

Mynydd Pencarreg Wind Turbines

Planning Statement

March 2021

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1. Introduction

- 1.1 This Planning Statement has been prepared to support a full planning application by Energiekontor UK Ltd for the installation of two wind turbines to the north of Rhydcymerau, Carmarthenshire. The scheme, known as Mynydd Pencarreg Wind Turbines, comprises two turbines, together with associated infrastructure and a new site access from the B4337.
- 1.2 This Statement describes the proposed development for which planning permission is sought and objectively assesses the degree to which the scheme is compliant with the relevant national and local planning and energy policies. It is set out under the following sections:
- Section 2 - describes the application site and the surrounding area;
 - Section 3 - describes the relevant planning history and community engagement undertaken;
 - Section 4 - describes the proposed development;
 - Section 5 - provides a summary of planning policy as is relevant to the proposed development;
 - Section 6 - provides a planning appraisal of the scheme; and
 - Section 7 - sets out the planning balance and overall conclusions.

Accompanying Documents

- 1.3 An Environmental Impact Assessment (EIA) Screening Request was submitted to the Local Planning Authority, Carmarthenshire County Council (CCC), in November 2020. CCC subsequently confirmed that, due to the scale of the turbines and location of the application site relative to designated and protected areas and landscapes, the development is not considered EIA development and thus an EIA is not required.
- 1.4 The application is, however, supported by a full suite of environmental surveys and assessments. To aid the Council's determination of the application, the methodology and results of the various assessments are set out in a separate Environmental Report. Detailed application drawings and visualisations and a Design and Access Statement are also submitted to enable the effects of the development to be fully considered.
- 1.5 Multiple rounds of consultation have been held with the Local Planning Authority and other statutory agencies to confirm the scope of the application and nature of the detailed proposals.

The Applicant – Energiekontor UK Ltd

- 1.6 Energiekontor UK Ltd (EK) is a renewable energy development company with offices in Glasgow, Edinburgh and Leeds. The company was formed in 1999 and develops small

to medium-sized onshore wind and solar farms throughout the United Kingdom. The company operates eight existing wind farms in the UK with a number of other wind and solar projects at various stages of the development process throughout the UK.

- 1.7 Energiekontor UK Ltd is part of the Energiekontor Group. The parent company, Energiekontor AG, was established in 1990 in Bremerhaven in Northern Germany. It has since grown to become one of the leading wind energy companies in Europe and is active in Germany, France, The Netherlands, Portugal, the USA and the UK. The company has built more than 100 onshore wind farms in Europe.

2. Site Location and Description

The Site and Surroundings

- 2.1 The application site is located within the administrative boundary of Carmarthenshire County Council, approximately 2 km north of the village of Rhydcymerau and 2 km west of Wern. Other nearby settlements include: Llanybydder (5.5 km) to the south-east and Lampeter (6.5 km) to the south. Other smaller clusters of settlements and farmsteads are located at varying distances from the application site.
- 2.2 The application site comprises two adjacent fields and a thin, linear 'leg' to the south of these fields, plus a small section of field to the north. The two adjacent grassland fields lie along the western side of the head of a small valley and are separated by a post and wire fence. The topography of the application site is varied due to the two main fields being located at the head of a small valley. A stream runs south through the application site parallel to an existing access track.
- 2.3 Further grassland fields lie immediately to the north, east and south of the site. The wider area is predominantly upland grazing agricultural land, comprising open sheep farming agricultural land set within a rural landscape. The surrounding area to the south west comprises a large commercial forest, known as Brechfa Forest, which covers an area of approximately 6,500 ha.
- 2.4 The application site is not situated within any international or national ecological designations. Cefn Blaenau Site of Special Scientific Interest (SSSI) is located approximately 0.67 km east of the application site. Ceaau Blaen-Bydernyn SSSI is located approximately 2.6 km to the north west of the application site and Cae Blaen-Dyffryn 4.5 km to the north west. The Brecon Beacons National Park (SSSI) is located approximately 19 km to the south.

Residential Properties

- 2.5 The nearest residential properties to the proposed turbines are Tanrhiw (679 m) and Esgairliving Farm (714 m). The owners of both properties are financially involved with the proposed development. The nearest non-involved property is Caermalwas Fawr, which is located 793m to the west of the nearest proposed turbine. The second closest non-involved property is Bwlch Caermalwas Fach, located 939 m south-west of the nearest turbine. The third closest non-involved property is Cefnblaenau, located 951 m north-east of the nearest turbine. There are no other non-involved residential properties within 1 km of the proposed turbines.

Accessibility

- 2.6 The application site is accessed from the B4337 via an existing track serving Esgairliving Farm. Two unnamed roads also run to the west and north of the application site, which serve the local area, farmsteads and associated dwellings.
- 2.7 There are no Public Rights of Way (PROW) within the application site boundary. The closest PROW to the application site crosses the edge of the Lllwydrissi woodland, 1.3

km to the north west of the application site. There are some publically accessible tracks within Llwydrissi woodland.

Nearest Wind Farms and Turbines

- 2.8 There are 29 wind energy developments within 15 km of the proposed Mynydd Pencarreg turbines (including and up to 5th January 2021 (see Appendix 4.2 of the Environmental Report)). These range from single turbines to wind farms comprising 28 turbines. There are 15 'operational' wind turbine schemes, 13 'approved' schemes and 1 'in planning'.

3. Background to the Proposed Development

Planning History

- 3.1 A Planning Application (Ref: W/31728, herein after referred to as ‘the Original Planning Application’) and accompanying environmental information was submitted by the Applicant under the Town and Country Planning Act 1990 for two turbines of 100m tip height, and associated infrastructure, at the same location as this submission in March 2015. The Council considered the development non-EIA and subsequently granted planning permission in March 2016 (herein after referred to as ‘the Original Planning Permission’).
- 3.2 Following this, an application (Ref: W/34341, herein after referred to as ‘the Variation Application’) was submitted by the Applicant to the Council in August 2016 under section 73 of the Town and Country Planning Act 1990, in which a variation was sought for the aforementioned planning permission (Ref: W/31728) as to not comply with Condition 2, which stated that: “The development shall be carried out in accordance with the following approved plans and documents: Figure 3.1 Typical Wind Turbine Elevation”. The Applicant proposed to supersede Figure 3.1 with a new figure (Figure 3.1a), essentially requesting a 25m turbine tip height increase from 100m previously granted to 125m. Additional environmental information was provided with the Variation Application, including on landscape and visual and noise. The Council refused the Variation Application in March 2017 for the following reasons:
- The proposed development is contrary to Policy RE2 of the Carmarthenshire Local Development Plan;
 - The proposed development is contrary to Policy SP11 of the Carmarthenshire Local Development Plan; and
 - The proposed development is contrary to Planning for Renewable Energy - Technical Advice Note: 8 Planning for Renewable Energy (2004).
- 3.3 The Applicant appealed under section 78 of the Town and Country Planning Act 1990 against the refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990.
- 3.4 The Welsh Minister’s appointed inspector (‘the Inspector’) provided an appeal decision (‘the Appeal Decision’) in February 2018 in which the following main issues were considered:
- the landscape character of the site and surrounding area, particularly that of the Teifi Valley Special Landscape Area (“SLA”);
 - the visual effect of the scheme, particularly on local residents and users of rights of way and publicly accessible areas; and

- Whether any harm identified in relation to the foregoing is outweighed by any additional benefits of the scheme and its contribution to renewable energy production.
- 3.5 The Inspector's decision was that the appeal should be allowed and planning permission granted for the Variation Application without compliance with Condition 2 previously imposed by the Original Planning Permission but subject to the conditions set out in the schedule attached to Inspector's Appeal Decision.
- 3.6 As a procedural matter, as stated in the Appeal Decision, during the appeal a screening direction was issued by the Welsh Ministers that concluded that "the proposal is not 'EIA development'".
- 3.7 Following this, the Appeal Decision was challenged by a local resident (John Leslie Finney, 'the Claimant') in the High Court of Justice, in which it was argued inter alia that the Inspector should not have allowed the appeal because she had no power under Section 73 to amend a condition pursuant to which a prior planning permission had been granted which had the effect of directly contradicting the description of the development permitted in that earlier permission (i.e. the Original Planning Permission)¹. Further or alternatively, the Claimant asserted that the Inspector failed to consider at all (as she should have done in accordance with established legal principles) whether the application before her constituted a "fundamental alteration" of the earlier permission. Following a hearing in September 2018, the judge concluded that "the Inspector did consider whether the application constituted a fundamental alteration of the original proposal and that it is proper to draw the inference from her decision letter read as a whole that she considered that it did not." As such, the Claimant's application was dismissed, and the Appeal Decision stood.
- 3.8 The above High Court judgement was then appealed by the Claimant to the Court of Appeal in which the judge's ruling was contrary to that of the High Court and the appeal was allowed; quashing the Inspector's Appeal Decision because it was "beyond her powers"².
- 3.9 It should be noted that through the entire aforementioned court processes the determinative issue was around the procedural appropriateness of using section 73 of the Town and Country Planning Act 1990 to vary an existing planning permission, and not whether the development itself of 125m turbines on the Site would be unacceptable in planning/environmental terms. Again, to reiterate, the development of 125m turbines on the Site was considered non-EIA development by both local and national authorities and was not disputed, and the Appeal Decision considered the overall acceptability in planning terms of the 125m turbines in detail.

