

PLANNING COMMITTEE – 26th JULY 2022

FRINGE NOTIFICATIONS DELEGATED TO THE NATIONAL PARK OFFICERS

App No.	Grid Ref.	Community	Address	Decision	Date Issued
22/20806/DNS	N: 211213 E: 333416	NO DATA	Land At Great House Farm, Penpergwm Solar, Abergavenny, Monmouthshire, NP7 9UY	Fringe Comments	30 June 2022

Officer response letter of 30th June 2022

Thank you for your further consultation received 10th June 2022 regarding the above. We have previously been consulted on this a number of times – see letters dated 22 March 2021 – our ref: 21/19688/FRI, letter dated 31st August 2021 our ref: 21/20146/FRI, letter dated 4th April 2022 our ref: 22/20806/DNS which was returned by PEDW as a late representation as it was submitted 3 days beyond the consultation deadline as well as letter dated 16th May 2022 our ref: 22/20806/DNS). It is understood that you are consulting the Brecon Beacons National Park Authority as a consultee under Development of National Significance (DNS) (Procedure) (Wales) Order 2016 in respect of the varied application and further information received from the applicant. We understand PEDW is seeking representations in respect of:

- Any matters arising from the variation of the DNS application
- The further information submitted by the applicant in response to the matters set out in Annex A to PEDW's letter of 25/04/2022 and representations submitted by interested parties during the consultation period.
- The further information submitted by Monmouthshire County Council and Brecon Beacons National Park Authority

We note the varied proposal seeks to remove solar arrays from two fields which subsequently reduces the output of the proposal to 32MW (from 37MW previously stated). The removal of arrays from the two fields total a reduction of 7.4ha which will be retained for sole agricultural use (unclear how this will be safeguarded – but this will be a matter for PEDW to consider). We also note the landscape and visual appraisal (LVA) refers to 'additional vegetation planting schemes and mitigation measures in order to develop the existing site and surrounding areas'. The LVA mentions "Existing trees and hedgerows around the Application Site will be retained as far as is practicable. Trees will be introduced along sections of the north-western and southern western boundaries. Hedgerows and infill planting will also be introduced along open sections of the boundaries to help screen inward views and provide additional biodiversity opportunities. These mitigation and biodiversity measures, alongside the green infrastructure proposals, respond to Policies 17 and 18 of Future Wales – The National Plan 2040 and Planning Policy Wales 11 (PPW 11)" which is then later states to result in "Reduced visual impact on Viewpoints 1, 2, 9, 13, 14 and 15 due to added mitigation planting".

Comments We have previously provided comments on landscape effects in relation to the BBNP and BILWHS. It appears the amended scheme does not alter the LVA's assessment of these aspects and therefore our previously provided comments (as per our letter on 16th May 2022) remain. In terms of visual effects the varied scheme is stated to reduce the effects on two viewpoints (14 and 15) which are within the National Park however this does not seem to be shown in the assessment (set out in section 7) - which appear to be same (i.e. viewpoint 14 - Degree of Visual Effect: Temporary, Minor adverse (Construction); Minor adverse (all Operational Years); Temporary, Minor adverse (Decommissioning); No Change/ Minor beneficial (Post Decommissioning). Viewpoint 15 - Degree of Visual Effect: Temporary, Minor adverse (Construction); Minor adverse (all Operational Years); Temporary, Minor adverse (Decommissioning); No Change/ Minor beneficial (Post Decommissioning)). In which case we have no further comments to add other than those already raised in our letter dated 16th May 2022. We trust the above comments are of assistance however if you wish to discuss any aspect further please do not hesitate to contact me.

Officer response letter of the 16th May 2022

Thank you for your further consultation received 25th April 2022 regarding the above. We have previously been consulted on this for the landscape and visual appraisal element (see letter dated 22 March 2021 – our ref: 21/19688/FRI), (see letter dated 31st August 2021 our ref: 21/20146/FRI) and more latterly (see letter dated 4th April 2022 our ref: 22/20806/DNS which was returned by PEDW as a late representation as it was submitted 3 days beyond the

consultation deadline).

