

# **REPORT TO THE DEVELOPMENT CONTROL COMMITTEE**

**4 March 2021**

## **REPORT OF THE CORPORATE DIRECTOR COMMUNITIES BRIDGEND CBC LOCAL PLANNING AUTHORITY**

### **REQUEST FOR SCOPING DIRECTION BY NATURAL POWER CONSULTANTS LIMITED (NATURAL POWER) ON BEHALF OF Y BRYN WIND FARM LIMITED**

#### **Y BRYN WIND FARM (LAND AT BRYN AND PENHYDD FOREST, LOCATED BETWEEN PORT TALBOT AND MAESTEG)**

#### **UP TO 26 TURBINES (6.6 MW PER TURBINE) AND BATTERY STORAGE**

#### **RESPONSE TO SCOPING REPORT ON BEHALF OF THE LOCAL PLANNING AUTHORITY**

### **1. Purpose of Report**

- 1.1 This report seeks to advise Members of a response that has been prepared (and submitted to the Planning Inspectorate) by the Local Planning Authority to a request for comments on a Scoping Report prepared by the applicant for up to twenty six wind turbines and associated works on land at Bryn and Penhydd Forest, between Port Talbot and Maesteg.
- 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 Before the application is formally lodged with the Planning Inspectorate Wales (PINS) the applicant can request a Scoping Direction to advise the content of an Environmental Statement that will accompany the DNS application.
- 3.3 In preparing their Scoping Direction PINS will take into account the specific characteristics of the development and the environmental features likely to be affected by the development as identified by the developer in the applicant's Scoping Report:

- **Biological Environment** – Ecology Assessment and Ornithology Assessment
  - **Physical Environment** – Landscape and Visual Impact Assessment (LVIA), Cultural Heritage Assessment and Hydrology, Geology and Hydrological Assessment
  - **Population and Human Health** – Traffic and Transport Assessment, Noise Assessment, Forestry Assessment, Health and public Safety, Aviation and Existing Infrastructure
- 3.4 PINS has consulted Bridgend County Borough Council (BCBC) (and Neath Port Talbot County Borough Council (NPT CBC)) for our advice on the scope of the EIA and the proposed methodologies outlined in the Scoping Report, in relation to BCBC's functions, in order to inform their Scoping Direction. The response had to reach PINS by Monday 15 February 2021.
- 3.5 At this stage, the proposed development is envisaged as comprising:
- up to 26 turbines of up to 250 m maximum tip height and indicative up to 170m rotor diameters and associated crane hardstandings;
  - transformers housed adjacent to turbines;
  - onsite access tracks plus underground cable runs alongside;
  - an on-site sub-station building;
  - construction compound(s);
  - battery storage;
  - one or more permanent anemometry masts (at up to the hub height of the turbines); and
  - borrow pits.
- 3.6 The lifetime of the proposed development would be up to 50 years from commissioning to decommissioning. Of the 26 turbines only one will be within BCBC. Turbine component deliveries are anticipated to come from Swansea docks and along the M4 towards the site however, a number of options are being investigated for final site access. For example, some of the smaller components may be transported to the area via BCBC.
- 3.7 The formal response has been prepared to meet the requirements of the Developments of National Significance (Procedure) (Wales) Order 2016 (as Amended) and the Town & Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.
- 3.8 The Council, along with NPT CBC, commissioned Simon White of White Consultants (a specialist in landscape impacts caused by renewable energy developments) to consider and comment on the proposed methodologies for the LVIA and Cultural Heritage Assessment. He identified that the southern array is outside of the National Development Framework's draft priority areas for wind (although the northern one is inside) and that the two arrays are within areas defined in the SSA refinement study for 100m maximum height of turbines not 250m maximum height as seemingly proposed and this puts the scheme in a less favourable light in policy terms.

- 3.9 The EIA Scoping Report and accompanying redacted documents can be viewed here:

<https://dns.planninginspectorate.gov.uk/projects/wales/y-bryn-wind-farm/?ipcsection=docs>

- 3.10 A copy of the response is attached as an Appendix to this report.

#### **4. Next Steps**

- 4.1 Although the majority of the windfarm is within the NPT CBC administrative area, its proximity to the County Borough boundary together with the scale of the development proposed will inevitably have some impact on Bridgend in terms of visual impact, infrastructure and socio-economic factors. Once the issues have been considered by PINS, a Scoping Direction will be issued by them and made publicly available. It is expected that a DNS application (with accompanying Environmental Statement) will be submitted in 2022.
- 4.2 A Development of National Significance (DNS) is a Planning application for a large infrastructure project of national importance – for example, a wind farm, power station or reservoir. An application for DNS differs from an ordinary Planning application in the way that it is decided. Instead of the Local Planning Authority making the decision, a Planning Inspector examines the application and makes a recommendation to the Welsh Ministers based on Planning merits and national priorities. The Ministers then decide whether or not to grant permission.
- 4.3 As the project progresses and the DNS application is submitted to PINS in 2022, there will be a requirement for a formal response from BCBC in the form of a Local Impact Report (LIR) as required by the Regulations (Section 62K of the 1990 Act and Regulation 25 of the Developments of National Significance (Procedure) (Wales) Order 2016). Whilst the LIR is a factual report, there will also be scope to provide comments as one of the two host authorities.
- 4.4 The impact on BCBC, particularly on the settlements and land that are in close proximity to the arrays and the intervening road network, will need to be fully considered at that stage.

#### **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 response to the request for comments on the applicant's Scoping Report.

**Janine Nightingale**  
**CORPORATE DIRECTOR COMMUNITIES**

**Contact Officer**  
**Mr. Rhodri Davies**  
**Development and Building Control Manager**  
**Telephone Number: 01656 643152 e-mail: [rhodri.davies@bridgend.gov.uk](mailto:rhodri.davies@bridgend.gov.uk)**

## **Background Papers**

Appendix 1 – Response to Scoping Report in behalf of BCBC

Giulia Bazzoni  
Planning & Environment Officer  
The Planning and Environment Team  
The Planning Inspectorate  
Crown Buildings  
Cathays Park  
CARDIFF  
CF10 3NQ

[dns.wales@planninginspectorate.co.uk](mailto:dns.wales@planninginspectorate.co.uk)

**Grwp Datblygu / Development Group**

Ebost / Email: [rhodri.davies@bridgend.gov.uk](mailto:rhodri.davies@bridgend.gov.uk)

Deialu uniongyrchol / Direct Line: 01656 643152

Gofynnwch am / Ask for: **Rhodri Davies**

Ein cyf / Our ref: **P/21/34/DNS**

Eich cyf / Your ref: **3264571**

**Dyddiad / Date: 15 February 2021**

Dear Giulia,

**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER**  
**2016 (AS AMENDED)**  
**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (WALES)**  
**REGULATIONS 2017**

**PROJECT NAME: Y BRYN WIND FARM**  
**SITE ADDRESS: LAND AT BRYN AND PENHYDD FOREST, LOCATED BETWEEN PORT**  
**TALBOT AND MAESTEG**  
**PROPOSED DEVELOPMENT: WIND FARM OF UP TO 26 TURBINES (6.6 MW PER**  
**TURBINE) AND**  
**BATTERY STORAGE**

**LPA REFERENCE: P/21/34/DNS**

I refer to your letter dated 15<sup>th</sup> January, 2021.

