and greenhouse gas reduction targets is to meet the UK's commitment in the Paris Agreement.

The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (2021 & 2022), related Press Release and Statements

4.2.4 The first part of the Inter-Governmental Panel On Climate Change (IPCC) 6th Assessment Report (2021) was published on 9th August 2021 (the AR6 Report). The AR6 Report is the first major review of the science of climate change since 2013. The first part of the AR6 Report, in short, provides new estimates of the chances of crossing the global warming level at 1.5^{0}C in the next decade and reaches the sobering conclusion that, without immediate, rapid and large-scale reductions in GHG, limiting warming close to 1.5^{0}C or even 2^{0}C will be beyond reach. For this and many other reasons the UN Secretary General[3] described the AR6 Report as a "*Code Red for humanity*".

4.2.5 The second part of the AR6 report was published on 28th February 2022. It is, as described in the press release accompanying the second part of the AR6 report a "*dire warning about the consequences of inaction*". The press release refers to a narrowing window for action and states (emphasis added):

"*The scientific evidence is unequivocal: climate change is a threat to human wellbeing and the health of the planet. Any further delay in concerted global action will miss a brief and rapidly closing window to secure a liveable future.*"

4.2.6 The third part of the IPCC's AR6 Report 'Mitigation of Climate Change[4] was published on 04th April 2022. In summary, the urgent message from this latest report is that it confirms the harmful and permanent consequences of the failure to limit the rise of global temperatures and that reducing emissions is a crucial near-term necessity. The report underlines the need to radically and rapidly scale up global climate action to reduce GHG emissions.

4.2.7 The Press Release for the third report summarises a number of the key points from the publication including:

- "*limiting global warming will require major transitions in the energy sector. This will involve a substantial reduction in fossil fuel use, widespread electrification, improved energy efficiency and use of alternative fuels." The report sets out that the "next two years are critical*". (page 1)
- In the scenarios assessed, limiting warming to around 1.5°C "*requires global greenhouse gas emissions to peak before 2025 at the latest, and be reduced by 43% by 2030…. even if we do this, it is almost inevitable that we will temporarily exceed this temperature threshold but could return to below it by the end of the century*". (page 2)

4.2.8 The Report makes it clear that immediate short-term acceleration of low carbon energy is needed if limiting warming below danger levels is to stay feasible. The Report emphasises the particular cost reductions that have affected wind and solar development and that these technologies will play a key role in the energy transition.

4.2.9 This third report from the IPCC has focused on how human actions can mitigate climate change. In short, the principal message is that humanity is currently not on track to limit warming, but that it is still possible to make the progress necessary by 2030 by using existing technologies for example, by moving rapidly to non-fossil fuel sources of energy.

4.2.10 The timescale imperative set out in the IPCC report matches that of the UK and Welsh Governments - both are essentially saying through their policy documents that it is clear that the period up to 2030 next decade must be transformative. This will be only a period of around 6 years from the date of the submission of this DNS application.

[3] Statement by UN secretary general Antonio Guterres, 09 August, 2021.

[4] IPCC, 2022: Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group 3 to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change.

UN Emissions Gap Report (October 2022)

4.2.11 On 27th October 2022 the UN published its annual 'Emissions Gap Report', 'The closing window – climate crisis calls for rapid transformation of societies'. It provides an evaluation of credible scientific and technical knowledge on emissions trends, progress, gaps and opportunities, based on a synthesis of the latest scientific literature, models, and data analysis and interpretation, and models, including that published in the context of the IPCC. In summary, it takes account of where global greenhouse gas emissions are, the anticipated trajectory and where they need to be if we are to avoid the worst climate impacts.

4.2.12 The related 'Key Messages' paper states that "the world is still falling short of the Paris climate goals, with no credible pathway to 1.5°C in place. Only an urgent system-wide transformation can avoid an accelerating climate disaster." The report looks at how to deliver this transformation, through action in the electricity supply, industry, transport and building sectors and the food and financial systems. The stated key messages include:

- "*Despite a call for a strengthened Nationally Determined Contributions (NDCs) for 2030, progress since COP 26 in Glasgow has been woefully inadequate.*
- *This lack of progress leaves the world on a path towards a temperature rise far above the Paris agreed goal of well below 2°C, preferably 1.5°C.*
- *To get on track to meet the Paris Agreement goal, the world needs to reduce greenhouse gases by unprecedented levels over the next eight years.*
- *Such massive cuts require a large scale rapid and systemic transformation across the globe.*
- *The transformation towards zero greenhouse gas emissions and electricity supply, industry, transportation and buildings is underway but needs to move much faster*".

IPCC Report (March 2023)

4.2.13 On 20 March 2023 the IPCC published its final instalment of the Sixth Assessment Report (AR6). The report provides the most comprehensive and best available scientific assessment of climate change.

4.2.14 The IPCC finds that there is a more than 50% chance that global temperature rise will reach or surpass 1.5°C between 2021 and 2040 across studied scenarios and under a high-emissions pathway, specifically the world may hit this threshold even sooner – between 2018 and 2037. The organisation estimates that global temperature rise in such a carbon intensive scenario could also increase to 3.3°C to 5.7°C by 2100.

4.2.15 A headline point within the Synthesis Report is that the world must rapidly shift away from burning fossil fuels. Strategies to avoid locking in emissions include retiring fossil fuel infrastructure but also scaling up renewable energy sources including solar and wind.

4.2.16 The Press Release issued alongside the latest IPCC report states:

"*In 2018, the IPCC highlighted the unprecedented scale of the challenge required to keep warming to 1.5°C. Fives years later, that challenge has become even greater due to a continued increase in greenhouse gas emissions. The pace and scale of what has been done so far, and current plans, are insufficient to tackle climate change.*

In this decade, accelerated action to adapt to climate change is essential to close the gap between existing adaptation and what is needed. Meanwhile, keeping warming to 1.5°C above pre-industrial levels requires deep, rapid and sustained greenhouse gas emissions reductions in all sectors. Emissions should be decreasing by now and will need to be cut by almost half by 2030, if warming is to be limited to 1.5°C".

4.2.17 The Synthesis Report sets out with regard to mitigation pathways that "*all global model pathways that limit warming to 1.5°C and those that limit warming to 2°C involve rapid and deep and, in most cases, immediate greenhouse gas emission reductions in all sectors this decade*."

4.2.18 The report refers to the urgency of near-term climate action and states (page 25):

"*Climate change is a threat to human wellbeing and planetary health. There is a rapidly closing window of opportunity to secure a liveable and sustainable future for all*."

4.3 UK Climate Change & Energy Legislation & Policy

The Climate Change Act 2008 & Carbon Budgets

4.3.1 The Climate Change Act 2008 (the 2008 Act) provides a system of carbon budgeting. Under the 2008 Act, the UK committed to a net reduction in greenhouse gas (GHG) emissions by 2050 of 80% against the 1990 baseline. In June 2019, secondary legislation was passed that extended that target to at least 100% against the 1990 baseline by 2050.

4.3.2 The 2008 Act also established the CCC which advises the UK Government on emissions targets, and reports to Parliament on progress made in reducing GHG emissions.

4.3.3 The CCC has produced six, four yearly carbon budgets, covering 2008 – 2037. These carbon budgets represent a progressive limitation on the total quantity of GHG emissions to be emitted over the five-year period as summarised in **Table 4.1** below.

4.3.4 These legally binding 'carbon budgets' act as stepping-stones toward the 2050 target. The CCC advises on the appropriate level of each carbon budget and once accepted by Government, the respective budgets are legislated by Parliament. All six carbon budgets have been put into law and run up to 2037. The UK is currently in the third carbon budget period 2018-2022.

Table 4.1: UK Carbon Budgets and Progress[5]

Budget	Carbon budget level	Reduction below 1990 levels	Met?
1st carbon budget (2008 – 2012)	3,018 $MtCO_2e$	25%	Yes
2nd carbon budget (2013 – 2017)	2,782 $MtCO_2e$	31%	Yes
3rd carbon budget (2018 – 2022)	2,544 $MtCO_2e$	37% by 2020	On Track
4th carbon budget (2023 – 2027)	1,950 $MtCO_2e$	51% by 2025	Off Track
5th carbon budget (2028 – 2032)	1,725 $MtCO_2e$	57% by 2030	Off Track
6th carbon budget (2033 – 2037)	965 $MtCO_2e$	78% by 2035	Off Track
Net Zero Target	100%	By 2050	

4.3.5 The Sixth Carbon Budget (CB6) requires a reduction in UK greenhouse gas emissions of 78% by 2035 relative to 1990 levels. This is seen as a world leading commitment, placing the UK "*decisively on the path to net zero by 2050 at the latest with a trajectory that is consistent with the Paris Agreement*".

[5] Source: CCC (2022).

4.3.6 Page 23 of CB6 refers to the devolved nations and sets out that "*UK climate targets cannot be met without strong policy action across Scotland, Wales and Northern Ireland*" and recognises that although the main policy levers are held by the UK Government, Wales can take action through complementary measures at the devolved level including supporting policies such as "planning and consenting".

4.3.7 Key points from CB6 include:

- UK climate targets cannot be met without strong policy action.
- The CCC is clear in setting out that new demand for electricity will mean that electricity demand will rise 50% to 2035 and "*doubling or even trebling by 2050*".
- CB6 needs to be met and that will need more and faster deployment of renewable energy developments than has happened in the past.
- The related 'Methodology Report' from the CCC advice, states that in all scenarios for the carbon budget and looking ahead to 2050, the CCC sees new onshore wind generation being deployed by 2050. They set out that their "*modelling reflects this by almost doubling onshore wind capacity to 20-30 GW in all scenarios by 2050.*"

4.3.8 Following the Sixth Carbon Budget, the UK Government announced on 20th April 2021 that it would set the world's most ambitious climate change target into law (by the Carbon Budget Order 2021[6]) to reduce emissions by 78% by 2035 compared to 1990 levels.

National Infrastructure Strategy – Fairer, Faster and Greener (November 2020)

4.3.9 The Strategy sets out the UK Government's plans to deliver on its ambition, being to: "*deliver an infrastructure revolution: a radical improvement in the quality of the UK's infrastructure to help level up the country, strengthen the Union, and put the UK on the path to net zero emissions by 2050*".

4.3.10 It states that: "*to achieve net zero by 2050, the power system will need to be virtually carbon free and significantly larger to cope with the additional demand from electrification in transport, heating and some industrial processes. It states this expanded system requires increased investments in network infrastructure, sources of flexibility, such as interconnection, demand response and storage, together with enough low carbon generation capacity to provide the vast majority of the UK's electricity needs*".

4.3.11 It states that net zero requires a dramatic increase in the share of generation from renewables, including specifically from onshore wind and solar. The Government also proposes to continue supporting the roll out of renewables through the Contracts for Difference subsidy mechanisms, which now includes solar and onshore wind technologies.

The UK Energy White Paper (December 2020)

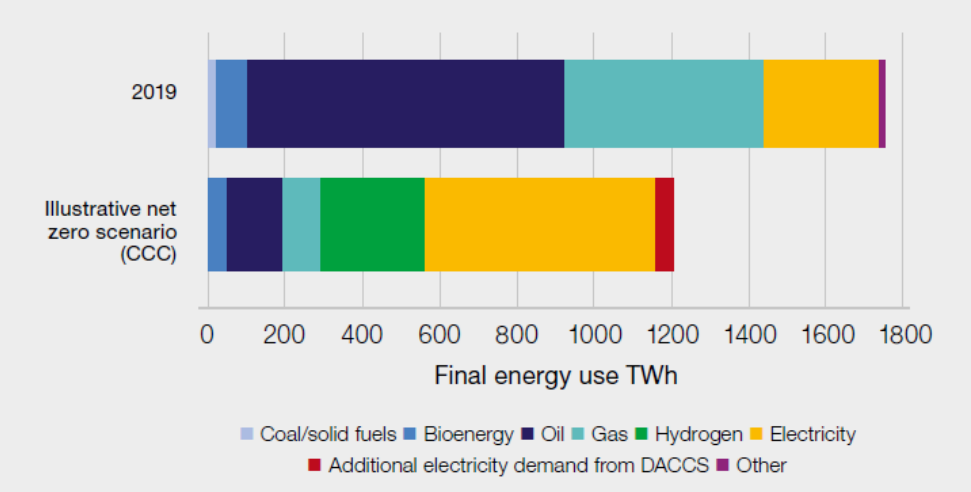
4.3.12 The UK Government Energy White Paper 'Powering our Net Zero Future' (December 2020) sets out that: "*electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050*".

4.3.13 It adds a key objective is *to "accelerate the deployment of clean electricity generation through the 2020s"* (page 38). Electricity demand is forecast to double out to 2050, which will "*require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target"* (page 42).

4.3.14 This anticipated growth of renewable electricity is illustrated in the graph below – **Figure 4.1**.

[6] The Order sets the carbon budget for the 2033-2037 budgetary period at 965 million tonnes of carbon dioxide equivalent. The net UK carbon account is defined in section 27 of the Climate Change Act 2008.

