



**PARC CENEDLAETHOL BANNAU BRYCHEINIOG
BRECON BEACONS NATIONAL PARK**

Christopher Jones
Rhondda Cynon Taf County Borough Council

Date: 5 November 2020

Officer: Davina Powell

Your Ref: 20/0986/10

Our Ref: 20/19116/FRI

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Proposal: “Construction and use of a stack with associated pipework and a continuous emissions monitoring systems gantry with ladder access”

Address: Fifth Avenue, Hirwaun Industrial Estate, Hirwaun Rhondda Cynon Taff

The Authority welcomes feedback from agents and applicants on the quality of the service received. For further information, please visit www.beacons-npa.gov.uk/planningsurvey to fill in a brief online survey.

Thank you for your consultation received 7 October 2020 regarding the above and for agreeing to the slight extension of time until the 6th November 2020 for us to comment on the planning application.

We understand Enviroparks (Wales) Limited has submitted a planning application to Rhondda Cynon Taf Council for a 90m (3.95m diameter) stack at Fifth Avenue, Hirwaun Industrial Estate. The red outline for this proposal is located entirely in Rhondda Cynon Taf but is almost immediately adjacent to the Brecon Beacons National Park Authority (NPA) boundary.

It is noted that planning permission ref: 17/14587/FUL (Brecon Beacons National Park Authority) and 17/0249/10 (Rhondda Cynon Taf Council) approved a 45m stack (3.5m diameter) within the Brecon Beacons National Park Authority area (approximately 90m away from the location now currently being proposed). The submission suggests a higher stack in a different location is being proposed to improve the emissions profile of the plant, particularly in respect of acid and nutrient nitrogen deposition on adjacent Special Areas of Conservation (SAC).

We set out below some background on the NPA’s policy and legal context. The letter ends with our comments on the planning application submission which was made available on the Council’s website. You will note the National Park Authority provided comments as part of the Pre-Application Consultation (PAC) stage in July 2020 and a copy of this letter is in the applicant’s PAC Report.

Background

Policy and legal context

Section 63 of the Environment Act (1995) sets out the statutory purposes of the National Park as follows:-

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and
- To promote opportunities for the public understanding and enjoyment of the special qualities of the National Park

In accordance with section 62(2) of the Environment, any relevant Authority shall have regard to National Park purposes when performing any functions in relation to, or so as to affect, land in a National Park. Relevant Authorities include public bodies, government departments, local authorities and statutory undertakers.

The Special Qualities of the National Park may be significantly impacted by development proposals on the fringes of the National Park. The Brecon Beacons National Park Management Plan 2015-2020 defines the Special Qualities of the Brecon Beacons National Park as follows:

- A National Park offering **peace and tranquility** with opportunities for quiet enjoyment, inspiration, relaxation and spiritual renewal.
- A feeling of **vitality and healthfulness** that comes from enjoying the Park's fresh air, clean water, rural setting, open land and locally produced foods.
- A **sense of place and cultural identity** - "Welshness" - characterised by the use of the indigenous Welsh language, religious and spiritual connections, unique customs and events, traditional foods and crafts, relatively un-spoilt historic towns, villages and family farms. The continued practices of traditional skills developed by local inhabitants to live and earn a living here, such as common land practices and grazing.
- A **sense of discovery** where people are able to explore the Park's hidden secrets and stories such as genealogical histories, prehistoric ritual sites, medieval rural settlements, early industrial sites, local myths, legends and geological treasures.
- The Park's **sweeping grandeur and outstanding natural beauty** observed across a variety of harmoniously connected landscapes, including marvellous gorges and waterfalls, classic karst geology with caves and sink holes, contrasting glacial landforms such as cliffs and broad valleys carved from old red sandstone and prominent hilltops with extensive views in all directions.
- A **working, living "patchwork" of contrasting patterns, colours, and textures** comprising of well-maintained farmed landscapes, open uplands, lakes and meandering rivers punctuated by small-scale woodlands, country lanes, hedgerows, stone walls and scattered settlements.
- **Extensive and widespread access to the Park's diversity of wildlife and richness of semi-natural habitats**, such as native woodlands, heathland and grassland, natural lakes and riparian habitats, ancient hedgerows, limestone pavement and blanket bogs including those of international and national importance.
- In the context of the UK, **geographically rugged, remote and challenging landscapes**.
- **Enjoyable and accessible countryside** with extensive, widespread and varied opportunities to pursue walking, cycling, fishing, water-based activities and other forms of sustainable recreation or relaxation.
- **An intimate sense of community** where small, pastoral towns and villages are comparatively safe, friendly, welcoming and retain a spirit of cooperation.

