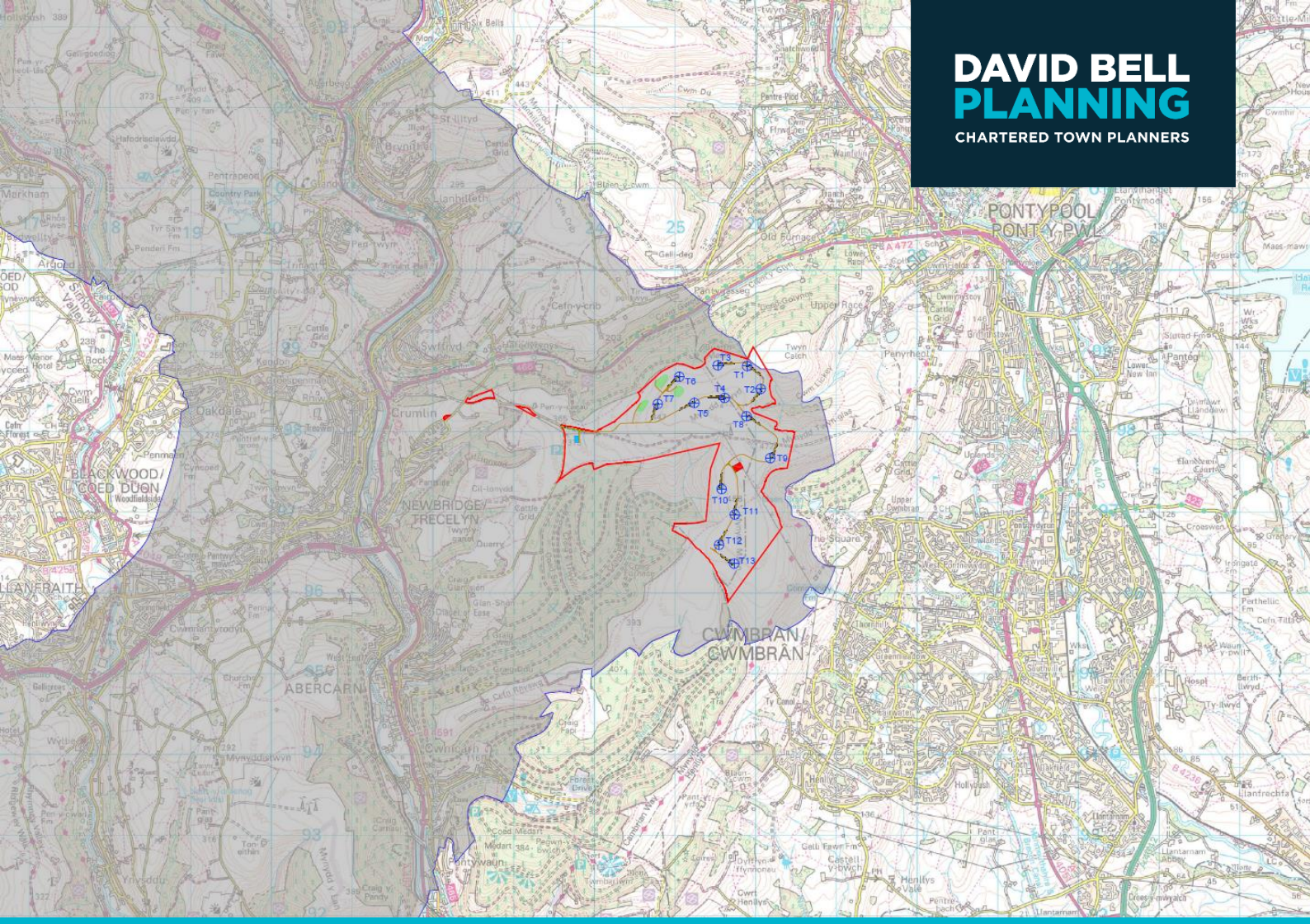

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CHARTERED TOWN PLANNERS

Mynydd Maen Wind Farm
DNS Application

Planning statement

January 2024

dbplanning.co.uk

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1. Introduction

1.1 Background

1.1.1 RES Ltd ("RES" or "the Applicant") is applying to Welsh Ministers for permission to construct and operate the Mynydd Maen Wind Farm ("the Proposed Development") at a site located between Newbridge and Cwmbran, partly in the Caerphilly County Borough (CCB) and partly in Torfaen County Borough areas ((TCB).

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 13 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 RES is one of the world's leading independent renewable energy project developers with operations across Europe, the Americas and Asia-Pacific. At the forefront of renewable energy development for over 40 years, RES has developed and/or built more than 23 GW of renewable energy capacity worldwide. In the UK alone, RES currently has more than 10 GW of projects either constructed, under construction or consented. RES is active in a range of renewable energy technologies including onshore and offshore wind, solar, hydrogen, as well as enabling technologies such as energy storage.

1.2.2 RES has been active in Wales since the early 1990s and has developed and/or constructed seven onshore wind farms, including the operational 34 MW Garreg Lwyd Hill Wind Farm in Powys and the recently consented 60 MW Llanbrynmair Wind Farm in Powys and 25 MW Upper Ogmore Wind Farm in Bridgend.

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 adverse effects 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 relevant Development Plan documents, 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 Chapter 2 (Design Evolution & Alternatives) and Chapter 3 (Proposed Development) in the Environmental Statement (ES). A summary is set out in this Chapter.

2.1.2 The site extends to approximately 376.6 ha in area and predominantly comprises common land on an open, relatively flat ridge at Mynydd Maen between Newbridge and Cwmbran. This is mainly characterised by a mixture of acid grassland and heather moorland, the westerly areas of which are grazed (by sheep and cattle). The open access upland reaches a high point of 472 m AOD at the highest point (Mynydd Twyn-glas).

2.1.3 The site is located approximately 5 km from the boundary of the Bannau Brycheiniog National Park (BBNP) boundary at its closest point to the north east and approximately 20 km from the Wye Valley Area of Outstanding Natural Beauty (AONB) to the east around Devauden.

2.1.4 The closest main settlements are Pontypool, located approximately 1.3 km to the north-east (approximately 2.2 km from the nearest turbine), Cwmbran located approximately 860 m to the east (approximately 1.6 km from the nearest turbine), Risca located approximately 5.3 km to the south, Newbridge located approximately 1.8 km to the west and Abercarn located approximately 3 km to the south-west. The city of Newport is also located over 6 km south-east of the site.

2.1.5 The nearest main highways are the A472 approximately 500 m to the north between Newbridge and Pontypool, the A467 that passes approximately 3.1 km to the west and the A4042 approximately 3.6 km to the east.

2.1.6 Electricity pylons cross the site and telecommunication masts lie in the north part of the site. Two existing wind turbines lie to the north-west at Oakdale Business Park. The site lies within the South West Uplands Special Landscape Area (TCB) and the Abercarn Visually Important Local Landscape (CCB).

2.1.7 A number of Public Rights of Way (PRoW) cross the site, forming wider connections with surrounding residential areas and the local road network. A short section of the corridor of the A472 is located to the north-west of the site. However, the site itself forms remote upland that includes steep upper valley slopes with access limited to single track roads. The site is drained by a series of watercourses, with those in the south-westerly portion of the site forming tributaries of the River Ebbw. Streams in the northern section of the site fall into Cwm Lickey and the Afon Lwyd to the north.

2.1.8 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.

2.1.9 The majority of the site is within a Pre-Assessed Area (PAA) for wind energy (PAA 10), as zoned in Future Wales: the National Development Framework.

2.2 The Proposed Development

2.2.1 The main elements of the Proposed Development (see **Figure 2.1** below) are described in detail in Chapter 3 of the ES but in summary, will comprise:

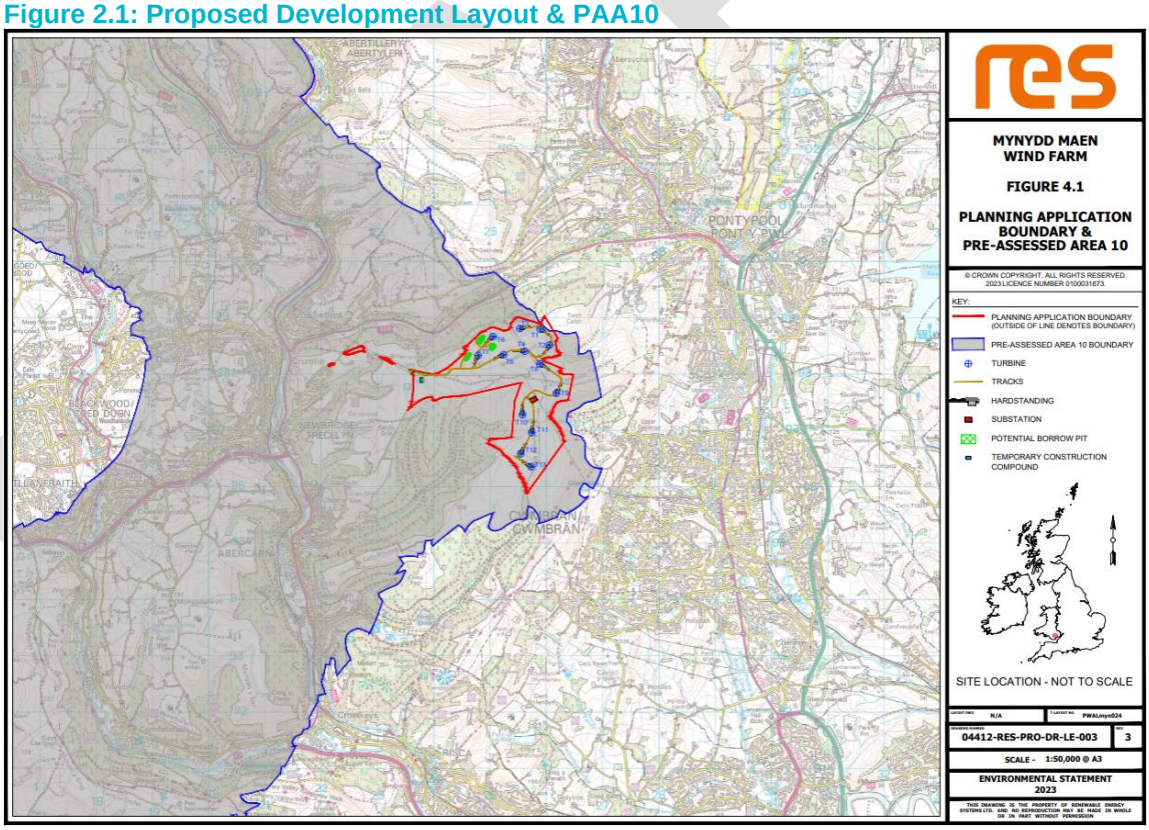
- Thirteen three-bladed horizontal axis wind turbines, up to 149.9 m tip-height;
- Turbine foundations;
- Hardstanding areas at each turbine location for use by cranes erecting and maintaining the turbines;

- Approximately 8.18 km of new and upgraded track;
- An upgraded site entrance off the public highway;
- Wind farm substation compound containing electrical apparatus and a control building;
- On-site electrical and control network of underground (buried) cables;
- Temporary construction compound;
- Permanent and temporary drainage works;
- Three potential borrow pit search areas;
- Off-site road improvement works;
- Associated ancillary works; and
- Secondary applications under section 16 and section 38 of the Commons Act 2006 will be submitted in association with this primary application.

2.2.2 The indicative output capacity at this stage is approximately 54.6 MW, with each turbine providing up to 4.2 MW. However, this capacity may vary subject to the final turbine model chosen[1];

2.2.3 The Proposed Development layout is shown in **Figure 2.1** below.

Figure 2.1: Proposed Development Layout & PAA10



[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.