It is understood that you are consulting the Brecon Beacons National Park Authority as a specialist consultee under Development of National Significance (DNS) (Procedure) (Wales) Order 2016 but specifically you are querying the following information from BBNPA:

“15. Given the location of the proposed development, it would be helpful if BBNPA could provide comments on the effects on the special qualities of the Brecon Beacons National Park and on the Blaenavon Industrial Landscape World Heritage Site”.

As outlined in our previous comments the Brecon Beacons National Park boundary is located approximately 3km to the west of the proposed 70.17 hectare site (NB it is recognised the applicant is now proposing to remove arrays from fields 8 and 11, however it is unclear whether this impacts on the red outline or not). The site is located within the River Usk Special Area of Conservation catchment. The site is approximately 3.9km away from the Blaenavon Industrial Landscape World Heritage Site (BILWHS) which is partly within the National Park boundary but also within Monmouthshire Local Planning Authority area too.

We offer comments on the DNS submission which was made available on your website, along with some policy and legal background.

Background

Policy and legal context

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

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

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

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

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

- In the context of the UK, **geographically rugged, remote and challenging landscapes**.
- **Enjoyable and accessible countryside** with extensive, widespread and varied opportunities to pursue walking, cycling, fishing, water-based activities and other forms of sustainable recreation or relaxation.
- **An intimate sense of community** where small, pastoral towns and villages are comparatively safe, friendly, welcoming and retain a spirit of cooperation.

Planning Policy Wales (PPW) (Edition 11) acknowledges the statutory purposes of National Parks and references the “Sandford Principle”, whereby if there is a conflict between the statutory purposes, greater weight shall be given to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage. PPW states that “*planning authorities have a statutory duty to have regard to National Parks and AONB purposes. This duty applies in relation to all activities affecting National Parks and AONBs, whether those activities lie within, or in the setting of, the designated areas*” (see para 6.3.5).

In relation to World Heritage sites para. 6.1.22 states “*World Heritage Sites are international designations recognised for their Outstanding Universal Value, as inscribed by UNESCO. The planning system recognises the need to protect the Outstanding Universal Value of World Heritage Sites in Wales. The impacts of proposed developments on a World Heritage Site and its setting and, where it exists, the World Heritage Site buffer zone and its essential setting, is a material consideration in the determination of any planning application.*”

The Proposed Development

We understand that it comprises the construction, installation, operation and decommissioning of a 37MW (unclear how the removal of fields 8 and 11 will impact on MW but the form on-line states “*applicant will consider relocating the arrays to other locations within the application boundary*”). We understand that the applicant has until the 23rd May to submit details to Pedw and Monmouthshire County Council setting out what aspects of the planning application will change. Details of this are not available on-line so it is assumed this has not been submitted yet.

The previous solar farm proposal (prior to it being varied) included the following elements:

- Circa 31.4 hectares of land with PV panels mounted on metal frames_(fixed tilt)_(dark blue, grey or black in colour and max of 2.8m in height)
- Substation compound (to include a 15m high communications tower)
- Control Room and customer switchroom - single storey building with WC and cess pit.
- New access tracks (unspecified permeable construction)
- Underground cabling
- 2m high stock-proof perimeter fence with CCTV cameras (on 3m high poles) and access gates
- 4,000 sq.m temporary construction compound (during construction and decommissioning)
- 50m x 25m area substation compound with external lighting
- Landscaping including hedgerow planting and biodiversity management

The proposal is on land at and surrounding Great House Farm, Penpergwm, Monmouthshire and it is stated it will be operational for circa 40 years and within 6 months a decommission strategy shall be submitted for approval to the determining Authority following the principles in the submitted Outline Decommissioning Strategy.

Submission

The National Park Authority makes the following comments on the (varied) submission:

- In terms of landscape effects, it is noted that the proposed development has been assessed as indirectly affecting a small eastern part of the BBNP and BILWHS. During operation a localised geographical area will experience effects ranging from minor adverse to no change. In terms of consideration on BBNP and BILWHS, this is considered a reasonable assessment. Please note we would expect Cadw and Monmouthshire County Council as the relevant Local Planning Authority to provide their consideration to PEDW on the BILWHS point given the nearest part of the BILWHS is located within the Monmouthshire authority area. We have no further comments to make on landscape effects on the National Park, its special qualities and the BILWHS. We do not disagree with the statement in the Landscape Visual Assessment (LVA) that it is unlikely that the Special Qualities of the BBNP and the Outstanding Value of the BILWHS will be compromised by the introduction of the Proposed Development.