Planning Policy Wales (PPW) (Edition 10) acknowledges the statutory purposes of National Parks and references the "Sandford Principle", whereby if there is a conflict between the statutory purposes, greater weight shall be given to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage. PPW states that "*planning authorities have a statutory duty to have regard to National Parks and AONB purposes. This duty applies in relation to all activities affecting National Parks and AONBs, whether those activities lie within, or in the setting of, the designated areas*" (see para 6.3.5).

Planning Application Submission

We have reviewed the submission – principally the Environmental Statement and Design and Access Statement. As outlined at PAC stage, we consider the key issues which have the potential to impact on the National Park Authority's statutory purposes and special qualities are in relation to landscape and visual impact. We make the following comments on the submission:

- The Zone of Theoretical Visual maps shows the revised stack to be visible from similar locations to the consented stack although we note slightly larger areas are identified particularly to the north (around Coed Cae Ddu Farm) and west which are in the National Park (beyond the 5km radius however).
- Table 8.2 of the ES states the changes in landscape impact and shows worsen effects for the Penderyn Area Name (CYNONOV833), Hirwaun (CYNONCL042) and The Rhigos (CYNONCL041). BBNP (CYNONCL044) is now identified to have a major significant effect compared to moderate/major for the consented stack at close range.
- Table 8.3 of the ES states the changes in the viewpoint assessment (proposed development compared with consented). It shows that five viewpoints to have worsen effects at year 1 (Viewpoints C, E, F, J and K) one of which appears to be the National Park (C: Northern edge of Penderyn Reservoir). Worsened visual effects are noted for B-N viewpoints at the 15-year stage (seven of which are located in the National Park area). It is however noted that no location would the proposed development result in significant adverse effects where previously there were no significant effects as a result of the permitted scheme.
- The National Park Authority would ask the determining local planning authority to carefully consider the finish and colour of the stack - it is noted an Environmental Colour Assessment has been prepared. NRW highlighted in their PAC comments the stack be a matt and muted colour. The National Park Authority concur with NRW's comments in this regard.
- Whilst the National Park Authority does still have some concern over the landscape and visual impact of the proposal and its impact on the Special Qualities of the National Park it will be for the determining local planning authority to give this due regard in the determination of this planning application. It is noted that the current consent is for a 45m stack within the National Park boundary itself.

Conclusion

The Brecon Beacons National Park Authority have some concern over the landscape and visual impacts of the proposed 90m stack and the impacts this then has the statutory purpose of the National Park - *"to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park"*. The NPA also have concerns that the proposal will adversely impact on two of the Special Qualities of the Park – its *"sweeping grandeur and outstanding natural beauty"* and the *"working, living "patchwork" of contrasting patterns, colours, and textures"*. It will be for the determining local planning authority to give due regard to these impacts in the determination of this planning application.

Please note that this response has been prepared by Officers, and will not receive formal ratification from Members until 15th December 2020 after which point in time I may provide supplementary response as necessary.

We trust the above comments are of assistance however if you wish to discuss any aspect further please do not hesitate to contact me.

Yours faithfully,

Tracy Nettleton
Planning and Heritage Manager

Yr ydym yn croesawu gohebiaeth yn y Gymraeg. Bydd unrhyw ohebiaeth yn y Gymraeg yn cael ei ateb yn y Gymraeg a ni fydd unrhyw gyswllt trwy gyfrwng y Gymraeg yn arwain at oedi yn y mater sy'n cael ei drin.
We welcome correspondence in Welsh. Any correspondence in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in the matter being dealt with.