Figure 4.1: Illustrative UK Final Energy Use in 2050[7]



4.3.15 In terms of electricity policy in the White Paper, the UK Government clearly recognise that the scale of change that is required to respond to climate change is at a pivotal point. The anticipation is that there is going to need to be a global green industrial revolution and it is only through this that an appropriate response would be made to tackling climate change issues. Chapter 1 of the White Paper sets out this context and makes clear the likely change in the nature and volume of electricity generation. It recognises the very significant role that renewable electricity generation will play in relation to delivering total energy usage. This means it will have to play a much greater role in decarbonising both transport and heat.

The UK Net Zero Strategy (October 2021)

4.3.16 The UK Government published the Net Zero strategy in October 2021. This sets out policies and proposals for keeping in the UK on track in relation to carbon budgets and the UK's nationally determined contribution (NDC)[8] and establishes the long-term pathway to net zero by 2050.

4.3.17 The Net Zero Strategy sets out the Government's plans for reducing emissions from each sector of the UK economy, related to carbon budget and to the eventual target of net zero by 2050. The Strategy has been submitted to the United Nations Framework Convention on Climate (UNFCC) as the UK's second long-term low greenhouse gas emission development strategy under the Paris Agreement.

4.3.18 Page 19 addresses the power sector and sets out that the power system will be fully decarbonised by 2035.

4.3.19 Key policies are set out including that by 2030 there will be some 40GW of offshore wind with "*more onshore, solar and other renewables*".

4.3.20 In terms of power, the Strategy references the Energy White Paper (2020) which set out the goal of a fully decarbonised and low-cost power system by 2050. It adds that CB6 represents "*a very significant increase in the pace of power sector decarbonisation, coupled with increased demand due to accelerated action another sector dependent on low-carbon electricity*". (page 98). It adds:

[7] Source: Energy White Paper page 9 (2020).

[8] Every country that signed up to the Paris Agreement (2015) set out a target known as a nationally determined contribution for reducing greenhouse gas emissions by around 2030. For the UK the target was a 68% reduction on 1990 levels by 2030.

"*although the Energy White Paper envisaged achieving an overwhelmingly decarbonised power system during the 2030s, we have since increased our ambition further. By 2035 all our electricity will need to come from low carbon sources, subject to security of supply, bringing forward the Government's commitment to a fully decarbonised power system by 15 years, whilst meeting at 40-60% increase in demand*".

4.3.21 The Strategy also sets out that the Government will be supporting sustained deployment of low-carbon generation (page 103), in this regards it states that there will be a need to continue to drive rapid deployment of renewables.

The British Energy Security Strategy (April 2022)

4.3.22 The British Energy Security Strategy ("BESS") was published by the UK Government on 7 April 2022. The BESS focuses on energy supply and states that in the future nuclear will have an expanded role and that renewables have an important role: the foreword states *inter alia*:

"*this government will reverse decades of myopia, and make the big call to lead again in a technology the UK was the first to pioneer, by investing massively in nuclear power.*

Accelerating the transition away from oil and gas then depends critically on how quickly we can roll out new renewables.

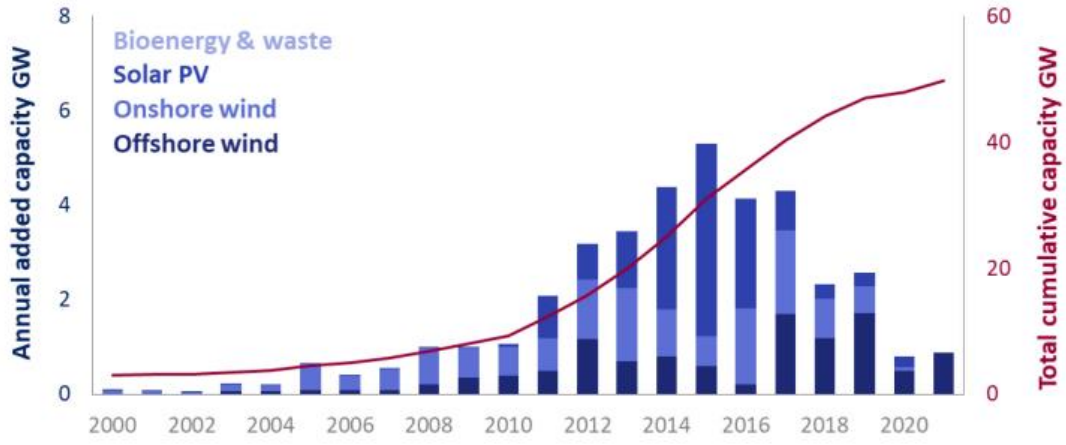
The growing proportion of our electricity coming from renewables reduces our exposure to volatile fossil fuel markets. Indeed, without the renewables we are putting on the grid today, and the green levies that support them, energy bills would be higher than they are now. But now we need to be bolder in removing the red tape that holds back new clean energy developments and exploit the potential of all renewable technologies."

Slowdown of Renewable Deployment

4.3.23 The Department of Business, Energy and Industrial Strategy (BEIS) published the Digest of UK Energy Statistics in July 2022 which provides statistical information in relation to energy for 2021.

4.3.24 The statistics show a stark slowdown in renewable deployment in the years 2020 and 2021 – as illustrated in the **Figure of 4.2** below. The information shows that the capacity began to slow after 2018 falling to just 0.9 GW in 2020. In 2021 the capacity rose, most of which was in offshore wind.

Figure 4.2: UK Annual added Renewable Energy Capacity, 2000 to 2022[9]



[9] Source: Department for Business, Energy & Industrial Strategy, *Digest of UK Energy Statistics*, Annual data for the UK, 2021, published July 2022.

CCC Progress Report to Parliament (2022)

4.3.25 The CCC published a Progress Report to Parliament in June 2022, 'Progress in Reducing Emissions'. A key message in the report is that the UK Government now has a solid net zero strategy in place, but important policy gaps remain. It sets out that although the Government has raised ambition, policies are not yet fully in place to drive a large programme of delivery required in the 2020s.

4.3.26 The report adds that with the emissions path set for the UK and the Net Zero strategy published, greater emphasis and focus must be placed on delivery. It adds that, "*this is needed for the UK's climate ambitions to be credible*" (page 14).

Powering up Britain (March 2023)

4.3.27 On 30 March 2023 the UK Government (Department for Energy Security and Net Zero) published 'Power Up Britain' which comprises a series of documents including an Energy Security Plan and Net Zero Growth Plan.

4.3.28 The Energy Security Plan sets out the steps that the UK Government is taking to ensure that the UK is more energy independent, secure and resilient. It builds upon the British Energy Security Strategy and the Net Zero Strategy. The report sets out that the Government is aiming for a doubling of Britain's electricity generation capacity by the late 2030s in line with aim to fully decarbonise the power sector by 2035, subject to security of supply.

4.3.29 The introduction of the Net Zero Growth Plan states:

"*Energy Security and Net Zero are two sides of the same coin. The energy transition and net zero are among the greatest opportunities facing this country and we are committed to ensuring that the UK takes advantage of its early mover status. Global action to mitigate climate change is essential to long term prosperity…"*

4.4 Wales: Climate Change & Energy Legislation & Policy

The Wellbeing of Future Generations (Wales) Act 2015

4.4.1 In April 2015 the Welsh Assembly passed into law *The Wellbeing of Future Generations (Wales) Act*, (the "WBFG Act") which is primary legislation requiring all Wales' based public bodies - such as local authorities, health boards etc - to put long-term sustainability at the forefront of their thinking, and to work with other organisations and the public to prevent and tackle ongoing social, environmental, and economic problems. The Act was decided upon following an extensive consultation period known as the National Conversation. It passed into law in April 2015.

4.4.2 In order to create a more sustainable Wales, public bodies must work towards seven Well-being Goals and enact the five Ways of Working. One fundamental challenge in Wales which is a focus of the Act is dealing with climate change and the potential impact upon the prosperity and quality of life in Wales. The legislative aims of the WBFG Act are reflected within both PPW and Future Wales.

The Environment (Wales) Act 2016

4.4.3 *The Environment (Wales) Act 2016* set in place an obligation on the Welsh Government to reduce greenhouse gas emissions by 80% against 1990 levels by 2050.

Prosperity for All: A Low Carbon Wales (2019)

4.4.4 The Welsh Government published the document *'Prosperity for All: A Low Carbon Wales'* in March 2019. The document outlines the Welsh Government's proposed approach to emissions reductions and transitioning to a low carbon economy in accordance with the required carbon cuts enshrined in the Environment Act 2016.

Climate Emergency declared in Wales (2019)

4.4.5 A critical part of the response to the challenge of climate change was the Climate Emergency which was declared[10] in Wales on 29th April 2019. The declaration of climate emergency needs to be viewed in the context in which it was declared (advice from the CCC) and in response to commitments under the Paris Agreement and what followed from it as a result of the declaration. The Welsh Government has committed to achieving a carbon neutral public sector by 2030 and to coordinating action to help other areas of the economy to make a decisive shift away from fossil fuels, involving academia, industry and the third sector and to achieve Net Zero by 2050.

Net Zero Wales, Carbon Budget 2 (2021)

4.4.6 The Welsh Government published *Net Zero Wales Carbon Budget 2 (2021-2025)* ("the Net Zero Wales Plan") on 28th October 2021.

4.4.7 The Cabinet Foreword states that "*in line with the advice from the Climate Change Committee (CCC), this must be a decade of action in Wales. We need to make more progress in the next 10 years than we have in the last 30*".

4.4.8 The plan states that the Net Zero Wales Plan represents a new phase in the country's decarbonisation journey with a new legally binding Net Zero target[11]. It focuses on Wales's Second Carbon Budget (2021-2025) but looks ahead to Carbon Budget 3 and Wales's 2030 target as well as Net Zero by 2050.

4.4.9 The plan sets out that it fulfils the Welsh Ministers' statutory duty to "*prepare and publish a report before the end of 2021 setting out their proposals and policies for meeting Carbon Budget 2.*" It contains 123 policies and proposals across all ministerial portfolios. The statutory duty comes from two main pieces of the legislation:

- The Well-being of Future Generations (Wales) Act 2016 (WFG Act) which provides a comprehensive framework for sustainable development in Wales; and
- The Environment (Wales) Act 2016 which requires the Welsh Government to reduce emissions of GHG in Wales to net zero for the year 2050, with a system of interim emission targets and Carbon Budgets. It sets out that under Section 39 of the Act, the Welsh Ministers must prepare and publish a report for each budgetary period setting out their policies and proposals for meeting the Carbon Budget for that period.

4.4.10 The plan states (page 10) that in 2019 the Welsh Government accepted the CCC's recommendation to increase the ambition to reduce emissions to 95% shortly after the Senedd became the first Parliament in the world to declare a Climate Emergency in 2019. It adds that on accepting the recommendation, the Welsh Government asked the CCC to look again at how Wales could reach Net Zero. Further advice by the CCC published in December 2020 showed that there was a credible route for Wales to achieve Net Zero. The plan states "*we are proud that in March 2021 the Senedd agreed to set a legally binding net zero target. We are choosing to base our ambition on the evidence as we tackle the climate emergency, making Wales' fair contribution to the UK's obligations under the Paris Agreement*".

4.4.11 The pathway to the 2050 Net Zero target is set through five yearly Carbon Budgets. These cover all territorial emissions in Wales. The Carbon Budgets are set in law and follow the CCC's recommendations, and these are set out in **Table 4.2**:

[10] Welsh Government declaration of a Climate Emergency, Statement by Minister for Environment, Energy and Rural Affairs, Lesley Griffiths.

[11] Part 2 of the Environment (Wales) Act 2016 requires the Welsh Ministers to meet targets for reducing net Welsh emissions of greenhouse gases from Wales. Section 29 places a duty upon the Welsh Ministers to ensure that net Welsh emissions for the year 2050 are at least 100% lower than the baseline emission figures. The interim emission reduction targets are set out in the Climate Change (Carbon Budgets)(Wales) (Amendment) Regulations 2021.

Table 4.2: Wales' Carbon Budgets

Carbon Budget	**Target** (average reduction)
Carbon Budget 2 (2021-2025)	37% reduction
Carbon Budget 3 (2026-2030)	58% reduction
2030	63% reduction
2040	59% reduction
2050	At least 100% reduction (Net Zero)

4.4.12 The plan states that the modelling shows that Wales is on track for Carbon Budget 2 (37%) and will achieve a 44% reduction against the baseline[12].

4.4.13 Electricity and heat generation is addressed in the plan from page 54. The vision is "*for a decarbonised energy system which provides wider economic and social benefits for Wales than the system we see today. We aim to virtually eliminate greenhouse gas emissions from the power stations by 2035…*".

4.4.14 On page 64 it states that an objective is "*increasing low carbon and renewable generation – planning for a more integrated net zero energy system".* It adds that alongside reducing fossil fuel generation in Wales *"we need to increase generation from renewables in ways that are most cost effective and beneficial for Wales*".

4.4.15 Policy 22 is entitled 'increasing renewable energy developments on land through our planning regime'. References are made to Future Wales which it states, "*provides a positive policy framework for new renewable energy developments and associated infrastructure*".