- In terms of visual effects, 4 viewpoints within the National Park have been assessed as part of the Landscape and Visual Impact Assessment (LVIA) (Nos. 10, 12, 14 and 15). Viewpoints 12 and 15 have photomontages. Minor adverse effects during operation have been assessed and again this is considered a reasonable assessment. The additional mitigation measures to western areas mentioned in NRW's statutory response has been added. We have no further comments to make on visual effects.
- We note previous comments queried whether the arrays were fixed or tracked. Our understanding is that the proposed arrays are fixed and therefore we have no further comments to make on the Glint and Glare Assessment.
- It is noted that the proposal is located within the River Usk Special Area of Conservation (SAC) catchment which is currently failing its phosphate targets. We will leave Pedw to consider the development in light of the latest NRW guidance available as part of any Appropriate Assessment and the provisions in the Circular 008/2018 "Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants" regarding the drainage hierarchy.

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

Further details can be found here:- <https://www.renewableconnections.co.uk/penpergwm-solar-farm/>

22/20996/FRI

N: 211439
E: 285807

Tawe Uchaf

Land Near To Henrhyd
Falls , Tawe Uchaf,
Coelbren, Powys, SA10
9NA

Fringe
Comments

23 May 2022

Officer response dated 23 May 2022

We understand that the National Trust has submitted a planning application to Powys County Council for the retention of a Car Park. The red outline for this proposal is located entirely in Powys Council Council but is immediately adjacent to the Brecon Beacons National Park Authority (NPA) boundary, approximately 285m (as the crow flies) southeast of Henrhyd Falls Car Park, and is accessed off the junction to the C0194 and C0193 highway.

The site is also approximately 87m south from the nearest residential property on the opposite side of the single carriageway, and is clearly visible from various public vantage points.

The Proposal

The development proposals are for the change of use of agricultural land to car park that was constructed in the summer of 2021. Therefore, the application seeks retrospective planning permission for the works carried out.

The car park is served by a 4.5m wide access to allow two way movement. Visibility splays of 2.4m x 32m have been provided in both directions from the car park access.

The car park entrance includes a vehicle height restriction barrier and removable bollards. It is proposed that when the main Herhyd Falls car park has exceeds capacity; National Trust staff will open the overflow facility, and manage the directing of vehicles arriving at both car parks.

The car park is constructed of a permeable cellular grid that is laid on compacted Type I stone material and measures 425m square, which is estimated to provide around 20 parked cars. The cellular grid is filled with gravel and topped with stone dust.

Topsoil has been stripped to provide the formation of the car park and reused to form a hedge bank along the highway boundary. However, it is believed that the hedge bank is obstructing the visibility splay and is therefore proposed to be amended to accommodate the required visibility – no revised plans have been submitted prior to writing these comments.

We set out below some background on the NPA's policy and legal context. The letter ends with our comments on the planning application submission, which was made available on the Council's website.

Policy and Legal Context

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

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- To promote opportunities for the public understanding and enjoyment of the special qualities of the National Park

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

Section 3.1.3 of the Brecon Beacons National park Authority Local Development Plan 2007-2022 states that in commenting on proposals that impact on the National Park it will aim to ensure that s62(2) is observed through the application of strategic policy SPI.