2.2.4 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.

2.2.5 The expected operational life of the Proposed Development is 35 years from the date of commissioning. Following the 35-year operational period, the Proposed Development will be decommissioned, or a separate application may be made to extend the operational life of the development 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: The National Plan 2040 (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*".

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

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.

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.

3.3.4 Chapter 6 of PPW was the subject of some revisions which were consulted upon in early 2023.

3.3.5 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*."

3.3.6 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"

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

3.3.8 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."

3.3.9 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.

3.3.10 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.

3.3.11 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."

3.3.12 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*."

Changes to PPW 11 Chapter 6 (October 2023)

3.3.13 The Welsh Government issued a letter to all Heads of Planning on 11 October 2023 with regard to changes to Chapter 6 of PPW. The proposed changes were consulted on between 09 March and 31 May 2023 and covered matters relating to green infrastructure, net benefit for biodiversity, the protection to be afforded to Sites of Special Scientific Interest (SSSI) and trees and woodlands.

3.3.14 The changes to Chapter 6 are to be included in the next iteration of PPW (Edition 12), which is programmed for issue in 2024. However, the changes have been published with immediate effect, as of 11 October 2023. The principal changes to policy framework can be summarised as follows:

- Green Infrastructure - there is stronger emphasis on taking a proactive approach to green infrastructure, covering cross boundary considerations, identifying key outputs of green infrastructure assessments, the submission of proportionate Green Infrastructure Statements with planning applications and signposting building with nature standards. There is a requirement to submit Green Infrastructure Statements with all planning applications.

- Net Benefit for Biodiversity and the Stepwise Approach – the revisions provide clarity on securing net benefit for biodiversity through the application of the stepwise approach, including the acknowledgement of off-site compensation measures as a last resort and the need to consider enhancement and long-term management at each step. The use of the Green Infrastructure Statement as a means of demonstrating the stepwise approach is made explicit. The policy also recognises the importance of strategic collaboration to identify and capture larger scale opportunities for securing a net benefit for biodiversity.
- Protection for SSSIs – the policy changes introduce a strengthened approach to the protection of SSSIs, with increased clarity on the position for site management and exemptions for minor development.
- Trees and Woodland – the policy changes introduced closer alignment with the stepwise approach, along with promoting new planting as part of development, based on the principle of 'the right tree in the right place'.

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 Policies

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 Torfaen LDP (TLDP) adopted December 2013 covering the eastern part of the site; and

- The Caerphilly LDP (CCLDP) adopted November 2010 covering the western part of the site.

3.6.3 The TLDP provides a framework for local decision-making by outlining the TCB's land use policies and proposals to control development in the County Borough up to 2021 and beyond. The TLDP indicates where development will be encouraged and where it will be resisted.

3.6.4 The CCLDP identifies where new developments (for example housing or employment facilities) will be located. The CCLDP provides a framework for local decision-making by setting out CCB's land use policies and proposals to control development in the County Borough up to 2021. The CCLDP provides the basis by which planning applications will be determined.

3.6.5 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 the Torfaen LDP

- S2 Sustainable Development;
- S3 Climate Change;
- S4 Place Making / Good Design;
- S7 Conservation of the Natural and Historic Environment;
- S8 Planning Obligations;
- BW1 General Policy - Development Proposals;
- M1 Minerals Safeguarding;
- C2 Special Landscape Areas (SLAs);
- C3 Rural Development and Diversification;
- BG1 Locally Designated Sites for Biodiversity and Geodiversity; and
- HE1 Buildings and Structures of Local Importance.

Relevant Policies in the Caerphilly LDP

- Policy SP3: Development in the Southern Connections Corridor;
- Policy SP6: Placemaking;
- Policy SP8: Minerals Safeguarding;
- Policy SP10: Conservation of Natural Heritage;
- Policy CW1: Sustainable Transport, Accessibility and Social Inclusion;
- Policy CW2: Amenity;
- Policy CW3: Design Considerations – Highways;
- Policy CW4: Natural Heritage Protection;
- Policy CW5: Protection of the Water Environment;
- Policy CW6: Trees, Woodland and Hedgerow Protection;

- Policy CW15: General Locational Constraints;
- Policy CW22: Locational Constraints, Minerals;
- Policy NH2: Visually Important Local Landscapes;
- Policy NH3: Sites of Importance for Nature Conservation (SINCs); and
- Policy TR1: Cycle Routes.

LDP Policy Maps

3.6.6 An appraisal of the Local Plan Policies Maps for both County Boroughs indicates that the site for the Proposed Development is directly affected by the following allocations, designations, or features under the LDPs:

- In the TCB area:
  - The majority of the site falls across a Coal Safeguarding Area and an Aggregate Safeguarding Area;
  - The majority of the Site falls within C2/4 South West Uplands Special Landscape Area ('SLA');
  - There are some Sites of Importance for Nature Conservation ('SINC') present across the Site;
  - Some southern areas of the Site slightly overlap with Coal Working Exclusion Areas; and
  - The Site overlaps with Housing Sub-Market Area (4).

3.6.7 In the CCB are:

- There are two SINCs present across the Site (NH 3.138 Twmbarlwm, North of Risca and NH 3.113 Mynydd Maen, East of Newbridge);
- The Site overlaps with NH2.3 Abercarn Visually Important Local Landscape ('VILL');
- The Site falls within a Sandstone Safeguarding Area; and
- The Cycle Route TR1.15: Link from Crosskeys NCN47 to Newbridge edges the north-western boundary of the Site.

3.7 Emerging Development Plan Documents

Torfaen Replacement LDP

3.7.1 Following a statutory review of the TLDP, in 2018 TCB approved the commencement of a full revision of the TLDP. As such, a replacement plan is currently being prepared which will cover the period of 2018-2033. The first round of consultation on the Torfaen Replacement Local Development Plan (TRLDP) closed in April 2021 and a 'Deposit' version of the TRLDP is anticipated later in 2023. At the time of writing, the TRLDP is not at a stage where it would be material in the assessment of a planning application, nor have draft policies been prepared which warrant further consideration.

Caerphilly Replacement LDP

3.7.2 CCB is progressing a 2nd Replacement LDP (2RLDP) and the consultation period on the Pre-Deposit Plan (Preferred Strategy) ran from 19th October to 30th November 2022.

3.7.3 The 2RLDP will cover the period 1 April 2020 to 31 March 2035. When it is adopted, it is intended to be the Council's statutory land use plan which will set out the Council's land use strategy to deliver sustainable development and "*build strong, resilient communities that improve the wellbeing of current and future generations*" (Introduction, para 1.2). Importantly, the 2RLDP is intended to build upon and add value to Future Wales and national planning policies and guidance.

3.7.4 The Pre-Deposit Plan sets out key land use issues (Chapter 3) and these include:

> Climate change is a global issue that will require action at all levels. It states that the 2RLDP will need to address the issues causing climate change and ensure climate change resilience and mitigation are fundamental elements in the design and layout of all new development.

> It adds that the need to decarbonise is a national priority and 2RLDP will need to proactively promote zero carbon energy generation in combination with reducing energy consumption and increasing energy efficiency.

3.7.5 The plan also recognises that the County Borough has relatively high levels of economic inactivity, low levels of educational attainment and pockets of deprivation and it contends that 2RLDP should seek to address these issues to promote economic activity and generate economic growth.

3.7.6 In addition, with regard to environmental issues, key matters are recognised as being:

> As part of the climate change emergency addressing decarbonisation. The Council has declared a climate emergency which involves a number of measures, including "*Promoting and delivering renewable energy generation schemes*".

3.7.7 Chapter 4 of the Pre-Deposit Plan sets out key aims and for 2RLDP these include:

> Address the causes of and mitigate and build resilience to the effects of climate change.

> Underpin all development with the principles of place making, sustainable development and good design.

> Positively encourage renewable energy generation and use in the County Borough to assist in reducing emissions and mitigate against the effects of climate change.

> Address the economic challenges facing the County Borough.

3.7.8 The 'preferred strategy' is set out in Chapter 7 of the Pre-Deposit Plan. This has a focus on areas of future urban growth and strategic site provision. The chapter also contains a range of policies related to key land use issues and draft Policy PS6 'Climate Change' states that all development proposals must make a positive contribution towards addressing the causes of and adapting to the impacts of climate change by demonstrating that the design of the development has taken account of various matters. These include "*the proposals maximise the opportunities for renewable energy technology and repowering*" and that "*the proposals promote decarbonisation*".

3.7.9 The supporting text for the policy states that:

"*The generation of energy from renewable and zero carbon sources is an essential part of delivering decarbonisation. Future Wales requires Councils to be proactive in delivering renewable energy generation and identifies pre-assessed areas throughout Wales where large-scale wind energy is, in principle, acceptable and where the principle of landscape change is accepted. On a more local scale the Council will support and encourage appropriate schemes for renewable energy generation and will also work together with energy providers to deliver appropriate schemes. To reflect this the Preferred Strategy includes a policy to support the delivery of renewable energy*".

3.7.10 This policy is set out as Policy PS7 'Renewal Energy Generation' which states "*The Council will support and promote schemes for the generation of energy from renewable and zero carbon sources*".

3.7.11 The supporting text to this policy states that the delivery of sustainable development is a duty on all local authorities throughout Wales.

3.7.12 In terms of next steps for 2RLDP, the Council intends to prepare a Consultation Report and the Preferred Strategy with any necessary amendments which will be reported to the Council by the end of 2022 with an objective of seeking approval for the Preferred Strategy. The Deposit Plan will then be prepared and considered by the Council prior to a statutory six week consultation and engagement period.

3.7.13 Following this, the Deposit Plan will then be submitted to the Welsh Government who will appoint an independent Inspector to examine the 2RLDP and who must determine whether it accords with the tests of soundness.

3.7.14 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.

3.8 Renewable Energy Assessments

Sensitivity and Capacity Study for Renewable Energy Development Blaenau Gwent CBC and Torfaen CBC ('SCS')

3.8.1 The SCS was prepared in October 2021 to assess the sensitivity and potential capacity of the Torfaen and Blaenau Gwent Council areas' landscapes for onshore wind and solar development.

3.8.2 This study was undertaken with the primary purpose of comprising an evidence base for the Councils' respective Replacement LDPs. The SCS is also to be used as a Development Management tool to assist in the determination of planning applications.

3.8.3 The SCS therefore aims to provide strategic level guidance on siting renewable energy developments (identifying where particular landscapes may have a greater or lesser capacity for renewable energy development) and offers potential mitigation within each area. For any development proposed, further detailed Landscape and Visual Impact Assessment beyond the assessment in the SCS will be required as well as an assessment of impacts on all other relevant environmental factors.

3.8.4 The SCS was adopted *after* Future Wales: The National Plan (2021) (Future Wales) and PPW.

3.8.5 Within the portion of the site which falls within TCB, the site predominantly falls across the SCS Landscape Assessment Units ('LAU') *46: Mynydd Twyn-Glas, Mynydd Maen, Mynydd Henllys Ridge* and LAU *47: Cwm-Y-Glyn and Cwm Lleucu, Twyn Calch Hillsides*.

3.8.6 According to Figure 4 *'Landscape Sensitivity to Wind Turbine Developments*' of the SCS, the southern section of the site (which is situated in TCB) falls within an area of 'High' landscape sensitivity and the northern portion falls within an area of 'Moderate' landscape sensitivity. In the SCS assessment, areas of higher sensitivity are considered to have less potential for incorporating renewable energy infrastructure. The site also overlaps with land which falls within the 'Carbon Trust Area for Wind'.

