

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

4 March 2021

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES BRIDGEND CBC LOCAL PLANNING AUTHORITY

DEVELOPMENT OF NATIONAL SIGNIFICANCE

APPLICATION BY RENEWABLE ENERGY SYSTEMS LTD AT UPPER OGMORE, BETWEEN ABERGWYNFI, BLAENGARW AND NANT-Y-MOEL, IN BRIDGEND AND NEATH PORT TALBOT

LOCAL IMPACT REPORT ON BEHALF OF THE LOCAL PLANNING AUTHORITY

1. Purpose of Report

- 1.1 This report seeks to advise Members of a Local Impact Report that has been prepared (and submitted to the Planning Inspectorate) by the Local Planning Authority for seven wind turbines (between 130m and 149.9m tip height) and associated works on 362 ha of land in the vicinity of the summit of Werfa.
- 1.2 The development is classed as a Development of National Significance (DNS).

2. Connection to Corporate Improvement Plan/Other Corporate Priorities

- 2.1 The delivery of the County Borough's statutory Planning function has links to the Council's corporate priorities in particular number 1 – supporting a successful economy.

3. Background

- 3.1 The purpose of the DNS process is to ensure timely decisions are made on those Planning applications that are of the greatest significance to Wales because of their potential benefits and impacts.
- 3.2 Applications are submitted to the Planning Inspectorate Wales for consideration by an appointed Inspector. The appointed Inspector will then consider evidence from the applicant, the Local Planning Authority and other statutory consultees and interested parties before making a recommendation to the Welsh Ministers.
- 3.3 For a project to qualify as a DNS certain thresholds and criteria apply. As of 1 April 2019 the DNS thresholds related to renewable energy schemes have been extended. As a result all energy generation projects of between 10MW and 350MW are now captured by the DNS system.
- 3.4 This Local Impact Report (LIR) has been prepared to meet the requirements of Section 62K of the Town & Country Planning Act 1990 and Regulation 25 of the Developments of National Significance (Procedure) (Wales) Order 2016.

- 3.5 The LIR has been prepared to inform the Planning Inspectorate of the likely impact of the proposed development on the area. The report is a factual document and is based on local knowledge and evidence of local issues. There is also an opportunity for the Local Planning Authority to comment on the DNS application.
- 3.6 The LIR sets out:-
- The likely impact of the development on the area
 - The Planning History for the site
 - Local designations relevant to the site/surroundings
 - The likely impact of any application in relation to a secondary consent being granted
 - Any relevant local Planning policies, guidance or other documents
 - Draft conditions or obligations which the Local Planning Authority considers necessary for mitigating any likely impacts of the development
 - Evidence of the Publicity undertaken by the Local Planning Authority in accordance with the Procedure Order, i.e. a copy of the Site Notice, photographs of the Site Notice on display and a map showing the location of the Site Notice
- 3.7 A copy of the LIR is attached as an Appendix to this report.

4. Next Steps

- 4.1 The proposed development can be viewed and the Planning Inspectorate has published all representations and the LIR to the Developments of National Significance website
(<https://dns.planninginspectorate.gov.uk/projects/wales/upper-ogmore-wind-turbines/?ipcsection=overview>)
- 4.2 The appointed Inspector (Richard E Jenkins) has considered the LIR and all representations received and has determined that Hearing sessions are required in order to discuss several aspects of the submission.
- 4.3 On 10 February 2021 the Planning Inspectorate received a proposal to vary the above DNS application under Article 27 of The Developments of National Significance (Procedure) (Wales) Order 2016 ('the 2016 Order'). The variation relates to:-
- (i) clarification of the site address and description of development and
 - (ii) a minor amendment to vary the Planning application boundary alongside the access track.
- 4.4 The Inspector has reviewed the proposal and does not consider that the proposed variation would represent a substantial change to the nature of the development proposed. The proposed variation has therefore been accepted under Article 27(5) of the 2016 Order.
- 4.5 Despite indicating that no further information is necessary, the applicant may under the provisions of Article 27(7) of the Procedure Order formally submit further details in respect of the proposed variation within 28 days from the date

of this notification. Any such submission must be sent to the Planning Inspectorate and the relevant Local Planning Authorities (LPAs) and must be received no later than Wednesday 17 March 2021.

5. Wellbeing of Future Generations (Wales) Act 2015

5.1 The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

5.2 The duty has been considered in the production of this report.

6. Recommendation

6.1 That Members note the content of this report and the LIR.

Janine Nightingale
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

Contact Officer

Mr. Philip Thomas

Principal Planning Officer

Telephone Number: 01656 643173 e-mail: phil.thomas2@bridgend.gov.uk

Background Papers

Appendix 1 - Local Impact Report

Bridgend County Borough Council
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

LOCAL IMPACT REPORT
ON BEHALF OF THE LOCAL PLANNING AUTHORITY

Town & Country Planning Act 1990
The Developments of National Significance
(Wales) Regulations 2016
The Developments of National Significance
(Procedure) (Wales) Order 2016

Application by Renewable Energy Systems Ltd
Site Address: Upper Ogmore, between Abergwynfi, Blaengarw and
Nant-y-Moel, in Bridgend and Neath Port Talbot

Local Planning Authority Reference: P/20/893/DNS
Planning Inspectorate Reference: DNS/3213662

Contents

Introduction	3
The Site and Surroundings	4
The Proposed Development	4
Planning History	6
Local Designations	8
Local Development Plan Policies	9
Publicity of the Application	15
Impact of the Development on the Area	15
Summary	30
Suggested Conditions	30

Appendices

Appendix A	Copy of 2001 Appeal Decision – A/02/1097582 – Wind Farm – 11 turbines – Site at Werfa, Nanty Moel
Appendix B	Copy of Planning Permission P/10/844/FUL – Llynfi Afan
Appendix C	Extract from Designation of Special Landscape Areas – March 2010
Appendix D	Copies of Relevant Local Development Plan Policies
Appendix E	Extracts from Landscape Character Assessment
Appendix F	Extract Plan from SPG: 20 identifying the boundaries of the relevant Landscape Character Areas and the Northern Uplands Special Landscape Area.
Appendix G	Photographs of Site Notices
Appendix H	Plan identifying position of site notices
Appendix I	Copy of Observations Received from Shared Regulatory Services

1.0 INTRODUCTION

1.1 This Local Impact Report (LIR) has been prepared by Bridgend County Borough Council's Local Planning Authority (LPA) to meet the requirements of Section 62K of the 1990 Act, and Regulation 25 of the Developments of National Significance (Procedure) (Wales) Order 2016.

1.2 The LIR has been prepared to inform the Planning Inspectorate of the likely impact of the proposed development on the area. The report is based on local knowledge and evidence of local issues.

1.3 In accordance with Section 62K, the LIR will set out as a minimum: -

- The likely impact of the development on the area
- The Planning History for the site
- Local designations relevant to the site/surroundings
- The likely impact of any application in relation to a secondary consent being granted
- Any relevant local planning policies, guidance or other documents
- Draft conditions or obligations which the LPA considers necessary for mitigating any likely impacts of the development
- Evidence of the Publicity undertaken by the LPA in accordance with the Procedure Order, i.e. a copy of the Site Notice, photographs of the Site Notice on display and a map showing the location of the Site Notice.

1.4 This LIR is reliant upon information available within the submitted documents and prior knowledge of the site. The LIR takes note of the relevant procedural guidance contained at Appendix 5 of the Welsh Government's 'Guidance on Developments of National Significance'.

1.5 The LIR is a factual document that should not weigh evidence or make recommendations but should state whether impacts are anticipated to be positive, negative or neutral. As such this LIR will not qualify impacts beyond those words since to do so would be to apply weighting which is expressly excluded in the relevant advice.

2.0 SITE AND SURROUNDINGS

2.1 The application site extends to some 362 hectares, is located in the vicinity of the summit of Werfa, which at 568m AOD is the highest point within the Bridgend County Borough area.

2.2 In a 2001 appeal decision against a refusal of planning permission for a wind farm development on this site, (**Appendix A refers**) the Inspector described the site as being... *"At the head of the steep sided ridge lines radiating out in all directions for some miles; it is strongly characterised by its openness, forming the head of a bare sweep of mountain plateau which contrast strongly with the steep, partly forested valley sides and the urban areas on the valley floors"*.

2.3 The description still has merit although it was offered before the development of the Llynfi Afan wind farm which lies adjacent to the application site.

2.4 The ES indicates that from this high point of Werfa, the plateau slopes gently down in all directions, though only marginally to the northern boundary which follows the administrative boundary across the upland. On the other sides the plateau drops sharply at the valley edges. In the south-west the site includes the upper slopes of the head of the Garw Valley, down to an elevation of around 300m. To the south, the high ground extends beyond the site along the long ridge of Mynydd Llangeinwyr. The eastern part of the site occupies the narrow cwms at the head of the Ogmore Valley, and narrow upland ridges between. Small watercourses drain the site to south-east and southwest.

2.5. The ES continues, *“Land cover consists of upland grassland, used as rough grazing. The boundary adjoins coniferous plantations to east, west and north, but there is no woodland on site. The only enclosures are in the eastern part of the site and comprise post and wire fencing. The summit of Werfa features an OS trig point, and two communications masts within a fenced compound. The compound is accessed via a track from the A4107, and serviced by a low-voltage overhead power line on wood poles which runs from the Garw Valley. A series of vertical axis wind turbines were formerly located to the south of the masts, but only the foundations now remain. To the west and north the turbines of Llynfi Afan Wind Farm are located along the Werfa ridge.*

2.6 *There are several public rights of way crossing the site, including a bridle path linking Cwmparc with the Garw Valley, and footpaths linking to the other surrounding valleys, and following the ridge of Mynydd Llangeinwyr south. Being unenclosed upland grazing, the majority of the site is open access land, with the exception of the enclosed pastures in the east.*

2.7 *The north-east boundary follows the A4107, which connects the Afan Valley with the A4106, which in turn connects the Ogmore Valley with the Rhondda Valley. Both roads feature a series of hairpins as they traverse the steep hills. The junction of the two roads at Bwlch has a car park and is marked as a viewpoint on OS maps, having a prospect north-east towards Treorchy and away from the site.*

2.8 *The planning application boundary also includes approximately 3.6 km of access track to the north of the Wind Farm site, which will be used as part of the abnormal load access route. This existing forest track runs between stands of commercial conifer plantation, and the boundary includes an existing borrow pit.”*

2.9 The site and immediate surroundings are fully discussed in the ES.

3.0 THE PROPOSED DEVELOPMENT

3.1 The proposed development is described in paragraph 3.8 of the Environmental Statement (ES) as comprising the following:

- Seven three-bladed horizontal axis wind turbines, four of up to 149.9 m tip height (Turbines T3, T4, T5 and T7) and three of up to 130 m tip height, (Turbines T1, T2 and T6).