Community Engagement

- 3.10 There is an extensive planning history associated with proposals to develop turbines at the Site. This history has included rounds of public consultation and planning applications, all of which has influenced the design of this Proposed Development. In addition, as part

¹ <https://www.bailii.org/ew/cases/EWHC/Admin/2018/3073.html> (Last Accessed: 21/09/2020)

² <https://www.bailii.org/ew/cases/EWCA/Civ/2019/1868.html> (Last Accessed: 21/09/2020)

of this Proposed Development the Applicant has undertaken the following consultation activities;

- the launch of the project website, with detailed information on the Proposed Development, contact information, ability to comment or support the proposal; and
- Contact made with Llanybydder and Rhydcymerau Community Council and other key stakeholders notifying them of the exhibition.

4. The Proposed Development

Introduction

4.1 The Proposed Development will consist of the erection, 25 year operation, and subsequent decommissioning of up to two wind turbines, each up to 125m in height to blade tip, including the following main components (please refer to Figure 1.2 of the Environmental Report):

- turbine transformers;
- turbine foundations;
- hard-standing areas for erecting cranes at each turbine location;
- on-site track connecting to turbines;
- underground cables linking the turbines to the distribution connection;
- on-site substation; and
- new site access from B4337

4.2 In addition to the above infrastructure components, construction will involve:

- a temporary construction compound; and
- an additional temporary storage/laydown area.

4.3 The proposed wind turbines will provide up to 5MW of generating capacity.

Main Scheme Components

4.4 The table below provides a brief overview of the key elements of the application. The different components of the proposed development are described in more detail in Chapter 3 of the Environmental Report.

Element of Proposed Development	Details
Number of Turbines	2
Maximum Installed energy capacity of proposed development	5 MW
Height to Blade Tip	125 m (max)
Number of blades per turbine	3

Materials for turbine tower	Tower – Steel Blades – GRP (epoxy resin)
Electricity Transformers	To be placed within the turbines themselves, or in a small secure external housing
Access Tracks	Newly constructed tracks shall be 5 m wide with local widening at bends. The total length of new access track to be created will be circa 1 km. Tracks will be surfaced with coarse aggregate.
Construction Compound	The temporary construction compound would be a maximum of 60 m x 40 m. The construction compound will be located adjacent to the site track. The compound will contain a secure area for site office facilities and storage of materials and components. It would have a hard-core base and be surrounded by a security fence and locked gates.
Crane Pads	Each would be a maximum of 45 x 25 m in diameter and surfaced with coarse aggregate.
Substation Building	A 16 m long x 12 m wide single storey building, housing the switchgear and control equipment and secure storage space.
Electrical Connection	All electrical cabling on-site between the turbines and to the on-site sub-station will be placed in trenches with the dimensions to be determined by ground conditions and routed adjacent to the internal access tracks.

4.5 The components required as part of the proposed development will vary at different times within its lifecycle, due to, for example, the requirement for temporary infrastructure such as the temporary laydown areas during construction.

4.6 It should be noted that the exact size and output of turbine will depend on the particular model selected. This depends on a number of factors including equipment availability at the time of construction. The final wind turbine selection will therefore be made following the award of planning permission. The assessments, however, have been undertaken on the basis of a candidate turbine design – the Vestas V100. This comprises:

- A tubular steel tower;
- a rotor consisting of three blades, with a rotor diameter of 100m;

- hub height of approximately 75m;
- maximum height to vertical blade tip of 125m;
- turbines would generate power for all wind speeds between 2m/s and 22m/s.
- at wind speeds greater than 22m/s the turbines would shut down for self-protection.
- Rated power capacity of 2MW each.

4.7 A grid connection will also be required to feed the electricity generated by the wind turbines into the distribution network for the operational period of the wind farm. Discussions with the Distribution Network Operator (DNO) have indicated that there is a suitable connection point at Lampeter and there is adequate capacity on the network to take the electricity generated by the proposed development.

4.8 The final details of the grid connection, including the precise route and an assessment of any impacts on the environment, would be determined by the DNO at a later date. The new grid connection may be subject to a separate design and consent process under Section 37 of the Electricity Act 1989.

Vehicular Access

4.9 The proposed development will be accessed from the south via a track from the B4337, through Esgairliving Farm. A total of circa 1 km of new access track will be constructed to access the proposed turbines. The tracks will have a general maximum width of 5 m, with localised widening on bends in selected locations to enable effective manoeuvring around corners and where passing places are required.

4.10 A detailed Traffic Management Plan setting out vehicle movement into and out of the site will be developed in consultation with the Council prior to commencement. This can be secured through an appropriately worded planning condition.

Site Layout

4.11 The proposed site layout (subject to micro-siting – see below) is shown on the Site Layout Plan (Figure 1.1 of the Environmental Report).

4.12 The proposed location of Turbine Number 1 (T1) is to the south-east of the southern field at an approximate elevation of 346 m AOD. The second turbine (T2) is located in the northern half of the broadly triangular, northern field at an approximate elevation of 346 m AOD.

Micrositing

4.13 Micrositing is the final iteration in the design of the site layout and is undertaken in the final stages of the development of the project. This will take place once a particular turbine has been selected and as further information becomes available. For example, the turbines selected for installation may have particular design features that require minor

changes to be made to the scheme proposed in the planning application. As a consequence flexibility in determining precise turbine locations and access track alignment is required.

- 4.14 An allowance for potential micro-siting of the wind farm infrastructure is therefore requested as part of this planning application. As part of this process, detailed ground investigations and geotechnical surveys would be commissioned by the Applicant to determine the overall ground conditions. There may also be a requirement for micro-siting of infrastructure following these investigations and any other pre-construction environmental surveys.
- 4.15 Consequently, subject to environmental constraints and ground conditions, the planning application boundary seeks a potential micro-siting of wind turbines by up to 25 m and an allowance for all other site infrastructure (including tracks, construction compound and the substation). The Applicant requests that a suitably worded condition is imposed requiring the final site layout to be submitted to, and agreed in writing, by the Local Planning Authority prior to any development works commencing.

Construction Details

Programme

- 4.16 The construction period for the wind farm is expected to last approximately 8 months.
- 4.17 The programme of construction activities takes into account all information currently known about the application site and proposed development. The programme will be modified as necessary to take into account the findings of the pre-construction works and surveys. The indicative programme prepared by the Applicant is, however, considered to represent a 'worst case' based upon typical assumptions.
- 4.18 Where possible construction activities will be carried out concurrently to reduce the overall length of the construction programme. Construction phasing will also enable civil engineering works to progress in some areas of the site whilst turbines are being erected elsewhere. In order to minimise disruption to land use, site restoration will also be undertaken as early as possible in development areas.

Construction Hours

- 4.19 A detailed programme of works will be produced by the construction contractors prior to the commencement of works on site. At this stage it is proposed that construction activities shall only take place between the hours of 08:00 to 18:00 on Monday to Friday inclusive and 08:00 to 13:00 hours on Saturday, with no construction works on site on Sundays or Bank Holidays. Outside of these hours, works would be limited to emergency works and dust suppression, unless otherwise agreed in writing by the Local Planning Authority.
- 4.20 It is proposed that the delivery of any construction materials or equipment, other than turbine blades, nacelles and towers, shall be restricted to the above hours, unless otherwise agreed in writing by the local planning authority.

Operation and Maintenance

- 4.21 The wind turbines will be unmanned with performance of the wind turbines automatically monitored from a central control room. Frequent and detailed turbine inspections and maintenance would be undertaken in the first year of operation. Following this, a programme of visual inspections and routine servicing would be instigated. The frequency of such visits would depend on the turbine model selected.
- 4.22 As far as is practical, short term routine maintenance would be undertaken during periods of little or no wind to minimise the impact on electrical generation. Major maintenance/servicing would be planned, where practical, to occur during the summer months.
- 4.23 On-going track maintenance would generally be undertaken in the summer months when tracks are dry. Safe access for maintenance purposes would be maintained all year round

Decommissioning

- 4.24 The proposed development is expected to have an operational life of 25 years, at the end of which the wind turbines would be decommissioned. This would involve the complete removal of the wind turbines, transformers, substation, switchgear and other equipment over a period of up to 6 months. The removal of the wind turbine components would essentially be the reverse of the construction process.
- 4.25 Decommissioning would involve the dismantling and removal of turbines and the substation. It is proposed to leave HV cables in situ. Site access tracks would either be left in situ for agricultural use, or removed depending on the preference of the land owner, or upon any condition attached to the permission.
- 4.26 The decommissioning of wind turbines, and their removal from the landscape, ensures that any visual effects are temporary and reversible.