Policy SPI states the following:

Development in the National Park will be required to comply with the purposes and statutory duty set out in legislation, and will be permitted where it:

- a) *conserves and enhances the natural beauty, wildlife and cultural heritage of the Park; and/or*
- b) *provides for, or supports, the understanding and enjoyment of the special qualities of the National Park in a way that does not harm those special qualities; and*
- c) *fulfils the two purposes above and assists the economic and social well-being of local communities.*

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

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- A feeling of **vitality and healthfulness** that comes from enjoying the Park's fresh air, clean water, rural setting, open land and locally produced foods.
- A **sense of place and cultural identity** - "Welshness" - characterised by the use of the indigenous Welsh language, religious and spiritual connections, unique customs and events, traditional foods and crafts, relatively unspoilt historic towns, villages and family farms. The continued practices of traditional skills developed by local inhabitants to live and earn a living here, such as common land practices and grazing.
- A **sense of discovery** where people are able to explore the Park's hidden secrets and stories such as genealogical histories, prehistoric ritual sites, medieval rural settlements, early industrial sites, local myths, legends and geological treasures.
- The Park's **sweeping grandeur and outstanding natural beauty** observed across a variety of harmoniously connected landscapes, including marvellous gorges and waterfalls, classic karst geology with caves and sink holes, contrasting glacial landforms such as cliffs and broad valleys carved from old red sandstone and prominent hilltops with extensive views in all directions.
- A **working, living "patchwork" of contrasting patterns, colours, and textures** comprising of well-maintained farmed landscapes, open uplands, lakes and meandering rivers punctuated by small-scale woodlands, country lanes, hedgerows, stone walls and scattered settlements.
- **Extensive and widespread access to the Park's diversity of wildlife and richness of semi-natural habitats**, such as native woodlands, heathland and grassland, natural lakes and riparian habitats, ancient hedgerows, limestone pavement and blanket bogs including those of international and national importance.
- In the context of the UK, **geographically rugged, remote and challenging landscapes**.
- **Enjoyable and accessible countryside** with extensive, widespread and varied opportunities to pursue walking, cycling, fishing, water-based activities and other forms of sustainable recreation or relaxation.
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Planning Policy Wales (PPW) (Edition 11) acknowledges the statutory purposes of National Parks and references the "Sandford Principle", whereby if there is a conflict between the statutory purposes, greater weight shall be given to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage. PPW states that "*planning authorities have a statutory duty to have regard to National Parks and AONB purposes. This duty applies in relation to all activities affecting National Parks and AONBs, whether those activities lie within, or in the setting of, the designated areas*" (see para 6.3.5).

Planning Application Submission

We have reviewed the submission – principally the following:

- Application Form
- Location Plan
- Proposed Block Plan
- Transport Statement

We consider the key issues which have the potential to impact on the National Park Authority's statutory purposes and special qualities are in relation to landscape, visual impact and ecology.

We make the following comments on the submission:

Landscape and Visual matters

The site is situated in a prominent location and clearly visible to all public vantage points.

The vehicle height restriction barrier is incongruous and does not appear justified for an overflow parking facility, which is proposed to be managed by National Trust staff.

No landscaping scheme has been submitted with the application to show how the visual impact will be mitigated long term. It is noted that the hedge bank is currently affecting the visibility splays. It has been suggested that the hedge back is to be moved, however; no amended scheme has been submitted.

On that basis, it is considered that insufficient information has been provided to enable a proper assessment on the long term landscape and visual impact.

Ecology

No ecological information has been submitted. The car park has largely already been implemented, with the car park surfacing already in place. The habitat in this location prior to the installation of the car park appeared to be rush pasture, as is the surrounding.

It is important to ensure that any external lighting is of an appropriate design and sensitively located; if any lighting is required, details should be submitted to the Local Planning Authority for approval.

Policy I of the Local Development Plan and Section 6 of the Environment (Wales) Act 2016 require the BBNPA to seek to maintain and enhance biodiversity. The Welsh Government letter to Chief Planning Officers dated 23rd October 2019 has also clarified the necessity for developments to include biodiversity enhancement measures prior to determination of applications. The proposals include the creation of a hedge bank formed from the topsoil stripped from the car park area – it is recommended that details of an appropriate seed mix to provide biodiversity enhancement is submitted and approved by the Local Authority prior to implementation.

Riverine Special Areas of Conservation (SACs) and phosphates

Natural Resources Wales has set new phosphate standards for the riverine SACs in Wales (21st January 2021). Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition. The application site does not lie within a river SAC catchment and therefore phosphate screening is not required.