In order to inform your Scoping Direction, Bridgend County Borough Council request that the following comments on the scope of the EIA and the proposed methodologies outlined in the Scoping Report (prepared by Natural Power Consultants Limited (Natural Power) on behalf of Y Bryn Wind Farm Limited) be considered.

In terms of the planning policy framework for the development, and notwithstanding the fact that only one turbine will be within the BCBC administrative area, the following advice can be provided:

The proposal is located in the countryside and should be assessed in the context of Policy ENV1 which strictly controls development in the countryside except for specific identified purposes. Policy ENV1(6) of the BCBC LDP 2013 identifies utilities infrastructure as an appropriate exception.

Paragraphs 4.1.11 and 4.1.12 of the LDP, which expand on Policy ENV1, make it clear that whilst certain developments may be appropriate in the countryside in respect of Policy ENV1, the policy forms the starting point for assessment and proposals will need to satisfy other relevant policies in the LDP.

In this regard, I would draw your attention to Policy SP8 which states that development proposals which contribute to meeting national renewable energy and energy efficiency targets will be permitted where it can be demonstrated that there will be no adverse impacts on the environment and local communities.

Policy ENV18 is relevant in providing a more robust assessment of renewable energy schemes.

*Proposals for renewable energy developments will be permitted provided that:*

1) *In the case of wind farm developments of 25MW or more, the preference will be for them to be located within the boundary of the refined Strategic Search Area;*

The proposal represents a wind farm development which is proposed to provide a generating capacity of more than 25MW. Whilst the site is located within Strategic Search Area F (SSA F – Coed Morgannwg), as set out in the Welsh Assembly Government's Technical Advice Note 8: Planning for Renewable Energy (TAN 8)) and is largely located within the refined SSA's of Foel y Dyffryn & Margam Mountain, the Y Bryn Project Boundary extends partially outside of the refined SSA boundaries. However, it is important to note that the policy does not prevent wind energy developments outside the refined SSA's and does not state a limit on generating capacity.

2) *The availability of identified mineral resources or reserves will not be sterilised;*

The proposal is located on a sandstone resource. However, Policy ENV9(3) states 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. Paragraph 4.3.1 of the LDP identifies that in 2009, the aggregate reserves for Bridgend was estimated at 40 years. In light of this and other, preferable areas for quarrying before this site could realistically be considered, this development is acceptable in the context of Policies ENV9(3) and ENV18(2).

3) *Appropriate monitoring and investigation can demonstrate that the development will not have any significant impacts on nature conservation;*

4) *Appropriate arrangements have been made for the preservation and/or recording of features of local archaeological, architectural or historic interest;*

The southern block of the proposed boundary lies within the Historic Landscape of 'Margam Mountain' as defined by Policy SP5(5) Historic Landscapes, Parks, and Gardens of the LDP.

5) *They can be safely accessed to permit regular maintenance without detriment to the environment or the public rights of way network;*

6) *They will not detrimentally affect local amenity by reason of noise emission, visual dominance, shadow flicker, reflected light, the emission of smoke, fumes, harmful gases, dust, nor otherwise cause pollution to the local environment;*

- 7) *They will not lead to electromagnetic disturbance to existing transmitting and receiving systems (which includes navigation and emergency services), thereby prejudicing public safety;*
- 8) *Local receptors of heat and energy from the proposal are identified and, where appropriate, are connected to/benefit from the facility; and*
- 9) *Provision has been made for the removal of all infrastructure from, and reinstatement of the site following termination of the use.*

All of the issues identified in criteria 5, 6, 7 and 9 will need to be addressed in the Environmental Statement. With regards criterion 8, the submitted 'Scoping Report' states that the proposal will connect to the national grid. However, I draw your attention to paragraph 4.6.10 of the LDP which seeks to expand on this policy criteria stating:

*This Policy, together with SP8 will ensure that the consideration of proposals is balanced between the desire to generate increased levels of renewable energy and the need to protect sensitive areas. The local community should also benefit appropriately from any facility with examinations of the potential to connect existing/future developments to the facility or, where this is not possible, other forms of community benefits should be examined.*

In addition to the above, the proposal should also be considered in the context of Policy SP2 which considers general issues associated with amenity and design. Many of the issues which are the subject of Policy SP2 have already been considered in the context of Policy ENV18. However, of significant importance in respect of a development of this nature is SP2(2) which states that all development should have:

*A design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character*

With respect to the issue of 'landscape character', the County Borough has been the subject of a Landscape Character Assessment, the results of which have been used to inform 'SPG 20: Renewables in the Landscape' which considers the impact of different scales of wind and solar developments in the landscape of the County Borough.

The proposal is located within Landscape Character Area (LCA) 1: Llangynwyd Rolling Uplands and Forestry, the key landscape characteristics of which are defined as:

- Strongly undulating upland landscape with a series of north-east facing slopes and hill summits ranging from 120 to 365 metres AOD.
- Distinctive topography influenced by the heavily dissected Upper Coal Measures plateau greatly modified by the effects of glaciation.
- Landscape crossed by a number of fast-flowing springs and streams, flowing into the Llynfi Valley below.
- Dense coniferous forestry plantations on some slopes and hill summits (e.g. Garn Wen and Waun Lluest-wen) with linear broadleaved woodlands found along valley sides.
- Dark, straight plantation edges providing a stark contrast to the adjacent muted grasslands on rounded slopes.
- Pastoral landscape with significant tracts of rough sheep and pony grazing on higher ground (particularly in the north).