4.4.16 It adds that "*proposals are beginning to come forward in the pre-assessed areas and, subject to consenting by Welsh Ministers, are likely to be built and producing energy within the Carbon Budget 2 period*".

Renewable Energy in Wales (2022)

4.4.17 The Welsh Parliament's Climate Change, Environment and Infrastructure Committee published *Renewable Energy in Wales* in May 2022. It sets out that in October 2021 the Welsh Government announced it would be undertaking a 'Deep Dive' into renewable energy to identify barriers to significantly scaling up renewable energy in Wales and steps to overcome them. The outcome of the Deep Dive was published in December 2021. In announcing the outcome, the Deputy Minister stated:

"*Our vision is clear, we want Wales to generate renewable energy to at least fully meet our energy needs and utilise surplus generation to tackle the nature and climate emergencies. We will accelerate actions to reduce energy demand and maximise local ownership retaining economic and social benefits in Wales*."

4.4.18 Following the Deep Dive, the Welsh Government committed to create a National Energy Plan by 2024 "*mapping out future energy demand and supply for all parts of Wales to identify gaps and to enable us to plan for a system that is flexible and smart – matching local renewable energy generation with energy demand*".

4.4.19 The Climate Change, Environment and Infrastructure Committee's view is set out in the May 2022 publication, and it is as follows:

"*Although progress has been made, there has been a slowdown in renewable energy development since 2015. As we enter a critical time in the fight against climate change, and*

[12] Against a 1990 or 1995 baseline depending on the gas.

as energy prices soar and concerns about energy security grow, the Welsh Government must urgently renew its focus on renewables.

The potential for renewable energy generation in Wales is substantial, with abundant opportunities for both onshore and offshore development. This means Wales is well-positioned to go beyond meeting domestic need to become a world leader in renewable energy production, supplying clean energy to other parts of the UK and beyond. We believe the Welsh Government needs to be clearer that its ambition is for Wales to be a net exporter of renewable energy.

The Welsh Government must set more stretching renewable energy targets. These targets must be matched with demonstrable action to accelerate development at the scale and pace required for Wales to meet its climate change commitments and to become a net exporter of renewable energy."

4.4.20 The report confirms (para 5) the Welsh Government's renewable energy targets, as already referenced earlier.

4.4.21 Paragraph 33 confirms that Future Wales: The National Plan 2040 "*provides the policy framework for consenting new renewable and low carbon energy developments and associated infrastructure on land*."

4.4.22 In terms of shared ownership, the report makes it clear (page 31) that the Welsh Government position is not sufficiently clear.That has subsequently been addressed with the publication of new guidance[13] in July 2022.

4.4.23 A 7 June 2022 Written Statement[14] by the Welsh Government stated that in 2020, an average reduction of 28% in emissions had been achieved compared to the 1990 baseline, but stated that "*now both the energy crisis and cost of living crisis show Wales needs to double down on efforts*".

Energy Generation in Wales 2021 (published October 2022)

4.4.24 The Welsh Government published *Energy Generation in Wales* in October 2022. It sets out the energy generation capacity in Wales in 2021 and analyses how it has changed over time. The overall purpose of the report is to support the Welsh Government with the development of energy policy helping to "*evidence the economic, social and environmental benefits from the development of Welsh energy projects*".

4.4.25 The Ministerial Foreword sets out that the vision for Wales is "*for Wales to generate renewable energy to at least fully meet our energy needs and utilise surplus generation to tackle the nature and climate emergencies*".

4.4.26 The headline target set out in the document is the 70% of Wales' electricity demand to be met from Welsh renewable electricity sources by 2030. The report sets out that approximately 55% of annual consumption in Wales came from renewables in 2021.

4.4.27 Renewable energy in Wales is referred to from page 4 and it states that only 116 MW of new renewable capacity was commissioned in 2021, most of which was from a single 75 MW solar farm in Newport.

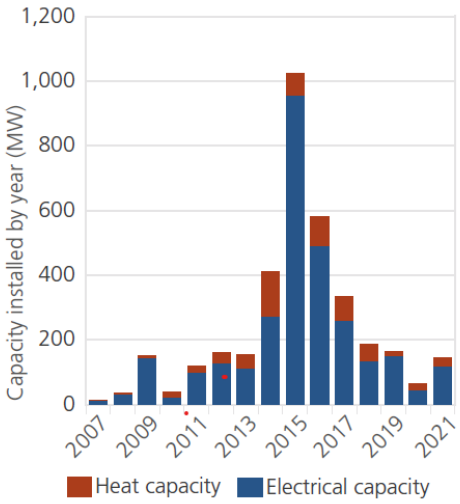
4.4.28 The report states that renewable electricity generation in Wales has only increased by 9% over the last five years, compared to 140% in the preceding five years. The report states that 2021 saw the smallest increase in onshore wind capacity since 2005, with only 3.4 MW of

[13] Welsh Government, *Local and Shared Ownership of Energy Projects in Wales*, Guidance for developers, local communities and decision-makers (July, 2022).

[14] https://gov.wales/new-stats-wales-track-climate-targets-big-changes-lie-ahead-decade-action

new capacity commissioned. This is a striking reduction in renewable capacity deployment. This decline in deployment[15] is illustrated in **Figure 4.3** below.

Figure 4.3: Wales' Annual Renewable Energy Deployment Rate



4.4.29 Another very important point to recognise is that the report acknowledges that the CCC Sixth Carbon Budget estimates that "*while total energy consumption should reduce in Wales as progress is made towards net zero, electricity demand will increase as a result of increasing electricity consumption in the heat and transport sectors*".

4.4.30 The report addresses progress towards national targets (page 7) and states that the 70% renewable electricity target by 2030 "*represents just an initial step in the development of renewable energy in Wales as Wales's energy system transitions to net zero*".

4.4.31 It adds:

"*However, with electricity consumption in Wales set to more than double if a net zero energy system is to be achieved by 2050, the infrastructure required to achieve this ambition is a moving target.*

As well as potentially rising electricity demand, the Welsh Government's renewable energy Deep Dive highlighted several barriers to deploying renewable generation at the pace required to meet ambitions – including securing a financially viable grid connection, gaining planning permission and lack of financial support".

4.4.32 The report also addresses net zero and energy security and in this regard states:

"*The recent surge in the global price of gas, combined with Russia's war on Ukraine, has resulted in huge increases in energy prices across the world, with the impact felt hardest by those who are least able to bear it. The Welsh Government is providing support to those in urgent need in the short term, while building a future energy system which insulates Wales from the worst of the impacts. Extending fossil fuel use will only result in problems in the longer term. Instead, Wales will improve energy efficiency and developer renewables based energy system fit for the future*".

4.4.33 The report also references the regional context for renewable energy generation, analysing it down to the local authority level. For Bridgend which is within the Cardiff Capital Region, and Neath Port Talbot which is within the Swansea bay City region the respective figures for 2020 were:

[15] Source: Welsh Government, *Energy Generation in Wales 2021*, page 5 (October 2022).

- In Bridgend the percentage of total Welsh renewable energy generation from the local authority was 3%.
- In Neath Port Talbot the figure was 13%.

4.4.34 The report notes that although the Neath Port Talbot area generated the most renewable electricity of all local authority areas in Wales "*It is also the second highest consumer of electricity and so and only generates the equivalent of 75% of the electricity it consumes*".

4.4.35 The report addresses each energy sector and onshore wind is specifically referenced on page 28. It sets out that only 3.5 MW of onshore wind capacity was commissioned from two projects in 2021. This is the second year in a row to see a reduction in growth since the late 2010's when on average, 160 MW of capacity was installed each year from 2016 to 2019[16].

4.4.36 There has clearly been therefore a considerable downturn in renewable energy deployment, but also specifically onshore wind.

Review of Wales' Renewable Energy Targets: Consultation (2023)

4.4.37 The Welsh Government issued a consultation document entitled 'Review of Wales' Renewable Energy Targets' on 24th January 2023. The document confirms that in 2017 the Welsh Government set renewable energy targets (as described above).

4.4.38 The report states that in 2021, renewables in Wales generated the equivalent of 55% of electricity use against the 70% target by 2030. It adds that Wales has achieved nearly 90% of its target of at least 1 GW of renewable energy capacity to be locally owned by 2030, representing an estimated 1.9 GWh of generation in 2021.

4.4.39 The report also acknowledges that deployment of renewables in Wales and the UK has slowed since 2015, largely as a result of the UK Government's approach to renewable incentives, specifically withdrawing key subsidies that secured a route to market. As a result, whilst renewable based electricity capacity continues to increase year-on-year, it is acknowledged that the current rate of growth will not be enough to meet demand, especially in the light of growing electricity needs.

4.4.40 The consultation document addresses the generation target, namely 70% of consumption from renewable sources by 2030. In light of the advice that the Welsh Government has received from the CCC and given the increased focus of the use of electricity across the economy, the Government proposes to retain the scope of this target namely focusing on generating electricity to meet future demand.

4.4.41 However, the significant change proposed relates to the level of ambition for the target and in this regard, the proposal (subject to consultation) is that the target be changed to generate the equivalent of Wales's total annual electricity demand from renewables by 2035.

4.4.42 In the context of this target, the analysis in the report addresses future demand against a baseline generation in Wales for 2021. The analysis shows that there is a requirement for a fivefold increase in generation of electricity in Wales between now (2023) and 2050, with the majority of this increase required after 2030 and with a particularly steep increase through the 2030s (consultation report, page 10).

4.4.43 An important point in the report is that the analysis demonstrates "*that in all net zero pathways renewable energy deployment must accelerate and be sustained for the next three decades – at a rate greater than that achieved over the last decade*". (page 12).

4.4.44 Proposal 3 in the document is "*that Welsh Government set a target for us to meet the equivalent of 100% of our annual electricity consumption from renewable electricity by 2035, and continue to keep pace with consumption thereafter*".

[16] Overall, onshore wind capacity in Wales was 1,266 MW (2021).

4.4.45 In relation to this target, the consultation report sets out that rather than providing technology specific targets, the analysis suggests that there is a requirement for a range of technologies at different scales to achieve the target.

4.4.46 In terms of the local ownership target, as noted, at present it is 1 GW of renewable capacity to be locally owned in Wales by 2030. Proposal 4 in the consultation report is to set a target for at least 1.5 GW of renewable energy capacity to be locally owned by 2035.

4.4.47 Given the proposals are the subject of consultation, they can only be afforded limited weight at this time. However, it is evident from the analysis set out in the consultation document that the Welsh Government is following the advice of the CCC and recognises that there needs to be a significant increase in renewable electricity generation and indeed that the pace of deployment needs to accelerate. The Proposed Development would contribute to not only the current renewable electricity generation and local ownership targets, but also to the revised targets should they come into force in due course.

4.5 Key Net Zero Targets Summary

4.5.1 It is considered helpful to summarise the key targets and the current position against each. There are a number of key zero carbon targets as set out in **Table 4.3** below.

Table 4.3: Key Zero Carbon Targets

Year	Target	Summary	Current Position
2050	Net Zero in the UK	Means no net carbon emissions in UK. Given there will be some residual emissions remaining (e.g. from agriculture) therefore an equal amount of carbon removal will be required by means such as carbon capture, storage or usage.	In 2021 total greenhouse gas emissions were 47.3% lower than they were in 1990[17].
2050	Net Zero in Wales	Wales has already largely decarbonised electricity production, therefore the primary challenge is to replace fossil fuels used in industry, heating of buildings and transport, which will mostly require substitution of fossil fuels with zero carbon electricity, meaning a big expansion of generation, transmission, distribution and supply of renewable energy.	The Welsh greenhouse gas account 'GHG Account' reduced by 44% between the baseline period and 2020[18].
2035	Zero Carbon Electricity in the UK	The UK Government target is for all electricity in 2035 to be generated zero carbon, i.e. with no unabated fossil generation.	In 2021 fossil fuels generated 41.9% of UK electricity[19], hence a large increase in renewables is required for this target.
2030	70% of Wales' Electricity Consumption to come from Welsh Renewable	This will mean a significant expansion of renewable energy sources. It should be noted that the 2020 change from 2019 (up from 51% in 2019) is largely due to the reduction in electricity demand in 2020 as a result of the pandemic.	Total Welsh energy consumption from renewables was 56% in 2020[20].

[17] Department for Business, Energy & Industrial Strategy, 2021 UK Provisional Greenhouse Gas Emissions, National Statistics (March 2022).
[18] Welsh Government, Net Zero Wales Carbon Budget 2, (2021).
[19] Department for Business, Energy & Industrial Strategy, UK Energy in Brief, National Statistics (2022).
[20] Welsh Government, Energy Generation in Wales (2020).

Year	Target	Summary	Current Position
	Electricity Sources		

4.6 Climate Change & Energy Policy: Conclusions

4.6.1 The Applicant's position is that the Proposed Development is strongly supported by the current policy framework.

4.6.2 It is clear from the latest Energy Generation in Wales report, produced by the Welsh Government in 2022, that there has been a considerable fall in the deployment rate for renewables and in particular for onshore wind. Given wind energy is the key technology driving the Welsh 70% renewables target for 2030, it is imperative that the deployment rate increases in order to attain that target and also to provide the foundation for reaching Net Zero. The Carbon Budget 2 for Wales makes it clear that making substantial progress this decade will be critical, not just for the 2030 legally binding target, but to stay on a credible pathway to reach Net Zero.

