

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2022-2023:**

**PLANNING AND DEVELOPMENT  
COMMITTEE 22<sup>nd</sup> JUNE 2023**

**REPORT OF: DIRECTOR  
PROSPERITY AND  
DEVELOPMENT**

	<b>Agenda Item No. 8</b>
--	--------------------------

<p><b>APPLICATION NO: 22/1129 – TO CONSTRUCT AND OPERATE A WIND FARM CONSISTING OF UP TO 7 WIND TURBINES AND ASSOCIATED INFRASTRUCTURE (DEVELOPMENT OF NATIONAL SIGNIFICANCE), LAND TO THE EAST OF TREBANOG, RHONDDA CYNON TAF</b></p>
--

**APPLICATION NO:** 22/1129/05 (MF)  
**APPLICANT:** Pennant Walters Ltd  
**DEVELOPMENT:** To construct and operate a wind farm consisting of up to 7 wind turbines and associated infrastructure (Development of National Significance)  
**LOCATION:** LAND TO THE EAST OF TREBANOG, RHONDDA CYNON TAF  
**DATE REGISTERED:** 24/05/2023  
**ELECTORAL DIVISION:** Tonyrefail East

---

**RECOMMENDATION:** That Members approve the Council's Local Impact Report (as set out in Appendix 'A') in respect of this Development of National Significance planning application, for submission to Planning and Environment Decisions Wales to assist the appointed Welsh Government Inspector in the determination of the application.

**REASONS:** Under the requirements of Section 62I and 62K of the Town and Country Planning Act 1990 (as amended) and Regulation 25 of Developments of National Significance (Procedure) (Wales) Order 2016 the Council, as Local Planning Authority, are obliged to prepare a Local Impact Report for the consideration of Planning and Environment Decisions Wales in respect of Developments of National Significance.

---

#### **REASON APPLICATION REPORTED TO COMMITTEE**

- The report relates to a Development of National Significance, the determination of which lies outside of the Council's jurisdiction and instead with Planning and Environment Decisions Wales.
- It is considered that nature and scale of the development proposed warrants the involvement of the Council's Planning and Development Committee.

#### **BACKGROUND FOR MEMBERS INFORMATION**

Pennant Walters Ltd is seeking full planning permission for the construction and operation of a wind farm of up to 7 turbines on land at Mynydd y Glyn, Trebanog. As the installed generating capacity of the proposed development would exceed 10MW, it qualifies as a 'Development of National Significance' (DNS) and the application for planning permission is therefore to be decided by the Welsh Ministers rather the Local Planning Authority (LPA), with the process administered by Planning and Environment Decisions Wales (PEDW).

While not involved in the final consideration/determination process, it is a formal requirement of the DNS process that any relevant LPA must submit a Local Impact Report (LIR) to PEDW to assist the appointed Inspector in the consideration of the proposals.

Guidance issued by the Welsh Government sets out a general approach to the LIR and provides that:-

- the LIR is meant to give a factual, objective view of the impacts of the proposed development on the area in question. The impacts should be presented in terms of their positive, neutral and negative effects.
- the report is distinct from any representation a local authority may make on the merits of an application. A Local Authority or individual Councillor may submit a separate representation on the merits of the application.
- the LIR may draw attention to matters raised with the LPA by interested parties or community groups, but only if the LPA considers those matters to be planning considerations that should be included in an LIR.
- in producing an LIR, the local authority is not required to carry out its own consultation with the community.

Section 62K of the Town and Country Planning Act 1990 (as amended) and Regulation 25 of Developments of National Significance (Procedure) (Wales) Order 2016 (as amended) set out the minimum requirements of the content of a LIR:

- The likely impact of the development on the area.
- Planning history of 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 Developments of National Significance (Procedure) (Wales) Order 2016 (as amended), i.e. a copy of the site notice, a photograph of the site notice on display and a map showing the location of the site notice.

An overview of the LPA's LIR is set out below for Members consideration. The full LIR proposed to be submitted to PEDW is set out in Appendix 'A' of this report.

## **THE PROPOSED DEVELOPEMENT**

The application seeks full planning permission for the construction, installation and operation of up to 7 wind turbines at the site with an installed capacity of up to 30MW. The turbines would each be of a 3-blade rotor design with a diameter of up to 136m, a hub height of up to 97.5m, and a maximum blade tip height of 155m. Each of these parameters are proposed maximums dependent on the final turbine choice. The wind farm's output would provide enough electricity to power around 15,376 homes.

The proposed development would also include the following associated infrastructure:

- A substation and control building.
- Temporary construction compounds, including temporary site offices.
- Crane pads at each turbine location.
- Turbine foundations, laydown and storage areas.

- Underground power cables linking the turbines and the on-site substation.
- Internal access tracks.
- A new access and junction off the A4233.
- A 1.4km long overhead line from the point of supply (on-site substation) to the boundary of the site where it will be met with a 7.1km long underground cable to the grid connection (an existing National Grid (NG) substation at Upper Boat). The underground cable would be delivered separately by NG.
- Associated construction / enabling works.

It is anticipated that the Abnormal Indivisible Loads (AILs) transporting turbine equipment would travel by road from the Port of Swansea, east along the M4 to Junction 34 (Miskin), north along the A4119 to Tonyrefail, then north-east along the A4233 to Trebanog and the site entrance.

The construction period would be approximately 24 months. The wind farm has been designed with an operational life of 30 years and at the end of this period would be decommissioned, dismantled and removed from site.

## **THE APPLICATION SITE**

The application site forms the summit and upper slopes of Mynydd-y-Glyn mountain, extending to a total area of approximately 182ha. It is located approximately 1km east of Trebanog, approximately 600m south-east of Cymmer/Glynfach/Porth, and approximately 1km north of Tonyrefail. The site is absent of distinct field boundaries and tree cover resulting in it being open and exposed. It is generally comprised of improved and semi-improved grassland used for grazing. There is no built development within the site other than an associated anemometer mast and double pole pylons which support an overhead electricity transmission line which traverses the site.

Access would be gained via a new track leading from a new junction taken from the A4233, between the A4233 / Collenna Road junction (south) and the southern end of the nearby residential street, Cwrt-y-Mynydd (north).

The site lies within the Mynydd y Glyn and Nant Muchudd Basin Special Landscape Area (SLA). Elements also fall within the Trebanog Slopes and Mynydd y Glyn Sites of Importance for Nature Conservation (SINC). The site is partially located within the Rhondda Historic Landscape Area and areas of the Rhos Tonyrefail Site of Special Scientific Interest (SSSI) are located directly to the south. The site is crossed by several high risk areas in respect of historic underground coal mining and there areas of potentially contaminated land on site. The site is crossed by several Public Rights of Way (PRoW); and the entire site is a Sandstone Resource Area.

There are three previous planning applications at the site that are of relevance to this application, each submitted by the current Applicant. The first, ref. 22/0493/10, gained consent on 05/08/22 for the installation of a 90m high anemometer mast for a temporary period of up to 3 years which would assist in the preparation of this scheme. The second, ref. 21/1312/36, and third, ref. 23/5003/41, sought an Environmental Impact Assessment (EIA) scoping opinion and pre-application advice in respect of this current DNS planning application respectively.

## **PUBLICITY**

All statutory consultation in respect of the application has been undertaken separately by PEDW, with any comments from interested parties sent directly to PEDW for consideration. In consultation with the LPA during the earlier pre-application processes, PEDW determined the appropriate consultees were:

- 160 of the closest neighbouring properties.
- County Borough Councillors for the Tonyrefail East and Cymer Wards
- Tonyrefail Community Council
- Local Highway Authority
- Natural Resources Wales
- Cadw
- Welsh Ministers (Transport Directorate)
- Welsh Government (Agricultural Land Use and Soil Policy Advisor)
- Dwr Cymru Welsh Water
- South Wales Fire and Rescue Service
- National Air Traffic Services
- National Grid
- The Coal Authority
- Health and Safety Executive

Members are also advised that 20 site notices were posted on and around the site and at appropriate locations within the wider areas where the turbines would be visible.

In preparing the LIR the following internal Council consultees were consulted:

- Highways and Transportation
- Public Health and Protection
- Flood Risk Management
- Countryside
- Structural Engineers

## **CONSIDERATIONS**

Though this application will not be determined by the Council as the LPA, the need to have regard to the policy requirements of the Local Development Plan, Planning Policy Wales (Edition 11) and Future Wales: The National Plan 2040 still applies.

Future Wales: The National Plan 2040 (FW2040) is the primary planning policy document against which applications qualifying as DNS are to be assessed against. The document was published by Welsh Government (WG) on 24/02/21 and provides a national framework to inform planning decision making and the development of strategic, regional level plans until 2040, having development plan status. The intention of FW2040 is to provide a clear, long term spatial direction for Government policy, action and investment in Wales.

FW2040 is the most up-to-date development plan and is in accordance with the latest version of Planning Policy Wales (PPW), Edition 11. It identifies 10 Pre-Assessed Areas (PAA) for wind energy. These are areas where WG has already modelled the likely impact of wind energy development on the landscape in these locations and has found them to be capable of accommodating such development in an acceptable way. There is subsequently a presumption in favour of large-scale wind energy development (including repowering) in these areas, subject to compliance with the relevant, specific renewable and low carbon energy project policies; Policy 17 (Renewable and Low Carbon Energy and Associated Infrastructure) and Policy 18 (Renewable and Low Carbon Energy Developments of National Significance).

Members are advised however that this application site is located outside of any PAA for wind energy development, but that FW2040 does allow for wind energy development outside of the PAAs providing the proposal complies with each of the criteria set out in Policy 18 as well as any other relevant national and local planning policy.

It is also noted that Policy 18 establishes WG's strong support for the principle of delivering renewable and low carbon energy from all technologies and at all scales, requiring decision makers to give significant weight to the need to meet Wales' international commitments and the target to meet 70% of consumed electricity by 2030.

Subsequently, the criteria set out within FW2040 Policy 18 is considered the appropriate template for setting out an evaluation of the current proposal for Members, as detailed below.