- A strong pattern of irregular fields enclosed by hedgerows, tree belts and stone walls.
- Elevated land around Mynydd Ty-talwyn including large, regular semi-improved pastures divided by fencing.
- Valued habitats including heathland, blanket bog, acid grassland, fen and marsh (with significant areas defined as SINC's).
- Broadleaved semi-natural woodland on slopes and valleys, and nationally important marshy grassland (supporting marsh fritillaries) at Cwm Risca Meadow SSSI.
- Patches of bracken, gorse and rush pasture found throughout.
- Land west of Llangynwyd within the Margam Mountain Landscape of Special Historic Interest, with scheduled archaeological features including Y Bwlwarcaw hillfort and the medieval Llangynwyd Castle.
- Cluster of nationally important medieval house platforms and settlement remains around Mynydd Ty Talwyn.
- Nucleated hill-top village of Llangynwyd (a Conservation Area), with prominent 15th century square church tower forming a local landmark.
- Farmsteads and small groups of dwellings thinly dispersed elsewhere.
- A small number of minor roads, tracks and footpaths cross through the landscape. The Ogwr Ridgeway Walk passes through the southern part of the LCA, and areas of higher ground are open access land.
- A strongly rural and tranquil landscape despite the close proximity of nearby development at Maesteg.
- Tranquil qualities eroded by the presence of pylon lines, telecommunications masts and urban fringe land uses close to Maesteg, including a golf course.
- Southern ridgelines affording panoramic views across the County Borough, including wind farm developments on distant skylines.
- Intervisibility with Maesteg a strong feature of the northern half of the LCA.

Based on the stated landscape characteristics, I draw your attention to the following discussion on landscape sensitivity and conclusions:

<p><b>Discussion on landscape sensitivity</b></p>	<ul style="list-style-type: none"> <li>• Although this is a large-scale landscape with some existing development such as pylons, telecommunications masts and views of nearby development which may indicate reduced sensitivity to wind energy development, many features and characteristics of the landscape may increase levels of sensitivity. These include in particular the landscape's sense of tranquillity and rural character, valuable semi-natural habitats and the setting of nationally important heritage assets, which results in the landscape being particularly sensitive to developments of 'very large' turbines.</li> </ul> <p>The following locational variations in terms of the above summary should be taken into account:</p> <ul style="list-style-type: none"> <li>• The area within the Western Uplands Special Landscape Area would be highly sensitive to the development of 'large' and 'very large' turbines due to its smaller scale landscape patterns and strong historic associations (including Llangynwyd Conservation Area).</li> </ul>	
<p><b>Sensitivity to different</b></p>	<p><b>Very Small (15-25m)</b></p>	<p><b>L</b></p>
	<p><b>Small (26-50m)</b></p>	<p><b>L-M</b></p>
	<p><b>Medium (51-75m)</b></p>	<p><b>M</b></p>



<b>turbine heights</b>	<b>Large (76-110m)</b>	<b>M</b>
	<b>Very large (111-150m)</b>	<b>M-H</b>
<b>Commentary on different cluster sizes</b>	Although this is a large-scale landscape with existing man-made structures on skylines, the distinctive topography, presence of frequent human-scale features and the landscape's function as a rural backdrop to views from Maesteg, Bridgend and Cefn Cribwr mean that it would be highly sensitive to 'large' and 'very large' clusters of wind turbines	
Single turbine		
Small (<5 turbines)		
Medium (6-10)		
Large (11-25)		
Very large (>25)		

The proposed development consists of 26 no. turbines with a tip height of 250m along with a generating capacity of 6.6MW (a total of 171.6MW generating capacity) located both inside and outside the Local Authority Boundary.

There are a number of Special Landscape Areas in the study area, all of which should be considered. The closest in Bridgend is Foel y Dyffryn. However, views from other areas such as Kenfig Burrows should also be considered.

The results of the landscape sensitivity assessment suggests that this development, in cumulative terms, could be highly sensitive with respect to the number of turbines and also highly sensitive in respect of their height.

In terms of National Policy, TAN 8 defines a series of strategic search areas (SSAs) in Wales and the proposed site lies within Area F Coed Morgannwg. An Annex D refinement study for the area was carried out by Arup in 2006, assisted by White Consultants. Using multi-criteria analysis and review this identified two areas in which the proposed development lies as being potentially suitable for turbines up to a maximum of 100m high to blade tip. Areas for higher turbines were identified to the north including the area in which Pen y Cymoedd wind farm now stands (around 145m high turbines). This is a clear indication that this location and landscape may not be appropriate for very large turbines such as the ones proposed.

The Future Wales 2040/National Plan is due to be published on 24 February 2021. This document will replace TAN 8 as the national spatial strategy for wind farm development within the context of PPW. The current draft defines strategically pre-assessed areas, however, it is not yet known if these will be retained in the final published version.

***The northern cluster of the proposed development lies within pre-assessed area 9 for wind energy and the southern cluster lies outside.***

Draft Policy 17 currently states that in pre-assessed areas the Welsh Government has already modelled the likely impact on the landscape and found them to be capable of accommodating development in an acceptable way and there is a presumption in favour of large-scale development, subject to draft Policy 18. Policy 18 currently states that a DNS will be permitted outside pre-assessed areas for wind development providing the proposal:

- Does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty).

- The proposal is designed to minimise its visual impact on nearby communities and individual dwellings and a cumulative impact of the proposal with other existing or proposed development is acceptable.
- There are no unacceptable adverse impacts on statutorily protected built heritage assets.

***The above policies are an indication that at a strategic level the southern cluster may have an unacceptable impact and raises concerns.***

The research relating to the National Plan wind farm pre-assessed areas was summarised in a report by Arup for Welsh Government 'Priority Areas for Solar and Wind Energy' (July 2019). The report's summary recommendations indicate that local level constraints have not been taken into account and that robust policy on design guidance should be developed to accompany the priority areas within the NDF.

This is not available and is a major drawback in the current draft policy context. It is also recognised that the priority areas still have constraints. Therefore, appropriate evidence will be required to inform decision-making at the DNS application stage. There is an apparent disconnect between these recommendations and study findings and Policy 17 as currently drafted which suggests that the study modelled the likely impact on the landscape and found them to be capable of accommodating development in an acceptable way. There are no comparative diagrams so the study may not have fully engaged with this issue.

Intervisibility of turbines of 150m and up to 250m to blade tip was considered. The criteria for level of effects was derived from NRW's 'Stage I ready reckoner report' for offshore development (prepared by White Consultants) as medium magnitude of effect at 15km and 24km for 250m high turbines (this level of effect would be highly likely to be significant on high sensitivity receptors). Priority areas should be refined to avoid the areas of greatest levels of intervisibility and design guidance should be developed to minimise visual effects. In terms of Bridgend, the key factor to note is that the effect on people (i.e. existing communities) has not been considered at a strategic level - it is assumed that 'sensitive design' can usually avoid significant impacts.