3.8.7 Nonetheless, the northern portion of the site, as noted, mainly falls within PAA 10 for large scale wind development within Future Wales which should be afforded much greater weight.

Caerphilly: LDP Review Report (June 2021)

3.8.8 The Review Report for the Caerphilly adopted LDP (dated 1st June 2021) refers to the national policy and legislative position with regard to targets for renewable energy generation in the UK and Wales. It also references Future Wales and strategic priorities within the policy document include the provision of infrastructure and renewable energy. With specific regard to renewable energy, the report (paragraph 4.83) states that the Council completed a 'Renewable Energy Baseline Assessment' (REBA) in 2011 which examined the potential within the County Borough to generate renewable energy. The Council updated the REBA in 2015 and that assessment identified:

- the current renewable energy capacity within the County Borough; and
- the future potential to harness renewable energy within the area.

3.8.9 The assessment concentrated on various renewable technologies including onshore wind and it identified the following as potential opportunities within the Caerphilly area:

- Wind energy - and noted that cumulative visual impact may be likely to limit the exploitation of this resource. The report highlighted that detailed feasibility work on specific sites would be required to confirm viability of any given site; and
- Solar PV - both building integrated and ground based.

3.8.10 The report also states (paragraph 4.86) that as part of regional work undertaken for assessing the requirements of wind turbine developments across the County Borough, the landscape firm Gillespies LLP were commissioned to carry out a Landscape Sensitivity and Capacity Study for the overall Country Borough area. This guidance has been adopted as supplementary planning guidance to the current LDP.

3.8.11 The report prepared by Gillespies is entitled 'Smaller Scale Wind Turbine Development, Landscape Sensitivity and Capacity Study, Final Report' (November 2015). The purpose of the study is to provide guidance for the assessment of landscape and visual impacts of proposed wind turbines across the whole County Borough, however it is a strategic study and is not proscriptive at an individual site level and as noted it is applicable to smaller scale wind turbine development.

Caerphilly Renewable and Low Carbon Energy Assessment (October 2022)

3.8.12 More recently CCB has prepared a Renewable and Low Carbon Energy Assessment to support the 2RLDP. The Assessment is dated October 2022. The report has been prepared by the Carbon Trust and as an evidence base its aims include to:

- Estimate the potential renewable energy resource within the study area (across different technologies) to provide focus when setting local policy and targets.
- Inform the identification of where the potential renewable energy resource and heating energy demand is located, to understand where developments may emerge and to steer developers and investment to the most appropriate locations (from both a technical and planning perspective).
- Communicate the skill, the challenge and the need for supportive planning policy.
- Make informed recommendations regarding design and layout of new development.

3.8.13 In summary, the results of the energy assessment show (page 4) "that there is relatively high wind and solar resource potential in the area. Limited potential for heat networks has been identified …".

3.8.14 Overall, the Assessment identifies the potential for 3.7 GW of renewable/low carbon energy capacity (heat and electricity) resource within the County Borough area - more than 45 times more than is currently installed. It adds that the potential electricity generating assets if

developed are estimated to generate the equivalent of approximately 27% of the Welsh Government's national 70% of electricity consumption target from renewable sources (page 4).

3.8.15 The document sets out that with regard to policy recommendations they relate to the need to:

"*focus on ways to reduce carbon emissions in Caerphilly County Borough and support achievement of national renewable energy and carbon targets. The local planning authority will need to consider these recommendations alongside other objectives of the 2nd Replacement LDP (2RLDP) when finalising the 2RLDP's exact policy wording*."

3.8.16 The results of the Assessment are shown spatially on an "Energy Opportunities Map". These are referenced on page 6 of the Assessment as being identified on the basis of:

"*taking into account the renewable resource available, land use and landscape value, in order to signpost developments to the areas considered most appropriate. These broad areas will be identified in the 2RLDP, following further consideration by the LPA, but will be informed by the Assessment undertaken*."

3.8.17 It adds that the mapping identifies the less constrained areas recommended to be considered for inclusion within the broad areas identified for "*local search area designation*".

3.8.18 The Renewable Energy Assessment is an important component of the evidence base for the emerging LDP. In terms of next steps, it will be for the Council to consider the policy recommendations - these are intended to support decarbonisation of the area's energy sector and to further the promotion of renewable energy generation as set out in Future Wales. The report does state that before identifying final local search areas for wind and solar developments that CCB may wish to undertake further refinement of the areas identified. Nevertheless, the document forms a material consideration.

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.

3.9.2 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 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 Change's (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 04 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 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 27 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*."

United Nations Statement, July 2023

4.2.19 The UN issued a statement on 27 July 2023 with regard to increasing global temperatures. The UN Secretary General Antonio Guterres stated that it was "*virtually certain that July 2023 will be the warmest on record*".

4.2.20 The Secretary General stated "*Climate change is here. It is terrifying. And it is just the beginning. The era of global warming has ended, and the era of global boiling has arrived*."

4.2.21 The statement refers to climate conditions in the month of July 2023 as being remarkable and unprecedented, and that there is virtual certainty that the month of July as a whole will become the warmest July on record and the warmest month on record. In addition, the statement sets out that ocean temperatures are at their highest ever level recorded for this time of year [July].

4.2.22 The statement also refers to the net zero goal and the Secretary General stated "*The need for new national emissions targets from G20 members and urged all countries to push to reach net zero emissions by mid-century*."

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.

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*".

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 20 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

[5] Source: CCC (2022).

[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.

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.

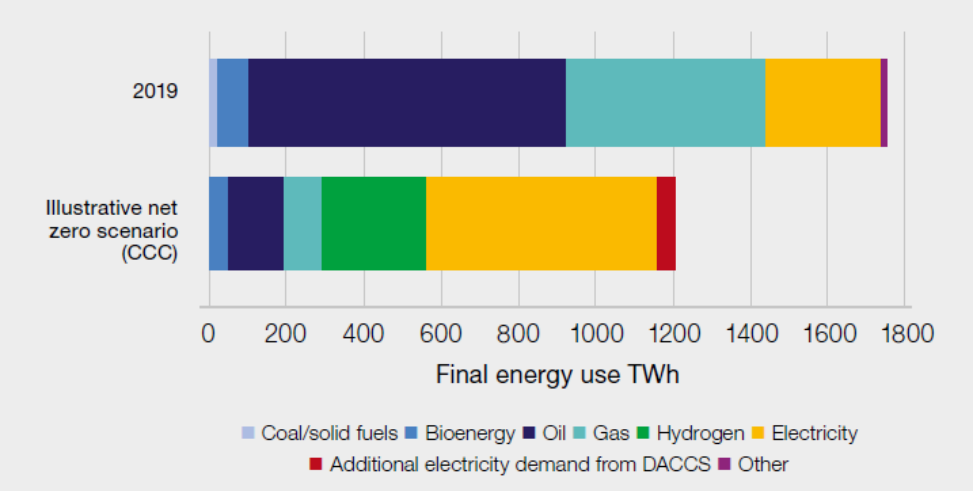
The UK Energy White Paper (December 2020)

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**.

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.

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

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 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 40 GW 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:

"*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."

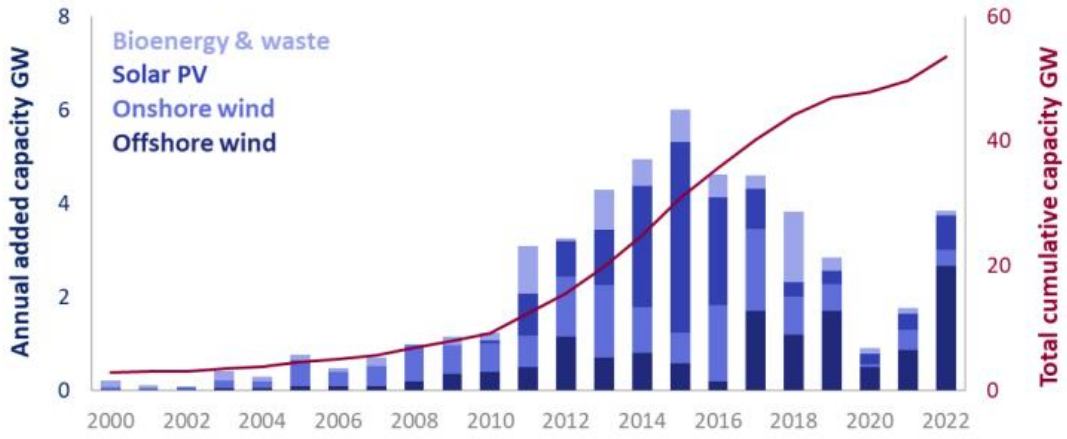
[8] Every country that signed up to the Paris Agreement (2015) set out a target known as a nationally determined contribution for reducing greenhouse gas emissions by around 2030. For the UK the target was a 68% reduction on 1990 levels by 2030.

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 2023 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 and 2022 the capacity rose, most of which was in offshore wind.

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



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 the 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:

[9] Source: Department for Business, Energy & Industrial Strategy, *Digest of UK Energy Statistics*, Annual data for the UK, 2022, published July 2023.

"*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 "WFG 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 WFG 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 (Wales) 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 29 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".

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

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**:

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].

[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.

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

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 slow down in renewable energy development since 2015. As we enter a critical time in the fight against climate change, and 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*".

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

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

4.4.25 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.

4.4.26 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.

4.4.27 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.

4.4.28 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.

4.4.29 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).

4.4.30 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).

4.4.31 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*".

[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

4.4.32 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.

4.4.33 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.

4.4.34 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.

New 100% Renewable Electricity Generation Target – 2035

4.4.35 On 14 July 2023, the Welsh Minister for Climate Change, Julie James MS, published a summary response to the consultation on Wales's renewable energy targets. In the response to the Minister stated:

4.4.36 "*I was very pleased with the support for our renewable energy ambitions and the targets the Welsh Government has set. The targets underline the importance to be placed on the next decade and the need to increase the pace of our response to the climate emergency. The targets we are setting will give policy ambition certainty to the renewable energy sector.*

4.4.37 *Regarding energy generation, there was broad agreement with our proposals to continue focusing on electricity to meet future demand, and for us to use the Climate Change Committee's balanced path as a basis for our electricity demand projections. Following the support we had for our proposal, I am adopting the target for Wales to meet the equivalent of 100% of our annual electricity consumption from renewable sources by 2035, and to continue to keep pace with consumption thereafter*".

4.4.38 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.

Climate Change Committee, Progress Report (June 2023)

4.4.39 The CCC published the 'Progress Report: Reducing Emissions in Wales' in June 2023. The Executive Summary states (page 11):

"*With an ambitious target to reach Net Zero greenhouse gas emissions by 2050, action on decarbonisation in Wales must now accelerate. Wales's journey to Net Zero is mapped out by a series of legislated five yearly carbon budgets and decadal interim targets. While the first carbon budget (2016-2020) has been achieved, Wales is not yet on track to meet its targets for the second half of this decade and beyond.*

Some positive steps have been taken in Wales, with a welcome focus from Ministers on skills, jobs and public engagement for the Net Zero transition. However, there are too many areas where the Welsh Government has policy responsibility, but progress is slow."

4.4.40 The report also states that the third carbon budget (2026-2030) in terms of its midpoint, is only five years away and by then, Wales should have reduced emissions by 39% compared to pre-pandemic (2019) levels. It states that policy action in all sectors across the economy is now needed.

4.4.41 Chapter 2 of the report states that Wales must now accelerate action to ensure it is on track to meet its future carbon budgets and the Net Zero target.

4.4.42 The report specifically addresses electricity supply (from page 70) and notes that in 2020, generation of renewable electricity in Wales equated to 56% of Welsh electricity

consumption. By 2030, the Welsh Government aims to increase this to 70%, and to 100% by 2035.