4.6.3 The trajectory, in terms of the scale and pace of action to reduce emissions, is steep and it is essential that rapid progress is made through the 2020s. The rate of emission reductions must increase otherwise the Carbon Budget targets and Wales' 70% of electricity demand from renewables target for 2030 will not be met.

4.6.4 It is clear from the UK Energy White Paper and the forecasts by the CCC that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport.

4.6.5 Decisions through the planning system must be responsive to this changed position. Decision makers can do this by affording substantial weight to the energy policy objectives articulated above, in the planning balance.

4.6.6 The various legislative interventions and statements of Government policy such as described above are material considerations of relevance that should be afforded weight, and indeed increasingly greater weight.

4.6.7 In the most recent renewable energy policy documents referred to, there is a consistent and what might be termed a 'green thread' which ties a number of related policy matters together: namely the urgent challenge of net zero and the need to substantially increase renewable capacity.

4.6.8 It must follow that the need case is to be afforded significant weight in the planning balance. It is not an over-riding consideration; however, it must be acted on. The way that decision makers can do that is by properly recognising the seriousness and importance of energy policy related considerations in the planning balance. It is the cumulative effect of a large number of individual projects which will move Wales towards where it needs to be.

5. Planning Policy Assessment

5.1 Introduction

5.1.1 This Chapter provides an assessment of the Proposed Development with regard to the various environmental and technical topics that are examined in the ES. It appraises those findings against the relevant planning and renewable energy policy framework which has been set out in the preceding Chapters of this Planning Statement.

5.1.2 The planning assessment, which is set out below, whilst having a focus on the provisions of Future Wales as the highest tier of the Development Plan and which is the principal policy for decision making for DNS applications also refers to the relevant provisions of national planning policy and to the relevant provisions of the respective LDPs.

5.1.3 The assessment also considers the accordance of the Proposed Development with the Well-being of Future Generations (Wales) Act, 2015. The benefits that would arise from the Proposed Development are also described.

5.1.4 In this regard the assessment which follows has taken into account the construction, and operational phases of the Proposed Development and has also taken into consideration potential cumulative effects. The topics which are specifically set out in Policy 18 of Future Wales and which are addressed below are as follows:

- Landscape Character;
- Visual Impacts;
- Ecology and Ornithology;
- Cultural Heritage;
- Shadow Flicker & Noise;
- Aviation and Defence;
- Traffic and Transport;
- Sustainable Use of Materials;
- Hydrology & Geology; and
- Socio-Economics.

5.2 Planning Assessment

Landscape & Visual Effects

5.2.1 Policy 17 in Future Wales states that there is a presumption in favour of large-scale wind energy development within PAAs, however that applications will not be permitted within National Parks and Areas of Outstanding Natural Beauty.

5.2.2 Criterion 1 of Policy 18 in Future Wales states that, outside of PAAs, proposals for renewable and low carbon energy DNS will be permitted where there are no unacceptable adverse impacts on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty).

5.2.3 A Seascape, Landscape and Visual Impact Assessment (SLVIA) has been carried out to identify the significant seascape, landscape and visual effects that are likely to arise as a result of the Proposed Development. This is reported in Chapter 8 of the ES. The SLVIA has considered the effects on landscape and visual receptors during the short-term construction

and long-term operational stages, as well as the cumulative effect of the Proposed Development in conjunction with other proposed and approved developments within the SLVIA study area. The effects of turbine lights (aviation lighting) have also been assessed. A residential visual amenity assessment (RVAA) has been carried out to assess the visual effects of the Proposed Development on individual residential properties, including consideration of whether the residential visual amenity threshold would be breached at any property. Chapter 8 of the ES should be referred to for its detail, but a summary of key findings is set out below.

The Pre-Assessed Area Context & Planning History of Strategic Search Areas

5.2.4 It is important to highlight at the outset of the policy appraisal with regard to landscape and visual effects, that the site area is partly covered by a PAA for onshore wind as identified within Future Wales. The PEDW Report in relation to the Upper Ogmore Wind Farm dated 25 October 2021 is informative on this point where the Inspector stated at paragraph 29 of the Report with regard to national policy:

"*To assist in achieving its aims, Future Wales identifies 'pre-assessed areas for wind energy' where WG has already modelled the likely impact upon the landscape and found them to be capable of accommodating such development in an acceptable way. Through Policy 17: 'Renewable and Low Carbon Energy and Associated Infrastructure' Future Wales outlines a presumption in favour of large-scale wind energy development in these areas, subject to tests set out at Policy 18: 'Renewable and Low Energy Carbon Developments of National Significance'*".

5.2.5 The northern part of the site (the 5 turbines within the Penhydd block) is located within PAA 9 as designated in Future Wales, and therefore, as noted, the Welsh Government has already modelled the likely impact on the landscape here and has found it to be capable of accommodating development in an acceptable way. The methodology used in defining the boundaries of PAAs for Wind Energy considered the intervisibility between nationally designated landscapes and wind turbines up to 250 m blade tip height, as this represented the maximum height scenario in terms of turbine sizes likely to come forward in applications at the time. As such, national policy supports the conclusion that, whilst acknowledging there will be resulting significant landscape character effects, the landscape character change of the turbines within the Penhydd block is acceptable.

5.2.6 The southern part of the site (the 13 turbines within the Bryn block) is located outside any PAA. This area was however previously designated as Strategic Search Area (SSA) F within the former TAN 8, and later included within the local authorities Annex D Refined Search Areas (together with the whole of the northern part of the site). This demonstrates the inherent ability of the area to accommodate large-scale wind power developments in an acceptable way.

5.2.7 During the preparation of Future Wales, the Welsh Government undertook an assessment of onshore wind and solar energy potential in Wales to inform the designation of PAAs. The whole of the site (including the Bryn block) was included in Draft Priority Area (DPA) for Solar and Wind Energy (DPA 14) through the Stage 1 assessment.

5.2.8 Section 9.5.2 of the Stage 2 assessment[21] sets out the rationale for refining the DPAs. DPA 14 was the largest and most complex priority area, with different revisions and considerations made for wind and solar development. The factors of relevance to wind that led to the refinement of the site included:

"This Priority Area for Wind and Solar Energy has been reduced such that … the Registered Historic Landscapes have been removed;

[21] Welsh Government (2019) Assessment of onshore wind and solar energy potential in Wales, Stage 2 - Refinement of Priority Areas for Wind and Solar Energy.

Where possible, centres of population have been moved to fall just outside the priority area;

The buffers around historic parks and gardens have been removed from the priority areas, as these are often designation for their views;".

5.2.9 The primary reason for the Bryn block being refined out of DPA 14 therefore, was due to the presence of Mynydd Margam Registered Historic Landscape. The Proposed Development's effects on historic landscapes and heritage assets are referenced below. It should however be noted that there are wind farms currently located within Registered Historic Landscapes around Wales, including locally the whole of Mynydd Brombil; 28 turbines of Pen y Cymoedd; 3 turbines of Bwllfa; the whole of Maerdy; the whole of Ferndale; and 8 turbines of Fforch Nest. These developments demonstrate that wind farms can be acceptably accommodated within historic landscapes.

5.2.10 It is understood that White Consultants, advising the local authorities as part of their EIA Scoping response, consider the capacity of the site of the Proposed Development to be as established by the SSAs as part of the former TAN 8. It is therefore considered important to note two key things in relation to preparation of the SSAs, both relating to the age of the final Arup report in June 2005.

5.2.11 Firstly, where this date sits within the arc of history for the development of the wealth and strength of today's international, national and Welsh climate change and renewable energy legislation and policy environment (as set out in the above sections)– pre-dating as it did even the enactment of the UK's Climate Change Act 2008.

5.2.12 This is particularly crucial in relation to the concept of "accepted thresholds of change" in landscape and visual terms which TAN 8 established within the SSAs, which were referred to in section 8 of Annex D – what amounts in other words to 'landscape and/or visual capacity'. Paragraph 8.6 makes clear that the concept of a "threshold" of landscape or visual acceptability is not an absolute static and immutable intrinsic property, but rather is always to be calibrated "having regard to nationally developed energy capacity targets". This accords with the general practice of landscape capacity study production around the UK. For example, Land Use Consultants 2014 landscape capacity study for Glasgow and Clyde Valley states that:

"Capacity is not solely an inherent characteristic of the landscape, but is partly defined by the demand or need for development which may change over time. The study does not seek to place defined limits on capacity, since the level of demand may increase or decrease in future depending on political and economic factors."

5.2.13 What this means is that the landscape and visual capacities of the original SSAs, and subsequently the local authority refined boundaries, were representative solely of the status and strength of the renewable energy policy environment at the time. It is beyond any doubt that the policy environment underpinning the needs case for onshore wind energy has undergone major strengthening in the nearly two decades since, and so it follows that the "threshold" of acceptability in landscape and visual capacity terms (which is a matter of planning balance ultimately for the decision maker) would have to have risen accordingly.

5.2.14 Underlining this point, there are multiple references in the local authorities Annex D refinement study to it addressing the "relative" (always italicised) landscape and visual performance of the various zones/ sub-areas.

5.2.15 Relatedly, it is similarly beyond doubt that the technological and economic landscape has moved on markedly since 2005. The July 2004 Arup report stated that: "The market is currently favouring the development of larger onshore wind turbines with electrical capacities between 1.5 MW and 2 MW". Maximum turbine heights considered were up to 110 m. Pen y Cymoedd wind farm was consented in 2012 with 145 m tip heights in an area where only up to 140 m were envisaged in 2006. Foel Trawsnant was consented in 2021 with 145 m tip heights in an area where only 100 m were envisaged. Clearly therefore, even in the eyes of

the local authorities neither the 2004 or 2006 Arup studies set hard limits on acceptable turbine dimensions within the SSAs.

5.2.16 In summary, whilst TAN 8 obviously no longer forms the national spatial plan, it does hold some weight as a material consideration but only as part of the planning history evidence base. The SSAs were based on the principle of acceptability of landscape and visual change in planning balance terms having regard to the prevailing policy environment, and their refinements were based on relative sensitivity within the consortium of local authorities' study area. The policy environment defining the level of demand for onshore wind energy developments has increased substantially, as described in the previous Chapter of this Planning Statement.

Design Evolution

5.2.17 Before examining the effects of the Proposed Development, it is important to note the design approach followed and objectives set. Chapter 4 of the ES addresses site selection and design evolution and discusses how the site layout continued to evolve throughout the EIA and public consultation process. The site design process was guided by the baseline surveys and issues raised by statutory and non-statutory consultees in line with Welsh and local planning policy. The layout evolved under guidance, requirements, and considerations from Coriolis Energy, ESB, Natural Power and their specialist consultants, including NRW acting as land manager in respect of forestry management. Consideration has also been given to issues raised by the community at, and following, the public exhibition events.

5.2.18 A number of different wind farm layouts were devised and, following extensive investigation and consultation, an optimum layout was chosen through numerous design iterations. Changes made include the deletion of total eight turbines (over 30% from original proposals), reducing the tip-heights of most (by around 18%) and carefully considering the locations of all turbines in respect of all environmental and technical constraints.

5.2.19 The Applicant and its consultants utilised a virtual interactive 3D Model continuously throughout the process, including at each design review day and public consultation events, which was extremely valuable when assessing and demonstrating potential visual impacts from different viewpoints, receptors, and designated assets.

5.2.20 As evidenced by the design evolution summary in Chapter 4 of the ES, and in accordance with Future Wales, the design and micro-siting of the proposed development has sought to minimise landscape and visual impact, particularly for nearby homes and communities as well as tourism interests. Through doing so communities, including particularly Bryn village, have been protected from a sense of encirclement by large developments.

Seascape

5.2.21 In relation to seascape effects, the ES predicts that there are no significant effects on seascape character, within the study area.

Landscape Character

5.2.22 In relation to landscape effects, the ES predicts individual significant effect on landscape character at eighteen landscape character areas (LCAs).

5.2.23 Although the ES has predicted individual significant effects in relation to eighteen LCAs, the defining characteristics of these character areas are not expected to alter, in particular due to existing setting and visual relationships with the industrial and developed coastal region, and the retention of coniferous forestry. Besides the host LCA for the larger section of the proposed development, no other LCA effects rise above Moderate-Substantial level Overall, the effects of the proposed development on the surrounding landscape are not considered to be unacceptable, having regard to national policy and other wind farm developments approved in historic landscapes.

Designated Landscapes

5.2.24 No significant effects are predicted on National Parks or Areas of Outstanding Natural Beauty.

5.2.25 Significant effects are predicted from the elevated deer park section of Margam Park registered historic park and gardens (RHPG), where whilst a large-scale feature the turbines would occupy only a small proportion of the available view, and in the opposite direction to the significant views souths across the lowland that are noted within the register.