Having specific regard to the Scoping Report prepared by Natural Power Consultants Limited, the following comments are provided in relation to the questions raised in each section.

#### **Consultation:**

**Question 1: Do consultees have any comments in relation to the proposed approach to community consultation?**

No.

#### **Mitigation, Enhancement and Monitoring of Environmental Effects:**

**Question 2: Do consultees have any comments in relation to the Approach to the Environmental Impact Assessment and to mitigation, enhancement and monitoring? We intend to focus the EIA on the significant effects and therefore propose to scope out likely non-significant effects**

BCBC has concerns about Table 5.2 "Significance of Effect" which suggests that only residual adverse effects of major and major/moderate are regarded as being significant. In our view, a

series of moderate effects can be significant if related e.g. on a particular landscape receptor or a long distance trail or scenic route.

Ignoring these effects is not in line with good practice as shown in GLVIA 3. Nevertheless, it is appreciated that the most significant effects should be given greatest consideration and appropriate prominence within the EIA so as not to be lost amongst all the other effects.

The 50 year operational period is lengthy and should be justified in terms of the effective operational life of the proposed turbines.

The information within the scoping report is not detailed enough to agree on the features and topics that are likely to experience a significant effect as suggested in paragraph 5.1.6. For instance, the Zone of Theoretical Visibility (ZTV) map is at a very large scale and relatively low resolution and uses bare ground data only.

There is no information on the location or design of the access roads/routes or battery storage. The scoping report itself does not define where significant effects may occur.

Therefore, this response on possible issues and significant effects is provisional subject to further information coming forward.

#### **Environmental Statement:**

**Question 3: Do consultees have any comments in relation to the proposed sections to be included in the ES?**

No.

#### **Purpose of this Scoping Report:**

**Question 4: Do the consultees have any comments about the proposed approach to scoping and the purpose of the scoping report?**

No.

#### **Ecology:**

**Question 5: Do consultees agree with the approach used for scoping in/out statutory and non-statutory designated sites?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Question 6: Do consultees consider the proposed baseline survey methodologies appropriate?**

See Traffic and Transport Section below.

**Question 7: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional species or habitats, whether referred to above or**

**otherwise?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Ornithology:**

**Question 8: Are consultees satisfied with the coverage provided by the vantage point locations?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Question 9: Are consultees satisfied with the ornithology surveys proposed for a second year of baseline recording (i.e. a full year of VP surveys at standard effort (36hrs per season: September to February and March to August), raptor surveys (February to August) nightjar surveys (June and July) and with no repeat of the breeding bird survey)?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Question 10 Do consultees agree with those ornithological features that have been highlighted for assessment within EIA and those that have been 'scoped out'?**

**Question 11: Are there any other key ornithological features that consultees believe should be considered that have not been discussed above?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Question 12: Do consultees consider any Natura 2000 not discussed above as requiring consideration as part of screening for AA?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Question 13: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional species, whether referred to above or otherwise?**

The Council's Countryside Management Officer and Biodiversity Policy and Management Officer have been consulted and any comments will be forwarded to PINS in due course.

**Landscape and Visual Impact Assessment (LVIA):**

BCBC, in conjunction with Neath Port Talbot CBC, has enlisted the expert advice of Simon White (White Consultants) in relation to the Landscape and Visual Impact section of the Scoping report. His full comments are included as Appendix 1 to this letter.

The proposed development on the site offers many challenges. Relevant key issues include:

- The proposed 250m height of the turbines is far larger than any other in Wales, and greater than the highest in the UK - 200m at Lethans which is located in Scotland in an

area that is rural, larger scale and with far fewer settlements and apparently fewer sensitive receptors. Lethans was consented on a site where permission for smaller wind turbines had already been given.

- The potential for turbines of this size to be out of scale with the landform on which they sit is of concern so close to well populated valleys, the coast and sensitive receptors.
- The effect on the relationship between the large scale development on the relatively undeveloped forested coalfield plateau in the environs of the site, the nearby scarp slope, the coast and coastal plain and the related seascape.
- Starting from such a large scale proposed size, a reduction in height from 250m will not be considered as 'minimising' effects. Consideration of turbines only at 250m high may not be realistic and so consideration of significantly lower turbines should also form part of the assessment. The effects of any lower height development coming forward will have to be considered on their own merits.
- Local residents and communities are likely to undergo significant visual effects with dominant or prominent turbines and, in some cases, may suffer unacceptable effect on residential visual amenity.
- Cumulative effects in combination with existing and consented windfarms and wind turbines, especially those nearby including Foel Trawsnant, Llynfi Afan, Mynydd Brombil and Pen y Cymoedd.
- The effect on the landscape character including Special Landscape Areas.
- The potential for views to open up towards the windfarm over time as the forest is managed with clearance before replanting in places.
- The potential conflicts with national and local policy on the basis of the above.

**Question 14: Do consultees agree that assessing the maximum hub height available for the tip height in question is appropriate?**

The taller the hub height, the smaller the blade length and therefore blade sweep area. This means that the likely visual effect of a turbine 250m tall with a larger blade sweep is likely to be greater. It is suggested that the ZTVs are based on a maximum blade tip height and maximum hub height but that the visual impact assessment takes into account the maximum sweep area (as in the Rochdale envelope approach). It would be helpful to have clear drawings illustrating the two types of turbines - one with the highest hub height and one with the largest blade length.

Our view is that the 250m high turbines are likely to be too large for this site and a more realistic alternative should also be considered to inform PINS and the Ministers.

**Question 15: Do you agree with the proposed size of the study area?**

The outer 45km study area appears to be reasonable for development of this scale. The main concern from a BCBC point of view is the likely significant effects more locally and therefore sufficient detailed assessment should be carried out for an inner study area of 15km supported by mapping and information at a more detailed scale such as ZTVs, viewpoints and constraints.

**Question 16: Do consultees agree with the number, location and receptor types that have been selected as the representative viewpoints in order to assess the effects on visual amenity within the study area?**

The range of viewpoints located within the BCBC administrative areas have been assessed through desk study and site visits. Overall, it is considered that most of the viewpoints are

acceptable but a fuller picture of effects on the Llynfi valley, coastal area, heritage assets and cumulative effects is needed to understand the impact of this very large development.