4.4.43 The report notes, however, that since 2016 renewables deployment has slowed. With regard to onshore wind, it states that operational capacity increased by 12% in 2019 but has largely plateaued thereafter. The report also notes that there is no onshore wind deployment target.

Energy Generation in Wales 2022 (published November 2023)

4.4.44 The Welsh Government published *Energy Generation in Wales* in November 2023. It sets out the energy generation capacity in Wales in 2022 and analyses how it has changed over time.

4.4.45 The Ministerial Foreword from the Minster for Climate Change, Julie James MS states:

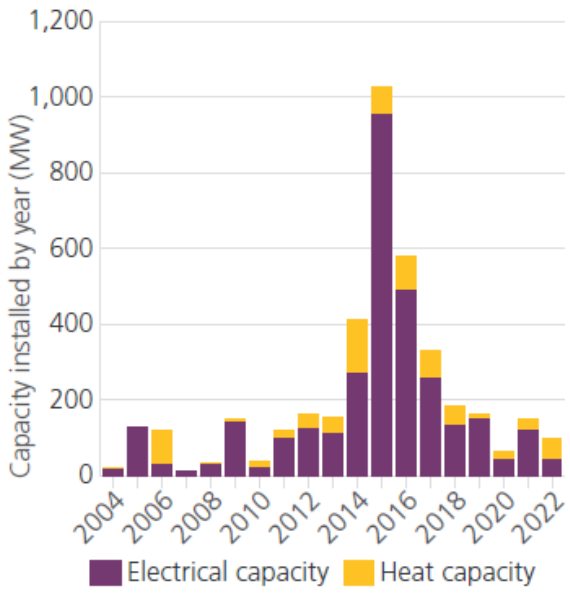
"*A smart, flexible, renewables based energy system is fundamental to support our net zero ambitions and we want our energy transition to also deliver even more benefit through local and shared ownership, seizing supply chain opportunities and the creation of good jobs for local people.*

We have committed to new renewable energy targets for Wales. We want to generate renewable energy which fully meets our energy needs by 2035 and to keep pace with the expected demand thereafter. In this transition we also want to maximise local ownership retaining economic and social benefits in Wales."

4.4.46 In terms of overall electricity generation in Wales, the report states (page 4) that only 43 MW of renewable electricity capacity was installed in 2022, down from 116 MW installed in 2021. It states that this is part of a decline in renewable electricity capacity installation over the past decade. It notes that renewable electricity generation in Wales has tripled since 2008 however, has only increased by 11 per cent over the last five years.

4.4.47 The installation of only 43 MW is the second lowest installation rate in Wales in the last decade and is noted as being nearly 10 times lower than the 2015 peak when more than 1 GW of renewable capacity was installed. 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



[15] Source: Welsh Government, *Energy Generation in Wales 2022* (November 2023).

4.4.48 The report also references the regional context for renewable energy generation, analysing it down to the local authority level. For Torfaen and Caerphilly which are both within the Cardiff Capital Region the respective figures for 2022 were:

> In Torfaen the percentage of total Welsh renewable energy generation from the local authority was <1 %.

> In Caerphilly the figure was 2 %.

4.4.49 The report examines various generation technologies and in terms of onshore wind (page 28) it states that in 2022 there was only a single, micro-scale onshore wind development installed which was a single 6 kW installation in Powys. The report states:

"*This is the third consecutive year of decreasing deployment and a marked difference to the preceding period from 2016 to 2019, during which an average of 160 MW per year were installed*."

4.4.50 The report examines progress towards targets and confirms that the Welsh Government has a target for Wales to meet the equivalent of 70% of its annual electricity consumption from Welsh renewable electricity generation by 2030, and 100% by 2035. The report confirms that in 2022, the figure for electricity consumption was an estimated 59%.

4.4.51 Importantly the report states that although electricity consumption in Wales has reduced over the last two decades, it is projected to significantly increase in the future as Wales de-carbonises. The report states (page 7) that electricity consumption could more than double by 2050.

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

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[16].
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[17].

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

Year	Target	Summary	Current Position
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[18], hence a large increase in renewables is required for this target.
2035	100 % of Wales' Electricity Consumption to come from Welsh Renewable Electricity Sources	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[19].

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 that 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

[18] Department for Business, Energy & Industrial Strategy, UK Energy in Brief, National Statistics (2022).
[19] Welsh Government, Energy Generation in Wales (2020).

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, and that, however, 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 Landscape and Visual Impact Assessment (LVIA) has been carried out to identify the significant landscape and visual effects that are likely to arise as a result of the Proposed Development. This is reported in Chapter 5 of the ES. The LVIA 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 LVIA study area. A residential visual amenity assessment (RVAA) has also 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 5 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

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 largely covered by a PAA for onshore wind as identified within Future Wales, and that all thirteen of the proposed turbines are located within the PAA. The PEDW Report in relation to the Upper Ogmore Wind Farm dated 25 October 2021 is informative on this point where the Inspector stated in 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'*".

Design Evolution

5.2.5 Before examining the effects of the Proposed Development, it is important to note the design approach followed and objectives set. Chapter 2 (Design Evolution & Alternatives) 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.

5.2.6 The layout evolved under guidance, requirements, and considerations from RES and their specialist consultants. Consideration has also been given to issues raised by the community at, and following, the public engagement events which began in November 2021.

5.2.7 A number of alternative layout designs were examined and, following extensive investigation and consultation, an optimum layout was selected.

5.2.8 As evidenced by the design evolution summary in Chapter 2 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 surrounding communities have been protected from a sense of encirclement by large developments.

Landscape Character

5.2.9 In relation to landscape effects, Chapter 5 (Landscape and Visual) of the ES contains the results of a detailed Landscape and Visual Impact Assessment (LVIA).

5.2.10 At the national level, the site and all of the proposed turbines and infrastructure are located within National Landscape Character Area (NLCA) 37 South Wales Valleys. Its key characteristics are identified as:

- Extensive Upland plateaux;
- Numerous steep-sided valleys;

- Ribbon urban and industrial areas in valleys;
- Extensive remains of heavy industry;
- Contrast of urban valley activity next to quiet uplands;
- Large blocks of coniferous plantation and deciduous woodland fringes;
- Heather, rough grassland and steep bracken slopes;
- Improved pastures on some lower valley sides;
- Field boundaries;
- Transport routes restricted to valleys; and
- Iconic cultural identify.

5.2.11 The site is also located close to NLCA 35 Cardiff, Barry and Newport and NLCA 31 Central Monmouthshire.

5.2.12 It is noted that localised significant effects on landscape character and visual amenity are inevitable as a result of commercial wind energy development anywhere in the UK. Whilst the LVIA identified some significant landscape and visual effects it is considered that the landscape has the capacity to accommodate the effects identified.

National Landscape Designations

5.2.13 There are no international or national landscape designations covering the site or the immediate surroundings.

5.2.14 The Bannau Brycheiniog National Park (BBNP) is located approximately 4.1 km to the north-east of the site at its closest point. The ten Special Qualities of the BBNP are set out in the BBNP Management Plan 2023 – 2028 and are grouped around landscape, community experiences and wildlife and are addressed in the LVIA.

5.2.15 It is explained in the LVIA that the Special Qualities (SQ) of the BBNP are set out in The Park's Management Plan 2023 – 2028. The ten SQs are grouped around landscapes, communities, experiences and wildlife. The ten SQ are considered in the LVIA, and the assessment focuses on the Special Landscapes group that comprises 'Sweeping grandeur & outstanding natural beauty' and 'Contrasting patterns, colours and textures.'

5.2.16 In the LVIA, examination of the Blade Tip Zone of Theoretical Visibility (ZTV), within the detailed 24 km LVIA study area shows that there is relatively limited and intermittent theoretical visibility from within the boundary of the park. Visibility is generally limited to the westerly edge of the narrow limb of the park that extends southwards, to the east of Blaenavon and to isolated areas of high ground and south-facing slopes.

5.2.17 The assessment of effects on the character of the BBNP Landscape Character Areas (LCAs) within the detailed LVIA 24 km study area identified that there would be no greater than minor effects during construction and operation on the character of available views towards the proposed wind farm from LCA 9 - Mynyddoedd Llangatwg and Llangynidr and LCA 12 - Skirrid and Sugar Loaf and moderate effects on LCA 15 - Blorenge Summit and Slopes.

5.2.18 It is also explained that Pen y Fan is located outside of the study area within LCA 7 – Central Beacons. This area is considered to have a very high sensitivity. It is set out in the LVIA that given the very limited theoretical visibility from this LCA and the distance from the proposed wind farm there would be no greater than a very low magnitude of change and minor to no effects on the visual character of the LCA.

5.2.19 It is explained in the LVIA that views experienced of the proposed wind farm from within the BBNP have the potential to affect the extensive views from the park that are noted as one of the attributes of the Sweeping grandeur & outstanding natural beauty SQ.

5.2.20 From the more distant locations within the park that experience theoretical visibility of the proposed wind farm (viewpoints 23, 24 and 35) there would be no greater than minor effects during construction and operation that would not be considered significant.

5.2.21 At closer distances at Blorenge where views are available as illustrated by Viewpoint 22, views are influenced by existing telecoms masts, with the proposed wind farm introducing a medium scale of change that would affect a small geographical extent of the available views. This would introduce a medium magnitude of change and result in a moderate effect during construction and operation that would not be considered significant.

5.2.22 Along the south-western edge of the park where views are available at Mynydd Garn-wen (as illustrated by Viewpoint 30) the turbines would be sky-lined on the horizon introducing a medium scale of change that would affect a small geographical extent of available views. This would introduce a medium magnitude of change, resulting in a moderate effect during construction and operation that would be considered significant.

5.2.23 It is stated in the LVIA that these significant effects would occur in a part of the landscape that is already strongly influenced by extensive built development at Pontypool and Cwmbran. It would introduce additional built elements into the view but in the opposite direction to the core of the BBNP.

5.2.24 It is acknowledged that there would be some very limited non-significant effects on occasional views out from elevated locations south from the central part of the park and some significant visual effects experienced at the south-western edge of the park within approximately 5 to 8 km from the proposed wind farm. However, these significant effects would not extend into the park and are confined to its south-western boundary that is already influenced by existing development.

5.2.25 Overall, the LVIA concludes that the introduction of the proposed wind farm would have a limited effect on the Sweeping grandeur & outstanding natural beauty SQ, but the effects would not be of such a scale to undermine its appreciation.

5.2.26 The Wye Valley Area of Outstanding Natural Beauty (AONB) overlaps the eastern edge of the 24 km detailed LVIA study area and is situated over 21 km from the site at its closest point. There would be no significant effects arising in relation to the AONB.

Local landscape Designations

5.2.27 The LVIA addresses local landscape designations and should be referred to for its detail. Part of the south-eastern corner of the site overlaps with the South West Uplands Special Landscape Area (SLA) as identified by Torfaen County Borough Council. However, only one wind turbine (T9), its associated hardstanding and a short section of the access track would be located within the north-western fringes of the SLA. No other infrastructure would be located within the SLA. No infrastructure is proposed to be located in any of the other SLAs where significant effects have the potential to occur.

5.2.28 The site also lies adjacent to the Abercarn Visually Important Local Landscape (VILL) as identified by Caerphilly County Borough Council.

5.2.29 With reference to the blade tip ZTV appraisal in the LVIA, theoretical visibility from the SLA is limited to the northern and western parts of the SLA, while the south-eastern part of the SLA would experience intermittent visibility of a limited number of turbines, with large parts having no views of the proposed wind farm.