5.2.26 Significant effects are predicted within four non-statutory designated local special landscape areas (SLAs), Margam Country Park, and Margam Mountain historic landscape (LOSHIW).

Visual Impacts

5.2.27 In relation to visual amenity, the ES assessed the impact at 37 representative viewpoints (all agreed with statutory consultees), with individual significant effects predicted at 17 of the viewpoints, predominantly those within 3 km of the proposed development where significant effects are considered likely to arise with modern turbines. Significant effects from viewpoints beyond approximately 3 km are located predominantly within coastal areas, where views are typically expansive and primarily focussed on the open water of the Bristol Channel – this relationship will remain, and the proposed development will be seen as a feature within the panoramic views.

5.2.28 Of the five viewpoints where effects are found to be Substantial, all lie within 2 km of turbines.

5.2.29 However, as a result of careful design, the proposed development is generally seen as a coherent grouping with limited stacking and no outliers, set back within productive forestry and well-balanced with the large scale of the landscape; occasionally prominent but not dominant. Overall, the effects of the proposed development on visual amenity are not considered to be unacceptable, having regard to national policy and precedents.

5.2.30 There will be significant effects on limited sections of St Illtyd's Walk and Ogwr Ridgeway Walk, however effects will be short in duration.

5.2.31 Residential Visual Amenity

5.2.32 To comply with criterion 2 of Policy 18 in Future Wales, consideration needs to be given to the acceptability of adverse visual impacts on nearby communities and individual dwellings. A Residential Visual Amenity Assessment (RVAA) is included in Appendix 8.11 of the ES, to assess the likely visual effects of the proposed development on residential properties within a 2 km study area.

5.2.33 The RVAA identified that significant visual effects could be experienced at 14 representative properties. However, none were judged to have breached the residential visual amenity threshold, as none of the proposed turbines would result in overbearing visual effects within main views from each of the properties.

5.2.34 The nature and directions of main views, presence of intervening screening by buildings and vegetation, and the relationship of turbines both to each other in terms of layout design and to the host environment all combine to limit effects such that no property could be widely regarded to be rendered an unattractive and thus unsatisfactory place in which to live.

5.2.35 The proposed development also complies with local policy in relation to both landscape and visual impact, in particular Policy RE1 of the NPTCBC LDP and Policies SP4 and ENV18 of the BCBC LDP.

Cumulative Landscape and Visual Effects

5.2.36 Policy 18 in Future Wales also states that proposals for renewable and low carbon energy DNS should consider the cumulative impacts of existing and consented renewable energy schemes.

5.2.37 Significant cumulative landscape character effects were found from other wind farms (six LCAs) and non-wind farm developments (two LCAs). Significant cumulative visual effects from other wind farms (eleven LCAs) and non-wind farms (three LCAs) were identified.

Ecology and Ornithology

5.2.38 Policy 18 in Future Wales states that proposals for renewable and low carbon energy DNS will be permitted where there are no unacceptable adverse effects on the integrity of internationally designated sites and the features for which they have been designated (criterion 3), and national statutory designated sites for nature conservation, protected habitats and species (criterion 4). The Policy also requires proposals to include biodiversity enhancement measures to provide a net benefit for biodiversity (criterion 5).

5.2.39 Chapter 6 of the ES assesses the potential for ecological impacts as a result of the Proposed Development. The assessment does not identify any significant effects on any ecological features during construction or operation.

5.2.40 Chapter 7 of the ES assesses the potential for ornithological impacts as a result of the Proposed Development. The assessment does not identify any residual significant effects on any ornithological features. Additional mitigation is proposed for nightjar during construction, to further reduce the potential for any adverse (albeit minor) impacts.

5.2.41 The ES considers the impact on internationally and nationally designated sites for nature conservation, and no significant effects are predicted. As such, none of the effects predicted will be unacceptable, and the Proposed Development will accord with criteria 3 and 4 of Policy 18 in Future Wales.

5.2.42 Enhancement measures shall be undertaken through the habitat improvement provisions described in the Habitat Management Plan (HMP) (Appendix 6.3 of the ES), which will provide an overall biodiversity net benefit. The HMP includes the restoration of broadleaved woodland, including wet woodland, in areas that were previously conifer plantation. The areas identified for restoration total over 30 ha, compared to a total of 105.1 ha of predominantly sitka spruce plantation which will be lost. In addition, felling of plantation during construction will create open ground, of which a large area will not be replanted. These areas will be actively managed to prevent regeneration of conifers and allow grassland and heathland habitats to become established in areas including around track edges and turbines. Based on the draft HMP a total of at least 105 ha of open ground habitat will be created, compared to a total of 11.02 ha which will be lost as a result of the Proposed Development.

5.2.43 The net gain is not quantifiable for ornithological features, but it is expected to benefit a variety of deciduous woodland utilising species, ground-nesting species and insect-eating species.

5.2.44 As such, the ES illustrates that a net benefit for biodiversity will be achieved at the site, and the proposed development will comply with criterion 5 of Policy 18 of Future Wales. The Proposed Development also complies with local policy in relation to biodiversity, in particular Strategic Policy 15 and Policy RE1 of the NPTCBC LDP and Policies SP4, ENV6 and ENV18 of the BCBC LDP.

Cultural Heritage

5.2.45 Criterion 6 of Policy 18 in Future Wales states that proposals for renewable and low carbon energy DNS will be permitted where there are no unacceptable adverse impacts on statutorily protected built heritage assets.

5.2.46 Chapter 9 of the ES assesses the potential impact of the Proposed Development on cultural heritage assets. The only significant effect identified is on Mynydd Margam registered landscape which the ASIDOHL assessment found would experience adverse impacts of Moderate Significance (in ASIDOHL terms).

5.2.47 The group of assets forming Margam Park have been a key consideration in design terms. The majority of assets will be unaffected by the presence of turbines, owing to topographic and/or vegetation screening, or otherwise as the relevant aspects of their setting within which the turbines may appear contribute relatively little to their significance. For three assets where longer range views either of or from them contribute positively to their significance, including Margam Castle, the presence of turbines in the wider landscape will not affect their aesthetic, evidential, historical or communal value. The park as a whole has connection with the surrounding external modern landscapes, including the steelworks, and its own modern internal grounds are given over to a number of activities.

5.2.48 The layout of the Proposed Development has been designed to minimise the impact on the setting of all nearby heritage assets as much as possible. Although there will be a residual adverse effect on the setting of Mynydd Margam registered landscape, the magnitude of impact is considered to be medium adverse and will be fully reversed on decommissioning. It is not considered that the overall effect on statutorily protected built heritage assets is of such significance as to be considered unacceptable. As such, the Proposed Development will comply with criterion 6 of Policy 18 in Future Wales. The Proposed Development also comply with local policy in relation to the historic environment, in particular Strategic Policy 21 and Policy RE1 of the NPTCBC LDP and Policies ENV8 and ENV18 of the BCBC LDP.

Shadow Flicker & Noise & Air Quality

5.2.49 Criterion 7 of Policy 18 in Future Wales states that proposals for renewable and low carbon energy DNS will be permitted where there are no unacceptable adverse impacts by way of shadow flicker or noise.

Shadow Flicker

5.2.50 Chapter 14 of the ES addresses shadow flicker. Shadow flicker may occur under certain combinations of geographical position and time of day when the sun passes behind the rotors of a wind turbine and casts a shadow over neighbouring properties. Rotating wind turbine blades can cause brightness levels to vary periodically at locations where they obstruct the sun's rays. As the blades rotate, the shadow flicks on and off, an effect known as shadow flicker. The effect is most likely to be an issue inside buildings, where the flicker appears through a window opening. This can result in a nuisance when the shadow is cast over the windows of residential properties. Shadow flicker can be a cause of annoyance at residences near wind turbines if it occurs for a significant period during the year.

5.2.51 Chapter 14 of the ES concludes that a shadow flicker protocol will be needed to reduce effects to below 30 minutes a day and/or 30 hours per annum for any properties existing or with planning permission at the time of consent, to be agreed through planning condition with the local planning authorities. With this measure in place, no significant shadow flicker effects would arise from the Proposed Development.

Noise

5.2.52 Chapter 12 of the ES assesses potential operational noise levels resulting from the proposed development.

5.2.53 Operational noise was assessed in accordance with ETSU-R-97 guidance *'The Assessment and Rating of Noise from Windfarms'* (1996) ('ETSU Guidance') and methodologies advocated within the Institute of Acoustics "*A Good Practice Guide to the Application of ETSU-R-97 for Wind Turbine Assessment*" (May 2013) ('IOA GPG').

5.2.54 The adoption of the ETSU Guidance to inform the assessment is advocated in national policy and has been used to inform a consideration of significant adverse effects in EIA terms. The ETSU Guidance sets noise limits which offer a reasonable degree of protection to receptors without placing an unreasonable restriction on a proposed wind development.

5.2.55 The assessment indicates that operational noise levels associated with the introduction of the proposed turbines can meet the night-time and upper daytime noise limits prescribed within ETSU-R-97 at all neighbouring dwellings that will be in residential use should the Proposed Development go ahead. Noise effects would not therefore be significant in EIA terms.

5.2.56 Compliance will be secured by means of any appropriately worded planning condition.

5.2.57 The proposed development also complies with local policy in relation to disturbance, in particular Strategic Policy 16 and Policy RE1 of the NPTCBC LDP and Policy ENV18 of the BCBC LDP.

Air Quality

5.2.58 Chapter 14 of the ES (and Appendix 14.2) assesses potential air quality impacts resulting from the Proposed Development, particularly from construction traffic emissions within NPTCBC's Air Quality Management Area (AQMA). It concludes that impacts on both human health and locally designated ecological sites are anticipated to be not significant, but in any event individually and possible cumulative effects can be satisfactorily addressed through the proposed Traffic Management Plan (TMP).

Aviation and Defence & Telecommunications

5.2.59 Criterion 8 of Policy 18 in Future Wales states that proposals for renewable and low carbon energy DNS will be permitted where 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).

5.2.60 Chapter 15 of the ES assesses potential impacts to commercial aviation radar and telecommunications links impacts.

5.2.61 The Proposed Development is theoretically visible to Cardiff Airport primary surveillance radar (PSR). The Applicant is in discussions with Cardiff Airport on the nature and scale of the effects and on a range of potential mitigation measures, should these be deemed necessary, to render the effects not significant.

5.2.62 No microwave fixed links are to be affected by the proposal. A 'Television and Radio Written Scheme' for assessment and mitigation has been provided at Appendix 15.3 of the ES. Furthermore, amateur radio interests raised through the public consultation have been given consideration, finding no significant effects.

5.2.63 As such, and in respect of all potential effects through disturbance, it is considered that the proposed development complies with criterion 7 of Policy 18 in Future Wales.

5.2.64 The site is not located within TTA-7T and will not have any impacts on the training area. As set out in Chapter 15 of the ES, the Ministry of Defence has been consulted, and responded that the site is in an area where military fixed wing aircraft do not routinely operate at low level. As such, no unacceptable effects are expected on defence facilities or operations, and the proposed development is in compliance with criterion 8 of Policy 18 in Future Wales.

5.2.65 The proposed development also complies with local policy in relation to defence, in particular Policy RE1 of the NPTCBC LDP.

5.2.66 Turbines with a tip height in excess of 150 m are considered to be 'en route navigation hazards' and require aviation lighting in accordance with national and international requirements. A detailed light propagation report (Appendix 15.2 **in the ES**) and aviation lighting impact assessment (Appendix 8.17 in the ES) have been produced which provides a lighting design to minimise the number of lit turbines whilst maintaining flight safety. It addresses both CAA and MoD requirements.

5.2.67 Overall, the assessment set out in the ES concludes that following the implementation of mitigation there are no significant residual effects on other civil or military aviation interests or telecommunications.

Access, Traffic and Transport

5.2.68 An overview of the process undertaken in arriving at the chosen turbine delivery option is set out in Chapter 4 of the ES. The identified route avoids local road networks entirely, a notable benefit. The final design of the new diverge slip road from the M4 would be agreed via a suitably worded planning condition requiring consultation with the South Wales Trunk Road Agent (SWTRA).

5.2.69 In response to the general construction traffic impact identified, mitigation is proposed in the form of temporary reductions in speed limit along part of the B4282.Together with the mitigation included as part of the proposed Traffic Management Plan; no residual effects identified in Chapter 11 of the ES are predicted to be significant. As a result, there will be no unacceptable adverse effects because of the Proposed Development.

5.2.70 As such, with the implementation of the Traffic Management Plan and approval of design for the slip road, secured by planning condition, the proposed development complies with criterion 9 of Future Wales. The Proposed Development also complies with local policy in relation to highways, in particular Policy RE1 of the NPTCBC LDP and Policy ENV18 of the BCBC LDP.

Sustainable Use of Materials

5.2.71 Criterion 10 of Policy 18 in Future Wales states that proposals for renewable and low carbon energy DNS will be permitted where the proposal has considered the materials needed or generated by the development to ensure the sustainable use and management of resources.