More specifically, to give a fuller picture of the development in its context and to cover sensitive receptors the following additional viewpoints are proposed for BCBC:

- Kenfig Burrows registered historic landscape/ Kenfig visitors carpark/ Wales Coast Path- to inform LVIA and cultural heritage assessments.
- Ogwr Ridgeway Walk/ nearby Y Bwlwarcaw hillfort and Roman Camp setting to inform LVIA and cultural heritage assessments.
- Cemetery/ view from eastern edge of Maesteg/ associated eastern Llynfi valley slopes to show development more fully in context of the Llynfi valley.
- Llangynwyd Conservation Area (south of cross)- nearby heritage and visual receptor and distinctive hilltop village- to inform LVIA and cultural heritage assessments.
- A4063 users/residents on southern edge of Croeserw/ open access land/to explore cumulative effects with windfarms to east.
- Bettws - consider settlements at a medium distance with clear views of the development.

Guidance set out in TGN2/19 Residential Visual Amenity Assessment, Landscape Institute, March 2019 mentions wind turbines at 150m and taller when discussing realistic buffers but these turbines at 250m are significantly larger. It goes on to state:

*'When assessing relatively conspicuous structures such as wind turbines, and depending on local landscape characteristics, a preliminary study area of approximately 1.5-2km radius may initially be appropriate in order to begin identifying properties to include in a RVAA.'*

The public inquiry decision for Mynydd Marchywel wind farm in NPT found that its five turbines at 126.5m high breached the RVA threshold of acceptability with wind turbines at a distance of 920m-2.4km from a property. The wind farm was refused.

Taking into consideration the above, our view is that distance of 2km should be scoped for the RVAA. A mix of individual properties and groups of properties should be assessed as appropriate, depending on distance and arrangement.

**Question 17: Do consultees agree with the methodology used to determine which wind farms are to be included within the cumulative assessment and also agree with the list provided in Table 12.8?**

Cumulative impact assessments can be large and confusing and it is important that the most important cumulative effects are addressed clearly. Those that are most important are those with existing or consented turbines, at closer distances and juxtapositions, where there is a large sweep of turbines visible and where receptors (especially residential) have developments on two or more sides.

Additional viewpoints have been selected in this response to better reflect the potential for cumulative effects e.g. at Croeserw. The list of windfarms to be considered in Table 12.8 appear to have one of two errors. It is understood that Foel Trawsnant has been consented. The difference in size of turbine and the adjacency of this proposal are of particular concern.

The turbines east of Porthcawl (e.g. Stormy Down) appear to have been omitted. These affect perceptions in these areas and should be considered. To minimise work, all of these turbines should be considered together in relation to the development.

The comments relating to the sensitivity of landscape effects (relating to Q18 below) also apply to cumulative effects. The factors that make a landscape more or less susceptible to a series of developments, especially of different sizes and design, are not set out. This is important to understand how the judgements are reached.

There are only three categories of sensitivity which means that there is a significant difference between the descriptors of high, medium and low with intermediate categories effectively being omitted. This does not reflect the complexity of most landscapes. Five categories are recommended.

The magnitude of cumulative landscape effects correctly identifies that the combined effects of the proposed development and other wind turbine developments should be considered. This should be assessed against the baseline of no wind turbines on the basis of the temporary nature of the development, albeit long-term. However, the contribution of Y Bryn to the cumulative effect should also be described in terms of relationship with other windfarms including relative size of turbine. The significance of cumulative landscape effects has a very high threshold of significance and the definitions for major and major/moderate are very similar. It is considered that the definitions will tend to lead to under estimation of significant effects.

Magnitude of cumulative visual effects, as with landscape effects, correctly identifies that the combined effects of the proposed development and other wind turbine developments should be considered. However, the contribution of Y Bryn to the cumulative visual effect should also be described in terms of the juxtaposition and relationship with other windfarms including relationships with the viewer (e.g. on either side) and the percentage field of view etc.

The significance of cumulative visual effects includes a definition of 'the loss of some essential landscape features' in the major/moderate category. It is considered that this statement does not make sense as wind turbines usually do not lead to the 'loss of features', just substantial modification of the view.

### **Question 18: Do the consultees agree with the proposed approach to assess the effects on landscape character and visual amenity?**

The following general comments are made on the guidance as set out in 12.2.1.

- The Guide to Assessment of Cumulative Effects of Wind Farm Developments, ETSU (2000) is very outdated and should be given little, if any, weight. The SNH 2012 guidance is more helpful in this regard.
- LANDMAP Information Guidance Note 3 has been superseded by Natural Resources Wales Guidance Note 046 'Using LANDMAP in Landscape and Visual Impact Assessments (LVIA)', January 2021. Note that Cultural Landscape Services succeeds Cultural landscape.
- The Visual Representation of Development Proposals TAN 06/19 should be dated September 2019.
- Seascape effects should be considered in line with the documents set out in the seascape section below.

### **Landscape**

The sensitivity of landscape is not described as combining the susceptibility of a given landscape to a particular type of development with value in line with GLVIA3. The factors that make a landscape more or less susceptible to a particular type and scale of development are not set out. This is important to understand how the judgements are reached.

There are only three categories of sensitivity which means that there is a significant difference between the descriptors of high, medium and low with intermediate categories effectively being omitted. This does not reflect the complexity of most landscapes. Five categories are recommended.

The magnitude of landscape effects does not include the criteria of the proposed development becoming a dominant or key characteristic of an area. The definitions of high and high/medium are very similar with the latter being too high a threshold.

The significance of landscape effects appears to use the term 'element' where 'characteristic' would be more appropriate and in line with standard guidance definitions. The combination of sensitivity and magnitude of effect should be in line with the IEMA diagram in Appendix A.

### **Seascape**

The effects on seascape are not addressed in the assessment. The ZTV clearly indicates uninterrupted visibility across Swansea Bay, along the southern coast of Gower and across the Bristol Channel to Exmoor. The proposed heights of turbines are so large that they are likely to modify the coastal backcloth to the seascape.

### **Visual Amenity**

The sensitivity of visual receptors does not mention visitors to the coast, heritage assets and country parks, all of whom would be highly sensitive. It is assumed that medium sensitivity receptors would include users of B roads. As with the landscape sensitivity, three categories do not reflect the range of sensitivities of receptors and users of motorways and A roads may be considered medium/low, not low.

The significance of the visual effects indicates that defining visual elements would become subservient within the view. Presumably, this means that the development would be a dominant feature?