- Turbine foundations
- Hardstanding areas at each turbine location for use by cranes erecting and maintaining the turbines
- Approximately 4.3 km of new access track
- An upgraded site entrance off the public road
- Wind farm substation compound containing electrical apparatus and a control building
- Energy storage containers
- On-site electrical and control network of underground (buried) cables
- Temporary construction compound
- Permanent and temporary drainage works
- Two borrow pits
- Off-site road improvement works along forestry track and possible short diversion of the forestry track
- Associated forestry felling
- Temporary and permanent diversions to public rights of way
- Secondary application under section 16 of the Common Act 2006 will be submitted in association with this primary application
- Associated ancillary works

3.2 A new site access will be created into the development site on the southern side of the A4107, (Figure 3.9 refers). No construction traffic is proposed to enter the site from the south along the A4061 with this Council identifying at pre-application stage, a number of issues with bridges and slip planes on the local network. It is noted that prior to construction commencing, a Construction Traffic Management Plan (CTMP) will be submitted.

3.3 Paragraph 3.41 of the ES indicates that the proposed development includes a permanent diversion to bridleway BW64 Garw Valley and footpath FP103 Garw Valley, both of which run through the application site, in order to maintain a suitable distance from the proposed wind turbines. In addition, a temporary diversion to footpath FP31 Ogmore Valley is proposed to maintain a suitable set back distance from the borrow pits.

3.4 It is anticipated that construction of the Wind Farm would take 10 months. Construction of the Energy Storage Facility would take approximately six months which, due to grid constraints, is likely to take place at a later date than the Wind Farm. Construction works are proposed to take place between the hours of 0700-1900 Monday to Friday and 0700 – 1300 on Saturdays. Outside these hours, work at the site shall be limited to turbine erection, testing/commissioning works and emergency works.

3.5 As a result of the proposed development, the applicant company are seeking to de-register 16.81 ha of common land to make way for the wind farm infrastructure and temporary construction area. To off-set this, the applicant has secured 16.81 ha of replacement land directly bordering the existing common, which will be available from the start of construction. The habitat of the replacement land is semi-improved grassland with areas of improved grassland, marshy grassland and flush habitats. The replacement land would develop into an acid and marshy grassland mosaic, reflective of the common land occupied by the proposed development, when taken out of active agricultural improvement be available from the start of construction.

4.0 PLANNING HISTORY

The following table of the relevant application and appeal is reproduced below:

RELEVANT PLANNING HISTORY – APPLICATION SITE

APPLICATION/APEAL NUMBER	APPLICANT	PROPOSAL	DECISION AND DATE
P/01/887/FUL	Amec wind	Wind Farm 19 Turbines 2 Monitoring Masts, Access, Building Etc (With Environmental Impact Assessment)	Refused on 19 th March 2002
APPEAL REF: A/02/1097582	Amec Wind	Appeal against the refusal of planning permission P/01/887/FUL for a wind farm comprising the erection of 11 wind turbines, 1 wind monitoring mast (50m high), associated cable runs, construction and improvement of associated accesses, site buildings and site compound.	Appeal DISMISSED on 25 th August 2004 (Appeal Decision attached as Appendix A).
P/05/1701/FUL	Networks by Wireless	Install Communications Equipment to include 600Mm Microwave Dishes & One 300Mm Microwave Dish	Unconditional Consent on 26 th January 2006
P/11/352/SOR	G2 Energy	The proposal related to the erection of a single 500 kVA wind turbine with a maximum tip height of 78 metres. G2 were seeking a 'screening opinion' as to whether the development required an Environmental Impact Assessment.	On 7 th July 2011, BCBC issued an opinion that an Environmental Impact Assessment was required.

P/16/546/FUL	RES Ltd	Erect a temporary meteorological mast with a maximum height of 81.5m for a period of up to 2 years	Temporary Consent issued on 13 th September 2016 requiring the mast to be removed from the site on or before 31 st December 2018.
P/18/213/ESO	RES Ltd	Request for scoping opinion for proposed wind farm of 8 wind turbines and battery energy storage system	Scoping Opinion issued on 3 rd May 2018
P/18/901/RLX	RES Ltd	Application to vary condition1 of P/16/546/FUL to extend the period of the temporary permission until 30 th June 2019	Consent Issued on 8 th January 2019.
P/19/859/RLX	RES Ltd	Application to vary condition1 of P/18/901/RLX to extend the period of the temporary permission until 31 st March 2020.	Consent Issued on 28 th January 2020.
RELEVANT PLANNING HISTORY – ADJACENT TO APPLICATION SITE			
P/06/1405/ESO	RPS on behalf of Gamesa Energy UK Ltd	Request for scoping opinion for a Renewable Energy Park comprising 14 wind turbines, photovoltaic panels and other ancillary development.	Scoping Opinion issued on 12 th December 2006
P/10/844/FUL	Gamesa Energy UK Ltd	Proposal for the erection of 15 Wind Turbines (3 in Bridgend County Borough Council), Substation, Upgrade existing tracks and associated infrastructure.	Conditional Consent issued on 18 th July 2013. (Decision notice attached as Appendix B)
P/11/92/OBS	Neath Port Talbot Council	Request for observations by Neath Port Talbot Council for the erection of 15 Wind Turbines, Substation, Upgrade existing tracks and associated infrastructure.	Decision of 'No objection' offered on 19 th December 2011
P/15/34/NMA	Gamesa Energy UK Limited	Request non-material amendment to re-locate substation in connection with P/10/844/FUL	Agreed on 17 th February 2015
P/18/285/DOC	Gamesa Energy UK Limited	Approval of details for condition 29 of P/10/844/FUL	Agreed on 12 th September 2018.

5.0 LOCAL DESIGNATIONS

5.1 The site lies in the open countryside for policy interpretation purposes and forms part of the Northern Upland Special Landscape Area. Such areas are recognised as being unique, exceptional or distinctive to the county borough. In a document titled – Designation of Special Landscape Areas – March 2010 produced by TACP on behalf of Bridgend County Borough Council, the Primary Landscape Qualities and Features of the Northern Uplands are described as follows:

“An open upland ridge landscape lying between approximately 250m and 550m AOD. The western half of the SLA consists of unenclosed uplands with easterly (in Ogmores Valley) and westerly (in Garw Valley) facing slopes of relatively narrow valleys, with boundaries of urban/rural interface on lower valley slopes. The Upper Ogmores Valley exhibits the classic characteristics of glaciation, namely a U-shaped valley which is interspersed with minor truncated spurs and small hanging side valleys. The busy A4064 that follows the river course along the Afon Garw floor is a slight visual and sensory detractor due to noise and movement of traffic. Panoramic and sometimes dramatic views over upland and adjoining valleys.

The eastern half of the SLA has steep westerly facing slopes of the quite narrow valley (Ogmores), with views across the urban area (Ogmores Vale, Pricetown) on the valley floor with which it has an urban/rural interface. Attractive upland views within and out over Ogmores Vale and to other upland areas that survive largely intact and unaffected by modern afforestation. Wind noise is a dominant aesthetic factor which evokes particular experience of exposure and wildness. Some visual clutter of pylons slightly detracts from this otherwise wild/exposed typical upland area with a strong sense of place. Not remote as close to valleys and their associated urban areas.

Predominant land cover of rough grazing and bracken, rock outcrops to the east and with some old stone walls. With acid grassland, heath and internationally important blanket bog habitats and including Cwm Cyffog SSSI. Lower Ogmores Valley includes some patchy broadleaved woodland and at Ogmores Vale the Aber Woods Ogmores Valley looking south from A4061/Aber Road Ancient Woodland SINC, whilst the northern end of the SLA includes the conifer plantations, including Cwm Nant-y-moel and the area around Nant-y-moel itself.”

Appendix C is an extract from the Designation of Special Landscape Areas – March 2010 document that includes a location plan and cross reference to LANDMAP Information System.

5.2 The application site is also located on a sandstone resource which is afforded a level of protection under Policy ENV9 which states:

'Development proposals within mineral safeguarding areas, either permanent or temporary, will need to demonstrate that:

1. If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and

2. *In the case of residential development, the scale and location of the development e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and*

3. *In the case of temporary development, it can be implemented and the site restored within the timescale the mineral is likely to be required'.*

The policy accepts that temporary development will be acceptable where the proposal can be implemented and the site restored within the timescales the mineral is likely to be required.

5.3 There are no statutory sites of nature conservation interest within the application site but there are 4 within the study area. The nearest internationally important site in Bridgend is the Blackmill Woodlands Special Area of Conservation (SAC) and SSSI which is located approximately 7.2 km south of the site.

5.4 There are eight local authority designated Sites of Importance for Nature Conservation (SINCs) within 2 km of the site, four of which are in Bridgend County Borough Council. The nearest is the Blaengarw North-East SINC which lies adjacent to the site boundary. The SINC comprises semi-improved neutral grassland, dense continuous scrub, semi-improved acid grassland, wet dwarf shrub heath, marsh/marshy grassland, acid/neutral flush. The proposed development will not extend beyond the developable boundary, and it is understood that the ground works will be approximately 1 km distant from the Blaengarw North-East SINC at its nearest point.

6.0 LOCAL DEVELOPMENT PLAN POLICIES

6.1 Section 54A of the Town & Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that all planning applications are determined in accordance with the relevant development plan policies, unless material considerations indicate otherwise.

6.2 In September 2013, Bridgend County Council adopted the Local Development Plan (LDP), and as such, this proposal would need to be in accordance with the requirements of this LDP and National Planning Policy.