5.2.72 The Carbon Balance Assessment in Appendix 10.4 of the ES (Carbon Balance Assessment) considers resources needed for the Proposed Development, including carbon losses due to manufacture, construction and decommissioning of turbine. The assessment concludes that the payback period for the carbon emissions arising from the Proposed Development would be 1.9 years if it replaced a fossil fuel mix of electricity generation.

5.2.73 It is expected that all stone for new track construction and existing track upgrades will be won from borrow pits identified onsite. Should further stone be required, any further borrow pit locations will be subject to the successful outcome of a relevant Mineral Extraction Licence application which would be made to the relevant authority. The final reinstatement of these borrow pits would be agreed with the relevant local authority in consultation with NRW prior to reinstatement works commencing.

5.2.74 Waste materials generated during the construction phase include excavation waste such as vegetation, some forestry residues, soil, stone, rock, and similar materials. Excavated materials can be reused on site or elsewhere if it is deemed suitable for reuse. A Construction Environmental Management Plan (CEMP) proposed to be agreed by planning condition.

5.2.75 During the decommissioning phase of the Proposed Development wastes includes demolition waste, turbine components, and electrical cabling. Wind turbines and electrical cables can be reused subject to potential ready markets for the material. It is expected that the turbines will be 100% recyclable after decommissioning.

5.2.76 Consideration has been given to the sustainable use of materials and resources needed and generated by the Proposed Development during its design, and the Proposed Development complies with criterion 10 of Policy 18 of Future Wales.

Hydrology & Geology

5.2.77 Chapter 10 of the ES addresses geology, hydrology, hydrogeology and peat. The assessment examines potential impacts on surface watercourses, groundwater and any potential impacts on flood risk of the local area. Potential impacts on peat deposits, Private Water Supplies (PWS) and Groundwater Dependent Terrestrial Ecosystems (GWDTE) are also assessed, as well as potential interactions with historic coal mining. With mitigations no significant effects are identified in relation to any of these interests.

Socio-Economics

5.2.78 There would be a wide range of socio-economic benefits arising from the Proposed Development. These are reported in Chapter 16 of the ES and are set out in summary in section 5.3 below.

Decommissioning

5.2.79 Criterion 11 of Policy 18 in Future Wales states that proposals for renewable and low carbon energy DNS will be permitted where 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. As highlighted in Chapter 3 of the ES, consideration has been given to the Proposed Development's likely effects during decommissioning, in addition to the construction and operational phases. The ES does not predict any significant effects during decommissioning. The approval and implementation of a decommissioning scheme will be secured by means of a suitably worded planning condition agreed with the LPAs.

5.3 The Benefits of the Proposed Development

5.3.1 This section summarises the benefits that would arise from the Proposed Development.

Renewable Generation and Emissions Savings

5.3.2 Renewable energy and emissions savings benefits would include the following:

- With an overall installed capacity of up to 129.6 MW, the Proposed Development would make a valuable contribution to the attainment of the UK and Welsh Government policies of encouraging renewable energy developments; and in turn contribute to the achievement of UK and Welsh Government targets. As explained, there is now a distinct shift in policy emphasis from the displacement of higher carbon electricity generation to extending the use of electricity as the critical energy response to the Climate Emergency.
- The Welsh Government has committed to attaining Net Zero by 2050. In addition, a key medium term Welsh Government target is to generate 70% of consumed electricity by renewable means by 2030. The Government has made it clear that onshore wind plays an important role in the attainment of future targets in relation to helping to combat the crisis of global heating.
- The earlier that steps towards decarbonisation are introduced, the greater their contribution to limiting climate change. The Proposed Development's delivery of an estimated renewable generation capacity of up to 129.6 MW in the near term will have a disproportionately higher benefit than the same capacity delivered later.
- As set out in Chapter 4 of the ES, based on historical Government published data, it is anticipated that the Proposed Development could generate around 317,883 megawatt hours (MWh) of electricity per year or 317,883,000 kilowatt hours (kWh) (domestic units).

This is equivalent to the annual electricity needs of over 85,700 average British homes, or approximately 68% of households in Neath Port Talbot and Bridgend council areas combined.

- Appendix 10.4 of the ES addresses emissions savings and sets out that as measured against fossil-fuel mix of electricity, the total carbon dioxide (CO_2) savings would be expected to be approximately 137,325 tCO_2e per annum. The overall emissions impact is therefore considered to represent a beneficial and long-term climate change effect. Consequently, the Proposed Development contributes towards Wales's emissions reduction targets as set out in the Environment Wales Act 2016.

Security of Supply

5.3.3 Reducing Wales' and the wider UK's dependency on hydrocarbons has important security of supply, electricity cost and fuel poverty avoidance benefits. Those actions already urgently required in the fight against climate change are now required more urgently for global political stability and insulation against dependencies on rogue nation states.

Economic, Employment & Community Socio-Economic Benefits

5.3.4 The Proposed Development would generate economic benefits both during its development and construction and during its operation and maintenance. The benefits that would arise are set out in Chapter 16 of the ES. It should be referred to for its detail, but summary conclusions are set out below:

- Throughout the construction phase, out of the £129.6 million wind farm CAPEX there is the potential for £15.55 million to benefit the local economy and £46.66 million to benefit the Welsh economy. Using industry assumptions provides an estimate of 338 number of Welsh jobs created, contributing £20.16 million in GVA, with an estimated 113 number of local jobs created, contributing £6.72 million in GVA.
- The operation and maintenance phase is also expected to generate economic impacts. The assessment estimates a £9.07 million turnover in the UK associated with the Proposed Development. Of this, £3.81 million could benefit the local economy and £5.26 million could be inserted into the Welsh economy on an annual basis. Applying industry assumptions, the Proposed Development is also expected to create the equivalent of 43 Welsh jobs, contributing £2.26 million in GVA and 31 local jobs, contributing £1.64 million in GVA per annum.
- The Proposed Development supports the aims of the Bridgend County Borough Economic Strategy and will provide skilled jobs in the future economy as well as contribute to the County's low carbon economy by creating a source of renewable energy.
- The Proposed Development supports the aims of the Swansea Bay City Region Economic Strategy and will provide skilled jobs for those living in the area during construction and operational phases of the proposed development. The full-time jobs created will help overcome the challenge stated in the Swansea Bay City Region Economic Strategy that unemployment and economic inactivity remain too high.
- In terms of local supply chain, the Applicant's 'Local Suppliers Database' and 'Meet the Buyer Events' will help enrol local services to the Proposed Development. This will contribute positively to the objective of maximising job creation by having a strong focus on delivering major employment-creating schemes.
- The proposed development will deliver up to 20% shared ownership, indicatively comprising 10% for local individuals/community groups and the other 10% for local public sector bodies.

5.3.5 Furthermore, the Applicant is now a member of both Chambers Wales and Net Zero Industry Wales (NZIW), engaging with the South Wales Industrial Cluster (SWIC) project, in exploring ways of maximising local economic benefit from construction and contributing to the decarbonisation of existing heavy industry and employers in the region. A Local Suppliers Database on the project website has been receiving applications from businesses throughout the development process.

Biodiversity Net Benefit

5.3.6 As outlined above (section 5.2.41), measures secured under the Habitat Management Plan will deliver biodiversity net benefit, in accordance with Future Wales Policy 17.

Access Management and Enhancement Plan

5.3.7 Working in collaboration with NRW (as land manager), the Applicant has identified a number of measures that it commits to undertaking in pursuit of providing significant enhancement to recreational resources (outlined at paragraph 15.7.60 of Chapter 15 of the ES). An Outline AMEP document will be provided with the final planning submission, with final plan to be approved by planning condition with LPAs and NRW. The measures will be supported by an AMEP Fund.

Collaborative Benefits

5.3.8 The Applicant has demonstrated a collaborative approach to the securing of community benefits and shared ownership of the project ever since the time of the December 2018 tender to NRW. 'Heads of terms' were agreed at that early stage with local energy charity Awel Aman Tawe (AAT) for exploring the delivery of community shared ownership (CSO), and proposals were made for a uniquely active management[22] of an industry-leading community benefit fund (CBF) of £8,000 per megawatt of installed capacity (index-linked over the life of the project), aligned to the WBFG seven goals.

5.3.9 A shared ownership offer to invest up to 20% of the project, via a 'net revenue share' model, has been agreed with AAT, through the signing of a Memorandum of Understanding (MOU) [23]. This is envisaged to entail 10% being available for individuals, and 10% for local public sector bodies.

5.3.10 Neath Port Talbot Council for Voluntary Service (NPTCVS) and Bridgend Association of Voluntary Organisations (BAVO) have been involved in public consultations and have signed an MOU for managing the delivery of the CBF.

5.3.11 The CSO and CBF proposals have been subject of public consultation and outreach[24], and notwithstanding the uncontested non-materiality of CBF, the CSO is considered to deliver against WG policy and targets, including the 1 GW shared ownership by 2030 target, and carbon neutral public sector by 2030.

5.4 Policy Assessment Conclusions

5.4.1 Based on the assessment set out above, it is considered that the Proposed Development would not result in any unacceptable adverse effects in terms of environmental or technical considerations and would therefore accord with the key policies in Future Wales, namely Policies 17 and 18 and with other relevant provisions of the National Development Framework.

[22] Along the lines of a 'community development trust'.

[23] https://www.ybryn-windfarm.cymru/coriolis-energy-and-esb-confirm-agreements-for-multi-million-pound-local-ownership-scheme-and-community-benefit-fund-for-y-bryn-wind-farm-proposals/

[24] A stakeholder outreach event held 11th May 2023 in Port Talbot, hosted by AAT, NPTCVS and BAVO, alongside the Applicant.

5.4.2 As noted in the section above, both host Councils adopted their LDPs prior to the publication of Future Wales. Since its publication, LDPs are required to be in conformity with Future Wales as it is the highest tier of the development plan in Wales and has primacy in the planning balance. As outlined above, the proposed development complies with Policies 17 and 18 of Future Wales.

5.4.3 Within the LDPs, both NPTCBC and BCBC have two specific policies relating to renewable energy – Strategic Policy 18 and Policy RE1 in the NPTCBC LDP, and Strategic Policy SP8 and Policy ENV18 in the BCBC LDP.

5.4.4 In relation to the strategic policies in both LDPs, Strategic Policy 18 in the NPTCBC LDP states that an appropriate contribution to meeting national renewable energy targets and energy efficiency targets will be made whilst balancing the impact of development on the environment and communities. Strategic Policy SP8 in the BCBC LDP states that development proposals which contribute to national renewable energy and energy efficiency targets will be permitted, as long as there is no significant adverse impact on the environment and local communities.

5.4.5 Since the adoption of the LDPs, the Welsh Government has set net zero carbon emission targets and emphasised their commitment to renewable energy targets, and the Proposed Development will make a significant contribution to these ambitious targets.

5.4.6 Policy RE1 in the NPTCBC LDP makes reference to refined SSAs, which have been superseded by the zoning of PAAs in Future Wales. Notwithstanding this, it is considered that the Proposed Development accords with Policy RE1 as:

- measures have been taken to minimise impacts on visual amenity and the natural environment (as set out in Chapter 4 of the ES and discussed above);
- there will be no unacceptable impacts on residential amenity (as shown in the RVAA);
- the development will not compromise highway safety (as set out in Chapter 11 of the ES and discussed above);
- following any necessary mitigation, the development would not interfere with radar, air traffic control systems, telecommunications links, television reception, radio communication and emergency services communications (as set out in Chapter 15 of the ES and discussed above), and
- there are satisfactory proposals in place for site restoration as appropriate.

5.4.7 Policy ENV18 of the BCBC LDP also refers to the refined SSAs, which as noted, have been superseded by the PAAs in Future Wales. The Proposed Development accords with the other tests set out in the policy, which are:

- the availability of identified mineral resources or reserves will not be sterilised – the proposed development is not located in a mineral safeguarding area;
- appropriate monitoring and investigation can demonstrate that the development will not have any significant impacts on nature conservation – in line with the wording of Future Wales, there will be no unacceptable adverse impacts on nature conservation as set out in Chapters 6 and 7 of the ES and discussed above;
- appropriate arrangements have been made for the preservation and / or recording of features of local archaeological, architectural or historic interest – as set out in Chapter 9 of the ES, mitigation in relation to cultural heritage includes archaeological monitoring and recording of groundworks, which will ensure no significant effects on archaeology;
- the development can be safely accessed to permit regular maintenance without detriment to the environment or the public rights of way network –the ES does not predict any

adverse impacts on the environment or the public right of way network during the operational and maintenance phase of the development;

- the development will not detrimentally affect local amenity by reason of noise emissions, visual dominance, shadow flicker, reflected light, the emission of smoke, fumes, harmful gases, dust, nor otherwise cause pollution to the local environment – as set out in the RVAA, the turbines will not result in visual effects such that any property would be converted into an unattractive place in which to live. The noise assessment similarly finds that guidance limits can be met. In addition, as set out in Chapter 14 of the ES, no unacceptable impacts in relation to shadow flicker, air quality or pollution are predicted as a result of the Proposed Development;

- following any necessary mitigation, the development will not lead to electromagnetic disturbance to existing transmitting and receiving systems (which includes navigation and emergency services), thereby prejudicing public safety – as set out in Chapter 15 of the ES and discussed above, there will be no unacceptable adverse impacts on electromagnetic disturbance; and

- provision has been made for the removal of all infrastructure from, and reinstatement of the site following termination of use.