In this case, despite being outside of any PAA, the Applicant is of the view that the scheme is compliant with FW2040 in that it meets each of the criteria set out in Policy 18. The applicant is also of the opinion that the spatial approach to onshore wind development set out in FW2040 has significant limitations because of the high-level approach to constraints mapping which was adopted. The Applicant notes that this is evidenced by the work undertaken by RenewableUK Cymru which involved detailed analysis of the PAAs in Wales and concluded that only approximately 5% are suitable for onshore wind and are theoretically deliverable once suitable constraints are applied and operational wind farms have been excluded. The Applicant therefore concludes that the PAAs are only a starting point for large-scale wind energy development and that land outside of the PAAs can be appropriate for large scale wind energy, subject to compliance with Policies 17 and 18 of FW2040.

With regard PAA 9, which is the closest PPA to the application site, the Applicant contends that areas of land included are considered unfeasible and unviable such as in valleys where there is a lack of wind resource and where there is proximity to local centres of population (Tonyrefail, Trebanog and farmsteads) with potential proximity issues such as noise, visual and shadow flicker. Therefore, to reduce the potential for impacts, the Applicant concludes that the proposed development would need to be located further north than the PAA boundary to an area of higher ground where there is potential for better wind generation and a greater distance to population centres, i.e. the current application site.

The following sections set out an assessment of the scheme against the criteria of FW2040 Policy 18, in respect of a positive, neutral or negative impact only:

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

The Policy permits proposals for renewable and low carbon energy projects subject to 11 criteria and compliance with Policy 17. The landscape impacts have been assessed within Chapter 6 of the Environmental Statement (ES), Landscape and Visual Impact Assessment (LVIA).

The LVIA considers that there would be no direct impacts on the nationally designated Bannau Brycheiniog National Park (BBNP). The Assessment has concluded that there would be no significant landscape effects upon the distinctive characteristics and character of the Park given the distance between it and the application site, and various landform features in-between. Also, there are no Areas of Outstanding Natural Beauty (AONB) within the study area identified within the LVIA and consequently there would be no impact in this respect.

This is considered a reasonable assessment of these issues with a neutral impact expected to the nearest nationally designated areas.

The likely effects on locally designated Special Landscape Areas (SLA) have also been assessed in the LVIA. The Assessment notes for the host Mynydd y Glyn and Nant Muchudd Basin SLA, that *“The small irregular field pattern within the Nant Muchudd Basin would be maintained although may become dominated by the turbines due to their scale and proximity”*, and that *“The un-industrialised nature of the landscape is also a characteristic which would be altered by the proposed development whilst the proposed turbines would also be clearly visible in the views from the settlements referenced in the primary landscape qualities as featuring Mynydd y Glyn as a backdrop in outwards views”*. Direct effects have been assessed with the level of effect identified as ranging from *“major”* and *“significant”* to *“not significant”* and *“none”*.

Indirect effects have also been assessed for the SLAs entirely or partly located within 10km of the proposed development. The following landscape effects were assessed and conclusions drawn:

- Llwynceilyn Slopes SLA – effects would be significant in the eastern part of the SLA.
- Cwm Clydach SLA – effects would be significant in the southern parts of the SLA.

The Assessment correctly identifies that there would undoubtedly be significant visual impacts as a result of the proposed development, both to the host SLA and SLAs further afield. This would consequently result in negative visual impacts in these areas.

Members are advised however that whilst a matter to be included within the planning balance, such negative visual impacts are inherent given the type of development proposed. The majority of PAAs include land designated as SLAs and it could therefore be considered that WG does not see such local designations as being a barrier to large-scale wind farm development. In any case, this is a matter for the Inspector.

The LVIA also assesses cumulative landscape effects which is concerned with the evaluation of the effects that could be generated were the proposed development to become operational along with some or all of the other wind energy developments that are either already operational, have been consented or are proposed. The study area extends to planning applications or scoping opinions within a 28km radius of the site.

The focus of the assessment is to identify which, if any, of the landscape or visual receptors that would not experience significant effects as a result of the introduction of the proposed development alone, may experience significant effects as a result of the incremental contribution of the proposed development. The LVIA assesses the effects under two scenarios:

- Scenario One includes other operational (and under construction) and consented wind energy developments.
- Scenario Two includes proposed wind energy developments (subject of a formal planning application or EIA Scoping Opinion).

Under both Scenarios, for both landscape and visual effects, the LVIA concludes that effects would not be significant. This includes cumulative effects upon the BBNP. In summary, the reason for this lack of significant impacts is either the distance between schemes and/or the nature of topography with most settlements and communication routes (in the case of visual effects) being in the valley floors with limited views across the wider study area.

While these comments are noted, it is not considered that this is accurate conclusion. There are several existing, operational wind turbine developments in relatively close proximity of the site and several consented schemes within RCT and the surrounding Counties that are yet to be constructed. There are also at least two other DNS applications nearby that are currently with PEDW at pre-application or validation stage which could potentially come forward, Twyn Hywel (14no. 200m high turbines between Pontypridd and Caerphilly) and Mynydd y Gaer (13no. 180m high turbines between Bridgend and Gilfach Goch). As such, it is considered the proposed development, when taken in the context of the existing operational turbines, consented and proposed schemes nearby, would have a negative visual impact in cumulative terms, albeit it is accepted that in reality not all of these wind energy developments may come forward.

With regard the potential grid connection, it is considered the worst-case scenario of an overhead line on wooden poles and underground connection would be too small in scale to give rise to any significant effects on landscape or visual receptors. This aspect of the scheme is subsequently considered to have a neutral impact in visual terms.



*Criterion 2 – there are no unacceptable adverse visual impacts on nearby communities and individual dwellings.*

The LVIA assesses the likely visual impacts of the proposed development. The Assessment finds that there are likely significant visual effects on a range of receptors categorised as residential, communications links and recreational.

The application site is located on high ground with a number of relatively small, often linear settlements in the valleys which bound it. It is commented that areas within the following settlements could experience significant visual effects during the operational phase depending upon local topography, screening and orientation:

- Trehafod
- Trebanog
- Ynyshir
- Wattstown
- Rhydyfelin
- Tynant and Beddau
- Llantrisant
- Tonyrefail
- Penrhiwfer and Edmonstown
- Tonypandy

A Residential Visual Amenity Assessment (RVAA) has also been undertaken which assesses the impact upon those properties within 2km of the site (properties outside of settlement boundaries). Significant visual effects are expected at 22 of the 33 properties assessed, but the RVAA concluded that none of the properties will be rendered an unattractive place to live as a result of the effects of the proposed development.

The attractiveness or not of wind turbines/farms is subjective, and wind turbines/farms by their very nature create visual effects so the role of the decision maker is to consider the extent to which these effects outweigh the positive benefits of the project such that the application could be considered unacceptable. Recognition should also be given to the fact that while formal assessment commonly considers views of wind turbines to be negative, the experience of the individual may often be more nuanced.

In this case, overall, the erection of 7no. 155m high wind turbines in such a prominent, undeveloped location is likely to result in a negative impact on the visual amenities of residents in the above areas and the closest properties in the surrounding countryside.

In addition to the above, a number of Public Rights of Way (PRoW) and national cycle trails could also experience significant effects although it should be recognised that these routes are by their nature of considerable length such that it would often only be the stretches closest to the proposed development where significant effects would occur. These are therefore transitory in nature and it is considered any impact would be neutral.

There are no registered historic parks and gardens which would be affected significantly. Two golf courses, open access land upon which the proposed development would be located and a small number of highways would be significantly effected although, as with the footpaths and cycle trails, effects would be largely transitory as the viewer travels through the features. So again, it is considered any impact would neutral.

*Criterion 3 – there are no adverse effects on the integrity of Internationally designated sites (including National Site Network sites and Ramsar sites) and the features for which they have been designated (unless there are no alternative solutions, Imperative Reasons of Overriding Public Interest (IROPI) and appropriate compensatory measures have been secured.*

ES Chapter 8: Biodiversity examines the likely effects on internationally designated sites and features noting there are two statutory designated biodiversity sites of international importance located within 10km of the site boundary, Blackmill Woodlands SAC and Cardiff Beach Woodlands SAC. The former is an example of old sessile oak woods located 8.4km to the west and the latter is one of the largest concentrations of beech forest in Wales, 8.8km to the south. Given the distance from the application site and the qualifying features it is concluded that significant effects arising from the proposed development could not occur and both sites are scoped out of the assessment.

This assessment is considered a reasonable conclusion and therefore a neutral impact would occur.

ES Chapter 9: Ornithology identifies the likely impacts upon internationally designated sites for their ornithological value. There are two within 20km of the site, the Severn Estuary Special Protection Area and Severn Estuary Ramsar Site. However, species for which these sites are designated were not recorded in site surveys and therefore given the distance between the application site and the two European designated sites, it is concluded that the proposed development would not provide functional habitat for any of the notified species and that there would be no observable impacts on the Special Protection Area or Ramsar site.

This is again considered a reasonable assessment which would result in a neutral impact.

*Criterion 4 – there are no unacceptable adverse impacts on national statutory designated sites for nature conservation (and the features for which they have been designated), protected habitats and species.*

ES Chapter 8: Biodiversity considers the impacts on nationally protected habitats and sites. Two statutory designated biodiversity sites of national importance were identified within 2km, the Nant Gelliwion Woodland Site of Special Scientific Interest (SSSI) and the Rhos Tonyrefail SSSI. Of the two sites only the Rhos Tonyrefail SSSI is taken forward for assessment within the Chapter given the separation distance between the application site and the Gelliwion Woodland SSSI. This is considered acceptable.

The Rhos Tonyrefail SSSI is located outside the application site so would not be subject to direct land take or encroachment effects but would be very close at approximately 25m to the south of the proposed access track. The SSSI is a large lowland site of special interest for its marshy grassland, acid flush, species-rich neutral grassland, acid grassland, wet heath and blanket mire. These habitats are associated with areas of woodland. The site is also of special interest for its population of marsh fritillary butterfly.

The ES states that although the principal access track leading to the proposed wind farm would be only 25m from the SSSI at its closest distance, it would not affect the habitats which comprise the SSSI themselves. In addition, the applicant has undertaken surveys for marsh fritillary butterflies and neither the butterflies nor their host plant, devils bit scabious, have been identified on land subject to temporary or permanent disturbance.

The ES also states that while there would be no direct effects on Rhos Tonyrefail SSSI, embedded measures are proposed which would ensure that indirect effects would be prevented or appropriately managed.