6.3 The LDP Policies which are relevant to this case include the following:

Strategic Policies

SP2 Design and Sustainable Place Making

SP3 Strategic Transport Planning Principles

SP4 Conservation and Enhancement of the Natural Environment

SP5 Conservation of the Built and Historic Environment

SP6 Minerals

SP8 Renewable Energy

Development Management Policies

PLA4 Climate Change and Peak Oil

PLA5 Development in Transport Corridors
PLA9 Development Affecting Public Rights of Way
PLA11 Parking Standards
ENV1 Development in the Countryside
ENV3 Special Landscape Areas – (2) – Northern Uplands
ENV4 Local/Regional Nature Conservation Sites
ENV5 Green Infrastructure
ENV6 Nature Conservation
ENV7 Natural Resource Protection and Public Health
ENV9 Development in Mineral Safeguarding Areas
ENV18 Renewable Energy Developments

The relevant LDP Policies are attached in **Appendix D**.

6.4 The Council considers that the Bridgend Local Development Plan contains sufficient information and policies to provide the basis for the determination of all planning applications through the development control process. Nevertheless, the Council has produced the following supplementary planning guidance which will should also be considered:

6.5 SPG 19 Biodiversity and Development – A Green Infrastructure Approach. Sustainable Energy - The purpose of this Supplementary Planning Guidance (SPG) is to expand upon the Council's existing planning policies on biodiversity and green infrastructure contained within the adopted Local Development Plan (LDP). It outlines how the Council will expect habitats to be considered as part of development proposals within the County Borough of Bridgend. It also introduces the concept of adopting a Green Infrastructure Approach to development. This document has been formulated as a result of close cooperation between the Planning and Regeneration departments of the Council and Natural Resources Wales, all of which will be involved in the negotiations for protecting and enhancing green infrastructure through the planning system. This SPG was adopted by Bridgend County Borough Council at its meeting on 16th July 2014 and can be viewed in full at the following link:

<https://www.bridgend.gov.uk/media/1840/final-green-infrastructure-spg-for-web.pdf>

6.6 The SPG is in two parts. Part A defines 'Green Infrastructure', in the context of local policies, considers its benefits and how they can be 'built' upon and Part B which is specific design guidance which identifies special areas and species that are subject to protection and how biodiversity should be incorporated into new developments. The importance of survey work is highlighted as is the approach to avoid impacts where possible. Compensation will only be considered where the developer/applicant has satisfactorily demonstrated that avoidance and mitigation are not possible and the compensatory measures result in no net loss of habitat. Replacing habitats off-site should always be a last resort and as much natural value as possible should remain on-site. This is not only for wildlife but also for people living on or nearby the site. Green infrastructure provides numerous benefits and its removal from a locality could result in a loss of benefit and function for the local community.

6.7 SPG 20 Renewables in the Landscape is part of a suite of Green Infrastructure SPGs produced by the Council to echo the emerging principles of Natural Resources Wales: promoting the strategic management and planning of landscapes to deliver multiple (social, economic and environmental) benefits. This Renewables in the Landscape SPG recognises that the varied landscapes of Bridgend County Borough have a significant economic, social and community value, contributing to a sense of identity, well-being, enjoyment and inspiration. At the same time, many parts of the landscape have good conditions to produce wind and solar energy which are already being capitalised upon through the installation of related developments.

6.8 The Council recognises these opportunities and understands the need to maximise renewable energy generation, which can also have environmental, economic, social and other benefits. However, the development of wind and solar electricity generating installations within the county borough needs to be managed carefully to achieve the greatest contribution towards energy needs, while at the same time ensuring that the valued characteristics of the landscape are not unacceptably harmed.

6.9 In order to help understand how best to design and site wind and solar PV developments at the right scale and in the right places, this SPG includes an assessment of the sensitivity of the County Borough's landscapes to different scales of wind and solar photovoltaic energy developments. It also includes general guidance for developers to follow when planning and designing schemes, as well as specific information tailored to each of Bridgend's 15 Landscape Character Areas to reflect local variations in landscape character.

6.10 This SPG provides evidence to support LDP policies including SP2: Design and Sustainable Place Making, SP4: Conservation and Enhancement of the Natural Environment and SP8: Renewable Energy.

6.11 This SPG was adopted by Bridgend County Borough Council at its meeting on 16th December 2015 and can be viewed in full at the following link:

<https://www.bridgend.gov.uk/media/1857/spg20-renewables-in-the-landscape.pdf>

6.12 The Landscape Character Assessment for Bridgend County Borough (July 2013) is based on a spatial framework of fifteen Landscape Character Areas (LCAs). LCAs are defined as: "Single unique areas of landscape character, each with its own unique character and identity".

The application site is within and affected by four landscape character areas:

- Mynydd Llangeinwyr Uplands
- Ogmere Valley Floor & Lower Slopes
- Garw Valley Floor and Lower Slopes
- Llynfi & Garw Uplands and Forestry

The descriptions, evaluations and landscape sensitivities and guidelines for each of the character areas listed above are reproduced as **Appendix E**. The full document can be viewed at the following link:

<https://www.bridgend.gov.uk/media/1149/bridgend-landscape-character-assessment.pdf>

The Landscape Character Assessment for Bridgend County Borough (July 2013) provides the evidence base for SPG 20 and allows planners and developers to consider the character and sensitivity of the different landscapes of the County Borough when considering new developments. This SPG draws on the information provided in the Landscape Character Assessment and uses the same framework of fifteen Landscape Character Areas (LCAs) to assess the varying levels of sensitivity to wind energy developments and field-scale solar PV.

It is the Council’s view that the targets and policies for renewable energy need to be carefully balanced with policies that seek to protect and enhance landscape character and distinctiveness.

Figure 2.2 from the SPG identifies the boundaries of the relevant Landscape Character Areas and the Northern Uplands Special Landscape Area, (Policy ENV3 (2) refers. This is reproduced as **Appendix F** to this statement.

The methods for assessing Landscape Sensitivity to Renewable Energy Developments are set out in paragraphs 2.16 to 2.20. Tables within the document provides information on the criteria that have been used for the assessment of landscape sensitivity to the principle of wind energy development (of any size). The results of the assessment are a summary of landscape sensitivity to the principle of the renewable energy development for each Landscape Character Area.

Figure 3.5 in the SPG confirms that for all the landscape character areas referred to in paragraph 6.12 above, the Landscape Sensitivity to Very Large Wind Energy Developments (between 111m to 150m high) is HIGH.

Chapter 4 of the SPG provide a robust evidence base for informing future planning and management decisions on renewable energy developments across the County Borough and uses the framework of the 15 Landscape Character Areas (LCAs) to provide an assessment of sensitivity to such developments that is strongly linked to local landscape character.

The Landscape Sensitivity Assessment for Wind Energy Development on Mynydd Llangeinwyr Uplands is detailed in the table below:

Criteria	Landscape attributes and descriptions
Landform and scale	Large-scale upland landscape between the Garw and Ogmore valleys, forming an exposed plateau with prominent tors and ridgeline of the Craig Ogwr in the north-east.
Land cover pattern and presence of human scale features	The main land cover is unenclosed rough grazing, with tracts of valuable semi-natural upland habitats such as acid grassland with patches of heathland, scrub, marshy grassland and flushes. In the south, the landscape comprises irregular medium to large pastures. Woodland is limited to coniferous plantations and belts of woodland in the lower reaches of the LCA along field boundaries. Settlement in the landscape is sparse and minimal, with the main settlement at the small village of

	<p>Llangeinor.</p> <p>Human scale features are sparse on the higher ground, but more frequent at lower elevations, including trees, hedgerows, stone walls and occasional farmsteads.</p>
Historic landscape character	<p>Notable prehistoric features are found in this landscape in the form of round barrows, cairns and dykes on hill summits. Several of these are Scheduled Monuments. Additionally, the settlement of Llangeinor is a designated Conservation Area.</p>
Skylines	<p>The landscape is defined by its open, elevated skylines occasionally marked by historic monuments and the lines of plantations. These are strongly visible from the surrounding landscapes, forming an upland backdrop to nearby valley settlements including Blaengarw, Price Town, Lewistown and Pant-yr-Awel, as well as Bridgend and Bettws from the south. Telecommunications masts mark the high summit of Werfa and the hill above Blackmill.</p>
Key views and vistas	<p>There are panoramic views afforded from this LCA across the County Borough and beyond, including north towards the Brecon Beacons and south across the Bristol Channel and towards Exmoor. Telecommunications masts within and existing wind farms outside the County Borough form man-made landmarks (including Ffynnon Oer in Neath Port Talbot; Maerdy and Ferndale in Rhondda Cynon Taf).</p>
Scenic and special qualities	<p><u>85% of this LCA is contained within the Northern Uplands Special Landscape Area, designated for its largely intact, attractive upland views and important upland semi-natural habitats.</u></p> <p>The sensitive features of this landscape, as recorded in the LCA description, include its open, remote and wild character, prominent geological features, valued upland habitats, prehistoric features and long, uninterrupted views to the Brecon Beacons and Bristol Channel. Some of these could be affected to a degree by wind energy development.</p>
Perceptual qualities	<p>The majority of the LCA is a remote and exposed upland landscape, with some of the lower fringing areas impacted in parts by views of existing development. The south of the LCA includes more human influence in the form of enclosed pastoral farmland interspersed with open common land (e.g. Bryn-y-Wrach).</p>
Summary of landscape sensitivity	<p>Although this is a large-scale landscape with some skylines already marked by man-made structures, its overall open, remote and wild character, role as an upland backdrop to views from adjacent settlements and landscapes, the presence of nationally important historic landmarks on elevated sites and valued areas of semi-natural habitat all increase sensitivity to wind energy development.</p> <p>The following locational variations of sensitivity should be taken into account: The enclosed land in the south and outside the Northern Uplands SLA would be particularly sensitive to turbines of medium-scale or above, due to the presence of more frequent human-scale features and intricate landscape patterns</p>
Sensitivity to	

different turbine heights	Very large (111-150m) - HIGH
---------------------------	-------------------------------------

Strategy and guidance for wind energy development as it relates to this Landscape Character Area (LCA) is also provided as part of the SPG and should be considered in the assessment of any application. The SPG does note that at the time of the assessment there were no permitted or operational wind turbine schemes in this LCA. Specific guidance for single and multiple developments within the Landscape Character area is provided:

- The characteristic remote and undeveloped character of the landscape is protected.
- The important areas of upland habitat and commons are avoided as the sites for wind turbines or ancillary developments, including blanket bog, heathland, acid grassland, scrub and marshy grassland.
- The heritage assets within the landscape are protected, including nationally important prehistoric cairns on hill summits, and the Conservation Area of Llangeinor.
- Wind turbines do not impact upon the spectacular, uninterrupted panoramic views from the LCA, including north to the Brecon Beacons and south over the County Borough towards the Bristol Channel (and across to Exmoor in clear conditions).
- Opportunities are sought to adopt a Green Infrastructure approach for all development.