5.4.8 Overall, in terms of the Development Plan (Future Wales and the LDPs) the Proposed Development would not give rise to any unacceptable effects and is considered to accord with relevant policies and with the plan when read as a whole.

5.5 Accordance with the Well-being of Future Generations (Wales) Act 2015

5.5.1 The Proposed Development would improve the economic, social, environmental, and cultural well-being of Wales, in accordance with the sustainable development principle, under Section 3 of the Well-being of Future Generations (Wales) Act 2015 (WBFG Act). It is also in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being goals as set out as being required by Section 8 of the WBFG Act.

5.5.2 In addition to the benefits of energy generation carbon savings which have been set out, the proposed development will generate wider benefits including job creation and wider socio-economic impacts.

5.5.3 As noted above, the Applicant has signed an MOU with respected local third sector organisations to establish a community benefit fund that will bring benefits to the wider community.

5.5.4 Whilst it is recognised that ownership of the project and the community benefits fund are not material considerations for the planning balance, this information will be included in the context of a Collaborative Benefits Report (CBR) which will accompany the final DNS application. The CBR will illustrate how the Applicant has adopted ways of working with local stakeholders that represent the wider community and how the developer has collaborated in order to maximise longer term benefits for the community.

5.5.5 Section 5 of PPW explains ways in which places can contribute to each of the seven goals of the WBFG Act including the following with reference to the goals set out in the Act:

- "*Achieved through … increased economic activity across whole sectors and at all scales. This is realised through, inter alia, investment in renewable and low carbon energy sources*". (A Prosperous Wales)

- "*Supported by … renewable energy generation*". (A Resilient Wales)

- "*Achieved through the reduction in emissions and air pollution as a result of generating energy from non-carbon sources. Greater distribution of our economic wealth can also help alleviate poverty which is a key determinant of health*". (A Healthier Wales)
- "*Achieved through promoting sufficient employment and enterprise opportunities for people to realise their potential and by recognising and building on the existing economic strengths of places to assist in delivering prosperity for all.*" (A More Equal Wales)
- "*Created by people who have access to fulfilling work*". (A Wales of Cohesive Communities)
- "*Supported by the provision of jobs and economic activity*". (A Wales of Vibrant Culture and Thriving Welsh Language).
- "*Promoted by reducing our carbon footprint through … the promotion of renewable energy over carbon emitting sources and resource choices through which multiple benefits can be realised*". (A Globally Responsible Wales).

5.5.6 As such, through the benefits of the Proposed Development (including renewable generation and carbon savings, economic impact and job creation) the proposal is considered to be in accordance with all seven of the Well-being goals as set out in the WBFG Act.

6. The Planning Balance & Conclusions

6.1 The Planning Balance

6.1.1 It is considered that the main issues to be addressed in the planning balance are as follows:

- The in principle acceptability of the Proposed Development in accordance with the Development Plan and related national planning policy.
- The site's location, recognising that it is partly within a PAA for wind energy in Future Wales and was previously wholly within an SSA and Annex D local authority refined SSA. The likely impact on the landscape and in terms of visual amenity has been carefully considered in the SLVIA and the location has been found to be capable of accommodating the Proposed Development in an acceptable way.
- The need to generate electricity by renewable means in order to meet Wales's international commitment and its own national target of achieving net zero GHG emissions by 2050.

The Development Plan

6.1.2 Future Wales (and PPW) sets out a strong position of support in relation to renewable energy and renewable energy targets and recognise the significant energy resource that can be provided by onshore wind. This is clearly not at any cost and adverse environmental effects need to be judged to be acceptable in the overall planning balance when set against the benefits.

6.1.3 The policy provisions in Future Wales require consideration of a wind farm's contribution to renewable targets and climate emission reductions. Furthermore, each of the relevant sustainable criteria in the policy provisions have been considered in the previous Chapter with specific regard to Policies 17 and 18 of Future Wales and the Proposed Development is considered to be satisfactory.

6.1.4 The Proposed Development is in an appropriate location, and it is considered that it is consistent with the relevant provisions of national planning policy and advice. The policy provisions at a national level have been satisfactorily addressed. Notwithstanding part of the Site is not within a PAA, the SLVIA has demonstrated that the landscape has the capacity to successfully accommodate the Proposed Development.

6.1.5 Furthermore, in terms of planning policy provisions set out in Future Wales, there is now a clear shift from what was a move to a 'low carbon economy' – there is now an ambitious policy imperative to move to a net zero economy and society. The Proposed Development can help achieve that clear policy objective.

6.1.6 Therefore, the tilt point along the scale of possible decisions represented by the concept of the planning balance has been shifted by the clear direction of policy. This is put into sharp focus by the targets to be met in Wales by 2030 and 2050. The 2030 target is a considerable challenge and as explained a consultation is underway on targets with a proposal to increase the national renewable energy target.

The Climate Change and Renewable Energy Policy Framework

6.1.7 In summary, in order to combat climate change through decarbonisation of the energy system, Wales and the UK, require new renewable sources of energy, which will ensure that a secure supply of electricity is available to meet the increased future demand. The provision of new renewable energy capacity will help the Welsh Government meet legally binding national and international commitments on climate change.

6.1.8 The urgent need for onshore wind has been set out: a large increase in the deployment of this renewable energy technology is supported through a number of policy documents and by Welsh Government commitments – most recently expressed in Future Wales.

6.1.9 This policy imperative has only increased since a 'climate emergency' was declared by the Welsh Government in April 2019. Furthermore, the drive to attain net zero emissions is now committed to in legislation at the UK and Welsh Government levels.

6.1.10 The climate emergency is not just a consideration, but it is a factor of considerable importance. It is not a 'trump' card but it adds to the weight of positive support in the balance in this case. Put the other way round, there needs to be more weighty reasons for refusal to withhold consent. Greater weight is attached to the policy imperative.

6.1.11 Overall, the renewable energy policy framework is a central and crucial consideration, and one that should attract significant weight in the balance of factors in the determination of the application.

6.1.12 The benefits of the Proposed Development have been set out in the context of the current Climate Emergency and after a period of economic recession – they would help address the issue of global heating and very challenging 'net zero' targets and contribute to improving security of supply and a 'green recovery'.

6.1.13 It is considered that the benefits offered by the Proposed Development and the need case based in law and policy, demonstrably outweigh the negative impacts of the scheme.

6.1.14 Commercial scale wind turbines are by necessity large structures. It is not therefore surprising that some significant landscape and visual effects have been identified. The design of the wind farm has had landscape and visual effects as a key design influence from the outset, and the resultant effects are not considered unacceptable.

6.2 Conclusions

6.2.1 It has been demonstrated that the Proposed Development accords with local and national planning policy. Moreover, there is a substantial need for this type of development in order that pressing future targets in relation to the global heating crisis and renewable energy generation and GHG emission reductions can be met in time.

6.2.2 The strength of the needs case for the proposed development, as expressed by Welsh Government, is clear. It is acknowledged that a "dramatic increase"[25] in delivery in required, and that Wales "needs to double down on efforts"[26]. The commitment that has been made is to "lead the way"[27] by delivering development "at all scales"[28] in order to "maximise renewable and low carbon generation"[29], but particularly that which "makes best use of resources"[30]. The Proposed Development, being of scale and utilising latest technology,

[25] National Infrastructure Strategy (November 2020)
[26] Written Statement 7 June 2022
[27] Future Wales: Outcome 11
[28] Planning Policy Wales 11th Ed.: A Prosperous Wales
[29] Planning Policy Wales 11th Ed: paragraph 5.7.7
[30] Planning Policy Wales: 11th Ed: Key Planning Principles

responds to and delivers against all of these goals. It does so through being a well-designed scheme that gives rise to no unacceptable landscape or visual impacts.

6.2.3 The Proposed Development will:

- generate around 317,883 megawatt-hours of renewable electricity per year, equivalent to the annual needs of 85,700 average UK homes, or approximately 68% of households in Neath Port Talbot and Bridgend council areas combined;
- contribute approximately 7.3%[31] of the remaining shortfall against the Welsh Government's 2030 target to generate 70% of consumed electricity by renewable means;
- save approximately 137,325 tonnes of CO2 per year;
- pay back its expected carbon debt from manufacture, construction, impact on habitat, and decommissioning within 1.9 years;
- achieve net benefit for biodiversity through a habitat management plan;
- deliver significant enhancement of recreational resources through an access management and enhancement plan;
- deliver up to 20% shared ownership – being the first commercially developed project in Wales to offer community shared ownership;
- provide a community benefit fund worth up to £1.0m per year;
- make enhancements to existing recreational infrastructure;
- bring local jobs and investment during construction and operation; and
- pay substantial business rates to the two local councils.

6.2.4 There is a climate emergency. That is a factor of importance and considerable weight in determining this application. It does not require a statement to that effect in a planning document to make it so. Planning decisions must be made within and respond to the changing economic and wider policy context within which development comes forward. The planning balance can therefore no longer be approached as it has been in the past.

6.2.5 The policy imperative must, in the Applicant's view, be acted on. This does not mean that the decision maker should expect to find an express watering down of environmental protection. Weight is entirely a matter for the decision maker. However, the way that decision makers can recognise the strengthening policy imperative and the increased weight that should be given to the benefits of the Proposed Development, is by giving relatively more weight to the seriousness and importance of energy policy related considerations in the planning balance.

6.2.6 Future Wales is clear that decision makers must give significant weight to Wales's need to meet its international commitments, and its target of generating 70% of consumed electricity by renewable means by 2030. In this regard, whilst the Proposed Development will result in some limited adverse effects, it is considered that these impacts are outweighed by the contribution that the proposal will make to meeting Wales's renewable energy targets and net zero objectives and when the wider benefits that would result are taken into account.

[31] CCC's Sixth Carbon Budget "balanced pathway" projection for Wales electricity demand in 2030 of 17.2 TWh (per 'Energy Generation in Wales (2021)' report).

Energy Generation in Wales (2021) report shows current renewable electricity generation of 7.7 TWh, indicating a current shortfall of 4.34 TWh against 2030 target (17.2 TWh x 70% = 12.04 TWh, minus 7.7 TWh), which means Y Bryn at 0.32 TWh equates to 7.3% of the remaining shortfall (against the "balanced pathway" projection to 2030).

6.2.7 It can accordingly be concluded that the Proposed Development should be granted planning permission, subject to appropriate and reasonable conditions.

7. Appendix 1: Local Development Plan Policies

7.1.1 This Appendix sets out the Development Plan policies for the two Local Authority Areas covered by the site, namely the Neath Port Talbot County Borough Council and Bridgend County Borough Council.

Port Talbot County Borough Council

7.1.2 **Table 7.1** presents the relevant planning policies within the NPTCBC administrative area.

Table 7.1: Relevant Planning Policies – NPTCBC LDP (2011-2026) (adopted 2016)

Policy	Comment
Policy SP1 Climate Change "*The causes and consequences of climate change will be addressed by implementing the following measures. In relation to the causes of climate change inter alia:* • *Provision will be made for the County Borough's appropriate contribution to renewable and low carbon energy generation.* *In relation to the consequences of climate change:* • *Likely increased flood risk will be taken into account and addressed by ensuring that there is greater resilience by avoiding development on land that is at risk from flooding in the first instance in accordance with the sequential approach set out in national guidance or in locations that could increase the risk of flooding elsewhere;* • *The fragmentation of habits will be minimised and opportunities made for habitat and species change and migration where possible*."	The Proposed Development would make a valuable contribution in terms of renewable energy generation. Matters relating to flood risk and biodiversity have been addressed within the EIA process.
Strategic Policy SP4 Infrastructure "*Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community.* *Where necessary, planning obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable*."	The Proposed Development makes use of existing infrastructure such as the strategic road network and would not result in any significant detrimental effects on the local area and community in terms of infrastructure provision.

Policy	Comment
Strategic Policy SP14 The Countryside and the Undeveloped Coast "*The countryside and undeveloped coast, including landscapes, seascapes and agricultural land will be protected and where feasible enhanced through the following measures:* • *The protection of the open countryside through the control of inappropriate development outside settlement limits;* • *The protection of the undeveloped coast through the control of inappropriate development;* • *The designation and protection of special landscape areas;* • *The designation and protection of green wedges*."	The Proposed Development requires a location in the open countryside, and this is supported in principle by national planning policy.
Strategic Policy SP15 Biodiversity and Geodiversity "*Important habitats, species and sites of geological interest will be protected, conserved, enhanced and managed through the following measures:* • *The identification of the following internationally and nationally designated sites within the County Borough to enable their protection;* • *Special Areas of Conservation (SACs) and Ramsar sites;* • *Sites of Special Scientific Interest (SSSIs);* • *National Nature Reserves (NNRs);* • *The identification of protection sites of regional and local importance;* • *The protection of important natural heritage features*."	Biodiversity and geodiversity interests have been addressed in the EIA process and appropriate regard has been taken with regard to designated sites.
Strategic Policy SP16 Environmental Protection "*Air, water and ground quality and the environment generally will be protected and where feasible improved through the following measures*: • *Ensuring that proposals have no significant adverse effects on water, ground or air quality*	Air, water and ground quality and the environment generally have been addressed within the EIA process. No significant adverse effects are identified in relation to these matters.