5.2.30 The LVIA states that there would be localised and significant effects on the landscape character of a very small part of the north-western corner of the SLA T9 and its associated

access track and hardstanding would be located. This would extend approximately 1.2 km to the north-east at Mynydd Twyn-glas and approximately 2.1 km to the south at Mynydd Maen from the north-western corner of the SLA. These effects would no longer be significant within the narrow valley west of Upper Cwmbran where only a limited number of turbines would be experienced. From the remaining parts of the SLA, there would be indirect effects on the landscape character of the SLA but they would not be considered significant.

5.2.31 In terms of effects on the visual qualities of the SLA, views towards the rising ground that forms the visual backdrop to Cwmbran are already influenced by tall vertical structures in the form of the overhead pylons that cross onto the high ground and by the large telecoms mast towards Mynydd Twyn-glas that is seen in some westerly views from the SLA.

5.2.32 It is acknowledged in the LVIA that there would be significant effects on westerly views that would be experienced along the western half of the SLA extending south approximately 3.8 km and east approximately 1 km from the proposed wind farm.

5.2.33 Overall, while it is acknowledged that there would be both significant effects on landscape character and visual amenity within parts of the SLA as a result of the proposed wind farm, it is not considered that these effects would be such as to prevent an understanding or appreciation of the underlying landscape of the SLA and the effects are not considered to be unacceptable.

Visual Impacts

5.2.34 It is explained in the LVIA that the proposed wind farm would result in direct and significant effects on the Visual and Sensory Aspect Areas within which it is located and indirect significant effects on Visual and Sensory Aspect Areas extending to approximately 5 km north.

5.2.35 In relation to visual effects, it is accepted that the proposed wind farm would be visible from various nearby properties and settlements as well as the surrounding road network and footpath network.

5.2.36 It has been assessed that there would be significant visual effects experienced at 14 of the 37 representative viewpoints referred to in the LVIA. These are as follows:

- Viewpoint 1 – Cambrian Way Car Park;
- Viewpoint 2 - Prescoch Lane;
- Viewpoint 4 - Llandegfedd Reservoir;
- Viewpoint 6 - Twmbarlwm;
- Viewpoint 8 - B4471 / Swffryd;
- Viewpoint 10 - St Illtyd;
- Viewpoint 26 - Cwmbran Town Centre;
- Viewpoint 27 – Pantygasseg;
- Viewpoint 28 – Trevethin;
- Viewpoint 29 - Cefn Fforest / Blackwood Showfields;
- Viewpoint 30 - Mynydd Garn-Wen;
- Viewpoint 31 - Cambrian Way;
- Viewpoint 32 - Brookland Terrace /play area; and
- Viewpoint 37 - Royal Crescent, Treowen/ Treowen.

5.2.37 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 5.6 of the ES, to assess the likely visual effects of the proposed development on residential properties within a 2 km study area.

5.2.38 In summary, of the properties within 2 km, those which would have a clear, open view of one or more turbines would experience a significant visual effect. However, it is explained that none of the residents of any occupied private property would experience such an overbearing or overwhelming effect on their visual amenity that their properties would become unattractive places in which to live.

5.2.39 In relation to settlements, the assessment found that residents of Pantygasseg and parts of Cwmbran, Pontypool, Pantside, Swffryd and Brynithel would experience significant visual effects.

5.2.40 The assessment of recreational routes found that receptors would experience significant visual effects on short intermittent parts of the Cambrian Way, the Cistercian Way, the Torfaen Trail, the Rhymney Valley Ridgeway Walk, the Sirhowy Valley Walk and National Cycle Route 423.

5.2.41 The assessment of roads found that receptors travelling along the A472 would not experience significant effects but significant effects would be experienced from the minor road at Pantygasseg.

Cumulative Landscape and Visual Effects

5.2.42 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.

5.2.43 In relation to cumulative effects, the assessment set out in the LVIA found that when the consented wind energy schemes are considered to already form part of the baseline, it is not considered that there would be any change to the effects on landscape character or visual amenity in relation to the proposed wind farm set out in the main assessment.

5.2.44 With the addition of the consented two additional wind turbines at Pen-Yr-Heol Farm and Longlands Farm in the baseline the wider landscape would be characterised by wind energy development but only to a very minor additional degree, and one which was barely perceptible in the context of the other built form and landform in the landscape.

5.2.45 When the in-planning scheme at Mynydd Carn Y Cefn Wind Farm is added into the baseline, significant cumulative effects would arise in the intervening landscape between the proposed wind farms. The addition of the Scoping stage schemes would add a notable presence of wind energy across the landscape to the north of the site, of which the proposed wind farm would be the most southerly element.

Ecology and Ornithology

Ecology

5.2.46 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).

5.2.47 Chapter 6 (Ecology) of the ES assesses the potential for ecological impacts as a result of the Proposed Development.

5.2.48 Ecological desk study and survey work to inform the application has been completed over a number of years (2020-2023). The approach to survey has been based on industry standard guidance, and has included Phase 1 habitat and NVC survey, bat, great crested newt, dormouse, otter and water vole survey work.

5.2.49 The assessment states that the Proposed Development will not result in impacts on statutory sites of nature conservation interest. The site is subject to various non-statutory designations (SINCs), and the extent of several of these will be reduced. The wind farm will result in the loss of dry heath and dry heath acid grassland mosaic habitats, but has been designed to avoid loss of more restricted habitats such as wet heath and acid flush. Potential impacts on bat species, particularly noctule and common pipistrelle, on great crested newt and on reptiles are also likely in the absence of mitigation.

5.2.50 The assessment states however that mitigation for bats will involve feathering turbines at idle / modification of cut-in speed to 4 m/s. This will reduce predicted collision considerably based on weather data.

5.2.51 The on-site great crested newt population is low, and at potential risk of extinction, as the ponds the animals use are in poor condition. Construction phase mitigation to minimise risk of killing and injury of animals will be detailed in a European Protected Species licence application, and pond creation is proposed to improve the local conservation status of the species. Mitigation for reptiles will be through a method statement delivered as part of the proposed Construction Environment Management Plan (CEMP).

5.2.52 Biodiversity net benefit will be achieved through implementation of measures to bring the vegetation on the common into better condition. It will involve implementation of measures identified in the Commons Innovation Plan, including bracken control, creation of mixed-age heather and further pond creation initiatives. The extent of common land will be maintained through a land swop application that will bring peripheral land areas into common use. Some complementary habitat creation will be undertaken in these areas.

5.2.53 The residual effects of the Proposed Development on ecological features do not conflict with any national or local planning policies or any relevant legislative protection. The development will deliver biodiversity net benefit in accordance with planning policy.

Ornithology

5.2.54 Chapter 7 (Ornithology) of the ES assesses the potential for ornithological impacts as a result of the Proposed Development.

5.2.55 The ornithological assemment has allowed important ornithological features (IOFs) to be identified, and effects on these to be avoided or minimised through design and standard construction phase control measures. Additional measures to address potentially significant effects and ensure biodiversity net benefit is achieved have been identified, and will be delivered through a Habitat Management Plan (HMP).

5.2.56 Survey work conducted between April 2020 and September 2022 has comprised; VP survey, breeding raptor survey, breeding wader survey and nightjar survey.

5.2.57 The assessment states that impacts on relevant statutory designated sites of nature conservation importance are unlikely to arise due to their distance from the site. Target species recorded during the survey work, for which no residual effects are anticipated were; osprey, marsh harrier, hen harrier, goshawk, hobby, peregrine, merlin, kittiwake, golden plover, short-eared owl, long-eared owl and nightjar.

5.2.58 Some potential effects have been avoided through construction phase controls which will be set out in a detailed Construction Environmental Management Plan that will be overseen on the ground by an ecological clerk of works.

5.2.59 Compensatory management to offset the reduction in habitat for kestrel, red kite and red grouse will be delivered through the proposed HMP.

5.2.60 Following the application of mitigation measures, which include land management, significant residual effects of the Proposed Development on ornithological interests are as follows:

- Collision related fatality of kestrel resulting in the loss of a locally breeding pair, of significance at the County level.
- Collision related fatality of non-breeding red kite, of significance at the Local level.

5.2.61 The assessment also states that kestrel regularly forage and breed, or are likely to occur at a number of other wind farm sites, a cumulative effect on kestrel of significance at the County level is anticipated.

5.2.62 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.

5.2.63 The ES explains that a net benefit for biodiversity will be achieved at the site, and the Proposed Development will therefore comply with criterion 5 of Policy 18 of Future Wales.

Cultural Heritage

5.2.64 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.

5.2.65 Chapter 8 (Cultural Heritage) of the ES assesses the potential impact of the Proposed Development on cultural heritage assets.

5.2.66 Blaenavon Industrial Landscape World Heritage Site (WHS) is located 7.1 km to the north of the site. It is designated for its international importance in iron making and coal mining in the late 18th and early 19th centuries. The assessment states that that the experience of the key assets contained within the WHS (listed buildings and scheduled monuments) would be entirely unchanged by the proposal, as a direct result of the distances involved, the intervening topography, tree cover and built form. Thus, the Outstanding Universal Value (OUV) of the WHS is not considered to be susceptible to harm by the proposal. Overall, the distance of the proposed wind farm from the WHS is such that the OUV of the WHS would not be harmed by the proposals through any effect within its wider setting and no adverse impact is identified.

5.2.67 In terms of Listed Buildings, it is explained in the assessment that following site visits undertaken as part of the assessment it was evident that while some of these assets possess limited or distant views toward the proposed wind farm, the majority were located at too great a distance to afford a clear or relevant view, and many were screened by intervening topography, trees, planting and built form. Site visits also confirmed that all of the Conservation Areas within the cultural heritage study area possess very limited visibility of or towards the proposed wind farm due to intervening built form and tree cover.

5.2.68 There are 15 registered historic parks and gardens (RHPG) within a 10 km radius of the site, 11 of which are within the ZTV, the closest being Pontypool Park (Grade II*) approximately 4 km to the north-east of the site.

5.2.69 Site visits confirmed that this Pontypool RHPG has a largely urban setting and is of interest as a result of its surviving features, including Arboretum. The RHPG does not possess intervisibility with the proposed wind farm primarily due to the tree cover within the designated area and the urban development which surrounds, as well as the substantial distance.

5.2.70 The remaining RHPGs, which are located at far greater distances, were confirmed during site visits to not possess any significant views of the proposed wind farm. The proposals are not

considered to be capable of causing an effect within the settings of these assets which could consequentially cause harm to their significance.

5.2.71 The construction phase of the proposed wind farm could have adverse physical effects on archaeological remains (through exposure, damage or destruction). This would come through the process of construction where the access tracks, turbine hardstandings, turbine bases, turning heads and areas for the ancillary buildings (contractor's compounds, materials storage areas and substation etc,) are carried out and any topsoil stripping or ground disturbance occurs. The significance of such effects would be dependent upon the significance of any remains that may be present within the working areas (low to high). Such effects to buried archaeological remains would be long-term (permanent) and irreversible. There would be no change if no remains are present.

5.2.72 However, mitigation would be implemented against any adverse environmental effects on any hitherto unknown archaeological remains within the footprint of the construction works for the proposed wind farm. This would include a Written Scheme of Investigation (WSI) and trial trenching and other standard actions all of which can be secured by planning conditions.

5.2.73 The Proposed Development will accord with criterion 6 of Policy 18 in Future Wales.

Shadow Flicker & Noise & Air Quality

5.2.74 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

5.2.75 Chapter 12 (Shadow Flicker) 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.

5.2.76 The assessment states that there are 48 properties that are predicted to experience shadow flicker in the worst-case scenario. The total amount of time that shadow flicker is experienced varies by property. The greatest number of hours per year for any property is 65.8 hours.