Recommendations

Details of an appropriate seed mix for the proposed hedge bank is to be submitted for approval by the Local Authority, prior to implementation. This may be secured as a condition.

There is no ecological objection to approval of this application subject to the imposition of the following planning conditions and informative notes to safeguard and enhance nature conservation interests at the site.

Conditions

1. The biodiversity enhancement scheme as shown on Drawing No. I524-ACS-XX-ZZ-DR-T-002-B 'Proposed Car Park' shall be undertaken and/or installed prior to the first beneficial use of the development hereby approved, in accordance with the approved details and maintained thereafter. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.
2. No external lighting shall be installed until an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid conflict with wildlife corridors and biodiversity enhancement measures and shall be implemented as approved.
3. Details of the seed mix to be used for the hedge bank shall be submitted to and approved in writing by the Local Planning Authority prior to implementation.

Reasons

- To comply with Section 6 of Planning Policy Wales (2021), Technical Advice Note 5 and Policies SP3, 1, 3, 4, 6, 7 and 12 of the adopted Local Development Plan for the BBNP
- To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Environment (Wales) Act 2016

Informative notes:

- i. All nesting birds, their nests, eggs and young are protected by law and it is an offence to:
 - intentionally kill, injure or take any wild bird
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
 - intentionally take or destroy the egg of any wild bird
 - intentionally (or recklessly) disturb any wild bird listed on Schedule I while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.
- ii. The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales.
- iii. Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 (as amended) and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: NRW, Cantref Court, Brecon Road, Abergavenny, NP7 7AX Tel: 0300 065 3000.

Conclusion

Whilst there is no ecological objection to the principle of the proposals subject to the imposition of the above mentioned planning conditions, there is insufficient information to properly assess the proposals in terms of landscape and visual effects.

On that basis, a formal objection is raised due to the lack of supporting information to demonstrate the likely impacts of the development on the landscape and visual amenity of the Brecon Beacons National Park.

Further details can be found here:- <https://pa.powys.gov.uk/online-applications/?lang=EN>

22/20913/FRI

N: 205466
E: 295316

Hirwaun

Land Adj To Bryngelli
Ind Est, Meadow Lane,
Hirwaun, CF44 9PT

Fringe
Comments

14 April 2022

Officer response dated 13 April 2022

We note the application site is located approximately 770m away from the Brecon Beacons National Park boundary but is located within the settlement boundary of Hirwaun.

Given the separation distance between the site and the National Park boundary, its previously developed state and its location within the settlement boundary of Hirwaun we have no particular comment to make on this planning application.

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

Further details can be found here: -

<https://www.rctcbc.gov.uk/EN/Resident/PlanningandBuildingControl/PlanningApplications/SearchthePlanningRegister.aspx>

22/20977/FRI

N: 214298
E: 328734

NO DATA

Nevill Hall Hospital,
Brecon Road,
Abergavenny, Mons,
NP7 7EG

Fringe
Comments

18 May 2022

Officer response dated 18th May 2022

The Proposal

Demolition of existing single storey antenatal building and erection of a new two storey satellite radiotherapy unit, as an extension to the existing Nevill Hall Hospital, including the provision for a new transformer substation, realigned access for ambulance drop off, replacement car park and landscaping at Nevill Hall Hospital, in Abergavenny. The site of the new car park to be situated on pasture to the south of the hospital site is immediately adjacent to the eastern boundary of the Brecon Beacons National Park.

Policy and Legal Context

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Landscape and Visual Impact

The National Park Authority key concern in relation to this development is the new Red Barn Carpark and its landscape and visual effects on the following special qualities of the National Park –

- Sweeping grandeur and outstanding natural beauty
- Contrasting patterns, colours and textures

The LVIA concludes the greatest significant visual effect upon completion of the development is major-moderate and are from viewpoint I directly adjacent to the site and from VP9 at an elevated position at the east of the Blorange.