5. Planning and Energy Policy Framework

Introduction

- 5.1 This Section sets out the principal documents which provide the relevant planning and energy policy context for the assessment of the proposed development. It provides a review of the relevant national planning policy guidance, the Development Plan and any other relevant statutory and non-statutory guidance.
- 5.2 Technical guidance and legislation is also addressed separately within the Environmental Report submitted in support of this application. Certain planning policies are considered in more detail in the Environmental Report, where these are directly relevant and applicable to the issues being considered therein.
- 5.3 As set out within legislation, the primary consideration in the determination of planning applications is the Development Plan. In this case the Development Plan comprises:
- The Carmarthenshire Local Development Plan (LDP) (Adopted 2014)
- 5.4 Other material considerations include:
- TAN 8: Planning for Renewable Energy (2005)
 - Planning Policy Wales (PPW) (Edition 10, 2018)
 - Future Wales, The National Plan 2040, February 2021
 - Revised Carmarthenshire Local Development Plan 2018-2033
 - Energy and Climate Change Policies and Targets:
 - Welsh Government Renewable Energy Route Map, 2008;
 - Welsh Government Energy Policy Statement, March 2010;
 - Energy Wales: A Low Carbon Transition, March 2012;
 - The Well-being of Future Generations (Wales) Act 2015; and
 - The Environment (Wales) Act 2016.
- 5.5 A summary of the key policy messages is set out below.

The Development Plan

Carmarthenshire LDP (Adopted 2014)

- 5.6 The Carmarthenshire Local Development Plan (LDP) was formally adopted on 10 December 2014 and comprises the statutory Development Plan.

- 5.7 The policies within the LDP that are most relevant to the proposed development are set out below.

Renewable Energy

- 5.8 The adopted LDP includes two specific policies relating to wind power. Policy RE1 relates to 'large scale wind power' schemes of 25MW and over, whilst Policy RE2 relates to 'local, community and small wind farms'.
- 5.9 Paragraph 6.7.21 of the adopted LDP confirms that Policy RE2 applies to all wind energy projects generating less than 25MW. Given the scale of the proposed development, Policy RE2 is therefore applicable to the proposed development.
- 5.10 Policy RE2 states that local, community and small wind farms or individual turbines will be permitted providing they meet a number of specific criteria. The criteria set out include:
- (a) the development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size, design and siting of turbines and associated infrastructure;
 - (b) the development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission;
 - (c) the siting, design, layout and materials used should be sympathetic to the characteristics of the land-form, contours and existing features of the landscape;
 - (d) the development would not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan;
 - (e) turbines and their associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value;
 - (f) proposals will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public;
 - (g) no loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality;
 - (h) turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme agreed;
 - (i) the development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety;

- (j) the development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems.

5.11 The supporting text also reiterates that encouragement is given to the installation of local, community and small wind energy projects in appropriate locations (Paragraph 6.7.21).

Climate Change

5.12 The LDP sets out a series of Strategic Objectives that the Council aims to achieve. SO5 relates specifically to climate change, stating that the Council aims *“to make a significant contribution towards tackling the cause and adapting to the effect of climate change by promoting the efficient use and safeguarding of resources”*.

5.13 Paragraph 5.9.7 of the adopted LDP also recognises that the need to tackle climate change represents a fundamental challenge if sustainable development is to be delivered. This is reflected in Policy SP2, which addresses climate change directly, stating that development proposals which respond to, are resilient to, adapt to and minimise the causes and impacts of climate change will be supported. Particular emphasis is placed on proposals that promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy will be supported.

5.14 Paragraph 5.9.93 also acknowledges that addressing climate change is becoming an increasingly important issue in all aspects of policy making. The paragraph continues by recognising that local decisions relating to energy generation can influence the impact on climate change. Paragraph 5.9.94 states that policies within the adopted LDP will therefore facilitate the development of all forms of renewable energy in appropriate locations.

5.15 This is embodied in Policy SP11, which states that development proposals incorporating energy efficiency measures and renewable energy production technologies will be supported in areas where the environmental and cumulative impacts can be addressed satisfactorily. Policy SP11 requires such developments to not cause demonstrable harm to residential amenity and to be acceptable within the landscape. The policy also makes it clear that each proposal should be assessed on a case by a case basis.

5.16 Policy SP17 also encourages renewable energy generation and associated utility connections, in appropriate locations and subject to other policies within the plan. The policy states that proposals for ancillary developments to the utilities infrastructure will be permitted where:

- They have regard to their setting;
- Incorporate landscaping;
- Do not conflict with the areas built, historic, cultural and nature conservation and landscape qualities.

Design

5.17 Policy GP1 requires development proposals to accord with a series of criteria relating to high quality design and sustainability. This includes a requirement to:

- Conform with and enhance the character and appearance of the site or area in terms of siting, appearance, scale and height.
- Incorporate existing landscape or other features, take account of site contours and changes in levels and prominent skylines or ridges.
- Not have a significant impact on the amenity of adjacent land uses, properties, residents or the community.
- Retain, and where appropriate incorporate, important local features and embrace opportunities to enhance biodiversity and ecological connectivity.
- Provision of an appropriate access which does not give rise to any parking or highway safety concerns on the site or within the locality.
- Have regard for the safe, effective and efficient use of the transportation network.
- Protect and enhance the landscape, townscape, historic and cultural heritage of the County and cause no adverse effects on the setting or integrity of the historic environment.

Landscaping and Ecology

5.18 Policy EQ1 relates to the protection of buildings, landscapes and features of historic importance. It states that proposals for development affecting landscapes, sites or features of historic or archaeological interest which, by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area, will only be permitted where it preserves or enhances the built and historic environment.

5.19 Policy EQ3 states that proposals that are likely to cause unacceptable harm to a Local Nature Reserve (LNR), or Regionally Important Geological/Geomorphical Sites (RIGS) will only be permitted where the need to safeguard the substantive nature conservation value of the site or feature is clearly outweighed by the reasons for the development.

5.20 Policy EQ4 states that development proposals which have an adverse impact on protected species or their habitats, or the integrity of other habitats, sites or features of recognised importance to biodiversity and nature conservation interests will not be permitted except where it can be demonstrated that:

- the impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements;
- there are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.

5.21 Policy SP14 relates to the protection and enhancement of the natural environment. The policy seeks to protect, and wherever possible enhance, the natural environment by considering areas of nature conservation value, the countryside, landscapes and coastal areas.

5.22 The application site does not form part of a designated Special Landscape Area (SLA). Policy EQ6 therefore does not apply to the proposed development.

Historic Environment

5.23 Policy SP13 addresses the protection and enhancement of the built and historic environment. It states that proposals relating to historic/culturally important sites and features, such as listed buildings, conservation areas and Scheduled Ancient Monuments (SAMS), will be considered in line with national guidance and legislation.

Hydrology and Geology

5.24 Policy EP1 relates to water quality and states that development proposals will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Watercourses are required to be safeguarded through biodiversity/ecological buffer zones/corridors.

5.25 Policy EP2 states that proposals for development should wherever possible seek to minimise the impacts of pollution. The policy also requires new developments to ensure that light and noise pollution are minimised where appropriate.

Transportation

5.26 Policy TR2 relates to the location of development. It states that developments which have the potential for significant trip generation will be permitted where it is located in a manner consistent with the plans strategic objectives, its settlement framework and its policies and proposals.

5.27 Policy TR3 sets out a series of design considerations for highways in developments. This includes ensuring that the required access standards are reflective of the relevant class of road (such as visibility splays). The policy also confirms that proposals which do not generate unacceptable levels of traffic on the surrounding road network, would not be detrimental to highway safety, or cause significant harm to the amenity of residents, will be permitted.

Other Material Considerations

TAN8: Planning for Renewable Energy

5.28 Technical Advice Note 8 (TAN8): Planning for Renewable Energy was published in 2005 and provides detailed technical advice. Paragraph 2.2 notes that onshore wind offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to medium term.

5.29 TAN 8 identifies 7 Strategic Search Areas (SSAs) within Wales, which have been assessed and considered suitable for the location of large-scale onshore wind power

developments. Paragraph 2.4 also notes that if there is robust evidence that land outside (but close to) the SSA is suitably unconstrained local planning authorities might wish to consider the possibility of development of wind farms in these areas as well. The Proposed Development is up to 5MW, thus does not constitute a large-scale development and is therefore not constrained by the SSAs. The application site does, however, lie partially within SSA G (see Figure 2.1 of the Environmental Report).