The guidance recognises that changes to landscape character are accepted within the Strategic Search areas defined in the Welsh Government guidance, outside such areas, wind farm development should:

- Collectively not become a key characteristic or have a defining influence on the character of the landscape as summarised in the 'Key landscape Characteristics' section
- Be of a similar scale and design (in terms of siting, layout, form and relationship to key characteristics) to maintain a simple image and reinforce links between landscape characteristics and design response

7.0 PUBLICITY OF THE APPLICATION

7.1 By letter dated 10th December 2020, PINS confirmed that the application had been accepted by them as valid and the application process had commenced.

7.2 Bridgend County Borough Council can confirm that the documents required to be placed on the planning register, and described in the PINS validation letter, were placed on the planning register within the required 5 working days. Therefore, the LPA submits that they have complied with Regulation 20 of The Order.

7.3 BCBC can also confirm that the site notices were erected onsite on 17th December 2020. BCBC therefore submits that it is compliant with Regulation 19 and Regulation 25 (2) (c) of The Order. Photographic evidence of the erection of the site notices can be found in **Appendix G**.

Appendix H outlines a plan with an indication of where the site notices were erected.

8.0 IMPACT OF THE DEVELOPMENT ON THE AREA

8.1 This section of the report will examine the Local Impacts of the Development as they relate to Bridgend County Borough Council. The discussion will be confined to the following areas:

- Landscape and Visual Impact
- Traffic, Transportation and Access
- Ecology
- Acoustics
- Heritage
- Shadow Flicker
- Hydrology and Surface Water Assessment

9.0 Landscape and Visual Impact

9.1 Chapter 5 of the ES considers the effects of the proposed development on landscape character and visual amenity. It has been undertaken in accordance with all relevant published guidance on the topic, and has involved desk and field based assessments. The approach and scope of the assessment was agreed through scoping and through consultation with this Council. The objectives of the chapter are clearly stated in paragraph 5.11. A comprehensive review of the relevant policy and legislation is included and the assessment methodology appears to follow best practice and the relevant guidance.

9.2 The Landscape Baseline which is described through paragraphs 5.60 to 5.76 is accurate and references LANDMAP and the specific character assessments and sensitive studies that are particularly relevant to Bridgend County Borough Council.

9.3 Significant effects on landscape are predicted to occur across the site, where the introduction of seven large turbines will give rise to a major (significant) effect.

The effects of the access tracks, substation, control building and energy storage facility will be more localised but will contribute to this major effect at the site level.

9.4 Appendix 5.4 to the ES provides a detailed assessment of effects on Landscape Character with reference to the specific receptors being the Landscape Character Areas. The Inspector's attention is drawn to Table 5.4.3 which consider the effects on Mynydd Llangeinwyr Uplands LCA. The assessor's summary is that...

*“Overall, considering the scale, extent and duration of the change to the baseline, and the value placed on the resource, the level of effect is judged to be **major** (significant).”*

9.5 This is on the basis that the turbines, tracks and ancillary structures will be a new feature in this LCA, in an area of presently open upland grassland. The presence of the turbines will be apparent from across much of this LCA, although there are areas to the south where they will not be seen. The Proposed Development would generally be seen in northward views, in the context of existing man-made structures in the surrounding landscape, including Llynfi Afan and the communications mast, but would be more apparent in the view, and could draw further attention to this element of local character. (See Viewpoint 10). The scale of the effect would be large.

9.6 The table in Appendix 5.4 includes a review of other Landscape Character Areas within the study area in Bridgend County Borough Council.

9.7 Effects on Ogmores Valley Floor and Lower Slopes (Bridgend LCA 7) are judged to be moderate-significant based on the scale and extent of the change and the relationship with other wind turbines on the skyline. This is particularly in the northern part of the LCA around Nantymoel and Price Town where Turbines 3, 5 and 6 will be prominent (Viewpoint 6 refers).

9.8 Effects on Garw Valley Floor and Lower Slopes (Bridgend LCA 5) are judged to be moderate-significant considering the scale and extent of the change, and the appearance of the turbines on skyline. This is particularly in the northern part of the LCA around Blaengarw.

9.9 Paragraph 5.119 recognises that the presence of additional turbines will affect the character of the valley landscapes being located on high ground between the Garw and Ogmores Valleys. The applicant's LVIA confirms that the scale of the effect on the Ogmores valley is judged to be large, due to turbines being introduced on to a currently open skyline. From the Garw valley, turbines will be set further back from the valley side, and the scale of effect is more limited.

9.10 The LVIA indicates that when viewed from the south east the effects of the development on landscape character would be more pronounced with the turbines appearing larger and closer than the Llynfi Afan development.

9.11 Cumulative effects on landscape character have been considered and it is concluded that that the additional effect of the proposed development in combination with existing wind farms will be greater to the south and east. This is not defined but

would include areas within the Ogmore Valley Floor and Lower Slopes (Bridgend LCA 7) and Ogmore Forest and Surrounding Uplands LCA (Bridgend LCA 8). The landscape change that is caused by this development and its impact on the residents in the northern part of the LCA 7 must be viewed with the changes that have occurred as a consequence of wind farm development above the eastern slopes of the Ogmore Valley, (Pant y Wal and Pant y Wal Ext in Table 5.7 on page 5.25 of the ES refers). The capacity of the landscape to accommodate the cumulative effects of the changes must be considered in the assessment of this application.

9.12 The acknowledged significant effects on the designated Northern Upland Special Landscape Area and the related Landscape Character Areas must be considered against the adopted development plan policies of this Council and all other relevant supplementary planning guidance.

9.13 The overarching aim of the policies of the Bridgend Local Development Plan are to protect and enhance the environment. Development which will conserve and, wherever possible enhance the natural environment of the County Borough will be favoured. Those proposals that would have an adverse impact upon the integrity of the County Borough's Countryside, the character of its landscape and its biodiversity and habitats will not be permitted, (Policy SP4 of the Bridgend Local Development Plan 2013 refers).

9.14 Paragraphs 5.118 to 5.123 of the ES acknowledge that the development would have a major (significant) effects on landscape across the site and the surrounding Mynydd Llangeinwyr Uplands LCA, by the construction of the seven large turbines and associated infrastructure. The development on high ground between the Garw and Ogmore Valleys, will affect the character of these valley landscapes with the effect on the Ogmore Valley judged to be large, due to turbines being introduced on to a currently open skyline. When viewed from the south and east, the proposed Development will appear larger and closer than the Llynfi Afan wind farm emphasising the presence of the existing turbines in the landscape.

9.15 The above impacts endorse the findings of the Landscape Sensitivity Assessments that form part of SPG 20 Renewables in the Landscape, which confirmed that the Mynydd Llangeinwyr Uplands LCA, affected by the development is Highly Sensitive to Very Large (111m to 150m) Wind Farm development due to its overall open, remote and wild character; its role as an upland backdrop to views from adjacent settlements and landscapes, the presence of nationally important historic landmarks on elevated sites and valued areas of semi-natural habitats.

9.16 Paragraph 5.9.13 of Planning Policy Wales – Edition 10 – December 2018 confirms that within and immediately adjacent to the Strategic Search Areas (SSAs) there should be implicit acceptance that there will be significant change in landscape character from wind turbine development. Paragraph 5.23 of the ES acknowledges that the boundary of the nearest SSA (F) lies approximately 1.2km to the north of the application site, beyond the corridor of the A4107 – this is illustrated on Figure 5.1 to the ES.

9.17 The applicant has drawn attention to the refined policy areas detailed in the TAN 8 Annex D study of Strategic Search Areas E and F: South Wales (2006). The

application site is located partly within Zone 22: Werfa, which is described as having 'fairly high' visual and sensory sensitivity, and 'medium-high' landscape character sensitivity. The potential visibility of turbines in this zone, particularly from settlements in the Garw and Ogmere valleys, is highlighted in the supporting text and reaffirmed by the studies that have accompanied this proposal.

9.18 With reference to Policy SP4, the applicant's Landscape Assessment confirms that the development would have an adverse impact on the character of the landscape across the site and its surroundings. Accordingly, the development does not fully accord with the requirements of the policy.

9.19 The high level of protection that is afforded to the integrity and landscape character of the countryside in Bridgend under Policy SP4 of the BLDP is extended to the Special Landscape Areas which include the Northern Uplands which accommodates the proposed development. The protection is qualified with development only being permitted where:

It retains or enhances the character and distinctiveness of the SLA;

The design of the development reflects the building traditions of the locality in its form, materials and details, and/or assimilates itself into the wider landscape; and

The proposed development is accompanied by a landscape assessment which takes into account the impact of the development and sets out proposals to mitigate any adverse effects.

9.20 The implications of the development on designated landscapes is considered in paragraphs 5.124 to 5.126. Significant effects across the northern part of the SLA are noted, rising to major around the turbines. It is maintained that the open upland character will be largely unaffected, although the development will introduce additional vertical elements into the landscape, as well as access tracks, the substation, control building and other infrastructure affecting local wildness. The presence of wind turbines will be in keeping with the exposure and 'wind noise' that is stated as a 'dominant aesthetic factor' of the SLA. This is a reference to the Primary Landscape Qualities and Features description in the Designation of Special Landscape Areas – March 2010, (**Appendix C** refers).

9.21 The policy requirement for a comprehensive evaluation of the landscape impacts of the development has been undertaken. Mitigation, it is acknowledged, is generally limited to the reduction of potential direct effects through detailed siting, and the reduction in adverse aesthetic effects through wind farm design and that process is set out in Chapter 2 of the ES. It is noted that most of the changes have been made in response to technical issues relating to geological instability and radio links rather than the impacts on the landscape.

9.22 The Northern Uplands does cover a vast area of open upland, above and around the Garw and Ogmere Valleys. The justification for the SLA designation referred to the area being an open upland landscape, largely intact but with urban, wind farm and forestry influences starting to degrade its integrity. Since that time, significant wind farm development has taken place within and adjacent to the Special

Landscape Area. The capacity of this landscape to accommodate further development must be a significant consideration. The Council would contend that this additional development will detract from the character and distinctiveness of the Northern Uplands SLA.