It is agreed that some effects of moderate significance could be significant. The method does not mention that where a series of linked moderate effects occur (e.g. along the footpath) that this may make the combined views significant. The combination of sensitivity and magnitude of effect should be in line with the IEMA diagram in Appendix A.

### **LVIA outputs**

The following comments are made on the figures:

- All map figures should be prepared to cover the 45km study area and separate more detailed maps showing a 15km study area.
- It is assumed that the non-statutory landscape designations will include Special Landscape Areas.
- The access and movement figures should include access land.
- LANDMAP should include aspect areas in line with updated Natural Resources Wales Guidance Note 046 'Using LANDMAP in Landscape and Visual Impact Assessments (LVIA)', January 2021. The change to cultural landscape services should be noted.
- Character Areas - the method for defining these has not been identified or are they National?
- Blade tip and hub height ZTVs should be at 15km with a 1:25k OS base as well as 45km with a 1:50k base. They should include bare ground and landcover versions to accommodate possible changes in tree cover over the life of the development.



- Viewpoints should be shown as points to give an accurate indication of their location.
- Viewpoint visualisations should include the additional viewpoints suggested in Table 2.
- Photomontages should include a range of key views to be agreed. They should not necessarily be limited to 10 as such a large scale development is proposed and may necessitate more.
- The height of the turbines may necessitate the use of portrait photos in some locations to ensure that full of the height of the turbine is covered.
- Photomontages should include A3 single frame views where possible to allow for ease of printing by third parties and decision-makers and for taking on site. A good example is the Lethans A3 viewpoint pack (see sample in Appendix B).
- The cumulative ZTVs should also be carried out at 15km radius on 1:25k OS mapping for the closest wind turbine developments.

In addition, the following information is regarded as important in understanding effects:

- Seascape character areas at national and local level.
- Forestry resource/management plans are needed showing the phasing of removal and/or replanting of the forest plantation surrounding the proposed wind farm to clearly inform how this may open up or reduce views during the lifetime of the development, or at least 10 years. Expected tree growth rates for proposed species would be helpful.
- Proposed mitigation.
- Elevations of proposed turbines showing alternatives with highest hub height and with the largest blade circumference.
- Location and details of access roads, battery storage and other ancillary infrastructure.

Although some of the above will not be part of the LVIA they should be part of the overall description of the development.

### **Question 19: Do consultees see value to any particular enhancement measures?**

Landscape enhancement measures would need to be considered hand-in-hand with biodiversity enhancement and cultural heritage measures such as interpretation. The measures should take into consideration the effects of climate change and reinforce resilience to species loss and issues such as flooding. They should be in line with NRW advice on management of forests and general climate change guidance e.g. Communicating landscape change from adaptation and mitigation in a changing climate, Natural Resources Wales report no.396.

The clearance of forest to accommodate the development may reduce the capacity of the area to reduce run-off and this should be compensated and enhanced if at all possible.

Whilst the above may be considered as benefits, they are likely to be very minor in comparison to the level of landscape and visual effects. Whilst they need to be set out clearly with appropriate commitments, they should not be used to obscure the overall residual effects.

### **Hydrology, Geology and Hydrogeology:**

#### **Question 20: Are consultees in agreement with the methodologies proposed and the topics to be scoped out?**

Whilst the Council's Land Drainage Section has been consulted their advice has not been received to date and any comments will be forwarded to PINS in due course.

**Question 21: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional receptors, whether referred to above or otherwise?**

Whilst the Council's Land Drainage Section has been consulted their advice has not been received to date and any comments will be forwarded to PINS in due course.

**Cultural Heritage:**

**Question 22: Do consultees agree with the approach and scope of the Heritage assessment?**

The levels of heritage significance set out in Table 14.1 indicate that Conservation Areas are only of medium importance. In the case of Llangynwyd, with its concentration of Grade II Listed buildings and structures and recognition as a Historic Landscape Character area, this is considered to be too low. This should be included as an additional viewpoint as requested above and should be used to help inform the level of effects in addition to the study and site visits.

The method appears to reference the key documents but reference should also be made to the document '*Managing Conservation Areas in Wales*' (2017) which supplements Planning Policy Wales and Technical Advice Note 24: The Historic Environment. It should be noted that the '*Guide to good practice on using the register of landscapes of historic interest in Wales in the planning and development process*' (2007), is published by Cadw, CCW (now NRW) and Welsh Assembly Government, now Welsh Government.

It is not known if, (or agreed that), the inner study area (ISA) is low-medium in terms of archaeological potential (14.3.4).

In paragraph 14.3.5 of the Scoping Report, reference should be made to Archaeologically Sensitive Areas (including Maesteg and Kenfig). In carrying out the ASIDOHL 2 assessment the historic landscape character areas (HLCAs) should be assessed. These are described by GGAT in the following website:

[http://www.ggat.org.uk/cadw/historic\\_landscape/margam/english/mynydd\\_margam\\_summary.html](http://www.ggat.org.uk/cadw/historic_landscape/margam/english/mynydd_margam_summary.html)

Past experience is that in assessing wind energy or any structure that is disproportionately tall in comparison to the extent of its physical footprint can affect findings. Under these circumstances, the ASIDOHL2 methodology can produce results that show a development having less impact than is really the case, because as the methodology stands, visual impacts are weighed up with physical impacts, which in the case of wind turbines are relatively small, especially in this case with very large turbines.

The assessor should take this into account and give more weight to the visual impacts through use of ZTV data and likely adverse visual effects within each HLCA. These should take account of forest management and clearance due to the project as well as the overall Forest Management Plan.

Consideration should additionally be given to place-names as well as potential artistic or literary associations, sacred space, or local traditions and customs. Welsh language literary sources should be considered in this context, including early poetry associated with the Abbey and with the estate which followed it. Aeron Afan's Cyfansoddiadau Buddugol yn Eisteddfod Iforaidd

Aberafan Mehefin 23, 1853 (Caerfyrddin: William Thomas) captures the culture of the area in the early stages of industrialisation.

In relation to scope, it is suggested that the effects of the proposed grid connection would be scoped out if it used underground cable. This may have an adverse effect on archaeological remains in the ground and therefore this should not be scoped out.

**Question 23: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional heritage features, whether referred to above or otherwise?**

Mitigation and enhancement of cultural heritage assets should be put forward in line with good practice and national guidance. As with LVIA mitigation, whilst these may be considered benefits they are likely to be very minor in comparison to the level of cultural heritage effects. Whilst they need to be set out clearly with appropriate commitments, they should not be used to obscure the overall residual effects.