- 5.30 Paragraph 2.12 advises that LPAs are expected to encourage smaller community-based wind farm schemes (generally less than 5 MW) via development plan policies and when considering individual applications. The paragraph continues by stating that this could be done through a set of local criteria that would determine the acceptability of such schemes and define in more detail what is meant by 'smaller' and 'community based'.
- 5.31 Paragraph 2.13 states that in areas outside of the SSAs the Welsh Government would support Local Planning Authorities in introducing policies in their development plans that restrict almost all wind energy developments, larger than 5MW, to within SSAs and urban/industrial brownfield sites.
- 5.32 Paragraph 6.4 states that Local Planning Authorities should consider including appropriate conditions for the decommissioning of wind farms and their restoration when they reach the end of their design life. In addition, TAN8 advises that operators should ensure that sufficient finance is set aside to enable them to meet restoration obligations.
- 5.33 In July 2011 the Welsh Government issued a ministerial statement to reaffirm its commitment to TAN8, stating that it anticipates that 300MW of the 2GW maximum target in TAN8 will come from small-scale developments, with no requirement that these must be within identified Strategic Search Areas.
- 5.34 As set out above, a portion of the Proposed Development does lie within SSA G and is not over 5MW, and should be assessed accordingly. The environmental assessments and surveys prepared in support of this Environmental Report demonstrate that the Proposed Development would accord with the guidance set out in TAN8.

Planning Policy Wales (PPW) (Edition 10, 2018)

- 5.35 Planning Policy Wales (PPW) sets out the Welsh Government's (WG) land use planning policies and has been revised in the context of the WG's energy policy.
- 5.36 PPW sets out a broad strategic framework which, inter alia, sets the achievement of sustainable development as one of the main goals and a thread which runs throughout the policy documents. It is clear in its support for renewable energy generation.
- 5.37 Chapter 5, section 5.7 relates specifically to energy and recognises the key role the planning system plays to deliver clean growth and the decarbonisation of energy (Paragraph 5.7.1). Reference is also made to the energy and decarbonisation targets and commitments the Welsh Government that the planning system should facilitate delivery of both this and Welsh, UK and European targets on renewable energy. PPW acknowledges benefits of renewable and low carbon energy, as part of the overall commitment to tackle climate change and increase energy security, is of paramount

importance. Further stating that the planning system should maximise renewable and low carbon energy generation.

- 5.38 Paragraph 5.9.13 states that within and immediately adjacent to the SSAs (which the Proposed Development is located), there should be implicit acceptance that there will be significant change in landscape character from wind turbine development.
- 5.39 PPW also sets (paragraph 5.9.16) out the criteria in which planning authorities should take into account when determining applications for the range of renewable and low carbon energy, these include:
- the contribution a proposal will make to meeting identified Welsh, UK and European targets;
 - the contribution to cutting greenhouse gas emissions; and
 - the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development.

5.40 Paragraph 5.9.17 further reiterates the weighting that should be given to Welsh Government targets, stating that planning authorities should give significant weight to the Welsh Government's targets to increase renewable and low carbon energy generation, as part of our overall approach to tackling climate change and increasing energy security. Noting, in circumstances where protected landscape, biodiversity and historical designations and buildings are considered in the decision making process, only the direct irreversible impacts on statutorily protected sites and buildings and their settings (where appropriate) should be considered. In all cases, considerable weight should be attached to the need to produce more energy from renewable and low carbon sources, in order for Wales to meet its carbon and renewable targets.

5.41 The Proposed Development will make a positive contribution to national renewable energy targets and would comply with national planning policy set out in PPW.

Future Wales: The National Plan 2040

- 5.42 Future Wales: The National Plan 2040 was published in February 2021 and is a new development plan which will set the direction for development in Wales to 2040 and replaces the Wales Spatial Plan. It sets a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, decarbonisation, developing resilient ecosystems and improving the health and well-being of our communities. Future Wales is a spatial plan, which means it sets a direction for where we should be investing in infrastructure and development for the greater good of Wales and its people.
- 5.43 Future Wales is the highest tier of development plan and is focused on issues and challenges at a national scale. Its strategic nature means it does not allocate development to all parts of Wales, nor does it include policies on all land uses. It is a framework which will be built on by Strategic Development Plans (SDPs) at a regional level and Local Development Plans (LDPs) at local authority level. These plans will identify the location of new infrastructure and development. SDPs and LDPs are required to be in conformity

with Future Wales and must be kept up to date to ensure they and Future Wales work together effectively. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

- 5.44 Future Wales should be read alongside Planning Policy Wales (PPW) which provides planning policy on an all-Wales basis. Future Wales complements PPW, with a shared commitment to placemaking and by setting out the spatial priorities for planning and development where national-level consideration is required. Future Wales and PPW ensure the planning system across Wales is fully aligned in working towards national ambitions and well-being goals. Future Wales does not repeat PPW nor cover all of the same policy areas. Together they set out how the planning system responds to and addresses national challenges and opportunities.
- 5.45 Future Wales acknowledges (page 96) Wales' is abundant in opportunities to generate renewable energy and reiterates the Welsh Government's commitment to maximising this potential and that generating renewable energy is a key part of their commitment to decarbonisation and tackling the causes of climate change.
- 5.46 Page 96 also defines the thresholds for proposals for large scale energy development. Onshore wind generation over 10 megawatts is classed as large-scale energy development and Developments of National Significance and are determined by Welsh Ministers. Proposals below the threshold for Developments of National Significance are determined by local planning authorities. The Proposed Development fits the latter.
- 5.47 Page 97 notes that the Welsh Government has undertaken an assessment to identify 'Pre-Assessed Areas for Wind Energy' these areas provide certainty where, in principle, developments would be acceptable. In these areas there is a presumption in favour of large-scale on-shore wind energy development and the associated landscape change. These areas in general cover and expand on the previous TAN8 areas³. The Proposed Development lies partially within Pre-assessed Area 8⁴ (see Figure 2.1 of the Environmental Report).
- 5.48 Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure (page 95), of Future Wales, states that the Welsh Government strongly supports the principle of developing renewable and low carbon energy from all technologies and at all scales to meet our future energy needs. Furthermore that, in determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency. In addition, In Pre-Assessed Areas for Wind Energy the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. It is expected that proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities.

³ <https://gov.wales/sites/default/files/publications/2019-08/priority-areas-for-solar-and-wind-energy-executive-summary-stage-1-and-2.pdf> (Last accessed: 06/11/2020)

⁴ <https://gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf> Page 94 (Last accessed: 26/02/2021)

- 5.49 The proposed development is considered to be appropriately situated on the fringes of a Pre-Assessed Area for Wind Energy. In addition, the environmental assessments and surveys prepared in support of this Environmental Report demonstrate that the Proposed Development would accord with Policy 17 of Future Wales.

Revised Carmarthenshire Local Development Plan 2018-2033

- 5.50 Carmarthenshire County Council (CCC) are currently preparing on a Revised Local Development Plan (LDP) 2018-2033. The Revised LDP is scheduled to replace the current adopted LDP in December 2021. The proposed timetable for preparing the Revised LDP is detailed in the Delivery Agreement⁵, according to the CCC website it appears the current stage of the Revised LDP preparation is Key Stage 4 – Deposit LDP with CCC consulting on the Deposit Revised Local Development Plan. Given its current stage of preparation, only limited weight can be attached to this document.
- 5.51 This Deposit Revised LDP is part of a set of documents which we are required to prepare in the process of producing the Revised LDP for Carmarthenshire. It represents an integral stage in preparing the Development Plan for Carmarthenshire and follows the publication of the Delivery Agreement as approved by the Welsh Government on the 28th June 2018⁶, and the Pre-Deposit Preferred Strategy published for consultation in December 2018.
- 5.52 This Deposit LDP takes forward the evidence gathering, stakeholder engagement and Pre-Deposit work undertaken to date, including that contained within the Preferred Strategy and looks develop on its strategic direction through more detailed land use policies and proposals (including the allocation of land for development). The Deposit LDP consists of a written statement detailing its policies and proposals and a proposals map on a geographical base.
- 5.53 Noted in paragraph 2.6 of the written statement is that "in preparing this Deposit LDP regard has been given to other spatial and thematic documents and strategies produced at a national and regional level, together with those with a local emphasis".
- 5.54 Relevant to the Proposed Development is Strategic Policy – SP 15: Climate Change of the written statement (page 197), which states that where development proposals respond to, are resilient to, adapt to and minimise the causes and impacts of climate change they will be supported. In particular proposals will be supported where they: c) Promote the energy hierarchy by reducing energy demand, promoting energy efficiency and increasing the supply of renewable energy.
- 5.55 Paragraph 11.472 of the written statement recognises that the Welsh Government is committed to using the planning system to optimise renewable energy and low carbon energy generation. PPW states that Local Planning Authorities can make a positive provision by considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and enable this contribution to be delivered.

⁵ <https://www.carmarthenshire.gov.wales/media/1215059/delivery-agreement-agreed-by-welsh-government.pdf> (Last accessed: 06/11/2020)

⁶ <https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/delivery-agreement/#.X6VmrFpxeUI> (Last accessed: 06/11/2020)

Renewable energy targets have been set by the Welsh Government, one target is for Wales to be generating 70% of its electricity consumption from renewable energy by 2030.