9.23 Overall, the Council recognises that the varied landscapes of the County Borough do provide opportunities to produce wind energy and understands the need to maximise renewable energy generation, in accordance with national policy. Such developments need to be carefully managed to achieve the greatest contribution towards energy needs, while at the same time ensuring that the valued characteristics of the landscape are not unacceptably harmed. It is the Council's view that the proposed development will have a **negative** impact on the Northern Uplands Special Landscape Area and Mynydd Llangeinwyr Uplands Landscape Character Area when considered against the requirements of Policy SP4 and ENV3 of the Bridgend Local Development Plan

9.24 Significant visual impacts are likely to occur and are an inevitable consequence of wind farm development, as recognised in the Welsh Government's Technical Advice Note (TAN) 8. Policies SP2 and ENV18 of the Bridgend Local Development Plan (2013) provide the local policy framework for assessing visual impact. All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located whilst having full regard to the natural, historic and built environment. Being of an appropriate scale, size and prominence and ensuring that the amenity of neighbouring uses are safeguarded are two of the policy tests. Policy ENV18 which establishes the criteria by which all renewable energy developments should be assessed, requires proposals to be permitted provided that:

“They will not detrimentally affect local amenity by reason of noise emission, visual dominance, shadow flicker, reflected light, the emission of smoke, fumes, harmful gases, dust, nor otherwise cause pollution to the local environment” – (Criterion 6 refers).

9.25 Potential changes to views from residential properties, and consequential impacts on residential amenity (living conditions) must be a consideration given the local policy context. Living conditions will be influenced by the views experienced by residents at properties but also aspects such as noise and shadow flicker which are considered elsewhere in this report. The balancing of planning judgement, to be made by the decision maker, needs to draw all these issues together.

9.26 There is no formal statutory guidance available as to how to examine changes to the visual component of living conditions. However there are a number of previous appeal decisions which are helpful. An objective approach is necessary but it is ultimately a matter of judgement. As a guide, the Inspector's attention is drawn to the appeal decision that allowed the development of the Fforch Nest windfarm in Rhondda Cynon Taff. In that case, the Inspector referred to consideration of whether, *“turbines would be so dominant that they would have an unpleasant overwhelming and unavoidable presence in views on their own, or in combination with other consented wind farms”*. It could be argued that if such impacts are

evidenced, they could outweigh the wider public benefits which the development has been designed to achieve.

9.27 This Council acknowledges that if a wind farm is present in main views from receptors that this in itself does not demonstrate material harm to living conditions. A judgement needs to be made 'in the round;' considering all available views and other factors which could include; distance from turbines, orientation of the residential receptors, the focus and context of existing views, and if there are views in other directions which are not affected; the degree to which overall views will be affected; the extent of turbines that will be seen (i.e. upper parts of turbines or their whole, visibility of associated structures such as tracks and substations etc.), availability of screening and other factors. The Inspector must consider whether the information provided as part of the LVIA addresses the aforementioned criteria.

9.28 The ES predicts that residents of Blaengarw, Pricetown and Nantymoel are likely to experience significant impacts (moderate to major) where the turbines would be viewed on the skyline above the respective communities. Significant effects on views are also predicted to be experienced by recreational users crossing the high ground of Werfa, Mynydd y Gelli and Mynydd Llangeinwyr and those accessing the surrounding hills such as Mynydd William Meyrick and Pen y Foel. Impacts on users of the local highway network have been considered but anticipated to be moderate.

9.29 Figure 5.3b to the ES confirms that for a number of properties in the communities of Pricetown and Nantymoel, between 4 and 7 of the turbines will be visible with Viewpoint 5 being representative of the impact on the community. An extract of Figure 05.16 showing the existing and proposed views is reproduced below:





9.30 Based on the submitted viewpoints, the Council contend that the proposed turbines will be an ‘unavoidable presence’ in views from the communities at the northern end of the Ogmore Valley. Whilst the turbines may not dominate outlook, consideration must be given as to whether the cumulative impact of the development together with the Pant y Wal scheme, above the eastern valley side, would so change the views and outlook for residents as to diminish their living conditions and amenities and to be contrary to the requirements of Policies SP2 and ENV18.

9.31 Within the Garw valley to the west of the site, people in Blaengarw and Pontycymer will view the western part of the Wind Farm above the upper slopes that enclose the valley. As indicated by the ZTVs, views are likely to be restricted to three turbines with only glimpses of other turbine blades. Significant effects (moderate) are predicted at Viewpoint 4 (Parc Calon Lan), and it is likely that similar effects will be experienced by receptors in other parts of Blaengarw. Although no viewpoints have been provided from the residential areas with the northern part of the Garw Valley, the visual impacts of the development from the properties on Pwllcarn Terrace, Blaengarw (CF32 8AS) should also be considered.

9.32 Major effects on viewpoints on Mynydd Llangeinwyr (VP2) and Craig Ogwr (VP3), chosen as being representative of views from the highest hill in the Bridgend County Borough and a recreational receptor respectively, have also been identified. Viewpoint 2 is valued at a regional level as a scenic viewpoint associated with the locally designated Special Landscape Area (SLA). From this position, the hubs and blades of all seven turbines will be visible against the skyline. Although seen in the context of the Llynfi Afan wind farm they will appear closer and larger and extending the presence of turbines on the skyline to the north-east. Viewpoint 3 is located on a public footpath at Craig Ogwr. It is described in Table 5.5.4 to Appendix 5.1 as representative of sequential views experienced by people walking on this route. Panoramic views are available to the west and south, along the Ogmore valley which is framed by elevated moorland and forestry, and the Pant y Wal/Fforch Nest Wind Farm. Tracts of woodland on the lower slopes, and the rocky crags on the upper slope, characterise the immediate foreground of the view west. The masts at Werfa and Llynfi Afan Wind Farm are visible against the skyline. To the north, sections of the A4107 are apparent with views to the high ground beyond topped by Mynydd Bwllfa and Maerdy Wind Farms, 5 km away. A number of operational wind farms are discernible in the view including; Llynfi Afan, Pant y Wal, Pen y Cymoedd, and

Ferndale. The view is valued at a regional level as it is associated with the locally designated SLA, close to a marked viewpoint, and with scenic views across the Ogmore Valley. Turbines would be seen in the fore and middle-ground, seen in front of existing turbines at Llynfi Afan, and appearing larger and closer. The development would occupy a large part of the view, although it is suggested that this would be experienced by relatively few people at this location.

9.33 The 'Assessment of Visual Effects' in the ES acknowledges major significant effects on settlements and recreational users and suggests in the Planning Statement that where this may be considered to conflict with policy, then the material considerations in the form of the UK and Welsh Governments' energy policies would clearly outweigh any degree of conflict that might be identified. It is the Council's view that the proposed development will have a **negative impact** on the living conditions of residents of the Upper Ogmore Valley and the users of the recreational receptors at Mynydd Llangeinwyr and Craig Ogwr. It is for the Inspector to consider whether they are outweighed by the broad policy support for large scale wind energy development within and immediately adjacent to the Strategic Search Areas defined in Technical Advice Note 8.

10.0 Traffic, Transportation and Access

10.1 Chapter 9 of the ES considers the effect of the anticipated traffic generated during the construction and decommissioning phases of the proposed development with the main effects associated with the movement of abnormal loads associated with turbine component delivery and heavy goods vehicles (HGVs) delivering construction materials.

10.2 The Council's Transportation and Development Section have considered the transportation implications of the proposal and have noted the following:

- The preferred abnormal load route is shown on Figure 9.1 to the ES and will be along the road network that is outside this Council area. This is in response to pre-application consultations, where constraint on the A4061 through Blackmill and Nanty Y moel were identified. Prior to construction commencing, the applicant has offered to submit a Construction Traffic Management Plan (CTMP) which will also include a construction strategy and temporary traffic management measures. This could be secured by planning condition.
- The location of the proposed vehicular access onto A4107 is in an area subject to the national speed limit. The proposed access includes for vision splays appropriate to a 40mph approach speed in both directions. The speed of vehicles approaching from the West are considered to be naturally reduced to approximately 40mph by the bend and the vision is deemed appropriate to this permanent access being proposed and retained in future. Further to this the westbound approach to the proposed site access is visible from a far greater distance, which is acceptable for the permanent solution. Notwithstanding this, it is considered that a junction warning sign on the eastbound approach would be of benefit together with a temporary 40mph speed limit in the vicinity of the access for the duration of the construction phase of the development. Such speed limit would need to be arranged with our Street works Department of

BCBC who will advise on the application process and the fees necessary. Initial suggestion would be for the temporary 40mph restriction to be on route A4107 from the Common boundary of Bridgend with Neath Port Talbot in the West to a point 210m to the East of the proposed access.

- The proposed site access drawing details a fence within the vision splay areas. Either the fence will need to be relocated or provided at a maximum height of 900mm above carriageway level.
- The Section 106 agreement should also require the developer to enter into a Section 59 Agreement under the Highways Act 1980 to ensure any damage to street furniture, highway verges or carriageway damaged during the transportation of the turbines is reinstated to the satisfaction of the Highway Authority.

10.3. Subject to the S106 agreement and the imposition of conditions that secures amongst other things the agreement of a Construction Traffic Management Plan, the impact of the development with regard to highway safety is **neutral**.

10.4 On the matter of Rights of Way, the ES notes that the development site is affected by a number of public rights of way namely Public Footpaths 31 & 103 Ogmore Valley and Bridleway 38 & 64 Ogmore Valley.

10.5 Discussions between the Rights of Way Section of this Council and the applicant company have taken place and it is understood that both permanent and temporary diversions of the rights of way are proposed. Such diversions will considered under Section 257 of the TCPA 1990 should permission be granted for the development. Further discussions with the Rights of Way Section of Bridgend County Borough Council will be necessary.

11.0 Ecological Impacts

11.1 An assessment of the ecological and biodiversity impacts of the proposed development has been undertaken by the Countryside and Wildlife Team of Neath Port Talbot Council in consultation with the Countryside Manager of this Authority. At the outset a number of concerns, principally on the level of information provided have been noted. Further clarification is needed to establish the impacts and necessary mitigation required, should the development proceed.