The Chapter subsequently concludes that the proposed development would have no effect on the integrity or conservation status of the Rhos Tonyrefail SSSI, and any potential impacts are considered “*not significant*”.

While these comments are noted, the Council’s Ecologist considers there could be a negative impact upon the SSSI if the development is not taken forward in accordance with the relevant ecology mitigation and enhancement measures set out in the ES and supporting documents; and that further information in these respects, especially during construction would be required. But providing appropriate mitigation/enhancement measures are implemented, the scheme would result in a neutral or potentially positive impact. This can be adequately controlled by condition.

ES Chapter 9: Ornithology sets out that there are no national statutory designated sites, i.e. SSSIs or National Nature Reserves, that list ornithological features within 2km of the site. There would subsequently be a neutral impact in this respect.

*Criterion 5 – the proposal includes biodiversity enhancement measures to provide a net benefit for biodiversity.*

The Applicant has prepared an outline Habitat Management Plan (oHMP) (ES Appendix 8H) which sets out the objectives for biodiversity protection, mitigation, monitoring and habitat enhancement measures (where applicable), which has been produced in discussion with the Council’s Ecologist at pre-application stage.

There would be limited permanent loss of common and widespread wet heath/acid grassland and grazed semi-improved acid grassland; and the compensation and enhancement measures detailed within the oHMP will improve the ecological value of retained areas of the SINC. Therefore, the integrity or conservation status of Mynydd y Glyn SINC would be maintained. To ensure the proposed development provides a net benefit to ecology, the area of Trebanog Slopes SINC within the site will be subject

to habitat enhancement measures including bracken reduction as part of wider measures to provide marsh fritillary butterfly habitat (as detailed within the oHMP).

While these comments are noted, as set out in the previous section, the Council's Ecologist considers there could be a negative impact upon the SINC if the development is not taken forward in accordance with the relevant ecology mitigation and enhancement measures set out in the ES and supporting documents; and that further information in these respects, especially during construction would be required. But providing appropriate mitigation/enhancement measures are implemented, the scheme would result in a neutral or potentially positive impact. This can be adequately controlled by condition.

*Criterion 6 – there are no unacceptable adverse impacts on statutorily protected built heritage assets.*

Chapter 7 of the ES, Historic Environment, identifies the location of historic assets advising that there are no listed buildings or scheduled monuments on site. The closest listed building is approximately 800m from the site boundary and scheduled monument some 1.3km away. As such, it concludes that the proposed development would not result in significant effects on built heritage assets.

The Chapter also concludes that the proposed development would not result in any significant effects upon undesignated heritage assets such as post-medieval cairns and stone field boundaries nor would it have a significant effect arising from the potential for the disturbance of archaeological remains.

Assessments of significance take into account both construction and operational effects and result in part from an absence of features within and close to the site and the design of the proposed development which has sought to avoid locations of non-designated assets which have been identified as part of the baseline assessment. It is also noted that direct effects on existing known archaeology will be mitigated through archaeological recording such as an excavation or watching briefs in any areas of impact.

Finally, standing and sub-surface archaeology in the form of the Trig Pillar and Hafod Rhiwgarn would be protected by temporary fencing during construction.

This assessment is considered appropriate and exact methods of recording/protection could be secured through condition, resulting in a neutral impact.

Members are advised however that the northern element of the site is located within the Rhondda Special Historic Landscape Area (SHLA). This designation has been given for the dramatic landscape of upland plateau incised by the two narrow, steep sided river valleys which interact with the layers of human influences, creating a place that is locally distinctive.

The erection of any large scale development in this area will undoubtedly result in a negative impact upon the SHLA, especially when the cumulative impact of the surrounding, existing wind farms and those proposed nearby are taken into account.

*Criterion 7 – there are no unacceptable adverse impacts by way of shadow flicker, noise, reflected light, air quality or electromagnetic disturbance.*

ES Chapter 15: Shadow Flicker assesses the likely impacts by way of shadow flicker. 24 receptors comprising the closest individual properties or groups of properties have been identified as having the potential to experience shadow flicker for which modelling was undertaken. The modelling demonstrated that shadow flicker could significantly affect 10 of these receptors with a further 14 experiencing non-significant effects.

While this will inevitably have a negative impact upon those residents effected, shadow flicker can be resolved using standard mitigation measures which can control a specific turbine (or turbines) that would be programmed to shut down on specific dates at specific times when the sun is bright enough, there is sufficient wind to rotate the blades and the wind direction is such that nuisance shadow flicker could occur. The resulting conclusion of the ES is that effects would not be significant.

Providing this mitigation is implemented, it is likely there would be neutral impact from shadow flicker. This can be controlled via condition.

ES Chapter 13: Noise assesses potential noise impacts. Consideration of the potential for significant effects focuses upon whether accepted noise standards in the form of ETSU-R-97 could be breached as a result of wind farm operation. Attention is focused upon those residential receptors closest to the proposed development. The noise assessment reported within the Chapter concludes that there is the potential for a significant effect at 3 neighbouring properties, but the exceedance of the ETSU guidance would be in the daytime only.

The assessment is worst case, i.e. it does not factor in directivity. Ultimately the Applicant has the opportunity to reduce the operating modes for the two turbines which create the exceedance (turbines 1 and 6), such that residual effects would be at a level not considered significant. As such, it is generally considered there would be neutral impact in respect of potential noise.

With regards to electromagnetic disturbance, ES Chapter 14: Aviation and Telecommunications identifies that degradation of microwave and other electromagnetic signals is possible as a result of consultation with stakeholders. However, discussions are ongoing to agree a technical approach which would likely result in a condition to any consent which would require the Applicant to address any localised interference issues arising during operation.

With no scheme to overcome the issue being produced to date, this would be considered a negative impact.

Impacts on air quality were scoped out of the EIA as the type of development proposed would not impact upon air quality. It is noted however that in a global sense air quality could improve as a result of the development as over the lifetime of the facility it would offset greenhouse gas emissions that would arise if the electricity were generated via traditional means.

*Criterion 8 – there are no unacceptable impacts on the operations of defence facilities and operations (including aviation and radar) or the Mid Wales Low Flying Tactical Training Area (TTA-7T).*

Chapter 14 of the ES, Aviation and Telecommunications, explores the likely effects on aviation and telecommunications. With regard to military aviation and radar the independent aviation consultant appointed by the Applicant to consider such matters concluded that there would be no Ministry of Defence (MoD) Air Traffic Control, Air Defence or Met Office radar affected and the site's location is a 'Green' area where MoD low flying objects are extremely unlikely. As such, there would be a neutral impact in this regard.

Whilst accepting that the criterion does not reference civilian aviation consultation, National Air Traffic Services (NATS) has indicated that the proposed development could have an unacceptable impact upon operations at Cardiff Airport. However, a review undertaken by the Applicant's aviation consultant has suggested that mitigation options are available and that further discussions are underway with NATs/Cardiff Airport to agree these which could be the subject of a planning condition.

Without a solution presented, this would be considered a negative impact.

There would be no impact to the Mid Wales Low Flying Tactical Training Area which is located towards the north of Powys.

*Criterion 9 – there are no unacceptable adverse impacts on the transport network through the transportation of components or source fuels during its construction and/or ongoing operation.*

Chapter 12 of the ES, Traffic and Transport, examines the potential effects on the transport network and assesses the A4233 (Trebanog) and A4119 (Talbot Green) roads. It is proposed to create a new construction access on the A4233. All construction materials such as aggregate and concrete will be sourced from local batching plants and quarries. The assessment assumes worst case scenario of all construction materials arriving from one source and it identifies two routes for consideration. Separately an AIL study has been undertaken to consider the potential route for the delivery of turbine components from the Port of Swansea.

Based on the construction programme the approximate peak of 42 two-way HGV movements per day (approximately 21 arrivals plus 21 departures per day) is predicted. This number represents between 0.2% and 0.6% of total vehicle movements along the roads assessed and would result in a 30% increase in HGVs along the A4233 Trebanog Road.

The assessment for the A4233 Trebanog Road considers the effects on severance, driver delay, pedestrian delay and amenity, fear and intimidation (of pedestrians and cyclists), accidents and safety and concludes that they would be not significant.

An Outline Construction Traffic Management Plan (oCTMP) has also been prepared (ES Appendix 12B). This sets out the management of daily delivery profiles and controls construction vehicle movements and routing of HGVs to/from the site.

There is the potential for negative impacts during the construction and decommissioning phases of the development due to increased usage of local roads. But these impacts can be mitigated by condition.

There is a clear risk of damage to the fabric of the road network through concentrated HGV arrivals/departures over the limited period of time that construction and decommissioning of the proposed development would take. This is a negative impact but can be mitigated to a neutral impact through the application of appropriate conditions.

Impacts on the highways during the operational phase of the development are likely to be neutral.

Members are advised that the Highways and Transportation section, as Local Highway Authority, are a statutory consultee on the DNS application and will prepare separate comments to be sent directly to PEDW for consideration.

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

The proposed development has been designed so as to minimise the materials needed during construction.

ES Chapter 11: Ground Conditions sets out the land subject to the proposed development is classified as Agricultural Land Classification Grade 4 (poor quality land) or lower. No land that is classed as the best and most versatile (Grades 1, 2, 3a) would therefore be lost to the development.

The total temporary displacement or permanent loss of soil is expected to be around 7.54ha, with permanent loss of 6.8ha, which is not assessed as significant. Embedded measures will ensure that soil is reused on site where possible and low ground pressure machinery will be used where possible to minimise soil compaction.

A peat survey has been undertaken (ES Appendix 11A Annex C). Measures embedded in the detailed design of the proposed development seek to avoid peat in accordance with the peat hierarchy (based on information from the peat survey). For areas not surveyed to date (limited to the underground grid connection corridor) it is anticipated that peat can be avoided through design. Excavation and permanent loss of peat will therefore be avoided by the proposed development, and significant effects on peat due to the loss of peat as waste, will be avoided.

All construction activities will be informed by a Construction Environmental Management Plan (CEMP) which could be secured by condition. The CEMP would include measures to manage (inter-alia) waste during construction. No materials will be generated or removed from site during operation of the windfarm.

The scheme is therefore considered to result in neutral impact in these regards.