5.56 Another relevant policy to the Proposed Development in the written statement (page 199) is CCH1: Renewable Energy, which states: proposals for renewable and low carbon energy development and associated infrastructure, either on their own, cumulatively or in combination with existing, approved or proposed development will be permitted provided they accord with the following:

- a) The development will not result in demonstrable harm to statutorily protected sites and species, and habitats and species identified in Section 7 of the Environment Act;
- b) The development will not have an unacceptable impact on roads, rail or aviation safety; electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunications systems;
- c) Proposals will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public, and will not result in unacceptable loss of public accessibility to the area;
- d) Proposals should be accompanied with appropriate mitigation measures, including satisfactory restoration of land following decommissioning.

5.57 As this Revised LDP is not yet final and adopted only limited weight can currently be given to it. Nevertheless, the Proposed Development supports the Revised LDP policies by making a positive contribution to minimise the causes and impacts of climate change and supporting national targets (SP 15), while not causing unacceptable impacts as demonstrated in the environmental assessments and surveys prepared as part of this report.

Energy and Climate Change Policies and Targets

5.58 The national drive to increase the proportion of energy met through the use of renewable sources of energy and to reduce greenhouse gas emissions is also expressed in a number of other national level documents, which are summarised below.

5.59 As part of the Kyoto Protocol (1997), the UK made a commitment to reduce greenhouse gases by 12.5% between 2008 and 2012 and to move towards a target of 30% reduction of CO₂ by 2020, with an aspirational target of 80% reduction by 2050. This latter commitment has subsequently been enshrined in legislation through the Climate Change Act 2008.

5.60 The UK Climate Change Programme (2006) provides details of the proposals for meeting the targets stated in the Kyoto Protocol. This includes stipulating target emissions and the process of how the 2050 target can be altered, by the Secretary of State.

5.61 European Union Energy Directive 2009/28/EC (2009) established a statutory requirement on the UK to source 15% of its energy from renewable sources by 2020.

- 5.62 The UK Renewable Energy Strategy (2009) sets out a lead scenario that a target of 30% of the UK's electricity should be sourced from renewable resources by 2020.
- 5.63 Statutory Instrument No. 243 (2011) (The Promotion of the Use of Energy from Renewable Sources Regulations) confirms the Statutory Obligation on the UK to secure at least 15% of its energy from renewable sources by 2020.
- 5.64 The UK Renewable Energy Road Map (2011) considers how the UK can achieve the target of "at least 15%" which is set out in Statutory Instrument no. 243 (2011) and with which mix of technologies. In doing so, it provides a central range of deployment for key technologies such as onshore wind which, whilst not targets, nonetheless provide an indication of the scale of deployment likely to be require if the statutory 2020 targets are met. For onshore wind the central range indicates 13GW of deployment by 2020.
- 5.65 The Energy Act (2013) was introduced to allow the UK to virtually decarbonise by 2030 to meet its legally binding emission reduction commitments set out in the 2008 Climate Change Act. The Act includes a number of measures aimed to ensure security of energy supply, cut emissions, and to encourage investment in cleaner, lower-carbon energy sources, including renewables.
- 5.66 With regard to specific policy relating to Wales, the below also constitutes a material consideration.
- 5.67 The Welsh Government renewable Energy Route Map 2008 which makes the suggestion that '...single or double, large turbines (or a cluster of smaller turbines) can normally be sited sensitively in a way which either enhances the landscape or has minimal impact'.
- 5.68 'A Low Carbon Revolution' (March 2010) which identifies Wales' sustainable renewable energy potential to 2020/2025. The document provides specific targets for onshore wind development, set at 4.5 kWh/d/p (kWh per day per person) of installed onshore wind generation capacity by 2015/17, based on a population of 3 million and a 30% load factor. This gives a total installed capacity of 1.875GW, although the report states a target of 2GW.
- 5.69 'Energy Wales: A Low Carbon Transition March 2012' which takes forward the WG's commitment to create a low carbon economy. The report states 'Wales has significant assets in virtually every energy source – we have significant wind resources, both onshore and offshore'.
- 5.70 The Well-being of Future Generations (Wales) Act 2015 is the primary legislation requiring all Wales' based public bodies - such as local authorities, health boards etc - to put long-term sustainability at the forefront of thinking and actions. One purpose of the most recent version of PPW (Edition 10, 2018) was to harmonise it with the Well-being of Future Generations Act.
- 5.71 The Environment Wales (Act) which received royal accent in 2016 provided Welsh Ministers with powers to put in place statutory emission reduction targets, including at least an 80% reduction in emissions by 2050 and carbon budgeting to support their delivery.

5.72 Furthermore, in September 2017 the Welsh Government set out key ambitious energy targets for Wales⁷:

- Wales to generate 70% of its electricity consumption from renewable energy by 2030;
- A target of 1GW of renewable electricity in Wales to be locally owned by 2030; and

5.73 In 2019, in light of the climate change emergency, the UK government raised the level of ambition, legislating for a net-zero target for all greenhouse gas emissions by 2050. Wales has also accepted this challenge with a target of reducing its greenhouse gas by 95% by 2050⁸, as recommended by the UK Committee on Climate Change (CCC), an independent non-departmental public body. Furthermore, in February 2021, the Welsh Government set out its legal commitment to achieve net zero emissions by 2050, and is pushing to “get there sooner”⁹.

5.74 It is considered that Proposed Developments accordance with the provisions of the documents listed above, as well as the contribution towards national targets, should be afforded significant weight in the determination of the application.

5.75 It is considered that Proposed Development accords with the provisions of the documents listed above, as well as contributing towards the achievement of national targets. These factors should be afforded significant weight in the determination of the application.

⁷ <https://gov.wales/lesley-griffiths-high-ambition-clean-energy> (Last accessed: 10/11/20)

⁸ <https://gov.wales/wales-accepts-committee-climate-change-95-emissions-reduction-target> (Last accessed: 10/11/20)

⁹ <https://gov.wales/wales-commits-net-zero-2050-sets-out-ambitions-get-there-sooner> (Last accessed: 26/02/21)

6. Planning Appraisal

Statutory Basis for Determining the Planning Application

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 6.2 On this basis, and from the review of relevant planning policy and guidance, the key considerations for the proposed development are as follows:

- Whether the proposed development is compliant with relevant Development Plan policies.
- Whether the proposals are compatible with national policy and legislation; including PPW and TAN8. Within this context it is necessary to consider whether any other material considerations would indicate permission should be refused.

Compliance with the Development Plan

- 6.3 PPW confirms that, in line with the presumption in favour of sustainable development, applications for planning permission should be determined in accordance with the adopted Development Plan for the area, unless material considerations indicate otherwise (Paragraph 1.22). The Development Plan in this case comprises the adopted Carmarthenshire LDP.

- 6.4 Compliance with the relevant policies of the adopted LDP is considered below.

Renewable Energy Policy

- 6.5 Given that the proposed development will generate less than 25MW, Policy RE2 of the adopted LDP applies. The policy states that 'local, community and small wind farms or individual turbines' will be permitted providing they comply with specified criteria (a to j). The degree of compliance of the proposed development against each of the specified criteria is considered below.

(a) The development will not have an unacceptable impact on visual amenity or landscape character through: the number, scale, size, design and siting of turbines and associated infrastructure

- 6.6 The submitted Environmental Report and supporting technical work demonstrates that a scheme of up to two wind turbines in this location, and of the scale proposed, would not have an unacceptable impact on visual amenity or landscape character. The application site represents an opportunity to accommodate the proposed turbines without unacceptable change to landscape character and visual amenity experienced within the surrounding landscape and associated communities. This is the case whether the

proposed development is taken in isolation or cumulatively with other wind energy schemes in the study area.

- 6.7 The Applicant has recognised that mitigation measures are required in order to avoid, reduce, remedy or compensate for any adverse effects of the proposed development. The principal of mitigation commences with the design of the development and is an iterative process in that measures are taken, wherever possible, to adjust the design to minimise adverse effects. This has already been undertaken by locating the wind turbine on land that is relatively contained by nearby vegetation and in an area with a relatively small Zone of Theoretical View (ZTV), and by limiting the size of the turbines to 125m, a height which has already been found to be acceptable on appeal.
- 6.8 In deciding upon the size of turbines to install there is a balance to be struck between the aims of maximising power generation and ensuring that the environmental effects of the proposals are acceptable, bearing in mind landscape and visual effects (and potential concomitant noise emissions/shadow flicker effects). The scale of the wind turbines has been considered through the production and analysis of a series of photomontages and wireframes for several different options. The layout has carefully considered proximity of residential property distances and views from properties which led to the final design of two turbines, with a maximum tip height of 125m.
- 6.9 In consultation with the Local Planning Authority, a Residential Visual Amenity Assessment of all properties within a 1 km radius of the two proposed turbines was also undertaken. The assessment concluded that there would be no effect on the living standards of individual properties, such that any of these properties would become an unattractive place to live when judged objectively and in the public interest, as a result of the addition of the proposed development.
- 6.10 Of the five residential properties that lie within the 1.25 km study area, all are assessed as not experiencing changes in visual amenity considered to be unacceptable or adversely affecting living conditions. In each case some mitigating circumstances, such as topography, the partial screening or separating effects of garden vegetation, outbuildings and intervening mature trees, reduce the visual effects likely to be experienced from these properties. It is also noted that in a number of cases the main visual effects would be experienced from either the access or egress of these properties, rather than views from the main living areas of the properties.
- 6.11 The proposed associated infrastructure, in the form of an on-site substation, transformer, cabling, foundations and hardstanding, is considered proportional to the scale of scheme and to be within acceptable limits with minimal impact. The requirements of criterion (a) are therefore fully complied with.