Policy	Comment
and do not significantly increase pollution levels; • *Giving preference to the development of brownfield sites over greenfield sites where appropriate and deliverable;* • *Ensuring that developments do not increase the number of people exposed to significant levels of pollution.*"	
Strategic 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:* • *Encouraging where appropriate all forms of renewable energy and low carbon technology development;* • *Encouraging energy conservation and efficiency measures in all new major development proposals;* • *Ensuring that development will not have an unacceptable effect on the environment and amenity of local residents.*"	The Proposed Development would make a valuable contribution to meeting national renewable energy targets and the resultant effects of the proposal strike an appropriate balance between maximising the renewable resource of the location and impacts on the environment and in relation to local communities. The Proposed Development would not have an unacceptable effect on the environment and in relation to the amenity of local residents.
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 (greater than 25 MW) will be expected to be located within the boundaries of the refined Strategic Search Areas.* 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 turbines and associated infrastructure.* 3. *Small scale wind farm developments will be required to demonstrate impacts are confined to a local scale.*	The reference to SSAs in the policy is now inconsistent with the provisions of Future Wales. However, with regard to Part 4 of the policy, matters relating to visual amenity, the natural environment, residential amenity, highway safety and radar and telecommunications links have all been addressed in the EIA process. Furthermore, site restoration would be undertaken post-construction and planning conditions requiring decommissioning and the end of the operational life of the Proposed Development are also proposed.

Policy	Comment
4. *All renewable energy or low carbon energy development proposals will be required to demonstrate that:* • *Measures have been taken to minimise impact on visual amenity in the natural environment;* • *There will be no unacceptable impacts on residential amenity;* • *The development will not compromise highway safety;* • *The development would not interfere with radar, air traffic control systems, telecommunications links, television reception, radio communication and emergency services communications; and* • *There are satisfactory proposals in place for site restoration as appropriate."*	

Policy SP21 Built Environment and Historic Heritage
"*The built environment and historic heritage will, where appropriate, be conserved and enhanced through the following measures:*
• *Encouraging high quality design standards in all development proposals;*
• *Protecting arterial gateways from intrusive and inappropriate development;*
• *Safeguarding features of historic and cultural importance;*
• *The identification of the following designated sites to enable their protection and where appropriate enhancement:*
  • *Landscapes of historic interest;*
  • *Historic parks and gardens;*
  • *Conservation areas;*
  • *Scheduled ancient monuments; and*
  • *Listed buildings and their curtilage.*"
	The built environment and historic heritage has been addressed in the EIA process and the Proposed Development has a satisfactory relationship with the various heritage assets referenced in the policy.

Policy BE2 Buildings of Local Importance "*Development proposals that would affect buildings that are of local historic, architectural or cultural importance will only be permitted where:*	Buildings of local heritage importance have been addressed in the EIA process and no unacceptable effects in relation to the setting of such

Policy	Comment
• *They conserve and where appropriate enhance the building and its setting; or* • *It is demonstrated that the development could not reasonably be accommodated without affecting the building and the reasons for the development outweigh the heritage importance of the site.*"	buildings would result from the Proposed Development.
Policy EN2 Special Landscape Areas *"In order to protect areas of high landscape quality, the following Special Landscape Areas are designated….* *EN2/4 Margam* *Development within the designated Special Landscape Ares will only be permitted where it is demonstrated that there will be no significant adverse impacts on the features and characteristics for which the Special Landscape Area has been designated."*	The policy does not allow development to be permitted if a proposal has a significant adverse impact on a feature or characteristic of the designation. This strict policy provision is inconsistent with that contained in Policy 18 of Future Wales which requires a proposal not to have an "*unacceptable impact on the surrounding landscape*".
Policy EN6 Important Biodiversity and Geodiversity Sites "*Development proposals that would affect regionally important geodiversity sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), Sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habits or species will only be permitted where:* • *They conserve and where possible enhance the natural heritage importance of the site;* • *The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site.* *Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable*."	Biodiversity and nature conservation interests have been addressed through the EIA process and no unacceptable impacts would arise. Appropriate mitigation is proposed.
Policy EN7 Important Natural Features "*Development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows/field boundaries, water courses or ponds will only be permitted where:* • *Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they*	The EIA process has addressed all relevant ecological and visually important natural features and no unacceptable effects are reported in the EIA. Furthermore, appropriate mitigation is proposed in relation to nature conservation interests, but it should be noted that biodiversity enhancement is also proposed.

Policy	Comment
are retained and protected wherever possible; or • *The biodiversity value and role of the relevant feature has been taken into account and where removal is unavoidable, mitigation measures are agreed.*"	
Policy EN8 Pollution and Land Stability *"Proposals which would be likely to have an acceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk due to the following will not be permitted:* • *Air pollution;* • *Noise pollution;* • *Light pollution;* • *Contamination;* • *Land instability;* • *Water (including ground water) pollution.* *Proposals which would create new problems or exacerbating existing problems detailed above will not be acceptable unless mitigation measures are included to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level."*	Matters relating to noise and shadow flicker have been addressed in the EIA and there would be no significant adverse effects arising in relation to these matters. Furthermore, there are no issues arising in relation to contamination or land instability or in relation to hydrological/water supply matters.

Bridgend County Borough Council

7.1.3 **Table 7.2** presents the relevant planning policies within the BCBC administrative area.

Table 7.2: Relevant Planning Policies – BCBC LDP (2006-2011) (adopted 2013)

Policy	Comment
Policy PLA4 Climate Change and Peak Oil "*All development proposals will be required to make a positive contribution towards tackling the causes of, and adapting to the impact of Climate Change and Peak Oil issues. Means of achieving this may include:* *1) having lower carbon energy requirements by reducing energy demand, and promoting energy efficiency;* *2) utilising local materials and supplies wherever feasible;* *3) encouraging the development of renewable energy generation;* *4) having a location and layout which reflects sustainable transport and access principles, thereby reducing the overall need to travel;* *5) having a design, layout and landscaping which: helps wildlife and habitats to adapt to the changing climate but assists cooling of the urban environment including the use of passive building techniques when appropriate….* *6) using resources more efficiently, and minimising wastewater use and pollution;* *7) avoiding or minimising the risk from flooding and/or adapting to the increased risk of flooding, coastal erosion and warmer annual mean temperatures; and* *8) promoting sustainable building methods and drainage systems where appropriate*."	This is a generic policy applying to all development proposals. The EIA and scheme design process has taken into account relevant considerations in this policy including transportation, historic and natural environment matters.
Policy PLA9 – Development affecting Public Rights of Way "*Development proposals that do not cater for 'public rights of way' and/or do not protect the existing or proposed network for public use, will not be permitted.* *Proposals for alternative routes for a public right of way should provide a route of similar*	There would be no significant effects in relation to rights of way and no alternative routes are proposed.

Policy	Comment
or improved quality to that of the existing route".	
Policy ENV3 – Special Landscape Areas "*Development in special landscape areas (SLAs) will only be permitted where:* • *It retains or enhances the character and distinctiveness of the SLA;* • *The design of the development reflects the building traditions of the locality in its form, materials and details, and/or assimilates itself into the wider landscape; and* • *The proposed development is accompanied by a landscape assessment which takes into account the impact of the development and sets out proposals to mitigate any adverse effects.* *The settings of SLAs will be protected with consideration of the views from those areas to the settlements of the County Borough…*"	
Policy ENV4 Local/Regional Nature Conservation Sites "*Development within or adjacent to a Local Nature Reserve or Site of Importance for Nature Conservation (SINC) or a Regionally Important Geodiversity Site (RIGs) should be compatible with the Nature Conservation or Scientific Interest of the area, whilst promoting their educational role.* *Developments which would have an adverse impact on these sites will not be permitted unless the benefits associated with the development can be demonstrated to outweigh the harm and/or the harm can be reduced or removed by appropriate mitigation and/or compensation measures.*"	As noted, nature conservation sites have been addressed in the EIA process and no significant adverse effects would arise in relation to such interests.
Policy ENV6 Nature Conservation "*Proposals for development or redevelopment will be required to (1) in the first instance, retain, conserve, restore and enhance wherever possible existing:* • Woodland; • Trees;	In terms of the various environmental resources listed in the policy, there would be no significant adverse effects arising. Appropriate mitigation measures are proposed.

Policy	Comment
• Hedgerows; • Wetlands; • Watercourses; • Ponds; • Green Lane/wildlife corridors; • Geological features; • other natural features or habitats. *Where this is demonstrated not to be possible, suitable mitigation or compensatory measures will be required to secure biodiversity including future management programmes.* *Avoid or overcome harm to nature conservation asset and/or species of wildlife which may be either resident, insitu, or which can be demonstrated to have frequented habitats within the site on a migratory basis.*"	
Policy ENV7 – Natural Resource Protection and Public Health "*Development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity due to:* • *Air pollution.* • *Noise pollution.* • *Light pollution.* • *Contamination.* • *Land instability.* • *Water (including ground water) pollution.* • *Any other identified risk to public health or safety.* *Development in areas currently subject to the above will need to demonstrate mitigation measures to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level.*"	There would be no unacceptable impacts arising in relation to the various environmental matters listed in the policy. As noted, in terms of noise and shadow flicker, these matters have been addressed in detail in the EIA process and no unacceptable effects would arise.

Policy	Comment
Policy ENV8 Heritage Assets and Regeneration "*Development which respects and utilises heritage assets and which preserve, conserve or enhance the local distinctiveness of the County Borough will be permitted.* *Development which would materially harm heritage assets and features will not be permitted.*"	The EIA has addressed heritage assets and the impacts arising are not considered to be unacceptable.
Policy ENV18 Renewable Energy Developments *"Proposals for renewable energy developments will be permitted provided that:* *1) in the case of wind farm development of 25 MW or more, the preference will be for them to be located within the boundary of the defined Strategic Search Area;* *2) the availability of identified mineral resources or reserves will not be sterilised;* *3) appropriate monitoring and investigation can demonstrate that the development will not have any significant impact on nature conservation;* *4) appropriate arrangements have been made for the preservation and/or recording of features of local archaeological, architectural or historic interest;* *5) they can be safely accessed to permit regular maintenance without detriment to the environment or the public right of way network;* *6) they will not detrimentally affect local amenity by reason of noise emission, visual dominance, shadow flicker, reflected light, the emission of smoke, fumes, harmful gases, dust nor otherwise cause pollution to the local environment;* *7) they will not lead to electromagnetic disturbance to existing transmitting and receiving systems (which includes navigation and emergency services), thereby prejudicing public safety;* *8) local receptors of heat and energy from the proposal are identified;*	Insofar as the policy refers to SSAs, it is inconsistent with the provisions of Future Wales. With regard to the other matters listed in the policy, such as nature conservation, cultural heritage, public rights of way, telecommunications, etc, all of these matters have been addressed in the EIA and no unacceptable effects would arise.

Policy	Comment
9) provision has been made for the removal of all infrastructure from and reinstatement of site following termination of the use."	
Strategic Policy SP4 Conservation and Enhancement of the Natural Environment "*Development which will conserve and, wherever possible, enhance the natural environment of the County Borough will be favoured.* *Development proposals will not be permitted where they will have an adverse impact upon:* • *the integrity of the County Borough's countryside* • *the character of its landscape* • *its biodiversity and habitats; and* • *the quality of its natural resources including water, air and soil.* *Areas having a high and/or unique environmental quality will be protected and the following strategically important areas within the County Borough will specifically be protected from inappropriate development which directly or indirectly impacts upon them.*"	There would be some adverse impact in relation to countryside and landscape character interests, however, that is an inevitable consequence of deployment of wind energy and the provisions of Policy 18 and Future Wales require a judgement to be made in relation to whether any impacts arising are acceptable. All of the matters listed in the LDP policy, such as landscape, biodiversity and water and soil quality matters are addressed within the EIA.
Strategic Policy SP5 Conservation of the Built and Historic Environment "*Development should conserve, preserve or enhance the built and historic environment of the County Borough and its setting.* *In particular, development proposals will only be permitted where it can be demonstrated that they will not have a significant adverse impact upon the following heritage assets:* • *Listed buildings and their settings* • *Conservation Areas and their settings* • *Scheduled Ancient Monument* • *sites or Areas of Archaeological Significance* • *historic landscapes, parks and gardens or*	In terms of cultural heritage matters, these are addressed in the EIA and as noted, no unacceptable impacts would arise.

Policy	Comment
• *locally significant buildings*."	
Strategic Policy SP8 Renewable Energy "*Development proposals which contribute to meeting national renewable energy and energy efficiency targets will be permitted where it can be demonstrated that there will be no significant adverse impacts on the environment and local communities*."	The Proposed Development would make a valuable contribution to meeting national renewable energy targets and as set out in the EIA, there would be no unacceptable significant adverse impacts in relation to the local environment and local communities.

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