*Criterion 11 – there are acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.*

ES Chapter 4: Description of the Proposed Development sets out the likely approach to decommissioning. The design allows for decommissioning and recycling/reuse of materials where appropriate to do so. No stone would be removed from site. Stone laid tracks would be left in situ and could be repurposed for other uses by the landowner or could support recreational use. This is considered appropriate and common practice at such developments and would result in a neutral impact.

*Criterion 12 – the cumulative impacts of existing and consented renewable energy schemes should also be considered.*

The ES sets out an assessment of the cumulative effects of the proposed development in combination with existing and consented renewable energy schemes within the topic-related specific chapters (Chapters 6 to 16). Chapter 2 of the ES, Approach to Environmental Impact Assessment, outlines the approach to the assessment. Overall, the cumulative assessment does not identify any additional impacts that would be unacceptable.

As set out earlier in this report, it is not considered that this is accurate conclusion. There are several existing, operational wind turbine developments in relatively close proximity of the site, several consented schemes within RCT and the surrounding Counties that are yet to be constructed, and several proposed schemes yet to be determined. It is considered the proposed development, when taken in the context of the existing operational turbines, consented and proposed schemes nearby, would have a negative visual impact in cumulative terms, albeit it is accepted that in reality, not all of these wind energy developments may come forward.

#### *Other Issues*

Whilst not contained within the specific FW2040 Policy 18 Criterion above, the below issues are also considered relevant to the determination of this application:

#### *Water Environment*

The assessment provided in Chapter 10 of the ES, Water Environment, has considered the likely significant effects of the proposed development on the water environment, including the aquatic environment, surface water resources and flood risk on and around the site. The effects on water quality, river flows, physical changes to rivers, lakes and other water features have been considered. The assessment is accompanied by a Flood Consequences Assessment (FCA) and Water Framework Directive Assessment (WFDA).

Tributaries of Nant Gelliwion, Nant Muchudd and Nant Ty'rarlwydd cross the proposed underground cable route. These watercourses could be affected by the proposed development, particularly during the construction phase. Changes in flow or water level, water quality, the form of the channel and / or the volume of sediment in the water could in turn affect the aquatic environment dependent on these watercourses,



the water resources that are drawn from them, and the risk of flooding posed to people, property and infrastructure, on-site and elsewhere.

Furthermore, there are seven locally designated sites within the application site which support water dependent habitats and species, relating to the ponds on site. Further, the site and grid connection (both overhead and underground) overlay a 'Secondary A' aquifer.

A dewatering assessment was undertaken using the Environment Agency's analytical tool, this indicated that the turbine excavations have the potential to influence ground water receptors within 24m. The peat bog is located 22m from Turbine 3 and is therefore within the radius of influence. As a precautionary approach it is proposed that any pumped groundwater will be returned to the bog.

Additionally, a model was used to assess the potential for the proposed development to result in high turbidity which could influence local water quality. The model identified any impacts could be appropriately mitigated by embedded measures and that infiltration is unlikely to result in any impacts. Therefore, it is concluded that impacts on water quality would not be significant.

In light of these issues a range of environmental measures which relate to the water environment are embedded as part of the design of the proposed development to avoid or reduce significant environmental effects as far as possible. It is considered these mitigation measure would result in neutral impact and could be controlled by condition.

All potential sources of flooding have been considered, with surface water runoff originating from the proposed development, due to increased areas of hardstanding, posing the greatest potential flood risk. The FCA concludes that the proposed development, together with the proposed flood risk management measures, would not be subject to an unacceptable level of risk, nor would there be potential increased flood risk elsewhere. As such, there would be neutral impact in this respect.

### *Ground Conditions*

The assessment within Chapter 11 of the ES, Ground Conditions, has considered the likely significant effects of the proposed development on the ground conditions, including agricultural land, soils, land contamination and ground instability receptors (for example human health). This assessment is based on risk assessments that consider whether the construction, operation or decommissioning of the proposed development could disturb areas of old contaminated ground, introduce new soil contamination, or cause gas to move out of the ground and affect human health. The study area includes the proposed development site and a 250m buffer area beyond the boundary, based upon the potential for contaminants to migrate from the site to off-site receptors through the soil or in groundwater, or to migrate onto the site through soil or in groundwater from offsite sources.

Several coal seam outcrops are shown beneath the application site but The Phase 1 Geo-environmental Desk Study did not identify potentially significant sources of contamination. Nevertheless, it is possible that localised areas of spoil could be present. Subsequently a range of environmental measures which relate to the ground

conditions are embedded as part of the design which would remove or reduce significant environmental effects as far as possible.

The above is considered to demonstrate that the construction, operation and decommissioning of the proposed development is not expected to result in any significant effects on the ground conditions, provided that all recommended mitigation measures identified in the ES and detailed further in the oCEMP are put in place, which could be controlled by condition. Therefore, a neutral impact would occur in this respect,

### *Secondary Consents*

Finally, if allowed, Members are advised that the proposed development would not require any secondary consents.

## **CONCLUSION**

While the site is located outside of any of WG's PAAs for large-scale wind energy development, FW2040 allows for such development outside of these areas providing the scheme complies with relevant planning policy.

It is considered the proposed development will have a negative impact on the landscape in visual terms and to the outlook of the closest residents, although it is accepted that this is a subjective issue.

In all other key respects such as residential amenity, highway safety and ecology it is considered appropriate mitigation can be implemented that would ensure there is no more than a neutral impact.

There are some issues that need further consideration and would currently result in a negative impact but could be overcome through submission of further details via condition.

FW2040 and PPW clearly offer strong support for the provision of renewable energy projects across Wales, as does RCT's own LDP; and it is clear from the national policy documents that there is a strong presumption in favour of such projects to the point where adverse impacts have to be particularly severe for a refusal of consent to be justified. Given that, the adverse impacts in this case which will likely be the key determining factors for the PEDW Inspector are considered to be mostly related to visual impact, which is subjective.

Having taken account of the above information report, it is advised Members offer no objections to the content of the LPA's LIR.

## **APPENDIX 'A'**

### **RHONDDA CYNON TAF CBC LOCAL IMPACT REPORT**

**PEDW REF.:** DNS/3280378

**RCTCBC REF.:** 22/1129/05

**APPLICANT:** Pennant Walters Ltd

**DEVELOPMENT:** Wind farm consisting of 7 turbines and associated access and grid connection infrastructure.

**LOCATION:** Land east of Trebanog and south-east of Glynfach, Rhondda Cynon Taf

**Town and Country Planning Act 1990 (as amended)**

**The Developments of National Significance (Wales) Regulations 2016 (as amended)**

**The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended)**

## **1. INTRODUCTION**

The below report forms the Local Planning Authority's (LPA - RCTCBC) Local Impact Report (LIR) in response to the above Development of National Significance (DNS) planning application. It has been set out in accordance with the headings advised in the relevant Welsh Government (WG) / Planning and Environment Decisions Wales (PEDW) guidance notes:

2. Local designations relevant to the site / surroundings and constraints
3. Planning history
4. Publicity
5. Relevant local planning policies, guidance and other documents
6. Likely impact of the DNS development on the area (in terms of its positive, neutral or negative effects)
7. Likely impact of any application in relation to a secondary consent being granted
8. Draft conditions / obligations the LPA considers necessary for mitigating any likely impacts of the development

It is requested the appointed PEDW Inspector take this report into consideration when determining the above DNS planning application.

## **2. LOCAL DESIGNATIONS RELEVANT TO THE SITE / SURROUNDINGS AND CONSTRAINTS**

- The entire site lies within the Mynydd y Glyn and Nant Muchudd Basin Special Landscape Area (SLA). Rhonda Cynon Taf Local Development Plan (LDP) Policy SSA23.6 refers.
- Elements of the site fall within the Trebanog Slopes and Mynydd y Glyn Sites of Importance for Nature Conservation (SINC). LDP Policies AW8.49 and AW8.120 refer.
- The site is partially located within the Rhondda Historic Landscape Area.

- The site is crossed by several high risk areas in respect of historic underground coal mining.
- There are areas of potentially contaminated land on site.
- The entire site is a Sandstone Resource Area. LDP Policies CS10 and AW14.2 refer.
- The site is crossed by several Public Rights of Way (PRoW) - CYM/8/1, CYM/9/1, CYM/15/2, CYM/17/1, CYM/17/2, CYM/18/1, TRD/5/1, ANT/75/1, ANT/82/1, ANT/94/1, ANT/94/2, ANT/95/1, ANT/999/1.
- There are areas of high, medium and low surface water flood risk identified across the site, associated to the network of unnamed ordinary watercourses and drainage features.
- Areas of the Rhos Tonyrefail Site of Special Scientific Interest (SSSI) are located directly to the south.

### **3. PLANNING HISTORY**

Three previous planning applications have been submitted at the site that are of relevance to this DNS application, each submitted by the current Applicant:

23/5003/41 – Pre-application enquiry re: DNS 7 turbine wind farm.

Decision: No objection in principle, but some concern raised in visual terms, 23/03/23

22/0493/10 – Installation of 90m high anemometer mast for a temporary period of up to 3 years. A single structure with supporting steel guy wire ropes connected to ground anchors at 25m and 50m from mast.

Decision: Granted, 05/08/22

21/1312/36 – EIA scoping opinion for 7 wind turbines.

Decision: EIA required. While general methodology and scope appears appropriate, some further information is suggested, 17/11/21

The Inspector is also advised that a further, fourth, application was submitted at the site in 2014 but it is not considered relevant to the determination of this application:

14/1558/10 – The erection of a meteorological mast with an operational life of three years and a maximum height of 70m.

Decision: Granted, 24/03/15.

(This permission was not implemented and has lapsed.)

### **4. PUBLICITY**

In accordance with the relevant Regulations, the LPA erected 22 site notices (in both English and Welsh) on and around the site and at appropriate locations within the wider areas affected. A copy of the site notice, a photograph of the site notice on display at the site and a map showing the locations of the site notices are attached at Appendix 'i'.