5.2.77 However, mitigation measures can be incorporated into the operation of the proposed wind farm to reduce the instance of shadow flicker. Mitigation measures include planting tree belts between the affected dwelling and the turbines or shutting down individual turbines during periods when shadow flicker could theoretically occur. Appropriate mitigation measures can be secured by way of standard planning conditions.

Noise

5.2.78 Chapter 11 (Acoustic) of the ES assesses potential operational noise levels resulting from the proposed development.

5.2.79 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').

5.2.80 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.

5.2.81 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.

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

Aviation and Defence & Telecommunications

5.2.83 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).

5.2.84 Chapter 13 (Aviation and Electromagnetic Interference) of the ES assesses potential impacts to commercial aviation radar and telecommunications links impacts.

5.2.85 The Proposed Development will potentially impact the NERL radar at Clee Hill and primary radars at Cardiff and Bristol Airports. It is expected that the impacts can be mitigated with a suitable mitigation scheme that could be secured through an appropriately worded suspensive planning condition. Infrared lighting will be agreed with the DIO for the MOD low flying requirements.

5.2.86 No microwave fixed links are to be affected by the proposal.

5.2.87 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.

5.2.88 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. As such, no unacceptable effects are expected on defence facilities or operations, and the proposed development accords with criterion 8 of Policy 18 in Future Wales.

5.2.89 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

5.2.90 Chapter 10 (Traffic, Transport and Access) of the ES addresses the traffic and access aspects of the Proposed Development.

5.2.91 The assessment demonstrates that the construction of the Proposed Development would result in a short-term increase in traffic levels on identified sections of the A467, Central Avenue, and Old Pant Road, as well as Pant Road and Abercarn Mountain Road. These increases are considered to be insignificant due to the expected low percentage increase in traffic on these roads.

5.2.92 A suitable route for transporting abnormal loads has been identified and received no objections from the local Highway Authorities, Network Rail, or South Wales Trunk Road Agent. Abnormal loads would be scheduled to occur during off-peak periods, at times to be agreed with the Police and the local authorities. Therefore, the assessment concludes that there would be no significant residual effects.

5.2.93 Works to create the upgraded access off the Abercarn Mountain Road will be planned and agreed in a Construction Traffic Management Plan (CTMP) in consultation with CCBC. Implementation of the CTMP will minimise the temporary disruption to road users.

5.2.94 Traffic generated during decommissioning of the wind farm will be lower than the levels associated with the construction.

5.2.95 With the implementation of the Traffic Management Plan the proposed development accords with criterion 9 of Future Wales.

Sustainable Use of Materials

5.2.96 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.

5.2.97 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) is proposed to be agreed by planning condition.

5.2.98 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 recyclable after decommissioning.

5.2.99 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

5.2.100 Chapter 9 (Hydrology and Hydrogeology) of the ES addresses geology, hydrology, hydrogeology and peat.

5.2.101 This assessment identified areas of activity, particularly during construction and decommissioning operations which have the potential to affect the hydrology/hydrogeology of the site. Particular attention was paid to the risk of affecting peat and surface water hydrology, receiving watercourses and the potential flood risk.

5.2.102 The magnitude and significance of each of the aforementioned potential effects was assessed. Prior to mitigation, there was the potential for effects of minor to negligible significance to occur in regard to both water quality and water quantity. To reduce the significance of these effects, a number of mitigation and management measures are proposed.

5.2.103 With these measures in place, it is explained in the assessment that it is considered that the significance of the residual effect of the proposed wind farm on the hydrology and hydrogeology of the site is negligible to minor. The assessment concludes that that the construction, operation and decommissioning effect of the proposed wind farm are minor or negligible which is considered not to be significant.

Socio-Economics

5.2.104 There would be a wide range of socio-economic benefits arising from the Proposed Development. These are reported in Chapter 14 (Socioeconomics) of the ES and are set out in summary in section 5.3 below.

Decommissioning

5.2.105 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. Consideration in the ES 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 approximately 54.6 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 approximately 54.6 MW in the near term will have a disproportionately higher benefit than the same capacity delivered later.
- As set out in Chapter 14 of the ES, it is anticipated that the Proposed Development could generate around 192.8 GWh hours (MWh) of electricity per year. This is equivalent to the annual electricity needs of 55,000 homes each year, or approximately 40 percent of the current combined housing stock in Caerphilly and Torfaen County Borough Councils.
- Chapter 14 of the ES addresses emissions savings and sets out that as measured against a fossil-fuel mix of electricity, the total carbon dioxide (CO_2) savings would be expected to be approximately 83,312 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 14 of the ES. It should be referred to for its detail, but summary conclusions are set out below:

- The proposed wind farm would also provide an economic boost to both Borough Council areas and the regional economy, creating jobs and stimulating economic activity during its construction and operational phases. There is a strong likelihood of local labour involvement during the construction of the proposed wind farm, providing an economic boost to the local areas.
- The proposed wind farm is estimated to involve a capital spend of £74.0 million. Of this total, £26.3 million (nominal prices) would be realised within the Welsh economy.
- The projected 15-month construction phase is estimated to create or sustain 233 total (direct, indirect and induced) job years of employment, £5.68 million of wages, and £14.89 million of GVA to the Welsh economy.
- The estimated total (direct, indirect, and induced) annual benefits realised in Wales by the operational phase of the proposed wind farm includes 8 job years of employment, £160,000 of wages, and £590,000 in GVA.
- The proposed wind farm is also expected to provide a fiscal injection in terms of increased tax revenues. Estimated tax revenues from wages over the construction phase are estimated to be £1.87 million, with an additional £50,000 expected for each year of operation.
- Annual business rates for the proposed wind farm are estimated at £1.07 million.

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.

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 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 (WFG 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 WFG 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 Section 5 of PPW explains ways in which places can contribute to each of the seven goals of the WFG 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).

5.5.4 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 WFG 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 largely within a PAA for wind energy in Future Wales and that all proposed turbines and infrastructure lie within the PAA. The likely impact on the landscape and in terms of visual amenity has been carefully considered in the LVIA 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 a small part of the Site is not within a PAA, all infrastructure is. The LVIA 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"[20] in delivery is required, and that Wales "needs to double down on efforts"[21]. The commitment that has been made is to "lead the way"[22] by delivering development "at all scales"[23] in order to "maximise renewable and low carbon generation"[24], but particularly that which "makes best use of resources"[25]. The Proposed Development, being of scale and utilising latest technology,

[20] National Infrastructure Strategy (November 2020)
[21] Written Statement 7 June 2022
[22] Future Wales: Outcome 11
[23] Planning Policy Wales 11th Ed.: A Prosperous Wales
[24] Planning Policy Wales 11th Ed: paragraph 5.7.7
[25] 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:

- Provide an installed capacity of 54.6 MW
- generate 192.8 GWh of renewable electricity per year, equivalent to the annual needs of approximately 55,000 average homes;
- save approximately 83,312 tonnes of CO2 per year;
- achieve net benefit for biodiversity through a HMP;
- bring local jobs and investment during construction and operation; and
- pay 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.

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.

Torfaen County Borough Council

7.1.2 **Table 7.1** presents the relevant planning policies in relation to onshore wind development within the Torfaen administrative area relevant to the Proposed Development.

Table 1 Key Planning Policies – Torfaen LDP (adopted 2013)

Policy	Comment
S2 Sustainable Development *"Development proposals will need to demonstrate they have taken account of the following principles and where relevant that they: -* *a) Contribute to the regeneration of existing communities;* *b) Meet Sustainable transportation and infrastructure priorities and promotion of a sustainable transport hierarchy, including reducing the reliance on the private motor car and encouraging the use of more sustainable modes of transport;* *c) Conserve and enhance the natural and built environment;* *d) Promote the efficient use of land;* *e) Maximise the efficient use of existing community infrastructure;* *f) Utilise Sustainable construction techniques;* *g) Promote sustainable Economic and employment growth; and* *h) Are located within the Urban Boundary unless it is an acceptable development in the countryside."*	This is a generic policy which promotes sustainable development and applies to all development proposals within the county area. Each of the criteria have been considered and, where appropriate, assessed during the EIA process in terms of relevant topics. Criteria c), d), f) and g) of this policy are likely to be most relevant to wind development.
S3 Climate Change *"Development proposals shall seek to mitigate the causes of further climate change and adapt to the current and future effects of climate change; and will be supported where they demonstrate consideration of the following hierarchy of criteria (where appropriate):* *a) Ensuring that locational decisions are sustainable and avoid areas susceptible to flooding unless justified by national planning policy;* *b) Achieving Sustainable Design to ensure residual energy requirements are minimised through:* *i. Supporting climate responsive development through location, orientation, density, layout, built form, materials and landscaping;* *ii. Reducing surface water run-off and flood risk through the use of Sustainable Urban Drainage Schemes (SUDS) unless it is shown that these measures are uneconomic or impractical;*	This is a generic policy which aims to > Reduce the risk of development proposals in the county area contributing to future climate change; and > Steer development proposals in the county area to be adaptable and responsive to current and future effects of climate change. The policy applies to all development proposals in county. The Proposed Development has been considered against each of the outlined criteria during the EIA process. However, point d) is likely to be central to the wind development as it favours renewable and low or zero carbon energy technologies

Policy	Comment
iii. *Promoting water efficiency by reducing the demand for water; and* iv. *Exploring opportunities to maintain habitat connectivity through the provision of green infrastructure in design;* c) *Achieving energy efficiency in developments and in line with national standards where required; and* d) *Utilising renewable and low or zero carbon energy technologies to generate heat and electricity requirements which includes heating, cooling and power networks powered by renewable energy sources, or that connect to existing Combined Heat and Power or communal / district heating networks."*	(of which wind development falls into the category of).
S4 Place Making / Good Design *"Proposals for all new development must have full regard to the context of the local natural and built environment and its special features through:* a) *Promotion of local distinctiveness by sympathetic design, material selection and layout including public art;* b) *Delivering a mix of uses to complement existing facilities and aim to address local deficiencies; and* c) *Ensuring that location and layout integrates and contributes to local accessibility."*	This is a generic policy which applies to all proposals in the county area to encourage any development proposed to be appropriate and fitting within its surroundings and suitably designed. Each of the criteria has been considered and assessed during the EIA process, relative to its relevance for wind farm development. This generic policy provides little guidance for a wind energy development however and is likely to be given limited weight in decision making.
S7 Conservation of the Natural and Historic Environment *"Development proposals should seek to ensure the conservation and enhancement of the Natural, Built & Historic Environment of Torfaen, in particular:* a) *Biodiversity resources;* b) *Geodiversity resources;* c) *Water environment;* d) *Landscape setting;* e) *Character of the built environment; and* f) *Historic assets."*	This is a generic policy applying to all development proposals in the county area. Each of the criteria have been considered and assessed during the EIA process and the relevant environmental considerations have been addressed through the scheme's design. This policy is relevant to the Proposed Development with regard to conservation and enhancement, owing to the following allocations and designations presented in the LDP Proposal Maps: > The majority of the Site falls within a SLA; > There are some SINCs present across the Site; and > The Site overlaps with a VILL. The policy states a requirement for 'enhancement'; thus, it has been necessary to demonstrate a net biodiversity gain in line with new Welsh national policy.
S8 Planning Obligations *"Planning obligations will be required on development proposals through S106 legal agreements where they*	Policy S8 is the primary mechanism within the TCB for securing planning obligations against all types of development where it may be necessary