11.2 Neath Port Talbot Council will consider the widening of the access track and any potential impacts to the ecology/peat resources, particularly mobile species or cross-boundary habitats. Comments relating to the suitability of all surveys have been included as the results of such, inform whether the ecology/peat will be impacted cross-boundary. Both Councils have general concerns about the approach to the peat assessment on the whole development site. In terms of methodology, the assessment in relation to the importance of ecological receptors and the approach taken to the assessment of significance does not follow best practice. As such, the Councils are concerned that the levels assigned misrepresent the importance of such receptors. Very little justification is included in relation to the significance of impact assigned and it is therefore difficult to establish the actual impact as it relates

to ecological receptors. Such an assessment is required in terms of the planning policy tests and current legislation. Limited quantitative information is presented, therefore the extent of the different types of habitat/habitat supporting species impacted by the scheme is unknown.

11.3 The Phase 1 habitat survey for the main site and the National Vegetation Classification (NVC) survey are considered to be out of date. The Phase 1 survey was undertaken in 2018 and therefore became out of date earlier this year. With that in mind, a quick walkover to confirm continued applicability should be undertaken. The NVC survey, however, was undertaken in 2016 and is therefore some years out of date and should be repeated. The Phase 1 habitat survey target notes are missing from appendix 6.3 therefore the presentation of this survey is incomplete, which hampers the full understanding of the habitats and species present.

11.4 There is a confusing section of text on habitat assessment – the marshy grassland section 6.110-6.113. It refers to blanket bog and unimproved acid grassland but not marshy grassland. While data from SEWBRc was retrieved, this data is now 4 years old and as such does not reflect the current species records of the area. Species that may have been missed include the presence of water vole (*Arvicola amphibius*), a section 7 species and protected under the Wildlife and Countryside Act 1981 as amended.

11.5 Appendix 6.3 makes mention of a section 7 species, stag's-horn clubmoss. An important species in Neath Port Talbot that is largely restricted for forestry track-sides. However, the ES chapter does not mention this species at all and no mitigation measures are proposed. Further consideration is recommended to be given to these important species within the impact assessment and appropriate mitigation proposed for any losses due to the widening works. This does relate to the development site within Neath Port Talbot.

11.6 The survey effort in relation to the Honey Buzzard survey is not in line with standard survey methods. Paragraph 6.34 reports an additional 12 hours of survey undertaken for this species, however the standard methods issued by the RSPB normally require: 3 days (8 hour watch per day) at each watch point May/June; another 3 days in June if nest not located in earlier watch period; 3 days July/Aug).

11.7 It is also noted that the wintering bird survey was undertaken in 2014/2015 and is therefore out of date and it is unclear whether the results are still applicable. The survey information referenced in appendix 6.3 is dated 2008 and 2016, which is significantly out of date.

11.8 A loss of bird habitat is recognised on the main site and it is inevitable with vegetation clearance for the track widening. No mitigation is however proposed to address this in line with the requirements of the Conservation of Habitats and Species Regulations 2017. In addition, the collision impact for kestrel is reported as significant in relation to the local population present. Again, no mitigation is proposed to address this impact rather mitigation through contributions to local initiatives are mentioned. No details are provided as to what these initiatives will be and where and whether they will benefit the local kestrel population and encourage foraging

away from the turbines. Further clarification is needed so that an assessment of the suitability of this proposal as mitigation can be undertaken.

11.9 The walked bat survey transect is also out of date having not been updated since 2015/2016. Further justification for this should be provided.

11.10 The water vole survey has limited coverage and both Councils are of the opinion that further checks and surveys are made so that a better understanding of the Water Vole population in the area is obtained. This will identify likely impacts and the mitigation/compensation that may be required. The mitigation proposal in 6.433 is very limited and further discussion with NRW is recommended as a licence may be required for the works. The upland population in the area is extensive but in low numbers and may be very sensitive to the impacts of the development therefore detailed mitigation and proposals for enhancement would be expected for this species.

11.11 The site is assumed to be of importance for reptiles, which is considered likely – both Councils are aware of numerous records of reptiles. It is noted that good practice measures will be applied via a CEMP - this is considered likely to be appropriate but only for the main development site.

11.12 It is noted that the impact on kestrel is suggested as a potential cumulative impact, quantified as significant at a higher geographical level. It is suggested that this may be partially offset by mitigation schemes and management plans offered by other wind farm developments. It therefore follows that albeit some level of this cumulative impact may be mitigated for, there is still a potential cumulative impact that raises the significance of the impact reported for the development. As such it is ever more important to provide further clarification on the mitigation for this impact to enable assessment of adequateness.

11.13 As indicated in previous paragraphs, further assessment of peat impacts from the scheme should be undertaken. This should also include a review of the cumulative impacts in relation to the upland peat resource of the area. Many of the wind farms mentioned in 6.4 of the ES have resulted in impacts upon peat and some have Habitat Management Plans that include peatland restoration and management. Ensuring that the overall peat resource in this part of the South Wales valleys, as the most southerly interconnected upland deep peat resource of any significant size in Wales (the importance of which is included in the Draft National Action Programme for Peatlands 2020-2025), is not continually eroded in extent and quality, releasing carbon, is an important consideration.

11.14 Both Councils are concerned that the scheme does not appear to include a commitment to bird or bat monitoring. As a significant impact in the kestrel has been identified, raptor monitoring should be undertaken alongside carcass searches to enable assessment of success or otherwise of the mitigation and any need for further remedial action. Similarly bat carcass monitoring would also be beneficial. Experience on other wind farm developments, where only a slight risk to bats were similarly predicted, monitoring has recorded some collision impacts with bats. The research in relation to bats and wind farms is limited and there is some evidence that upland locations may be used by bats at specific times of the year and in certain

weather conditions, more monitoring data is needed to feed into the evidence to inform best practice and as such all wind farms should contribute. Surveys undertaken to inform the ES are just a snapshot of the period that was surveyed and surveys may have missed such timing in the bat use cycle. It may be the case that the wind farm may well still have an impact despite the predicted results. A commitment to bat monitoring for at least the first 3 years following operation would be beneficial with the ability to extend such if need be and dependent upon results. Remedial action may also need to be taken in response to monitoring results.

11.15 The Inspector's attention is drawn to page 27 of appendix 6.3 to the ES which states:

“Loss of peatland is a particular concern in Wales. Guidance produced by Natural Resources Wales (Jones, 2010) establishes three principles with regard to renewables projects that have the potential to affect peat resources:

1) that peat should be avoided wherever possible;

2) that impacts on peat will require detailed assessment as part of an Environmental Impact Assessment (EIA), including assessment of the whole peatland resource within an application site; and,

3) that compensation for loss or degradation of peat should demonstrate equivalence by taking the form of peat restoration elsewhere within a development site, or as close to it as possible.

11.16 No description is included in the ES relating to any detail on the peat depth probing methodology. It is unclear what level of detail the depth data is based upon and whether the mapping presented is representative of the peat resource on site. Further detail on the methodology employed should be provided to establish whether the survey effort is adequate.

11.17 It is clear that the full peat resource within the application site (as required under item 2 above) has not been surveyed. Within paragraph 8.7 in the section 'Hydrology and Hydrogeology' it is said 'no peat was encountered on site walkover inspections' with regards to the widening of the access track in Neath Port Talbot. However bare peat is shown in photograph 29 of Appendix 6.3 (this is known as Black Bog, close to the junction with the Pen y Cymoedd track) and the area is identified within the unified peat map of Wales, as having deep peat present. Neath Port Talbot Council have investigated the peat depths in this location, with depths reaching 0.9-3.97m within 10m of the track on the Black Bog side and around 0.8m on the other side. The unified peat map also highlights several other areas of deep peat close to the access track, no exploration of these areas is mentioned in the documents. It is therefore assumed that no peat analysis or analysis of hydrological changes to this potential Section 7 habitat/peat resource as a result of works has been considered or completed. Track widening and subsequent movement of any track side drainage will have an impact upon the habitats and peat in adjacent areas. Further survey of peat depth, hydrological connectivity and functioning is recommended to be undertaken; understanding the hydrological conditions will be important in this assessment.

11.18 No assessment of peatland hydrology has been undertaken. No soil water level or direction of flow is presented. No understanding of how the hydrology of the peat bodies present function is presented and therefore no conclusion on impact upon such hydrology can be made. Further survey is needed to establish the peat hydrology of the site, any likely impacts and any necessary mitigation.

11.19 The unified peat map of Wales also suggests that there is a peat body that extends beyond the main site development boundary west into Neath Port Talbot. No assessment of the impact of the turbines and infrastructure has been undertaken to establish if any off-site peat resource will be impacted. The current siting of the turbines and infrastructure appear to encroach into areas of deep peat, which is a significant concern. The reliance upon floating track design has been used to justify that few impacts are predicted. This technique is not always considered appropriate to 1. Report minimal or no impacts and 2. Justify non-avoidance. In fact, the experience of Neath Port Talbot Council on the Pen y Cymoedd scheme, confirm that the depths and state of the peat resource locally means that floating tracks do not work in the way suggested in the ES. At the Pen y Cymoedd Wind Farm and a significant amount of remedial action was needed in response to such failures.

11.20 The current siting and design of the development therefore has potential to impact the hydrological connectivity of adjacent peat bodies, which could have wide ranging impacts. Further assessment and consideration of the reliance of floating tracks should be undertaken. It is also noted that floating tracks are referred to but are only going to be used in certain locations, this should be further detailed ensuring it is clear where impacts on peat are intended to be mitigated and where they are not.

11.21 Specific mitigation against altering peat hydrology is set out in paragraph 8.75 of the ES but this does not include any measures to maintain peatland hydrology connectivity, measures to maintain and improve water level in peat deposits to prevent degradation or erosion, measures to prevent preferential flow path ways that change or impact peatland hydrology e.g. due to interception by infrastructure, cable and trench lines, drainage channels. The mitigation measures should be revisited accordingly.

11.22 Specific Management of excavated Peat is set out in paragraph 8.84 of the ES but includes storage, which should be avoided. The layers of peat should be kept intact as far as possible in any excavations. Details of what peat soils will be used for should be detailed. This should be used to restore peat bodies wherever possible (as per item 3 in the NRW guidance mentioned above) and where used for track edge reinstatement, will need to be appropriately designed so that hydrological conditions are suitable to ensure erosion and carbon release is limited. Further detail is therefore needed.