### **5. RELEVANT LOCAL PLANNING POLICIES, GUIDANCE AND OTHER DOCUMENTS**

The LPA notes the policies identified by the Applicant in relation to Planning Policy Wales 11 and Future Wales: The National Plan 2040 in their supporting documentation and accepts that they are relevant in the consideration of this proposal. The following policies are those that are considered relevant in the local sense only:

#### *Rhondda Cynon Local Development Plan 2011 – 2021*

The Inspector is advised that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 04 January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 04 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24 September 2020. Subsequently, the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies outside of any settlement boundary; is within both the Northern and Southern Strategy Areas, the Mynydd y Glyn and Nant Muchudd Basin SLA, the Trebanog Slopes and Mynydd y Glyn SINC, and a Sandstone Resources Area.

#### *Core Policies*

Policy CS1 – sets out the criteria for development in the Northern Strategy Area.  
Policy CS2 – sets out the criteria for development in the Southern Strategy Area.  
Policy CS10 – sets out the criteria for the protection of mineral resources.

#### *Area Wide Policies*

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

Policy AW4 – details the criteria for planning obligations including Section 106 Agreements and the Community Infrastructure Levy.

Policy AW5 – sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW7 – sets out criteria for development proposals that would impact upon built heritage assets and PRow's.

Policy AW8 – sets out criteria for the protection and enhancement of the natural environment.

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy AW12 – sets out criteria for renewable and non-renewable energy proposals.

Policy AW13 – supports large scale wind farm development, subject to relevant criteria and where it can be demonstrated there would be no unacceptable effects.

Policy AW14 – safeguards minerals from development that would sterilise them or hinder their extraction.

### *Southern Strategy Area Policies*

Policy SSA23 – advises that development within SLAs will be expected to conform to the highest standards of design, siting, layout and materials appropriate for the site.

For full details please see [RCT adopted Local Development Plan 2011 – 2021](#).

### *Supplementary Planning Guidance*

- Design and Placemaking
- The Historic Built Environment
- Nature Conservation
- Planning Obligations
- Access, Circulation and Parking
- Employment Skills

For Full details please see [RCT adopted Supplementary Planning Guidance](#).

## **6. LIKELY IMPACT OF THE DNS DEVELOPMENT ON THE AREA (IN TERMS OF ITS POSITIVE, NEUTRAL OR NEGATIVE EFFECTS)**

### *Location of Development Site*

The application site forms the summit and upper slopes of Mynydd-y-Glyn mountain, extending to a total area of approximately 182ha. It is located approximately 1km east of Trebanog, approximately 600m south-east of Cymmer/Glynfach/Porth, and approximately 1km north of Tonyrefail. The site is absent of distinct field boundaries and tree cover resulting in it being open and exposed. It is generally comprised of improved and semi-improved grassland used for grazing. There is no built development within the site other than an associated anemometer mast and double pole pylons which support an overhead electricity transmission line which traverses the site. Access is currently gained from various farm tracks throughout.

Constraints that have the potential to affect the site / proposed development are listed above in Section 2 of the Report.

### *Key Issues*

- Development of a Large Scale On-shore Wind Farm Outside of any Welsh Government Pre-Assessed Area (as set out in Future Wales: The National Plan 2040)
- Landscape and Visual Impact
- Ecology and Nature Conservation
- Traffic and Transport
- Neighbour Amenity (including noise, shadow flicker, glint and glare)
- Cumulative Effects

### *Other Issues*

- Drainage and Flooding
- The Historic Environment
- Ground Conditions
- Aviation and Telecommunications
- Socio-economics

### *Key Issues*

#### *Development of a Large Scale On-shore Wind Farm Outside of any Welsh Government Pre-Assessed Area (as set out in Future Wales: The National Plan 2040)*

Future Wales: The National Plan 2040 (FW2040) identifies 10 Pre-Assessed Areas (PAA) for wind energy – areas where WG has already modelled the likely impact of wind energy development on the landscape in these locations and has found them to be capable of accommodating such development in an acceptable way. This application site is however located outside of any PAA, but it is acknowledged that FW2040 does allow for wind energy development outside of the PAAs providing the proposal complies with each of the criteria set out in Policy 18, as well as any other relevant national and local planning policy.

It is also noted that Policy 18 establishes WG's strong support for the principle of delivering renewable and low carbon energy from all technologies and at all scales, requiring decision makers to give significant weight to the need to meet Wales' international commitments and the target to meet 70% of consumed electricity by 2030.

In this case, despite being outside of any PAA, the LPA notes that the proposed development would reduce reliance on traditional forms of energy generation, helping to reduce the Country's overall carbon footprint and go some way help meet WG's renewable energy targets.

Subsequently, despite the site's location outside of any PPA, the LPA is of the view that the proposed development would result in a positive impact in general terms.

### *Landscape and Visual Impact*

The Environmental Statement (ES) contains a full Landscape and Visual Impact Assessment (LVIA). The Inspector is invited to consider the effects of the proposal on:

- Landscape character areas that will be affected (refer to Landmap).
- Views from highways, particularly those close to the site and main arterial routes in the area; notably the A4119, A4233, A470.
- Views from the PRow's that traverse the site and others outside of the site from which the development would be visible.
- Views from nearby buildings and dwellings in the closest residential areas and those nearby dwellings scattered throughout the immediate countryside.
- Impacts on the settings of local Listed Buildings and Scheduled Ancient Monuments within the influencing distance of the site.

- Impacts on the SLA the site is located within, and those nearby.
- Cumulative effects in the context that the development would be located in close proximity of several existing wind farm developments and several proposed schemes nearby.

The LVIA sets out that there would be no direct impacts on Bannau Brycheiniog National Park (BBNP) or any Areas of Outstanding Natural Beauty. It does highlight however that the development would result in “major” and “significant” impacts upon the host Mynydd y Glyn and Nant Muchudd Basin SLA, and also “significant” impacts upon the neighbouring Llwynceilyn Slopes and Cwm Clydach SLAs.

The LPA agrees with the Assessment that there would undoubtedly be significant visual impacts as a result of the proposed turbines, both to the host SLA and SLAs further afield, as well views from many surrounding countryside locations and urban settlements both within the County Borough and beyond.

With regard the potential grid connection, the LPA consider an overhead line on wooden poles and an underground connection would be too small in scale to give rise to any significant effects on landscape or visual receptors.

Noting the assessment set out in the LVIA, overall, the LPA is of the view that the proposed development would result in a negative visual impact.

### *Ecology and Nature Conservation*

The ES contains two full chapters on ecology and nature conservation, Chapter 8: Biodiversity and Chapter 9: Ornithology. The Inspector is invited to consider the effects of the proposals on:

- The impact of the proposed development on the SINC's within the site.
- The impact of the proposed development on the adjacent SSSI.
- The impact of any habitat loss and the level ascribed to it by the ES.
- The impact of the proposals on fauna through the lifetime of the proposed development.
- The impact of the proposals on flora through the lifetime of the development.
- The impact of the proposals on the peat bog within the site through the lifetime of the development.
- Cumulative effects in the context that the development would be located in close proximity of several existing wind farm developments and several proposed schemes nearby.

ES Chapters 8 and 9 examine the likely effects on internationally designated sites and features noting that there are two statutory designated biodiversity sites of international importance located within 10km of the site boundary, Blackmill Woodlands SAC and Cardiff Beach Woodlands SAC; and two internationally designated sites for their ornithological value within 20km of the site, the Severn Estuary Special Protection Area and Severn Estuary Ramsar Site.

Given the distance from the application site and the qualifying features it is concluded that significant effects arising from the proposed development could not occur to these



sites. The LPA considered this conclusion reasonable and that a neutral impact upon these sites would occur.

Chapter 8 also considers the impacts on nationally protected habitats and sites. Two statutory designated biodiversity sites of national importance were identified within 2km, the Nant Gelliwion Woodland Site of Special Scientific Interest (SSSI) and the Rhos Tonyrefail SSSI. Of the two sites only the Rhos Tonyrefail SSSI is taken forward for assessment within the Chapter given the separation distance between the application site and the Gelliwion Woodland SSSI.

The Rhos Tonyrefail SSSI is located outside the application site so would not be subject to direct land take or encroachment effects but would be very close by at approximately 25m to the south of the proposed access track. The SSSI is of special interest for its marshy grassland, acid flush, species-rich neutral grassland, acid grassland, wet heath and blanket mire. These habitats are associated with areas of woodland. The site is also of special interest for its population of marsh fritillary butterfly.

The ES states that although the principal access track leading to the proposed wind farm would be only 25m from the SSSI at its closest distance, it would not affect the habitats which comprise the SSSI themselves. In addition, the applicant has undertaken surveys for marsh fritillary butterflies and neither the butterflies nor their host plant, devils bit scabious, have been identified on land subject to temporary or permanent disturbance.

The ES also states that while there would be no direct effects on the Rhos Tonyrefail SSSI, embedded measures are proposed which would ensure that indirect effects would be prevented or appropriately managed.

The Chapter subsequently concludes that the proposed development would have no effect on the integrity or conservation status of the Rhos Tonyrefail SSSI, and any potential impacts are considered "*not significant*".

While the content of the ES is noted, the Council's Ecologist considers there could be a negative impact upon the SSSI if the development is not taken forward in accordance with the relevant ecology mitigation and enhancement measures set out in the ES and supporting documents; and that further information in these respects, especially during construction would be required. But providing appropriate mitigation/enhancement measures are implemented, the scheme would result in a neutral or potentially positive impact. This can be adequately controlled by condition.

With respect to the application site itself, the ES notes that there would be limited permanent loss of common and widespread wet heath/acid grassland and grazed semi-improved acid grassland; and the compensation and enhancement measures detailed within the outline Habitat Management Plan (oHMP) will improve the ecological value of retained areas of the SINC. Therefore, the integrity or conservation status of the Mynydd y Glyn SINC would be maintained. Additionally, to ensure the proposed development provides a net benefit to ecology, the area of the Trebanog Slopes SINC within the site will be subject to habitat enhancement measures including

bracken reduction as part of wider measures to provide marsh fritillary butterfly habitat (as detailed within the oHMP).

While these comments are noted, the Council's Ecologist considers there could be a negative impact upon the SINC's if the development is not taken forward in accordance with the relevant ecology mitigation and enhancement measures set out in the ES and supporting documents; and that further information in these respects, especially during construction would be required. But providing appropriate mitigation/enhancement measures are implemented, the scheme would result in a neutral or potentially positive impact. This can be adequately controlled by condition.