(b) The development will not have an unacceptable cumulative impact in relation to existing wind turbines and other renewable energy installations and those which have permission

- 6.12 The potential for cumulative impacts arising from the proposed development have been fully assessed as part of the Environmental Report. The Landscape and Visual Impact Assessment (LVIA) undertaken considered the potential for cumulative effects with other wind farm developments within a 15 km radius study area. It was concluded that this

radius provided sufficient ZTV context and was appropriate for the proposed development. This is as a result of the relatively limited potential visual significance of the Mynydd Pencarreg turbines and the surrounding wind energy schemes located within the study area.

- 6.13 The technical work undertaken concluded that from all of the viewpoints assessed cumulative impacts would be not significant. This is due to either cumulative schemes not being within view, the proposed turbines likely to be imperceptible, or cumulative schemes within the view being visible but not dominating the view.
- 6.14 Cumulative effects were also considered through the assessment of the potential acoustic impacts, which concluded that there will not be any cumulative noise issues with other nearby wind energy schemes.
- 6.15 The technical work undertaken therefore demonstrates that the proposed development would comply with criterion (b).

(c) The siting, design, layout and materials used should be sympathetic to the characteristics of the land-form, contours and existing features of the landscape

- 6.16 The submitted Environmental Report and Design and Access Statement demonstrate how the siting, design, layout and choice of materials proposed respond to the characteristics of the land-form, contours and existing features of the landscape. This includes consideration of the design iteration process followed and why the turbines have been plotted in their positions.
- 6.17 The design process started with the preparation of a detailed constraints map, which sets out the relevant buffer distances, key features and other factors that constrain the location of wind turbines. The evolution of the design has therefore been informed by matters including stand-off distances to residential properties, public roads, rights of way and landscape considerations. A series of principal design objectives were also identified that have been adhered to where possible. These include:
- Design the wind turbine layout and associated infrastructure to respond to the local landscape character, having particular regard to the content of the published landscape character assessments for the area, and provide an acceptable design solution in terms of scale, layout and visual composition;
 - Achieve a simple, balanced, rational and coherent image when viewed in the local and wider landscape;
 - Minimise landscape and visual effects on views from local residential properties and communities;
 - Minimise landscape and visual effects from recreational routes; and
 - Minimise landscape and visual effects from main transport routes.

6.18 The topography of the site and the nature of the local landscape were a key consideration in the design of the proposed development. Consultation responses received from the local community and other stakeholders affirmed the importance of ensuring the careful consideration of landscape effects. As such, wireframe and photomontage analysis has been utilised to design a layout which relates well to the scale and landform of the application site and its surroundings in order to minimise landscape and visual effects. The design provides a balanced and well composed layout, which as far as possible avoids visual 'stacking' of turbines behind one another from key viewpoints.

6.19 Details of the proposed materials are set out in the Environmental Report, Design and Access Statement and illustrative material. The choice of materials draws on wind power-related research, which has shown that the best colour for turbines when seen against Northern European skies is light grey or off-white and that non-reflective finishes are the best treatment for the surface of materials. This is recognised as helping to reduce visual impact.

6.20 The design process has been undertaken over a prolonged period, taking account of information arising from previous rounds of consultation and the findings of various environmental assessments. Consideration has been given to potential environmental impacts, and elements of the proposed development were amended to eliminate, reduce or offset potential adverse effects. As a result of this process the proposed development accords with the requirements of criterion (c).

(d) The development would not cause demonstrable harm to statutorily protected species, and habitats and species identified in the Local Biodiversity Action Plan

6.21 A full suite of ecological assessments and surveys has been undertaken in support of the application. The results of which are reported in Chapter 6 of the Environmental Report.

6.22 The Environmental Report notes that, for the most part, the lack of ecologically valuable or significant habitats, and the absence of protected species, means that there are limited ecological concerns relating to the proposed development. The loss of small areas of unimproved habitat as a consequence of the proposed development is non-significant but ecological enhancement is proposed. As part of the proposed development, the Applicant has identified an opportunity for ecological enhancement. This could comprise the establishment of hedge and/or trees, which would benefit a variety of species. The ecology enhancement opportunities will be discussed and agreed with the Planning Authority.

6.23 Provided the mitigation measures stipulated in the Environmental Report are adhered to, the proposed development will not result in any significant adverse effects. The submitted technical work therefore demonstrates that the conservation status of protected species and their habitats will not be unacceptably affected and criterion (d) is therefore adhered to.

(e) Turbines and their associated structures will not be sited in, or impact upon archaeological resources, the setting and integrity of Conservation Areas, Listed Buildings or other areas of historical value

6.24 The potential impact of the proposed development on the historic environment is considered in Section 5 of the submitted Environmental Report. There are no known non-designated archaeological heritage assets that are likely to suffer an impact from the proposed development. The potential for as yet unknown archaeological remains to survive within the application site has been identified. This could, however, be mitigated by a programme of archaeological works (for example a watching brief) implemented during the construction phase. This would have the effect of reducing the significance of effect on any unburied remains to negligible.

6.25 The proposed development would not result in any direct physical impact on any designated heritage assets. The potential for indirect impacts on the settings of designated assets has also been assessed. No more than a slight effect on the significance of any designated heritage assets has been identified during either the construction or operational phase of development.

6.26 The Environmental Report therefore concludes that the residual effects on all heritage assets will be no more than of slight significance. The requirements of criterion (e) would therefore be adhered to.

(f) Proposals will not cause an unreasonable risk or nuisance to, and impact upon the amenities of, nearby residents or other members of the public

6.27 The Environmental Report demonstrates that the proposed development would be acceptable in terms of noise, shadow flicker and amenity. As set out in relation to criterion (a), a Residential Visual Amenity Assessment was undertaken of all properties within a 1.25 km radius of the proposed turbines. This assessment concluded that there would be no effect on the living standards of individual properties.

6.28 A noise assessment was also undertaken, which demonstrated that, when considering the proposed wind turbines in isolation, predicted levels do not exceed a level of 35 dB LA90 at any non-associated dwelling. The proposed development is therefore considered acceptable in isolation. As set out above, the noise assessment also found that the proposed wind turbines are acceptable with respect to cumulative noise.

6.29 The potential effects of shadow flicker on surrounding residential properties have also been assessed. Two properties were identified within 1 km (10 x rotor diameter) of the wind turbines and are orientated in a compass direction that may witness shadow flicker. The assessment, however, demonstrates that neither property is expected to experience the frequency of potential occurrence that would be considered significant. Notwithstanding the fact that no significant effects are predicted, in order to protect the amenity of local residents, a condition could be attached to any permission that would allow any legitimate complaint to be investigated and appropriate mitigation applied, if necessary.

6.30 The safety record of wind turbines is considered to be exemplary and therefore is not considered to be an issue for the proposed development. Modern wind turbines are designed and manufactured to withstand the most extreme weather conditions arising in the United Kingdom in terms of wind speeds, turbulence and temperature. The structural parts of the turbines, and all aspects relating to the foundations and associated

infrastructure, will be designed to withstand adverse weather conditions and would meet the relevant structural safety legislation.

- 6.31 Turbine control and monitoring systems operate with safeguarding mechanisms to protect the infrastructure from damage. The mechanisms would be used in the case of faults arising, including situations where the speed of the blades or power production may cause damage to the turbines, they would shut down automatically through the installation of failsafe braking mechanisms. In addition, turbines are fitted with vibration sensors so that if, in the unlikely event a blade is damaged or significantly ices, the turbine would automatically shut down.

- 6.32 The proposed development therefore fully accords with criterion (f).

(g) No loss of public accessibility to the area, and existing bridleways and footpaths will be safeguarded from development with no permanent loss to their length and quality

- 6.33 The application site comprises two adjacent fields and a thin, linear 'leg', which extends south to the B4337, plus a small section of field to the north. There are no footpaths, bridleways or any other form of public access within this area. The closest PROW is 1.3km north west of the application site. The proposed development would therefore comply with criterion (g).