### **Traffic and Transport:**

Although there are no questions in this section of the Scoping Report, BCBC would like to comment as follows:

The methodology for determining the impact of the development on the highway network has been considered and raises a number of questions and concerns. Whilst it is agreed that the significant majority of the traffic impact for this proposal will be at the construction stage, the percentage thresholds to determine if further transport studies are required are considered to be too high for the following reasons.

An increase of 5% traffic on the highway network is a material planning consideration and requires further analysis. Therefore, the proposed 30% is not acceptable. In addition, using a percentage increase is a coarse methodology for a development such as this and Average Daily Trips should be calculated for all construction activity over the working day. This methodology has been used successfully in other windfarm developments in the County Borough to determine the impacts on the network during the peak traffic hours especially during the mass concrete pour for the turbine bases which are often intense and have to be continuous.

In addition, early engagement with the abnormal loads officer will enable the determination of the route of the abnormal loads. Whilst a rudimentary survey of the highway network reveals the infrastructure that will be affected, the abnormal loads officer has details of unseen culverts under the highway network, which are prevalent in Bridgend, and which often carry weight limits preventing the abnormal load from crossing.

Early engagement with the Highway Authority is of paramount importance for this type of development and, therefore, it is considered that Section 15 of the Scoping Report does not adequately scope out the potential impact on the highway network to enable a satisfactory Construction Traffic Management Plan to be devised.

## Noise:

### **Question 24: Do consultees agree with the proposed approach to cumulative noise and the list of other wind developments that are planned to be included in the cumulative noise assessment?**

It is noted that out of the table of listed wind turbines, only those listed in 16.2.6 of the report are to be included in the cumulative assessment.

Whilst the closest wind farms have been included, the consultants will need to evidence why they think the Upper Ogmore Wind Farm should not be included in the cumulative assessment e.g. The Institute of Acoustics '**Good practice guide to the application of ETSU-R-97 for the assessment and rating of wind turbine noise**' (GPG) states that '*if the proposed wind farm produces noise levels within 10 dB of any existing wind farm/s at the same receptor location, then a cumulative noise impact assessment is necessary*' – therefore, the consultants will need to confirm if have they carried out preliminary calculations which prove that the turbines from that wind farm will not add to the cumulative effect.

With regards to the cumulative assessment itself, the scoping report states, '*consideration will be given to the 'controlling property' and 'significant presented headroom' approaches outlined in the GPG. If it is possible and realistic, it will be assumed that the other wind farm developments are at their respective noise limits*'.

This is a difficult area as existing wind farm operators have the right to produce noise to their consented total ETSU-R-97 limits and even if it can be demonstrated that that headroom currently exists, it may not be the case that that headroom will be present indefinitely as stated in paragraph 5.4.7 of the GPG.

For the development to proceed, the presented 'headroom' needs to be maintained. Therefore, unless the 'cumulative conditioning' or 'negotiation' methods described in Section 5.7. of the GPG is undertaken, which in itself provides difficulties and enforcement of cumulative conditions, BCBC request that when the limits for the new wind farm are proposed, the developer will need to ensure that the cumulative levels does not exceed the original derived ETSU-R-97 level based on their permitted consented levels. The SB21 of the GPG states '**SB21: Whenever a cumulative situation is encountered, the noise limits for an individual wind farm should be determined in such a way that no cumulative excess of the total ETSU-R-97 noise limit would occur**'.

### **Question 25: Do consultees agree it is appropriate to assess noise from the development, individually and cumulatively, against a daytime limit of 40 dB LA90 / Background + 5 dB and 45 dB LA90 for financially involved properties?**

The scoping report recognises that when choosing the fixed limit of 35-40dB LA90 in low noise environments (where the background LA90 is 30dB) or less, ETSU-R-97 requires a consideration of all the following factors:

- The number of dwellings in the neighbourhood of the wind farm;
- The effect of noise limits on the number of kilowatt/hour (kWh) generated; and
- The duration and level of exposure.

However, it then goes on to discuss just the power generation consideration to justify assessing the development against the upper limit of 40dB LA90.

BCBC cannot agree with this from the outset as consideration needs to be given to all 3 factors and especially the duration and level of exposure. For example, in low noise environments e.g. 26dB (which can occur in some sheltered valley properties at lower wind speeds), if an upper limit of 40 dB LA90 was allowed, that would be an exceedance of 14dB over the background level of 26dBA, which is significant. The IOA Good Practice Guide states that the duration and level of exposure criteria in ETSU-R-97 *'notes that the likely excess of turbine noise relative to background noise levels should be a relevant consideration. In rural areas, this will often be determined by the sheltering of the property relative to the wind farm site. Account can also be taken of the effects of wind directions (including prevailing ones at the site) and likely directional effects. For cumulative developments, in some cases the effective duration of exposure may increase because of cumulative effect'*.

Consequently, the upper fixed 40dB limit cannot be agreed at this stage. With respect to background plus 5dB and 45dB for financially involved properties, this can be agreed as per the ETSU guidance. Evidence should be provided of what properties are financially involved and that they have a direct involvement e.g. that they are living in those properties and are not merely renting or leasing them out to someone else.

**Question 26: Do consultees agree with the areas proposed for background noise monitoring?**

It is stated in paragraph 16.2.11 of the scoping report that *'For the assessment of receptors to the north and north-east, it is intended to refer to these background noise measurements collected for Foel Trawsant'* and in paragraph 16.2.12 *'it is intended to use these background noise levels for the assessment of receptors to the south-west of the development'*. Whilst we have no objection to this in principle, as specified in the GPG *'if the developer wishes to utilise previously presented background noise level data from other, care should also be taken with respect to any differences in wind speed conditions between the original and proposed site. The underlying principle of ETSU-R-97 requires that the background noise levels at any given location must be correlated with the wind speeds measured on the wind farm site of interest. Where a systematic difference exists between the wind conditions on the two sites, then a correction will need to be applied, meaning that the derived background noise curves for the two sites will be different.'* Therefore, this will need to be considered to comply with the Good Practice Guide.

In addition, paragraph 16.2.13 states that *'It is intended, if possible, to undertake new background noise monitoring at several locations within areas A and B as highlighted on Figure 16.1. These are areas where preliminary noise predictions suggest cumulative wind farm noise levels may be approaching the ETSU-R-97 daytime limit range of 35-40 dB LA90, and where background noise monitoring has not previously been undertaken'*.