Noting the above, providing appropriate ecology/biodiversity measures are included with any permission, the LPA considers a neutral/positive impact would occur in ecology and nature conservation terms.

### *Traffic and Transport*

There is the potential for negative impacts during the construction and decommissioning phases of the development due to increased usage of local roads. But these impacts can be mitigated by condition. Impacts on the highways during the operational phase of the development are likely to be neutral.

There is a clear risk of damage to the fabric of the road network through concentrated HGV arrivals/departures over the limited period of time that construction and decommissioning of the proposed development would take. This is a negative impact but could be mitigated to a neutral level through the application of appropriate conditions.

### *Neighbour Amenity (including noise, shadow flicker, glint and glare)*

ES Chapter 6: LVIA assesses the likely visual impacts of the proposed development. The Assessment finds that there will likely be significant visual effects on a range of residential receptors.

The application site is located on high ground with a number of relatively small, often linear settlements in the valleys which bound it. It is commented that several urban settlements and many residential properties scattered throughout the surrounding countryside would experience significant visual effects during the operational phase, depending upon local topography, screening and orientation.

The attractiveness or not of wind turbines/farms is subjective, and wind turbines/farms by their very nature create visual effects, so the role of the decision maker is to consider the extent to which these effects outweigh the positive benefits of the project such that the application could be considered unacceptable. Recognition should also be given to the fact that while formal assessment commonly considers views of wind turbines to be negative, the experience of the individual may often be more nuanced.

With the above in mind, overall, the erection of 7no. 155m high wind turbines in such a prominent, undeveloped location is likely to generally result in a negative impact on the visual amenities of residents in the surrounding areas.

ES Chapter 15: Shadow Flicker assesses the likely impacts by way of shadow flicker. 24 receptors comprising the closest individual properties or groups of properties have been identified as having the potential to experience shadow flicker for which modelling was undertaken. The modelling demonstrated that shadow flicker could significantly affect 10 of these receptors with a further 14 experiencing non-significant effects.

While this will inevitably have a negative impact upon those residents effected, shadow flicker can be resolved using standard mitigation measures. Subsequently, providing such mitigation is implemented, it is likely there would be neutral impact from shadow flicker. This can be controlled by condition.

ES Chapter 13: Noise assesses potential noise impacts. The noise assessment reported within the Chapter concludes that there is the potential for a significant effect at 3 neighbouring properties, but the exceedance of the relevant guidelines would be in the daytime only. As such, while this will inevitably have a negative impact upon those residents effected, it is generally considered there would be neutral impact in respect of potential noise.

Impacts on air quality were scoped out of the EIA as the type of development proposed would not impact upon air quality. It is noted however that in a global sense air quality could improve as a result of the development as over the lifetime of the facility it would offset greenhouse gas emissions that would arise if the electricity were generated via traditional means.

### *Cumulative Effects*

ES Chapter 17: Inter-related cumulative effects considers whether any of the individual environmental topic effects resulting from the proposed development could combine to create effects that are significant, on common receptors between technical topics. The assessment focused on those receptors where significant effects have been predicted in respect of at least two or more topics and/or where the technical assessments have shown that potential individual effects are nearing the thresholds of established national criteria.

The most likely types of receptors where topic effects are likely to combine are those pertaining to the amenity of the relevant human population, e.g. noise, visual, shadow flicker and traffic. Consideration has also been given to the potential for cumulative effects on other environmental receptors.

The Chapter concludes that there would be no inter-related cumulative effects which LPA generally concurs with. As such there would be neutral impact in this regard. In respect of the cumulative impact between this proposed DNS and other similar schemes both nearby and in the wider area, the LVIA assesses cumulative landscape effects which is concerned with the evaluation of the effects that could be generated were the proposed development to become operational along with some or all of the other wind energy developments that are either already operational, have been consented or are proposed – planning applications or scoping opinions within an extended 28km radius cumulative study area. The focus of the assessment is to

identify which, if any, of the landscape or visual receptors that would not experience significant effects as a result of the introduction of the proposed development alone, may experience significant effects as a result of the incremental contribution of the proposed development. The LVIA assesses the effects under two scenarios:

- Scenario One includes other operational (and under construction) and consented wind energy developments.
- Scenario Two includes proposed wind energy developments (subject of a formal planning application or EIA Scoping Opinion).

Under both Scenarios, for both landscape and visual effects, the LVIA concludes that effects would not be significant. This includes for cumulative effects upon the BBNP. In summary, the reason for this lack of significant impacts is either the distance between schemes and/or the nature of topography with most settlements and communication routes (in the case of visual effects) being in the valley floors with limited views across the wider study area.

While these comments are noted, the LPA does not consider that this is accurate conclusion. There are several existing, operational wind turbine developments in relatively close proximity of the site, and several consented schemes within RCT and the surrounding Counties that are yet to be constructed. There are also at least two other DNS applications nearby that are currently with PEDW at pre-application or validation stage which could potentially come forward, Twyn Hywel (14no. 200m high turbines between Pontypridd and Caerphilly) and Mynydd y Gaer (13no. 180m high turbines between Bridgend and Gilfach Goch). As such, the LPA consider the proposed development, when taken in the context of the existing operational turbines, consented and proposed schemes nearby, would have a negative visual impact in cumulative terms, albeit it is accepted that in reality not all of these wind energy developments may come forward.

### *Other Issues*

Though not considered to be key determinants in this case, the following comments are issued in respect of the subject headings for the consideration of the appointed Inspector.

### *Drainage and Flooding*

The vast majority of the application site is flood free under all circumstances other than where a number of minor watercourses traverse the site. These are recognised as having the potential for low, medium and high overland flow flooding in periods of wet weather. The LPA takes the view that the introduction of wind turbines on the site has the potential to alter the nature of run off from the site, however, with appropriate management and mitigation the impact of this can be reduced to a neutral scenario.

The LPA also note that it is unlikely the introduction of wind turbines to the site would result in a reduction in water quality, subject to appropriate mitigation.

It is subsequently considered there would be neutral impact in this regard.

## *The Historic Environment*

Chapter 7 of the ES, Historic Environment, identifies the location of historic assets recording that there are no listed buildings or scheduled monuments on site. The closest listed building is approximately 800m from the site boundary and scheduled monument some 1.3km away. As such, the ES concludes that the proposed development would not result in significant effects on built heritage assets.

The Chapter also concludes that the proposed development would not result in any significant effects upon undesignated heritage assets such as post-medieval cairns and stone field boundaries, nor would it have a significant effect arising from the potential for the disturbance of archaeological remains.

Assessments of significance take into account both construction and operational effects and result in part from an absence of features within and close to the site and the design of the proposed development which has sought to avoid locations of non-designated assets which have been identified as part of the baseline assessment. It is also noted that direct effects on existing known archaeology will be mitigated through archaeological recording such as an excavation or watching briefs in any areas of impact. Finally, standing and sub-surface archaeology in the form of the Trig Pillar and Hafod Rhiwgarn would be protected by temporary fencing during construction.

This assessment is considered appropriate and exact methods of recording / protection could be secured through condition, resulting in a neutral impact in these respects.

The Inspector is advised however that the northern element of the site is located within the Rhondda Special Historic Landscape Area (SHLA). This designation has been given for the dramatic landscape of upland plateau incised by the two narrow, steep sided river valleys which interact with the layers of human influences, creating a place that is locally distinctive.

The LPA note that the erection of any large scale development in this area will undoubtedly result in a negative impact upon the SHLA, especially when the cumulative impact of the surrounding, existing wind farms and those proposed nearby are taken into account. This is a point the Inspector is also asked to consider when assessing the visual impact of the scheme.

## *Ground Conditions*

ES Chapter 11: Ground Conditions advises the land subject to the proposed development is classified as Agricultural Land Classification Grade 4 (poor quality land) or lower. No land that is classed as the best and most versatile (Grades 1, 2, 3a) would therefore be lost to the development.

The total temporary displacement or permanent loss of soil is expected to be around 7.54ha, with permanent loss of 6.8ha, which is not assessed as significant. Embedded measures will ensure that soil is reused on site where possible and low ground pressure machinery will be used where possible to minimise soil compaction.

A peat survey has been undertaken (ES Appendix 11A Annex C). Measures embedded in the detailed design of the proposed development seek to avoid peat in accordance with the peat hierarchy (based on information from the peat survey). For areas not surveyed to date (limited to the underground grid connection corridor) it is anticipated that peat can be avoided through design. Excavation and permanent loss of peat will therefore be avoided and significant effects on peat due to the loss of peat as waste will be avoided.

All construction activities will be informed by a Construction Environmental Management Plan (CEMP) which could be secured by condition. The CEMP would include measures to manage (inter-alia) waste during construction. No materials will be generated or removed from site during operation of the windfarm.

It is therefore considered the scheme would result in a neutral impact in this regard.

#### *Aviation and Telecommunications*

With regards to electromagnetic disturbance, ES Chapter 14: Aviation and Telecommunications identifies that degradation of microwave and other electromagnetic signals is possible as a result of consultation with stakeholders. However, discussions are ongoing to agree a technical approach which would likely result in a condition to any consent which would require the Applicant to address any localised interference issues arising during operation.

With no scheme to overcome the issue being produced to date, this would be considered a negative impact.

Chapter 14 of the ES, Aviation and Telecommunications, explores the likely effects on aviation and telecommunications. With regard to military aviation and radar the independent aviation consultant appointed by the Applicant to consider such matters concluded that there would be no Ministry of Defence (MoD) Air Traffic Control, Air Defence or Met Office radar affected and the site's location is a 'Green' area where MoD low flying objects are extremely unlikely.

Take the above into account, the LPA consider there would be a neutral impact in this regard.

Whilst accepting that the criterion does not reference civilian aviation consultation, NATS has indicated that the proposed development could have an unacceptable impact upon operations at Cardiff Airport. However, a review undertaken by the Applicant's aviation consultant has suggested that mitigation options are available and that further discussions are underway with NATs/Cardiff Airport to agree these which could be the subject of a planning condition.

Without a solution presented to date, the LPA would consider this issue a negative impact.

#### *Socio-economics*

ES Chapter 16: People and Business (Socio-economics) considers the likely significant effects of the proposed development on tourism, recreational and economic receptors at both the construction and operational stages.