(h) Turbines and associated infrastructure will, at the end of the operational life of the facility, be removed and an appropriate land restoration and aftercare scheme agreed

- 6.34 The proposed development is expected to have an operational life of 25 years. At the end of this period the wind farm would be decommissioned. Decommissioning would involve the complete removal of the turbines, transformers, substation, switchgear and other equipment over a period of up to 6 months. The site tracks would be left in place for agricultural use, or removed depending on the preference of the landowner, or upon any condition attached to the permission.

- 6.35 Prior to decommissioning a method statement would be prepared and agreed with the Local Planning Authority. The decommissioning, and subsequent restoration of the application site, can be secured by an appropriate condition or Section 106 Agreement. The Applicant would also provide a decommissioning bank guarantee, or insurance bond, to ensure that sufficient funds are available at any time during the lifetime of the wind farm to enable all decommissioning works to take place. The proposed development would therefore accord with the requirements of criterion (h).

(i) The development will not result in significant harm to the safety or amenity of sensitive receptors and will not have an unacceptable impact on roads, rail or aviation safety

- 6.36 The likely effects of the proposed development on traffic and transportation are considered in Chapter 9 of the submitted Environmental Report. The location of the application site means that the proposed development would have no impact on rail safety. Chapter 12 also considers potential effects on civil and military aviation safety.

- 6.37 The technical work undertaken concludes that no significant capacity issues are expected on any of the roads within the study area due to the additional construction traffic movements associated with the proposed development. This is as a result of background traffic flows being very low and the links are of reasonable standard.
- 6.38 Traffic levels during the operational phase of development will be one or two vehicles per week for maintenance purposes. This level of movement will have no impact on the existing road network.
- 6.39 Traffic levels during the decommissioning of the development are expected to be lower than during the construction phase as some elements may be left in situ and others broken up on site. Again, no significant capacity issues are expected on any of the roads assessed. The Environmental Report concludes that with the implementation of appropriate mitigation, no residual impacts of significance are anticipated in respect of traffic and access issues.
- 6.40 Consideration has also been given to the potential for effects on military and civilian aviation. It is considered that there would be no likely effects on aviation infrastructure as a result of the Proposed Development.
- 6.41 The submission package demonstrates that the proposed development would not result in significant harm to the safety or amenity of sensitive receptors, and will not have an unacceptable impact on roads, rail or aviation safety. As such, the proposed development is in accordance with criterion (i).
- (j) The development will not result in unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems**
- 6.42 This is addressed in Section 12 of the submitted Environmental Report. The report demonstrates that the proposed development would be acceptable in terms of radio or telecommunications interference.
- 6.43 Previous rounds of consultation have included consultation with communication link operators to determine possible effects in relation to communication links. All operational links paths and end points (and associated exclusions zones) are located away from proposed turbine locations. No objection was raised by other parties consulted and it is predicted that interference is not a concern, therefore it is anticipated that mitigation is not required.
- 6.44 The Proposed Development has also been assessed for potential impacts on identified aviation stakeholders (military and civilian). It was concluded that there would be no likely effects on aviation infrastructure as a result of the proposed Development.
- 6.45 The Applicant will undertake both a baseline and operational study of television reception in the area. Should it be demonstrated that the operation of the proposed development could have an impact on the level of television reception received, it is expected that the Applicant will provide mitigation and remedial work will be undertaken either through a condition or Section 106 agreement.

- 6.46 As demonstrated above, and in the submitted Environmental Report and other supporting information, the proposed development complies with the requirements of Policy RE2 of the adopted LDP. Compliance with Policy RE2 is clearly a key consideration in determining whether the proposed development is in accordance with the development plan.

Climate Change

- 6.47 The adopted LDP recognises that addressing climate change is an increasingly important issue in all aspects of policy making (Paragraph 5.9.93). In response to this, and specific renewable electricity production targets set by the Welsh Government, the adopted LDP includes a series of policies that seek to facilitate the development of all forms of renewable energy in appropriate locations.
- 6.48 This commitment is set out in one of the strategic objectives underlying the LDP. SO5 states that the Council will aim *“to make a significant contribution towards tackling the cause and adapting to the effect of climate change by promoting the efficient use and safeguarding of resources”*. The strategic objective is supported by a number of policies within the LDP, including RE2 (as addressed above), SP2, SP11 and SP17.
- 6.49 Policy SP2 relates specifically to climate change, stating that development proposals which respond to, are resilient to, adapt to and minimise the causes and impacts of climate change will be supported. The policy goes on to state that, in particular, proposals will be supported where they increase the supply of renewable energy. The proposed development clearly accords with the form of development supported by Policy SP2.
- 6.50 Policy SP11 of the adopted LDP states that proposals which incorporate energy efficiency measures and renewable energy production technologies will be supported in areas where the environmental and cumulative impacts can be addressed satisfactorily. The policy requires such developments to not cause demonstrable harm to residential amenity and to be acceptable within the landscape. Policy SP11 also states that proposals will be assessed on a case by case basis. As set out above in relation to Policy RE2, the proposed development will not cause demonstrable harm to residential amenity, will be acceptable within the landscape, and identified environmental and cumulative impacts will be satisfactorily addressed.
- 6.51 Policy SP17 again encourages renewable energy generation and associated utility connections in appropriate locations, and subject to other policies within the plan. It also states that proposals for ancillary developments to the utilities infrastructure will be permitted where:
- They have regard to their setting;
 - Incorporate landscaping;
 - Do not conflict with the areas built, historic, cultural and nature conservation and landscape qualities.
- 6.52 The proposed development will require some ancillary infrastructure, including an on-site substation, transformer, cabling, foundations and hardstanding. As established in relation

to Policy RE2, the siting, scale and design of the proposed infrastructure is considered to have minimal impacts associated with it. The proposed infrastructure is also in accordance with the requirements of Policy SP17 in terms of setting, landscaping and not conflicting with the identified environmental qualities.

- 6.53 Overall, the proposed development will see the installation of up to two turbines, which will generate up to 5 MW of installed renewable energy capacity. This contribution is both tangible and meaningful by any measure, but especially when considered in the context of the Council's commitment to make a significant contribution towards tackling the cause and adapting to the effect of climate change. The proposed development should therefore be supported in line with Policy SP2, 11 and 17.

Other Policies

- 6.54 Aside from those policies relating specifically to renewable energy and climate change, the adopted LDP also includes a number of other relevant policies relating to environmental and design considerations. In some instances there is a degree of crossover between these policies and the issues already addressed above in relation to Policy RE2.

Design

- 6.55 Policy GP1 relates specifically to sustainability and achieving high quality design. It states that development proposals will be permitted where they accord with a series of specified criteria. Not all of the criteria set out are directly relevant to the proposed development. There is also a degree of crossover between a number of the criteria and the requirements set out in Policy RE2, which are addressed in detail above.
- 6.56 The submitted Environmental Report, Design and Access Statement and illustrative material demonstrates that the proposed development will accord with the relevant criteria set out in Policy GP1.

Landscape and Ecology

- 6.57 Again, there is a degree of crossover between the specific landscape and ecological policies contained in the adopted LDP and the requirements set out in Policy RE2. Account has, however, also been taken of Policy EQ1, EQ3, EQ4 and SP14. It should be noted that the application site does not form part of a designated Special Landscape Area (SLA). Policy EQ6 therefore does not apply to the proposed development.
- 6.58 Potential impacts on landscape are considered in detail in Chapter 4 of the Environmental Report. As outlined in relation to Policy RE2, the LVIA undertaken in support of this application demonstrates that the proposed development would not have an unacceptable impact on visual amenity or landscape character. Whether the proposed development is taken in isolation, or cumulatively with other wind energy schemes in the study area, the application site represents an opportunity to accommodate the proposed turbines without unacceptable change to landscape character and visual amenity being experienced.
- 6.59 It should also be noted that whilst there may be some impact on the landscape character during the period of deployment, these effects will be temporary and wholly reversible at

the end of the 25 year consent period. During this period the turbines will make an important contribution to tackling climate change and its deleterious effects including those to landscape character; such benefits will endure beyond decommissioning of the wind farm.

- 6.60 Chapter 6 of the Environmental Report considers the potential ecological impacts of the development. As set out in relation to Policy RE2 above, the technical work undertaken demonstrates that the conservation status of protected species and their habitats will not be unacceptably affected. Chapter 6 also confirms that there will be no unacceptable harm to any Local Nature Reserves (LNR) or Regionally Important Geological/Geomorphical Sites (RIG).
- 6.61 It is therefore concluded that the proposed development would be in accordance with Policy EQ1, EQ3, EQ4 and SP14 of the adopted LDP.