Policy	Comment
are necessary to address the impacts of development and to make the proposal acceptable in land use planning terms. Based on evidence of local need and / or generation of need by the proposal, taking into account site specific circumstances, viability and LDP Objectives, planning obligations will be specifically targeted to achieve the key priorities of: - *a) Affordable housing;* *b) Open space, children's play spaces and formal outdoor recreation facilities;* *c) Investment in educational provision;* *d) Highways and transport infrastructure management and improvements (including walking and cycling infrastructure and public transport facilities and services); and* *e) Maintenance and enhancement of the environment, historic assets and biodiversity networks and resources.* *and may also include, but are not limited to:* *f) Community facilities;* *g) Employment and commercial opportunities;* *h) Waste management facilities and services;* *i) Public realm improvements and public art;* *j) Renewable energy and energy efficiency;* *k) Improvements to the Monmouthshire and Brecon Canal;* *l) Incorporation of Sustainable Urban Drainage Schemes (SUDS); and* *m) Flood defence measures to mitigate the risk of flooding."*	to offset amenity effects through a Section 106 agreement. Criteria d), e) and l) are considered applicable to onshore wind development and the requirement of a planning obligation will be dependent on the assessment of the Proposed Development. In particular, consideration will be given to socio-economics, tourism and recreation considerations to establish whether there are deemed to be suitably adverse environmental impacts where mitigation alone is insufficient in addressing wider amenity concerns.
BW1 General Policy - Development Proposals *"All development proposals will be considered favourably providing they comply with the following criteria where they are applicable: -* *A. Amenity and Design* *i. The proposal does not constitute over development of the site in terms of the scale, density, massing and form of the development;* *ii. The design and visual appearance of the proposal takes account of the local context in terms of siting, appearance, elevation treatment, materials and detailing;* *iii. The proposal respects the urban fabric of the area in terms of pattern of development, the space around and between buildings and the setting of the site;* *iv. The proposal includes a landscaping and planting scheme, which enhances the site and the wider context including green infrastructure and biodiversity networks and allows it to adapt to climate change;* *v. For extensions to buildings, the proposals complement and enhance the form, siting, materials, details and character of the original building, its curtilage and the wider area;* *vi. The proposal does not have an unacceptable impact upon the amenities of the occupiers of adjoining or neighbouring properties;* *vii. The proposal designs out the opportunity for crime and anti social behaviour; and*	This is a general policy applying to all development proposals in the county area. The EIA has been undertaken with particular regard to the natural environment, the historic built environment, amenity and design dependent on the (non) statutory designations identified within and surrounding the Site. Where policy criteria are framed in terms of (un)acceptability, a balance of impacts and benefits has been applied to these aspects of the development proposal.

Policy	Comment
viii. *The proposal promotes inclusive design, both for built development and access within and around the development.* B. *Natural Environment* i. *The proposal does not result in unacceptable adverse effects in respect of land contamination, instability or subsidence; air, heat, noise or light pollution; landfill gas; water pollution; or flooding, from or to the proposal;* ii. *The proposal does not result in significant adverse effects on the integrity of a European designated site or its designated features in the context of the site's conservation objectives;* iii. *The proposal does not result in a significant adverse effect on a nationally designated site;* iv. *The proposal contributes to the conservation and/ or enhancement of the strategic biodiversity network of Torfaen and does not result in a significant adverse effect on the network;* v. *The proposal does not result in the unacceptable loss or harm to features of landscape importance including trees and woodland that have natural heritage or amenity value; and* vi. *The proposal does not have an unacceptable adverse impact upon the water environment or pose an unacceptable risk to the quality and quantity of controlled waters (including groundwater and surface water), and where practicable and reasonable improves water quality.* C. *Built Environment* i. *The proposal contributes to the preservation and enhancement of the historic built environment wherever possible (including heritage assets and their settings);* ii. *The proposal does not detrimentally affect the character of the immediate and surrounding built environment; and* iii. *Where practicable, existing construction materials on the site are re-used or recycled.* D. *Utilities Provision* i. *The proposal does not prejudice the existing or proposed level of service provision; and* ii. *In areas served by the public foul sewer, planning permission will only be granted where the development can be served by the existing public foul sewerage system or, if the system is inadequate, the statutory undertakers and/or the developers will ensure satisfactory improvements are provided prior to the development becoming operational.* E. *Design and Transport* i. *The proposal should be designed in accordance with the relevant national and local highway design guidance and where appropriate, the Council's adopted parking / cycling provision standards;* ii. *The proposal ensures that new access roads within the development layout connect the development to a range of services and*	

Policy	Comment
facilities and are designed to promote the interests of pedestrians, cyclists and public transport before the private car; *iii. Where access onto an existing highway is required, the proposal takes account of restrictions relevant to the class of road as designated in the road hierarchy, ensuring movements and speeds are controlled through appropriate design, in order to ensure highway safety and protect amenity;* *iv. The road network is capable of safely and effectively sustaining the scale and nature of additional traffic generated by the proposal and allows for adequate servicing throughout the proposal, with a Transport Assessment being provided where appropriate;* *v. It has been demonstrated that where a significant number of freight trips will be generated, the least environmentally damaging transport mode and route will be utilised, wherever possible; and* *vi. The proposal is informed by a Green Travel Plan where appropriate."*	
M1 Minerals Safeguarding *"Development proposals will not be permitted which would permanently sterilise important mineral resources within the Aggregate Safeguarding Areas or Coal Safeguarding Areas identified on the Proposals Map, unless there is an overriding need for the Proposed Development and: -* *a) the Mineral resource is recovered before the Proposed Development commences; or* *b) the developer has satisfactorily demonstrated that the extraction of the mineral is impracticable, uneconomic or environmentally unacceptable."*	The majority of the portion of the Site within the TCB area falls within both an Aggregate Safeguarding Area and a Coal Safeguarding Area, according to the TLDP Proposals Map. The Proposed development would be time limited and would not sterilise any mineral resource. Policy wording is also positive as it allows for demonstration of an overriding need.
C2 Special Landscape Areas (SLAs) *"Special Landscape Areas are identified at the following locations: -* *C2/1 - Llandegfedd Reservoir;* *C2/2 - South Eastern Lowlands;* *C2/3 - Southern Lowlands;* *C2/4 - South West Uplands;* *C2/5 - Blaenavon Heritage Landscape;* *C2/6 - Eastern Uplands;* *C2/7 - Afon Lwyd Valley; and* *C2/8 - Western Uplands.* *In order to ensure the continued protection and enhancement of the defined SLA's development proposals that could impact on these designations will be expected to conform to high standards of design and environmental protection which is appropriate to the LANDMAP character of the area."*	The whole of the Site area which falls within TCB falls within the C2/4 - South West Uplands SLA according to the TLDP Proposals Map; therefore, this policy is relevant in the determination of the proposal. A detailed understanding of the SLAs character and features and sensitivity to wind energy development has been gained and is referred to in the ES. The impact on landscape has been determined via the EIA process.
C3 Rural Development and Diversification *"Proposals for rural development and farm diversification schemes will be permitted where: -*	The Site lies within a predominantly rural area, therefore this policy is of some relevance in the determination of the proposal.

Policy	Comment
a) *They are appropriate for and compatible with its rural location and that the proposed scale, form, siting, design and materials are appropriate to the rural setting and proposed use and that immediate and distant views are not adversely affected by the proposal;* b) *Existing buildings are reused where appropriate and any new buildings are grouped with existing buildings;* c) *A business plan is submitted which outlines the assessment of demand and justifies the need and suitability for such a business in this location; and* d) *For farm diversification schemes, they are complimentary to the agricultural operations of the farm and would not prejudice the operation of the existing business."*	Criterion a) of the policy is particularly relevant, requiring justification that the design of the Proposed Development is consistent with the surrounding rural environment.
BG1 Locally Designated Sites for Biodiversity and Geodiversity *"Development proposals will not be permitted where they would cause significant adverse effects to local nature conservation designated sites (including the features of a Site of Importance for Nature Conservation, Local Nature Reserves, or Regionally Important Geological Sites) unless it can be demonstrated that:* a) *The development could not reasonably be located elsewhere and the benefits of the Proposed Development justifiably outweigh the nature conservation or geological value of the site; and* b) *Adequate mitigatory and / or compensatory provision is made proportionate to; or an enhancement to the value of the ecological resources or geological site lost."*	According to the TLDP Proposals maps, there are various SINCs within the Site boundary which need to be considered. This policy seeks to protect locally designated nature conservation sites and therefore this policy relevant. The policy wording allows for a balance of needs/benefits against the potential harm to be applied and recognises that suitable management and mitigation proposals can influence that balance.
HE1 Buildings and Structures of Local Importance *"Development proposals affecting buildings and structures of local importance which make a valuable contribution to the character and interest of the local area will not be permitted where the distinctive appearance, architectural integrity or their settings would be significantly adversely affected, unless the benefits of the proposal would outweigh such adverse effects."*	This is a generic policy applying to all development proposals in the county area. Although there are no designated built heritage features within the site boundary according to the TLDP Proposals Map, should any be identified in the wider area, this policy would be relevant to the proposal. Any impact on Buildings and Structures of Local Importance have been considered and assessed during the EIA process. The policy wording does, however, allow for a balance of benefits against potential adverse effects to be applied.

Caerphilly County Borough Council

7.1.3 **Table 7.2** presents the relevant planning policies in relation to onshore wind development within the Caerphilly County Borough Council administrative area.

Table 7.2: Key Planning Policies – Caerphilly County Borough LDP (adopted 2010)

Policy	Comment
SP3 - Development in the Southern Connections Corridor *"Development proposals in the Southern Connections Corridor will promote sustainable development that:* *A. Uses previously developed land within settlement limits* *B. Reduces car borne trips by promoting more sustainable modes of travel* *C. Makes the most efficient use of the existing infrastructure* *D. Has regard to the social and economic function of the area and* *E. Protects the natural heritage from inappropriate forms of development".*	The Proposed Development falls within the 'Southern Connections Corridor' LDP Strategy Area and thus would be required to evidence how it constitutes sustainable development by complying to each applicable policy criteria. Criteria E of this policy is likely to be most relevant to the proposed wind development in the area.
SP6 - Place Making *"Development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through:* *A. An appropriate mix of uses that reflect the role and function of settlements* *B. A high standard of design that reinforces attractive qualities of local distinctiveness* *C. Design in accordance with best practice in terms of designing out crime* *D. A location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all* *E. The incorporation of resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation, and where appropriate the use of sustainable drainage systems* *F. The efficient use of land, including higher densities where development is close to key transport nodes* *G. The incorporation and enhancement of existing natural heritage features* *H. The incorporation of mitigation measures that improve and maintain air quality".*	This is a generic policy applying to all development proposals in the county area to encourage any development proposed to be sustainable, appropriate and fitting within its surroundings. Each of the relevant criterion have been considered and assessed during the EIA process, relative to its relevance for wind farm development. Criteria B, D, E and G of this policy are likely to be most relevant to the Proposed Development however this generic policy provides little guidance for a wind energy development and is likely to be given limited weight in decision making. As explained above, the principal determining policy will be contained within the National Development Framework.
SP7 - Planning Obligations *"The Council will seek to secure Planning Obligations (S106 Agreements) where they are*	Policy SP7 is the primary mechanism within the CCLDP for securing planning obligations against all types of development where it may be

Policy	Comment
necessary to remove obstacles to planned development, meet local needs and make development more sustainable. Such obligations will include: *A. Infrastructure for walking, cycling, public transport, parking* *B. Schools and ancillary facilities* *C. Community Facilities* *D. Strategic highway improvements in the Northern and Southern Connections Corridors* *E. Flood defence measures required to mitigate the risk of flooding* *F. Formal and informal open and leisure space* *G. Affordable housing and* H. *Other facilities and services considered necessary".*	necessary to offset amenity effects through a Section 106 agreement. Criteria A, E and F are considered most applicable to onshore wind development and the requirement of a planning obligation will be dependent on the assessment of the Proposed Development.
SP8 - Minerals Safeguarding *"The Council will contribute to the regional demand for a continuous supply of minerals by:* *A. Safeguarding known resources of coal, sand and gravel and hard rock* B. *Maintaining a minimum 10-year land bank of permitted aggregate reserves in line with national guidance".*	Similar to the land in TCBC, the portion of the Site within the CCBC area falls entirely within an area for safeguarding Sandstone, according to the CCLDP Proposals Map. The Proposed development would be time limited and would not sterilise any mineral resource. Policy wording is restrictive however as it does not allow for demonstration of an overriding need.
SP10 - Conservation of Natural Heritage *"The Council will protect, conserve, enhance and manage the natural heritage of the County Borough in the consideration of all development proposals within both the rural and built environment".*	This is a generic policy applying to all development proposals in the county area. The impact of the Proposed Development on any nearby natural heritage assets has been considered during the EIA process. The scheme's design has responded accordingly to ensure that the integrity of any relevant assets are not compromised. Of particular relevance with regards to conservation and enhancement of natural heritage assets are that both NH 3.138 Twmbarlwm, North of Risca SINC and NH 3.113 Mynydd Maen, East of Newbridge SINC are present on the Site. There are also areas of woodland along the western Site boundary which have been carefully considered. Moreover, the policy states a requirement for 'enhancement'; thus, it has been necessary to demonstrate a net biodiversity gain in line with Welsh national planning policy.
CW1 - Sustainable Transport, Accessibility and Social Inclusion	This policy seeks to ensure sustainable transport options are available when development proposals will generate a significant volume of traffic.