The proposed development is for a windfarm to provide 30MW. Output of 24.2MW would provide enough electricity to power around 15,376 homes. The installation of 24.2 MW represents a significant contribution to the installed capacity within RCTCBC and would contribute to the achievement of the WG's target for 70% of energy consumption to be provided by renewable sources by 2030 and the target for local ownership of renewable energy generation in Wales.

There would be a positive contribution to the Welsh economy with potential investment of £9.6m during the construction phase. Much of this spend would take place in the region. Employment of around 41 full time equivalent (FTE) staff would be expected in the construction phase, with an expected ongoing employment of around 4 FTE.

The development would result in an expenditure of around £709,931 into the Welsh economy.

There is potential for boosts to RCTCBC funds from redistribution of increased business rate funds via the redistribution of funds by WG.

Noting the above, there would be a positive impact in economic terms.

There would be some impact on the existing PRow footpaths that cross the site as some would require permanent amendments with new permissive routes across the access road. Access land will remain open with no fencing etc. blocking access to the site. The embedded environmental measures would ensure that the user experience is not significantly impacted.

There would be some visual impacts on some locations of existing recreational receptors including long distance footpaths, national cycle routes and golf courses. However, overall, given that studies suggest wind turbines do not dissuade visitors, no significant effects on tourism are envisaged.

Noting the above, the LPA considers there would be a natural impact in these respects.

## **7. LIKELY IMPACT OF ANY APPLICATION IN REALTION TO A SECONDARY CONSENT BEING GRANTED**

The proposed DNS would not require any secondary consents.

## **8. DRAFT CONDITONS / OBLIGATIONS THE LPA CONSIDERS NECESSARY FOR MITIGATING ANY LIKELY IPACYS OF THE DEVELOPMENT**

Should the appointed Inspector be minded to grant planning permission, the LPA suggest the following conditions would be appropriate:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The Development shall be carried out in accordance with the following plans and documents:

- Location Map – 42864-WOOD-XX-XX-FG-J-0011\_S0\_P01.1 (August 2022)
- Environmental Statement and Appendices (Volumes 1-4) (WSP UK Ltd, April 2023)

Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.

3. The development hereby approved shall endure for a period of 30 years from the date when electricity is first exported from any wind turbine within the site to the electricity grid network ('First Export Date'). The developer shall notify the Local Planning Authority in writing of the First Export Date within 28 days of the First Export Date.

Not later than 12 months before the expiry date of the permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. Such a scheme shall include, but not be limited to:

- The removal of all surface elements, plus one metre of the turbine bases below ground level, of the wind farm.
- Confirmation of the management and timing of works.
- A traffic management plan to fully address highway safety issues during the period of the decommissioning works.
- Any other works of restoration and aftercare, following consultation with other parties, as the Local Planning Authority deem to be reasonable and necessary.

The approved decommissioning scheme shall be implemented and completed within 24 months of the expiry date of this permission.

Reason: To ensure the impacts of the development exist only for the lifetime of the development, in accordance Policies CS1, CS2, AW5, AW6, AW7, AW8, AW10, AW12, AW13, AW14 and SSA23 of the Rhondda Cynon Taf Local Development Plan, Policies 17 and 18 of Future Wales: The National Plan 204 and the relevant guidance set out in Planning Policy Wales.

4. No development shall commence until details of the make, design, colour and external finish of the turbines and associated structures proposed to be used have been submitted to and agreed in writing by the Local Planning Authority. All materials used shall conform to the details so approved.



Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW5, AW6, AW7, AW12, AW13 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

5. All wind turbines shall be of a 3 bladed configuration, shall not exceed an overall height of 155m to the tips of the turbine blades, and shall rotate in the same direction. The turbines shall not display any prominent name, logo, symbol, sign or advertisement on any external surface. The turbines shall not be illuminated and there shall be no permanent illumination on the site.

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW5, AW6, AW7, AW12, AW13 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

6. All electricity and control cables within the site shall be laid underground and alongside tracks which are constructed on the site as part of the development.

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW5, AW6, AW7, AW12, AW13 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

7. In the event that any turbine does not function (i.e. does not supply electricity to the electricity grid network) for a continuous period of 12 months and if so instructed by the Local planning Authority, the wind turbine and its associated ancillary equipment shall be dismantled and its base removed to a depth of 1 metre below ground level, and removed from site within a period of 6 months from the end of that period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure the turbines are not obsolete, produce electricity whilst in-situ and are removed from the site if they cease to function, in accordance with Policies AW5, AW6, AW7, AW12, AW13 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall commence until a Construction Method Statement (CMS), describing the works to be undertaken and pollution prevention measures to be implemented during the construction phase, has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved Statement. The Statement shall include provisions relating to, but not be limited to:

- The construction period and sequence of development works.
- Pollution control (including fuel, oil, concrete and chemical storage).
- Constructional Noise Management Plan.
- Environmental Management.
- Details of location of temporary storage compounds.

- Details of track construction and laying of cables and measures to be implemented to ensure that there are no polluting discharges from tracks and disturbed areas.
- Provision of any temporary fencing.
- Details of excavation of turbine bases and of the nature, type and quantity of material required to be imported onto the site for backfilling operations.
- The management of ground and surface water.
- The management of foul water.
- The monitoring of private water abstractions.
- Details of any soil storage and spreading.
- The provision of any means of temporary site illumination.

Reason: To protect the water environment and minimise environmental impact in the vicinity of the application site in accordance with Policies AW5, AW6, AW8, AW10, AW12 and AW13 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall commence until details of the means of access to include permanent surfacing for the first 20m off the public highway and timing of works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to ensure mud and debris are not tracked onto the highway in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall commence until a report indicating a methodology for undertaking a conditions survey of local roads that could be affected by the proposed development has been submitted to and approved in writing by the Local Planning Authority. The report should include, but not be limited to:

- Details of the roads to be surveyed.
- Timescales for undertaking the surveys and the methods of reporting the findings to the Local Planning Authority.  
(Including comprehensive photographs and potential compensation arrangements.)

The development shall not be brought into beneficial use until the final survey on completion of the development hereby approved and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority. Any compensation arrangements shall be carried out in accordance with the approved details.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. No development shall commence until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. Any temporary mitigation measures affecting any public highway shall be implemented prior to transportation of the abnormal loads and reinstated upon completion of the development. The TMP shall include, but not be limited to, the following:

- Detailed swept path analysis including mitigation measures and use of potential third party land.
- Traffic management during transportation of abnormal loads.
- Traffic management during construction.
- Structures (over bridges height, width, weight restrictions).
- Highway works (including all temporary works to public highway to facilitate access and reinstatement works including timescales).
- Dry run to be witnessed by the Highway Authority and Police.
- Temporary Traffic Regulation Orders where residents displaced parking would take place without impacting on free flow of traffic and highway safety.
- Emergency contingencies.

The development shall be carried out in accordance with the approved TMP, unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. No development shall commence until a scheme for the protection of Public Rights of Way during works of construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to:

- Provision to ensure that Public Rights of Way are maintained with no obstruction to use.
- Measures to prevent any damage to Public Rights of Way from constructional activity at the site.

The development shall be carried out in accordance with the approved scheme, unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of public safety in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

13. No development shall commence until a final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The final CEMP shall provide details of, but not be limited to:

- Soil Management: details of topsoil strip, storage, and amelioration for re-use.
- Construction methods: how waste generated will be managed.
- General Site Management: details of the construction programme including timetable, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

Reason: In the interests of biodiversity, in accordance with Policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

14. No development shall commence until a final Habitat Management Plan (HMP) has been submitted to and approved in writing by the Local Planning Authority. The HMP should take account of the recommendations set out in the Environmental Statement and Appendices (April 2023) and include ground restoration details. The HMP shall be implemented in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity, in accordance Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

15. No development shall commence until a Wildlife Protection Plan for Construction (WPPC) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to:
- An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented.
  - Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction.
  - A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
  - Persons responsible for:

- i. Compliance with legal consents relating to nature conservation.
- ii. Compliance with planning conditions relating to nature conservation.
- iii. Installation of physical protection measures during construction.
- iv. Implementation of sensitive working practices during construction.
- v. Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction.
- vi. Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented in accordance with the approved details and timing of the Plan unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity, in accordance Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

16. No development shall take place until a Hydrological Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of measures to reduce the impacts of the development upon the peat and wetland habitats and the measures for maintenance of that mitigation during the operational life of the development. All works will be carried out in accordance with the approved details.

Reason: To enhance and afford protection to animal and plant species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan

17. No development shall commence until a water quality monitoring plan for the protection of water quality in the watercourses on site has been submitted to and approved in writing by the Local Planning Authority. The water quality monitoring plan should include, but not be limited to:

- Details and frequency of the monitoring methods.
- Details of triggers for specific action and any necessary contingency actions, for example the need to stop work.
- The water quality monitoring plan shall be carried out in accordance with the approved details during the site preparation and construction phases of
- the development.

Reason: To protect water quality and ensure protection of the natural environment during construction and to ensure the protection of habitats and species in accordance with Policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

18. No development shall commence until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The turbines shall not be brought into beneficial use until the drainage arrangements have been completed in accordance with the approved details.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

19. No development shall commence until the applicant, or their agents or successors in title, have secured agreement for a written scheme of historic environment mitigation which has been submitted to and approved by the Local Planning Authority. Thereafter, the programme of work shall be carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works and in order to mitigate the impact of the works on the archaeological resource, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

20. At the reasonable request of the Local Planning Authority, following a complaint to it about shadow flicker from any wind turbine, the operator of the wind turbine shall, if required, shut down the turbine and at its own expense, employ a consultant approved by the Local Planning Authority to measure, assess and report to the Local Planning Authority the level of shadow flicker generated by the operation of the wind turbine at the property to which the complaint relates in a scheme to first be agreed with the Local Planning Authority. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority.