Historic Environment

- 6.62 Policy SP13 relates specifically to the protection and enhancement of the built and historic environment, stating that proposals relating to historic/culturally important sites and features, such as listed buildings, conservation areas and Scheduled Ancient Monuments (SAMS), will be considered in line with national guidance and legislation. The potential effects of the proposed development are considered in Chapter 5 of the Environmental Report. As stated above in relation to Policy RE2, the residual effects of the proposed development on all heritage assets will be no more than of slight significance.

Hydrology, Geology and Other Pollution

- 6.63 Policy EP1 relates to water quality and states that development proposals will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Watercourses are required to be safeguarded through biodiversity/ecological buffer zones/corridors. Chapter 10 of this Environmental Report considers hydrology and geology in detail, including surface water, groundwater, flood risk, land drainage and infrastructure. As part of previous rounds of consultation, consultation has been undertaken with Dŵr Cymru Welsh Water (DCWW), Natural Resource Wales (NRW) and Carmarthenshire County Council (CCC).
- 6.64 Potential impacts on the water environment through the construction phase would be mitigated by a range of operational, control and monitoring measures. These would significantly reduce the risks to the identified receptors and the residual significance of environmental impacts on the water environment is considered to be not significant. Given the size and location of the proposed development, there is no significant risk of flooding from any source.
- 6.65 Policy EP2 states that proposals for development should wherever possible seek to minimise the impacts of pollution. The policy also requires new developments to ensure that light and noise pollution are minimised where appropriate. Potential sources of pollution are considered throughout the Environmental Report, in particular through Chapter 7 and 8. It is considered that the proposed development would comply with the requirements of Policy EP2.

Transportation

- 6.66 The adopted LDP contains two specific policies relevant to the proposed development relating to transportation, Policy TR2 and TR3. Policy TR2 relates to developments that have the potential for significant trip generation, whilst Policy TR3 sets out a series of design considerations for highways in developments. Traffic and transportation is considered in Chapter 9 of the Environmental Report. As set out in relation to Policy RE2, with the implementation of appropriate mitigation, no residual impacts of significance are anticipated in respect of traffic and access issues.

Conclusion on Compliance with the Development Plan

- 6.67 In conclusion, the submitted Environmental Report and other supporting documents and plans demonstrate that the proposed complies with the adopted LDP. As such, as set out in the appropriate legislation and national guidance, the application should be determined in accordance with the adopted Development Plan.

Other Material Considerations

- 6.68 The appraisal of each respective other material consideration is included within Section 5. It is accepted national planning policy that renewable energy (such as that derived from onshore wind) forms a significant element of the Government's drive to tackle climate change. This application will make a tangible contribution to meeting the targets set out by the UK and Welsh Government's for renewable energy. The proposed development will therefore accord with the legislation, guidance and targets listed above. This is an important material consideration, which should be afforded significant weight in the determination of the application.

Conclusion

- 6.69 Returning to the tests set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Paragraph 1.22 of PPW, it can be concluded that the proposed development is in accordance with the Development Plan and that there are no material considerations to justify the withholding of planning permission.

7. Planning Balance and Conclusions

Introduction

- 7.1 This final section of the Planning Statement seeks to summarise and balance the various planning considerations which have been set out in detail above. To do so it weighs the benefits in favour of granting planning permission against the identified impacts.

Benefits of the Scheme

- 7.2 The preceding sections of this document have established that the Government, in view of its international and national statutory obligations, places significant weight on the urgent need to address the causes of climate change and achieve a greater level of national security of energy supply.
- 7.3 The need to address climate change and dramatically increase renewable energy production is compelling and is given significant weight in Government policy. Onshore wind, which is recognised in TAN8 and Future Wales as offering the greatest potential for an increase in the generation of electricity from renewable energy in the short to medium term, clearly has a central role to play.
- 7.4 Substantial weight should therefore be given to the benefits of renewable energy proposals in order to meet the Government's statutory obligations. It is within this context that the benefits arising from the Mynydd Pencarreg Wind Turbines should be considered.

Renewable Energy Generation and Climate Change

- 7.5 The proposed development will make a meaningful and tangible contribution to addressing climate change and increasing renewable energy production. The proposed development will see the installation of up to two wind turbines, which will provide up to 5MW of installed renewable energy capacity.

Socio-economic benefits

- 7.6 The proposed development will generate beneficial socio-economic impacts within the County and across Wales and the UK. Whilst it is not possible to precisely calculate the individual contribution of the proposed development, the primary beneficial impacts relate to direct, indirect and induced employment and economic productivity (GVA) estimated to be generated by the proposed development across the phases of its lifecycle from construction through to operation and subsequent de-commissioning.
- 7.7 The proposed development will also make a notable contribution to local economic growth. At a micro-economic level the more localised and direct economic benefits of the proposal will be felt most strongly during the construction phase of development, primarily as a result of direct and indirect employment opportunities arising from the substantial investment the project entails. Reference to research by the Department of Energy and Climate Change (DECC) indicates that the capital cost of the proposed development is likely to be in the region of £4.72m. Using this figure it is expected that the proposed

development could contribute circa, £330,400 to the local area and circa £1.37 m to the region. (see paragraph 11.7 of Environmental Report)

- 7.8 More specifically, a number of employment opportunities will be generated through the instruction of local or regional suppliers and the awarding of construction contracts. Local contracts could include those for services and materials such as the provision of aggregates for the construction of access tracks and foundations, plant hire and operators and the transportation of construction materials. Local firms would be expected to have a competitive cost advantage due to transportation costs being minimised. Other areas where local businesses may have relevant capabilities and experience include site preparation works, cable laying, electrical work, landscaping and security services.
- 7.9 A further significant material consideration for the national economy and in line with national targets is the security of energy supply. The use of wind energy is also expected to promote lower electricity production costs in the long term, which will have subsequent long term benefits for industry and the economy.

Ecology and Nature Conservation

- 7.10 As part of the proposed development, the Applicant has identified an opportunity for ecological enhancement. This could comprise the establishment of hedge and/or trees, which would benefit a variety of species. The ecology enhancement opportunities will be discussed and agreed with the Planning Authority.
- 7.11 In conclusion, it is clear that the proposed development will deliver a number of significant benefits, environmentally, economically and socially. The identified benefits must be considered and balanced against the potential impacts of the development.

The Potential Impacts

- 7.12 A separate Environmental Report is submitted in support of this application, which considers the likely effects on the environment of the proposed development during construction, operation and decommissioning. This technical work demonstrates that there will only be a limited number of likely impacts associated with the proposed development, all of which have previously been considered acceptable on appeal. These include:

Landscape and Visual

- 7.13 As is reported in the Landscape and Visual Impact Assessment presented within the Environmental Report, the proposed development will give rise to some negligible to small scale impacts on landscape character. It is, however, concluded that a scheme of up to two wind turbines in this location, and of the scale proposed, would not have an unacceptable impact on visual amenity or landscape character.
- 7.14 Detailed technical work has been undertaken in relation to landscape and visual impacts, which demonstrates that the application site represents an opportunity to accommodate the proposed turbines without unacceptable change to landscape character and visual amenity experienced within the surrounding landscape and associated communities. This

is the case whether the proposed development is taken in isolation or cumulatively with other wind energy schemes in the study area.

- 7.15 A Residential Visual Amenity Assessment of all properties within a 1.25km radius of the two proposed turbines was also undertaken. The assessment concluded that there would be no effect on the living standards of individual properties, such that any of these properties would become an unattractive place to live when judged objectively and in the public interest, as a result of the addition of the proposed development.
- 7.16 It should also be noted that any landscape and visual impacts are temporary and entirely reversible. Temporal duration is a matter to be afforded significant weight in the planning balance. That the scheme will make a positive contribution to addressing/preventing the deleterious effects of climate change on landscape character, both during the period of operation and beyond, is a further consideration of material weight.

Built Heritage

- 7.17 There are no known non-designated archaeological heritage assets that are likely to suffer an impact from the proposed development. The potential for as yet unknown archaeological remains to survive within the application site has been identified. This could, however, be mitigated by a programme of archaeological works (for example a watching brief) implemented during the construction phase. This would have the effect of reducing the significance of effect on any unburied remains to negligible.

Other Impacts

- 7.18 The technical work submitted in support of this application demonstrate that the effects arising from noise, geology and hydrology, transport and access, shadow flicker and aviation meet industry standards, or the impacts can be controlled via the imposition of planning conditions or obligations. The proposed development is therefore wholly consistent with local and national planning policy on these matters.

Planning Balance

- 7.19 In accordance with national planning policy and legislation the proposed development should be considered against the provisions of the adopted Development Plan for the area, unless material considerations indicate otherwise. In this context, it has been demonstrated that the proposed development is in accordance with the development plan, including Policy RE2 and other detailed policies relating to key environmental considerations. It has also established that the proposed development complies with, and will help deliver, national policy requirements and guidance.
- 7.20 In conclusion, it is clear that the proposed development will make a positive contribution towards national renewable energy targets and would comply with the relevant policies of the adopted LDP and national planning policy. Given that there are no material considerations which indicate otherwise, the proposed development should therefore be supported.