Policy	Comment
"Development proposals that are likely to generate a significant number of trips will only be permitted provided: *A. Walking and cycling are modes of travel which have been actively encouraged for short trips to and within the development and to nearby services and facilities, including public transport nodes, through the provision of appropriate infrastructure* *B. Provision has been made for ease of cycling, including secure bike storage and cyclist facilities* *C. It has been demonstrated that where a significant number of freight trips will be generated, the least environmentally damaging route will be utilised* D. *The use of Green Travel Plans has been encouraged, where appropriate".*	Each of the criteria have been considered and, where appropriate, assessed during the EIA process. Criteria C is likely to be of most relevance to the determination of the proposal, as any significant increases in traffic movements as a result of the Proposed Development would occur during the construction and decommissioning stages as development components are delivered to the site. The operational period is not likely to generate a significant numbers of trips.
CW2 - Amenity *"Development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:* *A. There is no unacceptable impact on the amenity of adjacent properties or land* *B. The proposal would not result in over-development of the site and / or its surroundings* *C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use* D. *Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development".*	This is a generic policy which seeks to protect the amenity of the environments which surround any development proposed in the county area. Each of the criteria have been considered and, where appropriate, assessed during the EIA process, relative to its relevance for wind farm development. Criteria A of this policy is likely to be most relevant to the Proposed Development due to its proximity to various settlements, particularly to the east. Owing to the policy requirement to prevent unacceptable impact on the amenity of properties, this policy is relevant in the determination of the proposal. Since policy criteria A is framed in terms of acceptability, this allows for a balance of benefits against potential adverse effects to be applied in the assessment.
CW3 - Design Considerations - Highways *Development proposals must satisfy the following highways requirements:* *A. The proposal has regard for the safe, effective, and efficient use of the transportation network* *B. The proposal ensures that new access roads within development proposals are designed to a standard that:* *i. Promotes the interests of pedestrians, cyclists and public transport before that of the private car, and* *ii. Safely and effectively accommodates the scale and nature of traffic, which those roads are intended to serve* *C. Parking, appropriate servicing and operational space have been provided in*	This is a generic policy which applies to all proposals across the county, and which seeks to protect the integrity of CCBC's highways and transportation network. Each of the criteria outlined have been considered and assessed during the EIA process, where applicable. Criteria A and D are of particular relevance to the assessment of the Proposed Development, however as with the commentary on Policy CW1, this would predominantly be relevant for the construction and decommissioning phases. As per criteria B, the Proposed Development has ensured access roads are designed appropriately to comply with this policy.

Policy	Comment
accordance with the CSS Wales Parking Standards 2008 *D. Where access onto a highway is required the proposal takes account of the restrictions relevant to the class of road as designated in the road hierarchy ensuring movements and speeds are controlled through appropriate design, in order to ensure highway safety and amenity".*	
CW4 - Natural Heritage Protection *"Development proposals that affect locally designated natural heritage features, will only be permitted:* *A. Where they conserve and where appropriate enhance the distinctive or characteristic features of the Special Landscape Area (SLA) or Visually Important Local Landscape (VILL).* *B. Within, or in close proximity to sites designated as Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), Regionally Important Geological Sites (RIGS), Green Corridors, or Local Priority Habitats and Species, where proposals either:* *i. Conserve and where appropriate enhance the ecological or geological importance of the designation, or* ii. *Are such that the need for the development outweighs the ecological importance of the site, and where harm is minimised by mitigation measures and offset as far as practicable by compensation measures designed to ensure that there is no reduction in the overall value of the area or feature".*	This policy seeks to protect natural heritage features which are locally designated from being adversely affected from development proposals in the county. Each of the criteria have been considered and assessed during the EIA process and the relevant environmental considerations have been addressed through the scheme's design. Of particular relevance with regard to locally designated natural heritage features are the following: > The Site overlaps with NH2.3 Abercarn VILL; and > There are two SINCs present across the Site (NH 3.138 Twmbarlwm, North of Risca and NH 3.113 Mynydd Maen, East of Newbridge). With regards to VILL, Criteria A requires conservation of the local designations. Conversely, with regards to SINCs, policy wording in criteria B allows for a balance of benefits against potential adverse effects to be applied, so long as appropriate mitigation measures are implemented.
CW5 - Protection of the Water Environment *"Development proposals will only be permitted where:* *A. They do not have an unacceptable adverse impact upon the water environment, and* B. *Where they would not pose an unacceptable risk to the quality of controlled waters (including groundwater and surface water)".*	This is a generic policy which applies to all proposals in the county area. It requires any development proposal to be well designed to minimise and mitigate any impacts on the water environment, including groundwater and surface water. This has been considered and assessed in the EIA process.
CW6 - Trees, Woodland and Hedgerow Protection *"Development proposals on sites containing trees, woodlands and hedgerows, or which are bordered by one of more such trees or hedgerows, will only be permitted provided that:*	This policy seeks to minimise the impacts of development proposals in the County area on woodland, trees and hedgerows. The impact of the Proposed Development on the areas of trees both onsite (in the southern area) and along the western Site boundary has been

Policy	Comment
A. *Where arboricultural surveys are required, they are submitted and approved, including any mitigation, compensation or management requirements, as part of the planning application.* B. *Root systems will be retained and adequately protected for the duration of all development activity on site.* C. *Development proposals have made all reasonable efforts to retain, protect and integrate trees, woodlands or hedgerows within the development site.* D. *Where trees, woodlands or hedgerows are removed, suitable replacements are provided where appropriate".*	considered and assessed during the EIA process.
CW15 - General Locational Constraints *"Development proposals will be considered against the following criteria, where they apply:* A. *Development proposals will not be permitted if they prejudice the implementation of wider comprehensive redevelopment or constrain the development of any adjacent site for its allocated land-use* B. *Within settlement boundaries proposals for all types of development accord with the role and function of the settlement within which they are located, and* C. *Outside settlement boundaries proposals will not be permitted unless the proposed development is either:* i. *Associated with either agriculture, forestry or the winning and working of minerals or* ii. *For the conversion, rehabilitation or replacement of rural buildings and dwellings, or* iii. *For recreation, leisure and tourism proposals that are suitable in a countryside location or* iv. *Associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere or Associated with the reclamation / treatment of derelict or contaminated land".*	This is a generic policy applying to all development proposed in the county area. Each criteria has been considered and, where appropriate, assessed as part of the EIA process. Criteria C of this policy is likely to be of the most relevance however, as a result of its location out with a settlement boundary.
CW22 - Locational Constraints - Minerals *"Development proposals which may impact on minerals safeguarding areas will be considered against the following requirements, as applicable:* A. *Proposals for permanent development uses within identified mineral safeguarding areas will not be approved unless:*	This policy seeks to protect areas which are safeguarded for their mineral resources. The Site falls within an area for safeguarding Sandstone, according to the CCLDP Proposals Map. As a development of a temporary nature, criteria B would be applicable to the Proposed Development. The Proposed Development

Policy	Comment
i. *The applicant can demonstrate that the mineral is no longer of any value or potential value, or* ii. *The mineral can be extracted satisfactorily prior to the development taking place, or* iii. *There is an overriding need for the development, or* iv. *The development comprises infill development within a built up area or householder development or an extension to an existing building* B. *Proposals for development uses of a temporary nature within identified mineral safeguarding areas will not be approved unless they can be completed and the site restored to a condition that does not inhibit mineral extraction within the timescale that the mineral is likely to be needed".*	would be implemented and restored without impeding any necessary extraction of sandstone. Policy wording is restrictive however as it does not allow for demonstration of an overriding need.
NH2 - Visually Important Local Landscapes *"Visually Important Local Landscapes are identified and will be protected at the following locations:* *NH2.3 Abercarn* *NH2.4 Rudry".*	This policy lists all the VILLs designated across CCBC which the CCLDP seeks to protect. As the Site overlaps with NH2.3 Abercarn VILL, the Proposed Development through the landscape and visual assessment (within the ES) demonstrates how it does not adversely affect the designation, as per the commentary for Policy CW4 - Natural Heritage Protection.
NH3 - Sites of Importance for Nature Conservation (SINCs) *"Sites of Importance for Nature Conservation will protected in the following locations:* *…* *NH 3.113 Mynydd Maen, East of Newbridge* *…* *NH 3.138 Twmbarlwm, North of Risca"*	This policy lists all the SINCs designated across CCBC which the CCLDP seeks to protect. Since there are two SINCs present across the Site (NH 3.138 Twmbarlwm, North of Risca and NH 3.113 Mynydd Maen, East of Newbridge), the Proposed Development demonstrates how it does not unacceptably affect either designation, as per the commentary for Policy CW4 - Natural Heritage Protection and SP10 - Conservation of Natural Heritage.
TR1 - Cycle Routes *"Land will be safeguarded to facilitate the following improvements to the cycle route network:* *TR1.13 Rhymney Valley Linear Cycle Route - Heads of the Valleys to Bedwas / Caerphilly, Southern* *TR1.14 Caerphilly Basin Radial Routes* *TR1.15 Link from Crosskeys NCN47 to Newbridge"*	This policy safeguards land across CCBC in order to ensure the listed cycle rotes can be improved. Cycle route TR1.15 (Link from Crosskeys NCN47 to Newbridge) edges the north-western boundary of the site. The Proposed Development would not affect the ability to improve the cycle route in the future.

Table 2 Caerphilly County Borough Council Supplementary Planning Guidance

Document	Comment
Trees and Development (2017) Only one SPG produced by CCBC is deemed relevant to the Proposed Development. The *'Trees and Development'* SPG was adopted in January 2017. The guidance is intended to guide developers who are preparing planning applications with regards to retaining trees on site where possible and with regards to designing to allow newly planted trees to flourish. The SPG relates to the provision of natural features within new development and is prepared to support policies SP10, CW6 and SP6 of the CCLDP.	Guidance and advice regarding the different arboriculture surveys required to be undertaken and different arboriculture reports required to be submitted with different types of planning applications are discussed and described in detail in the SPG. Advice is also provided on the different stages of the development process with regard to retaining and introducing trees, including information on the pre-application stage and the design stages of development. There are areas of woodland around the western edges of the site and some areas of woodland within the site boundary to the south.

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