If the assessment requested by the Local Planning Authority demonstrates unacceptable levels of shadow flicker, the operator of the turbine shall take immediate steps to provide mitigation to ensure that the impacts are reduced to an acceptable level. The operator shall provide written confirmation of that scheme of mitigation and a timescale for its implementation, to the Local Planning Authority within a time period to first be agreed with the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

21. The rating level of noise emissions from the combined effects of the wind turbines (including the application of any tonal penalty), when determined in accordance with the relevant guidance notes, shall not exceed the values for the relevant integer wind speed set out in, or derived from, the relevant sections of the Environmental Statement (April 2023) at the curtilage of any non-financially involved noise sensitive premises lawfully existing at the time of this consent. For the purpose of this condition, curtilage is defined as 'the boundary of a lawfully existing domestic garden area'.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

22. At the reasonable request of the Local Planning Authority, following a complaint to it about noise emissions from the wind turbines, the wind turbine operator shall, if required, shut down the turbine and at their own expense, employ a suitably competent and qualified person, approved by the Local Planning Authority, to measure and assess, and report to the Local Planning Authority the level of noise emissions from the wind turbine at the property to which the complaint relates in a scheme to first be agreed with the Local Planning Authority and in accordance with the relevant guidance notes. The assessment shall be commenced within 21 days of the notification and provided to the Local Planning Authority within 2 months of the date of the request, or such longer time as approved by the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

23. If the assessment (referred to in condition 22) requested by the Local Planning Authority demonstrates that the specified level is being exceeded, the operator of the turbine shall take immediate steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified noise limit. The operator shall provide written confirmation of that reduction to the Local Planning Authority within a time period to be agreed with the Local Planning Authority. In the event that it is not possible to achieve the specified noise limit with mitigation within a reasonable time period, then the operation of the turbine shall cease.

The measurement time period shall be based on BWEA blade length calculation (para 3.4(1)  $t=4*D$  seconds) where  $t$  = measurement time period in seconds (subject to a minimum period of 10 second)  $D$  = rotor diameter in metres.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

24. In the event that an alternative turbine to that contained in the submitted noise assessment (Chapter 13: Noise and Appendices of the Environmental Statement, April 2023) is chosen for installation, then development shall not take place until a new desktop site specific noise assessment of the proposed turbine has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

25. Notwithstanding the provisions of conditions 21 – 24, the wind farm operator shall undertake measurements of noise levels using an appropriately qualified noise consultant during the first year of the operation of the wind turbines in a scheme to first be agreed with the Local Planning Authority to demonstrate that compliance with the noise levels in condition 21 are being met. The data produced in accordance with the scheme shall be forwarded

to the Local Planning Authority within 28 days of the measurements being undertaken.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

26. Wind speed, wind direction and power generation data for the wind turbines shall be continuously logged by the wind farm operator in accordance with the relevant guidance and provided to the Local Planning Authority at its request and in accordance with the relevant guidance within 28 days of any such request. This data shall be retained for a period of not less than 24 months.

Reason: To protect the amenities of local residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.



## APPENDIX 'i' – EVIDENCE OF PUBLICITY

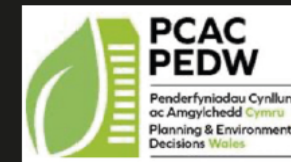
### Copy of site notice

#### HYSBYSIAD STATUDOL

I gael copi print bras o'r Hysbysiad hwn ffonwch  
03000 604 400 neu ebostiwrch  
PEDW.Seilwaith@llyw.cymru

#### STATUTORY NOTICE

For a large print copy of this Notice contact  
03000 604 400 or email  
PEDW.infrastructure@gov.wales



#### **Deddf Cynllunio Gwlad a Thref 1990 (Fel y'i Diwygiwyd) Gorchymyn Datblygiadau o Arwyddocâd Cenedlaethol (Gweithdrefn) (Cymru) 2016**

#### **Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Cymru) 2016**

Hysbysir drwy hyn bod Pennant Walters Ltd wedi cyflwyno cais ar gyfer Datblygiad o Arwyddocâd Cenedlaethol i Weinidogion Cymru ar gyfer: Fferm wynt yn cynnwys 7 tyrbîn ac isadeiledd mynediad cysylltiedig a chysylltiad grid.

Mae'r safle wedi'i leoli ar 1km i'r dwyrain o Drebanog a 600m i'r de-ddwyrain o Lyn-fach yn Rhondda Cynon Taf.

Mae aelodau'r cyhoedd yn gallu gweld dogfennau'r cais ar-lein yn <https://planningcasework.service.gov.wales/cy> chwilich am '3280378'.

Mae'r amserlen ar gyfer cyflwyno tystiolaeth wedi dechrau a gall personau â buddiant gyflwyno sylwadau i'r Arolygiaeth Gynllunio ar ran Gweinidogion Cymru (mae'r manylion isod) erbyn 28/06/2023. Bydd yr holl sylwadau'n cael eu cyhoeddi ar wefan y Porth Gwaith Achos Apeliadau cyn gynted ag y bydd y dyddiad cau wedi mynd heibio.

Gellir dod o hyd i ragor o wybodaeth am y broses Datblygiadau o Arwyddocâd Cenedlaethol, gan gynnwys canllawiau ar gyfer cymunedau, yn: <https://gov.wales/developments-national-significance-dns-guidance>

Isabel Nethell, Pennaeth Gwasanaeth

Penderfyniadau Cynllunio ac Amgylchedd Cymru, Adeilad y Goron,  
Parc Cathays, Caerdydd, CF10 3NQ

03000 252 245

PEDW.Infrastructure@gov.wales

Dyddiad 24.5.2023

#### **Town and Country Planning Act 1990 (As Amended) The Developments of National Significance (Procedure) (Wales) Order 2016**

#### **The Developments of National Significance (Wales) Regulations 2016**

Notice is hereby given that Pennant Walters Ltd has submitted an application for a Development of National Significance (DNS) to the Welsh Ministers for: Wind farm consisting of 7 turbines and associated access and grid connection infrastructure.

The site is located 1km east of Trebanog and 600m south east of Glynfach in Rhondda Cynon Taf.

Members of the public can view the application documents online at <https://www.gov.wales/appeal-or-search-planning-decision-or-notice> and search for '3280378'.

The timetable for the submission of evidence has begun and interested persons may submit representations to Planning Environment and Decisions Wales on behalf of the Welsh Ministers (details below) by 28/6/2023. All representations will be published to the DNS website as soon as the deadline has passed.

More information on the DNS process, including a guide for communities can be found at: <https://gov.wales/developments-national-significance-dns-guidance>

Isabel Nethell, Head of Operations

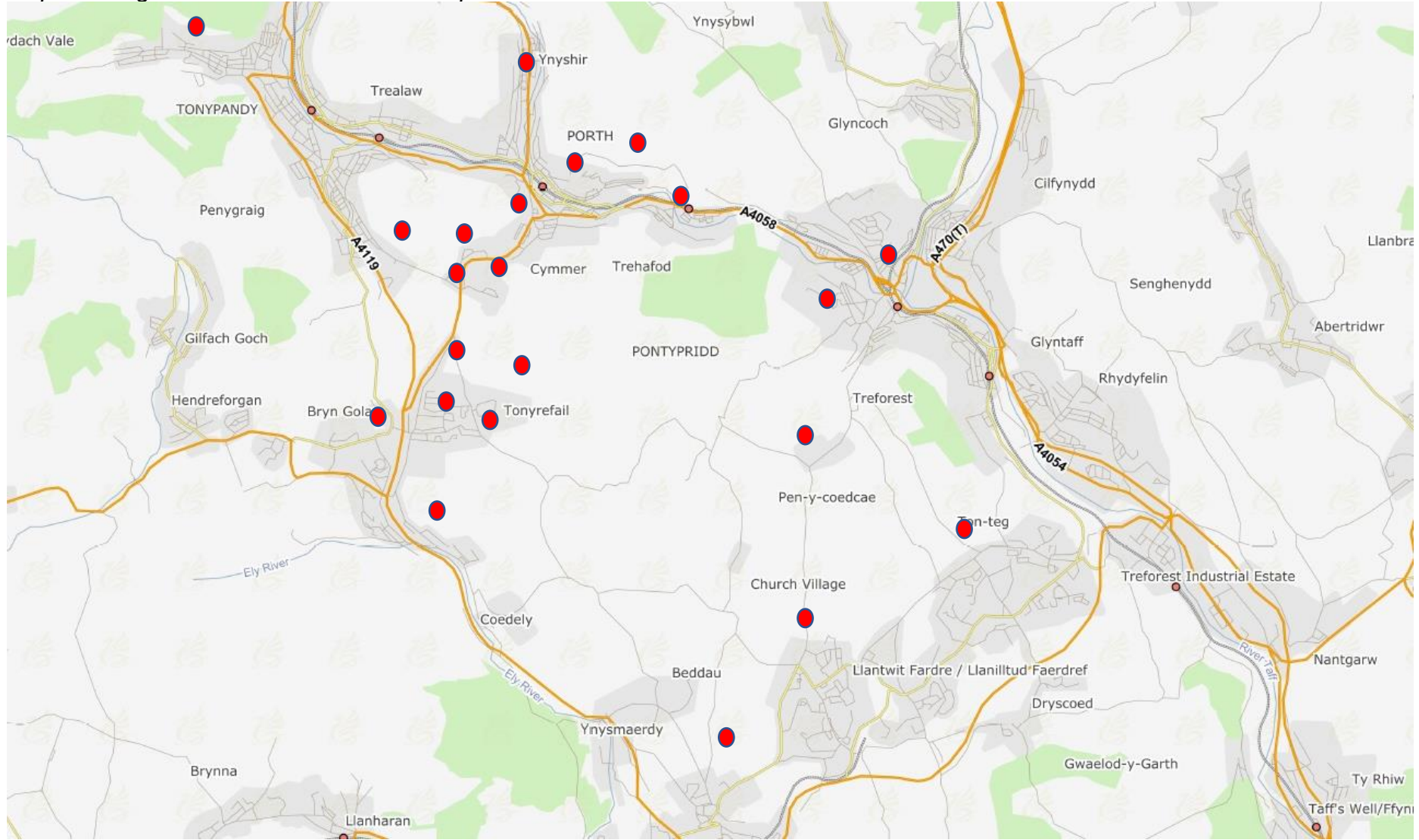
Planning and Environment Decisions Wales, Crown Buildings,  
Cathays Park, Cardiff, CF10 3NQ

03000 252 245

PEDW.Infrastructure@gov.wales

Date: 24.5.2023

Map showing locations of 22x site notices posted





*Aerial view showing locations of 22x site notices posted*