BCBC is concerned about the wording *'it is intended, if possible, to undertake new background noise measurements... within areas A and B'*. Given the location of the closest turbines to those areas, it is essential that monitoring is undertaken at these additional receptors and not 'where possible'. However, it should be pointed out that any monitoring undertaken would have to be corrected for any other wind turbines in operation during that time to ensure that existing wind turbines were not elevating or impacting on the true background measurements. This is

recognised in the GPG which states that *'Where a new wind farm is proposed and a receptor is also within the area acoustically affected by an already operational wind farm, then noise from the existing wind farm must not be allowed to influence the background noise measurements for the proposed development'*. The location of actual new monitoring locations within those areas should be agreed with the respective Environmental Health Department for Neath Port Talbot and Shared Regulatory Services for Bridgend County Borough Council.

**Question 27: Do consultees agree with the proposed approach to assessing construction related noise from the proposed development?**

Yes - although predicted impacts will also need to include the impacts of vibration as well. In addition, it should be noted that the hours of operation specified by Shared Regulatory Services, which covers the area of Bridgend, Cardiff and the Vale of Glamorgan Councils, which are audible at any residential property are Monday - Friday 0800 -18.00 hours, Saturday 08.00 - 13.00 hours and no working Sundays or Bank Holidays. Within that period, works which produce vibration in excess of 0.2mm/s at any residential property should only be undertaken between 09.00-17.00 hours Monday - Friday and 09.00 -1300 Saturdays.

**Forestry:**

**Question 28: Are consultees in agreement that this provides sufficient guidance for the forestry elements of this wind farm proposal?**

The Council's Countryside Management Officer has been consulted and any comments will be forwarded to PINS in due course.

**Question 29: Are consultees in agreement with the proposed methodology and approach for forestry?**

The Council's Countryside Management Officer has been consulted and any comments will be forwarded to PINS in due course.

**Socio-Economics:**

**Question 30: Are consultees in agreement with the proposed methodology for socioeconomic and that tourism is scoped out?**

Yes.

**Health and Public Safety:**

**Question 31: Do you agree that ice throw and lighting is scoped out of the ES and potentially shadow flicker if no properties lie within 10 rotor diameter of turbines?**

With respect to shadow flicker, even if it is scoped out, a condition should be included that if complaints arise from shadow flicker, that they are investigated by the developer and remedial action undertaken if shadow flicker is found to occur. A previous and justifiable complaint was lodged about another wind farm where shadow flicker was found to be occurring at properties where it was originally anticipated that they were not going to be affected in the original assessment, which resulted in remedial action being undertaken.

## **Aviation and Existing Infrastructure:**

**Question 32: Are consultees in agreement with the proposed methodology and approach for aviation?**

Yes.

**Question 33: Do consultees agree with the proposal to scope in aviation, Public Rights of Way and scope out impacts on impact on TV and microwave fixed links, gas, water and power lines?**

Yes.

## **Residual Effects, Mitigation and Enhancement:**

**Question 34: Do the consultees have any comments regarding the proposed documentation that will accompany the application?**

No.

In general terms, the scoping report at paragraph 12.3.6 should refer to Bridgend CBC LDP in the title and the following:

- SPG 20 - Renewables in the Landscape: Supplementary Planning Guidance
- BCBC Landscape Character Area Assessment

Paragraph 14.2.1 should refer to the Glamorgan Gwent Archaeological Trust (GGAT) not Gwynedd Archaeological Trust (GAT).

Paragraph 14.2.3 should read "Landscape of Outstanding Historic Interest within 5 km of the site boundary" not "Special Historic Interest."

Paragraphs 14.2.10 and 14.3.1 should refer to Glamorgan Gwent Archaeological Trust not Gwent Glamorgan Archaeological Trust.

In terms of the supporting figures and reports:

- Fig. 3.1 – 'Constraints to Site Design' should include historic Landscapes, Conservation Areas and Special Landscape Areas for completeness.

A map of the Landscape Character Area Assessment for BCBC is attached at Appendix 2 to illustrate some of the designations in the area.

## **Other consultee comments:**

The following comments have been received from the Coal Authority:

*"The proposed EIA development is located within the defined Development High Risk Area; the site has therefore been subject to past coal mining activity. In addition, the site is located within an area of surface coal resource.*

*In accordance with the agreed risk-based approach to development management in Development High Risk Areas, the past coal mining activities and the presence of surface coal resources within the site should be fully considered as part of the Environmental Statement (ES); this should take the form of a risk assessment, together with any necessary mitigation measures.*

*Whilst the Coal Authority notes the submitted information provided by The Natural Power Consultants Ltd, it would appear that no form of assessment has been made of the impact of coal mining legacy. Within the application site and surrounding area there are coal mining features and hazards which need to be considered. This issue should be included within a range of proposed studies to be undertaken should an EIA be required and the Coal Authority considers that the proposals should be informed by the presence of these features and hazards.*

### **Consideration of Coal Mining Issues in the ES**

*There are a number of coal mining legacy issues that can potentially pose a risk to new development and therefore should be considered as part of an Environmental Statement for development proposals within coalfield areas:*

- *The location and stability of abandoned mine entries*
- *The extent and stability of shallow mine workings*
- *Outcropping coal seams and unrecorded mine workings*
- *Hydrogeology, mine water and mine gas*

*In addition, consideration should be afforded as part of development proposals and the ES to the following:*

- *If surface coal resources are present, whether prior extraction of the mineral resource is practicable and viable*
- *Whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings during site investigation or development work*

### **Coal Mining Information**

*Information on these issues can be obtained from the Coal Authority's Property Search Services Team (Tel: 0345 762 6848 or via the Coal Authority's website) or book an appointment to visit the Coal Authority's Mining Records Centre in Mansfield to view our mining information (Tel: 0345 7626848).*

*The Coal Mining Risk Assessment should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies can be found at:*

<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

*Guidance on how to produce a Coal Mining Risk Assessment and a template which the "competent body" can utilise is also contained at:*

<https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

*Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:*

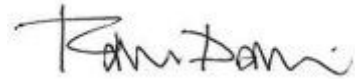
<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>



*In accordance with our consultation requirements, we look forward to receiving the planning application and Environmental Statement for comment in due course."*

I trust that the above advice is of assistance.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rhodri Davies', written in a cursive style.

**Mr. Rhodri Davies BA, BTP, MRTPI  
Development and Building Control Manager**

**Enc.**

**Appendix 1 – Response to Scoping Report in relation to Landscape and Visual and Cultural Heritage Matters (by White Consultants)**

**Appendix 2 - Historic Designations in Bridgend County Borough Council**