11.23 No assessment of cumulative impacts upon the upland peat resource has been undertaken despite a number of adjacent schemes, e.g. Pen y Cymoedd, having significant peat impacts.

11.24 Appendix 3.3 to the ES sets out the carbon balance for the project but is based on data of the peat depths that may not be accurate. It may be necessary to update the carbon balance assessment once the additional peat surveys are undertaken.

11.25 Overall, this Council is concerned that the impacts of the development on biodiversity interest of the site and its immediate surroundings have not been fully appraised on the basis that the surveys are either out of date or are inadequate. Without a proper assessment of the impacts, the level of mitigation/compensation required is unknown. For this reason the development could potentially have a **negative impact** on biodiversity interests and would therefore be contrary to national and local planning policies.

12.0 Noise/Environmental Health Considerations

12.1 As part of the submission the applicant has provided an Acoustic Assessment which considers the impact of operational noise, cumulative noise levels and construction noise levels. This has been reviewed by the Council's Noise Pollution Control Officer in the Shared Regulatory Services Section.

12.2 In summary, the proposed limits suggested by RES in Tables A and B of Appendix 10.8 are already breaching their own predicted limits at locations H4, H7 and H11 (locations within Blaengarw) at wind speeds of 6, 7 and 8ms⁻¹ by up to 3.3dB which is more than what they have calculated for the cumulative effect (which they have stated has an excess of just 1.3ms⁻¹ at 7ms⁻¹ at location H7 and H11).

12.3 The levels being requested at the majority of locations and wind speeds are in excess of what they need to be when looking at the predicted levels. When you take into consideration that the Llynfi Afan and Fforch Nest/Pant Y Wal and Pant Y Wal extension Wind Farms are already operating up to or close to their consented limits and that the cumulative assessment has been calculated from the actual predicted noise limits of the turbines for the Ogmore Wind Farm as opposed to their suggested limits, the suggested noise immissions in Tables A and B do not sufficiently protect the amenities of the residents.

12.4 The cumulative impact has been underestimated as Llynfi Afan and Pant -Y-Wal extension, together with the Fforch Nest and Pant-Y-Wal wind farms have been shown to be operating up to or close to their consented limits in their respective compliance reports at certain wind speeds and receptor locations. Therefore, any cumulative assessment should be based on what limits the Upper Ogmore Wind Farm are proposing together with the consented limits for these existing wind farms.

12.5 In conclusion, if this wind farm was operating in isolation, the predicted noise immissions show that they would be within the ETUS-R-97 derived limits. However, the developers would be immediately in breach of their own consented limits if looking at the suggested levels in Table B. It is the Council's view that when operating cumulatively, the development would have a **negative impact** on the living conditions of existing residents and therefore in conflict with Policies SP2 and ENV7 of the Bridgend Local Development Plan. Furthermore, the cumulative assessment has underestimated this impact, particularly at locations H4, H7 and H14. Whilst it is

noted that the developers are proposing a turbine management scheme, to mitigate the noise impact, the scheme is based on the current cumulative assessment, with very small exceedances, up to a maximum of 1.3dB, when it has been shown that cumulatively, the exceedances could be greater.

12.6 A copy of the observations received from the Council's Noise Pollution Control Officer are provided at **Appendix I**. The Inspector will note that they include specific matters that require further consideration.

13.0 Impact on Heritage

13.1 This chapter considers the likely significant effects on cultural heritage associated with the construction, operation and decommissioning of the proposed Upper Ogmere wind farm.

13.2 The chapter has been supported by an Archaeological and Heritage Desk Based Assessment and Assessment of the Significance of the Impact of the Development on the Historic Landscape (ASIDOHL) with the scope of the assessment and the methodologies to be used being discussed with Cadw and Glamorgan Gwent Archaeological Trust. It is understood that GGAT provided a consultation response on 30th October 2018 which identified the possibility of some archaeological potential within the footprint of the proposed development but recommending that a scheme of mitigation, through further archaeological works, could be secured by condition.

13.3 The Archaeology and Heritage Desk Based Assessment and Assessment of the Significance of the Impact of Development on Historic Landscape Areas on the Register of Landscapes of Historic Interest in Wales (ASIDOHL) established the baseline conditions which are set out in paragraphs 7.42 to 7.53.

13.4 Overall, the archaeological and heritage assessment concludes that the footprint of the proposed development does not contain any world heritage sites, scheduled monuments, registered parks and gardens, or registered battlefields where there would be a presumption in favour of their physical preservation in situ and against development, although it is acknowledged that the wider application area contains three scheduled monuments. Potential impacts upon the designated historic assets in the site's wider zone of influence have been considered, and the assessment concludes that the implementation of the proposed development will result in 'very slight' adverse impact to and therefore loss of significance to the Grade II* listed Church of St Cynwyd, and the Clawdd Mawr, Mynydd Caeru and Earthwork 360m north east of Crug yr Avan scheduled monuments, a 'slight' adverse impact to and therefore loss of significance to the Crug yr Afan Round Cairn and Mynydd Caeru Round Cairns scheduled monuments and a 'moderate' adverse impact to and therefore loss of significance to the Carn y Hyrddod & neighbouring cairn, Round Barrow in the Werfa and Bwlch yr Avan Dyke scheduled monuments.

13.5 Due to the nature of the proposed development, it is considered that no feasible mitigation measures could be implemented to reduce or eliminate the identified impacts to the aforementioned historic assets. The applicant has suggested that measures to offset or compensate for any adverse impacts will be developed within a Monument Management Plan that will be submitted in response to a planning condition and will include improvement of access, interpretation and management during the construction and operation phases of the project. It is understood that this approach is supported by Cadw.

13.6 Subject to conditions, the impacts of the construction, operation and decommissioning of the proposed Upper Ogmere wind farm on cultural heritage are **neutral**.

14.0 Shadow Flicker

14.1 The ES confirms that there is no guidance on shadow flicker in Welsh planning policy. The Update to Shadow Flicker Evidence Base (2011), published by the then Department for Energy and Climate Change (DECC), states that assessing shadow flicker effects within ten times the rotor diameter of wind turbines has been widely accepted across different European countries, and is deemed to be an appropriate area. Analysis should therefore be undertaken for shadow flicker at all properties within 1100m from any wind turbine.

14.2 The ES confirms that there are no inhabited houses within 1100m of any of the proposed turbines, (Paragraph 11.13 refers). An examination of the Council's records concurs with the above findings.

14.3 Predicted outcomes regarding shadow flicker on other wind farm developments have not always accurate and it is therefore recommended that a condition be imposed requiring any evidenced claims of shadow flicker to be investigated by the developer along with an agreement to implement a scheme of mitigation.

14.4 The impact of the development with regard to shadow flicker is **neutral**.

15.0 Hydrology and Surface Water Assessment

15.1 The applicant has undertaken a full hydrology assessment and the project assumptions and mitigations are clearly outlined within the ES. NRW and the Council's Drainage section have indicated that they do not object to the proposal subject to adequate measures being put in place to ensure that there are no adverse impacts on surface water drainage. In order to ensure that appropriate measures are put in place a condition is recommended requiring approval of a construction method statement which will include a requirement for full drainage scheme.

15.2 From 7 January 2019, new developments of at least two properties or over 100 square metres of construction area will require sustainable drainage to manage on-site surface water. The information provided confirms that the development would be in excess of 100 square metres and consist of two properties, therefore the applicant will be required to submit a sustainable drainage application form to the Bridgend SuDS Approving Body (SAB). The surface water drainage systems must be

designed and built in accordance with standards for sustainable drainage. These systems must be approved by the Bridgend SAB before construction work begins. The sustainable drainage application form shall be submitted before or alongside the planning application. The applicant is advised to contact the Bridgend SAB to discuss the drainage implications from the proposed development via the contact details within the link below (The sustainable drainage application form and supporting information required for the application can be accessed from the link below):

<https://www.bridgend.gov.uk/residents/recycling-waste-and-environment/environment/flooding/sustainable-drainage-systems/>

15.3 The impact of the development with regard to site drainage is **neutral**.

16.0 Summary

Overall it is considered that the proposed development will have a negative impact on the Northern Uplands Special Landscape Area and Mynydd Llangeinwyr Uplands Landscape Conservation Area; a negative impact on the visual amenities of residents in the northern part of the Ogmores Valley and a negative impact on biodiversity interests on the site. It is the Council's view that when operating with other wind farm developments, the noise of the turbines would have a negative impact on the living conditions of existing residents and therefore in conflict with Policies SP2 and ENV7 of the Bridgend Local Development Plan.

The impact of the development with regard to drainage, traffic, transportation and access and shadow flicker is neutral subject to the imposition of the recommended conditions.

Bridgend County Borough Council has reviewed the submitted information relating to the current proposal and considers that even with appropriate controls secured through the recommended planning conditions, the impacts of the development as a whole would be negative. This will need to be considered as part of an overall assessment of the planning balance having regard to the accepted benefits arising from the production of renewable energy at the site.

17.0. Suggested S106 Obligation and Planning Conditions

17.1 In response to the comments received from the Council's Transportation and Development Section, a Section 106 Agreement shall be drafted requiring the developer to enter into a Section 59 Agreement under the Highways Act 1980 to ensure any damage to street furniture, highway verges or carriageway damaged during the transportation of the turbines is reinstated to the satisfaction of Bridgend County Borough Council.

17.2 Without prejudice to the determination of the application or the matters raised in this LIR, the following planning conditions are recommended:

1.	This development shall be begun within 5 years from the date of this permission.
----	--

	Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2.	The development shall be carried out in accordance with the list of approved plans and in accordance with the recommendations and measures contained within the approved supporting documents. Reason: For the avoidance of doubt.
3	The permission hereby granted shall expire 25 years from the date when electrical power is first exported ('first export date') from the development to the electricity grid network. Written confirmation of the first export date shall be provided to the local planning authority no later than one calendar month after the event. Reason: To ensure that the development is temporary in nature.
4	Within 25 years and six months following the date of first export, or within six months of the cessation of electricity generation by facility, whichever is the sooner the turbines and all associated infrastructure and works hereby approved shall be removed from the site and the land returned to its former agricultural status, in accordance with a decommissioning and site restoration scheme which has first been submitted to and approved in writing by the local planning authority. The decommissioning plan shall include pollution control measures. All existing and new planting implemented as part of the approved scheme shall be retained. The developer shall notify the Local Planning Authority in writing no later than one month following cessation of power production. The approved restoration scheme shall be implemented in full within 12 months of the cessation of electricity generation. Reason: To ensure that due regard to the character and appearance of landscape features of communal, public and nature conservation importance.
5	If any wind turbine fails to produce electricity to the grid for a continuous period of 12 months if so instructed by the Local Planning Authority, the wind turbine and its associated ancillary equipment shall be removed from the site within a period of 6 months from the end of that 12 month period. Reason: In the interests of visual amenity and to ensure that the turbines produce electricity whilst in situ and that they are removed from the land if they cease to function.
6.	No wind turbine shall be erected and no external transformer unit (if any) installed until details of the make, model and external appearance (including colour and surface finish) of the wind turbines and unit transformer housing (if any) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

	Reason: In the interests of visual amenity and landscape protection.
7.	All wind turbines blades shall rotate in a clockwise direction. Reason: In the interests of visual amenity and landscape protection
8.	Notwithstanding any design or colour approved by the Local Planning Authority pursuant to condition 6, all wind turbines shall be of a 3 bladed configuration and shall be of a semi-matt finish and shall not display any prominent name, sign, symbol or logo on any external surfaces. Reason: In the interests of visual amenity and landscape protection.
9.	The turbines shall not be illuminated and there shall be no permanent illumination on the site at any time. Reason: In the interests of visual amenity and landscape protection.
10.	Subject to the allowance for micro-siting provided in this condition, the turbines shall be erected at the coordinates indicated on Figure 2.2 Turbine Layout (Reference: 02959D2227-04). Variations to the indicated position of any turbine(s) shall be permitted by up to 50 metres in any direction. A plan showing the position of the turbines as built shall be submitted within one month of the First Export Date. Reason: To comply with the environmental assessments undertaken of the proposed development and to take account of local environmental conditions.
11.	No development shall take place until the proposed means of access onto the A4107 has been laid out as detailed on drawing 02959D2407-01 and shall be completed in permanent materials for a distance of no less than 20m from the edge of the classified route A4107. Reason: In the interests of highway safety
12.	Notwithstanding the submitted drawing 02959D2407-01 no development shall commence until the proposed means of access onto the A4107 has been laid out with vision splays of 2.4m x 120m in both directions. Reason: In the interests of highway safety.
13.	No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas. Reason: In the interests of highway safety.
14.	No development shall commence until a scheme of road markings detailing the edge of carriageway across the junction bell mouth has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be completed in permanent materials in accordance with the approved layout prior to the approved development being brought into beneficial use.

	Reason: In the interests of highway safety.
15.	<p>No development shall commence until a scheme for junction warning sign on the Eastbound approach to the proposed site access has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be completed in permanent materials in accordance with the approved layout prior to the approved development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety</p>
16.	<p>No works shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority showing a scheme of temporary traffic management including traffic speed reduction measures on the classified route A4107 at and on the approaches to the proposed site access. Such a scheme shall be implemented as approved prior to construction of the proposed access and maintained during the construction of the proposed development.</p> <p>Reason: In the interests of highway safety</p>
17.	<p>The entrance/gates shall be set back not less than 20 metres from the nearside edge of carriageway, with the area between the gates and the edge of highway completed in permanent materials as approved in writing by the Local Planning Authority before any works commence.</p> <p>Reason: In the interests of highway safety</p>
18.	<p>No development shall commence on site until details of mechanical, automatically operated, self-contained wheel washing facilities including a temporary / permanent access road / hardstanding completed in permanent materials at a minimum length of 20 metres and 5.5 metres width have been submitted to and agreed in writing by the Local Planning Authority. The facilities shall then be provided and retained as approved for the duration of the development including the Earthworks / muck shift to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interests of highway safety by preventing mud and debris from being carried out onto the existing maintainable highway.</p>
19.	<p>No development shall take place, until a Transport Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved TMP shall be adhered to throughout the construction period and shall provide for:</p> <ul style="list-style-type: none"> a) The routing of HGV construction traffic to/from the site in order to avoid the A4061 south of its junction with the A4107 and the A4063 South of its junction with the A4107 b) the parking of vehicles of site operatives and visitors

	<ul style="list-style-type: none"> c) loading and unloading of plant and materials d) storage of plant and materials used in constructing the development e) wheel washing facilities f) measures to control the emission of dust and dirt during construction g) the provision of temporary traffic and pedestrian management along the A4107 <p>Reason: In the interests of highway safety.</p>
20.	<p>No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall only be carried out in accordance with the approved CMS. The CMS shall be implemented and maintained for the duration of the construction works and shall address the following matters:</p> <ul style="list-style-type: none"> i. All activities associated with the construction of the development in accordance with British Standard 5228, 2009: Code of Practice for Noise and Vibration Control on Construction and Open Sites - Part 1 - Noise, Part 2 - Vibration. ii. A full drainage scheme for the management of surface water and foul water. This shall detail both the temporary and permanent drainage strategy and include details of the hydraulic calculations to control flow rates and detail the measures to be implemented. iii. A scheme for the protection and conservation of soil at the site in order to prevent pollution of the water environment. The scheme shall include the pollution prevention techniques to be deployed during the construction and restoration phases. iv. Details of the timing of works and methods of working for cable trenches and foundation works. v. Dust management. vi. Disposal of surplus materials. vii. A construction noise management plan (including identification of access routes, locations of materials laydown areas, details of equipment to be employed, operations to be carried out, mitigation measures and a scheme for the monitoring of noise). viii. Any temporary site illumination.

	Reason: In the interests of visual amenity and landscape protection.
21.	<p>No development shall take place until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be undertaken prior to the commencement of the development.</p> <p>Reason: In the interests of safety</p>
22.	<p>Should any contaminated material be observed (visual or olfactory), which has not been previously identified, then no further development shall be carried out until the developer has undertaken a site investigation to determine the nature and extent of the contamination. In the event that contamination is confirmed the developer must liaise with the Local Planning Authority on measures required to protect surface water and groundwater interests. This may include undertaking a risk assessment and derivation of appropriate remedial targets.</p> <p>Reason: To protect the quality of controlled waters in the area.</p>
23.	<p>No development shall commence until a scheme for the comprehensive and integrated drainage of the site showing how all surface water, including the means of drainage from all 'hard surfaces' and structures within the site and accesses to the local highway network will be dealt with, including the requirement for Flood Defence Consent, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and maintained for the duration of the construction works and operation of the development. 'Hard surfaces' includes access tracks within the site, the substation compound, temporary construction and laydown areas, turbine pads and crane pads.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.</p>
24.	<p>No development shall take place until a scheme for the protection of public Rights of Way during the construction period within the site, including safety signage, has been submitted to and approved in writing by the Local Planning Authority. During the construction period the development shall be carried out in accordance with the approved scheme.</p> <p>Reason: to protect the amenity of walkers and other users of the Rights of Way.</p>

25.	<p>No development shall commence until an Ecological Management Plan (EMP) has been submitted to and agreed in writing by the Local Planning Authority. The EMP shall address the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Details of the appointed ecologist who will monitor the project and ensure compliance with all relevant regulatory and other requirements, method statements and plans, and to report to the principal contractor and statutory consultees; e) Appropriate management options for achieving aims and objectives. f) Prescriptions for management actions. g) Preparation of a work schedule detailing all methods for all species and habitat protection including aftercare and including timescales for each element; (including an annual work plan capable of being rolled forward over a five-year period). h) Detailed methods for all habitat re-instatement measures include detailed timescales for each element; i) Details of the body or organisation responsible for implementation of the plan. j) An agreed programme of monitoring and / or identification of practical options for input into local initiatives to be drawn up in consultation with statutory consultees; k) On-going monitoring and remedial measures. <p>The EMP shall also set out where the results from monitoring show that conservation aims and objectives of the EMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme. The site shall be developed in accordance with the agreed details.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.</p>
26.	<p>No development shall take place until a Habitat Management Plan (HMP) covering the application site has been submitted and agreed in writing by the Local Planning Authority. The HMP shall make provision for the subsequent submission of detailed phased specific habitat management plans. Construction of any phase of the wind farm shall not commence until the related phase has been agreed in writing by the Local Planning Authority. The approved HMP and any subsequent revisions that are agreed in writing by the Local Planning Authority, shall be implemented for a period commencing from the First Export Date and ending 25 years later, or when the turbines are decommissioned, whichever is the earlier. The HMP shall include proposals for:</p> <ul style="list-style-type: none"> i. Objectives for the management and restoration of the natural habitat;

	<p>ii. Best practice methods for the management and restoration of the natural habitat of the site;</p> <p>iii. Ecological management areas defined by a map or maps;</p> <p>iv. The restoration and maintenance of the natural hydrological regime of peat bodies, their carbon storage and sequestration potential;</p> <p>v. The restoration and maintenance of blanket bog, wet and dry heath and marshy grassland or other suitable natural habitat as appropriate to soil conditions, hydrology and topography, with bog being the objective for deep peat;</p> <p>vi. The management of stream corridors for nature conservation potential;</p> <p>vii. The management of breeding habitats away from turbines where this does not compromise the objectives for peat and bog;</p> <p>viii. The improvement of the biodiversity potential of the site by maintaining and improving wider habitats and ecological functionality, with an emphasis on supporting habitats for appropriate statutory protected species; and</p> <p>ix. Provision for monitoring, review and revisions to the HMP where monitoring identifies that the objectives of the HMP are not being achieved.</p> <p>Reason: To protect and encourage habitats in the interests of biodiversity and visual amenity.</p>
27.	<p>No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.</p> <p>Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource</p>
28.	<p>No development shall take place until a Monument Management Plan covering the Designated Historic Assets within the application site has been submitted to and agreed in writing by the Local Planning Authority. The MMA shall include measures to protect and manage historic assets on site, proposals to improve access to the historic assets including details of interpretation/information panels and a programme of works. The site shall be developed in accordance with the agreed Monument Management Plan.</p> <p>Reason: To mitigate the impact of the works on the Designated Historic Assets on site.</p>
29.	<p>Construction works shall not take place outside the hours of 8:00am and 18:00pm Monday to Friday, 8:00am and 1:00pm on Saturday, and for no work to be conducted Sundays or Bank Holidays. Outside these hours, development at the site shall be limited to emergency works and dust suppression.</p> <p>Reason: In the interests of the amenities of the area.</p>