The use of grasscrete for the Red Barn car park spaces (drwg. NHHR-IBI-00-XX-PL-L-700005 REV P07) is welcomed and will break up the area visually along with the proposed hedge, shrub and tree planting and grass seeding. Consideration could also be given to the use of a coloured permeable tarmac as opposed to the normal harsh black tarmac finish for the remainder of the car park surface and new road area. Although the PAC report says remainder of car park has been changed to green this was not evident on the above plan. 'Green' as a tarmac colour would seem a little out of place. If by green what is meant is that the whole car park would be grasscrete, that's acceptable, however if a coloured permeable tarmac option is proposed a buff or grey would be more appropriate than green.

Ecology

- We note that the ecological reports refer to the River Usk SAC, but do not refer to the River Usk SSSI designation.
- The survey effort includes small watercourses to the south and south-west, but surveys for and impacts on otter do not appear to have been addressed.
- We assume that NRW and the MCC Ecology Team have been consulted and will provide advice to safeguard and enhance nature conservation interests at and near the site.
- Many of the species sightings at or near the site (notably bats and otter) are likely to be linked to populations in the NP and we would expect that mitigation and enhancement measures are secured as appropriate and in agreement with the MCC ecologist and NRW.

Riverine Special Areas of Conservation (SACs) and phosphates

Natural Resources Wales has set new phosphate standards for the riverine SACs in Wales (21st January 2021). Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition. The application site lies within the River Usk SAC catchment and HRA screening should be undertaken as necessary.

Conclusion

In conclusion, there is no objection to the principle of the development proposals subject to consideration of the points raised. Our Ecologist would be happy to liaise with the MCC Ecologist if required.

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

Further details can be found here:- <https://www.monmouthshire.gov.uk/view-planning-applications/>

22/20979/FRI

N: 212267
E: 315046

NO DATA

Unit 19, Rassau
Industrial Estate, Ebbw
Vale, NP23 5SD

Fringe
Comments

4 May 2022

Officer response dated 4th May 2022

Thank you for your consultation received 12 April 2022 regarding the above. I apologise for the slight delay in coming back to you on this.

You will be aware the Brecon Beacons National Park Authority (BBNPA) has previously provided comments to Blaenau Gwent County Borough Council on planning application C/2020/0301 (see letter dated 13th January 2021) which this discharge of condition application is pursuant to. These previous comments raised concern with the cumulative landscape and visual impact of the proposal and its subsequent impact on the special qualities and purposes of the National Park. Given this application was subsequently approved and the current discharge of condition relates primarily to detail (rather than matters of principle) we provide the following (limited) comment on the detail submitted in relation to condition 6 (external finishes) only – against a backdrop of an in principle concern:

- **Condition 6 external finishes** – a light grey Ral 7035 would seem appropriate. It could be useful for the determining Local Planning Authority to have some additional information from the applicant which demonstrates how this colour has been arrived at and why it is appropriate for this particular location.

It is noted the applicant states in the covering letter submitted that the wind turbine remains within the parameters permitted under C/2020/0301. We have been unable to check this using the Council's on-line planning application system however we will leave the determining Local Planning Authority to review this.

We trust these comments are of assistance to you. If you require further information from the Brecon Beacons National Park. Please do not hesitate to contact me.

Officer comments dated 13 January 2021

Thank you for your consultation received on 24th December 2020 regarding the above.

I set out below some background on the Brecon Beacons National Park Authority (BBNPA) policy and legal context. The letter ends with our comments on the planning application with you for determination.

Background

Policy and legal context

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

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

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

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

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

Planning Policy Wales (PPW) (Edition 10) acknowledges that statutory purposes of National Parks and references the "Sandford Principle", whereby if there is a conflict between the statutory purposes, greater weight shall be given to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage. PPW also recognises that natural heritage issues are not confined by administrative boundaries and that the duty to have regard to National Park purposes applies to activities affecting these areas, whether those activities lie within or in the setting of the designated area.

Planning Application Comments

The Planning application is for the erection of a single wind turbine and associated transformer enclosure. The overall height of the turbine, to the blade tip, will be 80m. The turbine will comprise of a hub to a height of 50m and three blades of 26m in length. It will be sited within Rassau Industrial Estate, Ebbw Vale. The application site is located approximately 1 km south of the Brecon Beacons National Park (BBNP) boundary and is located at the foot of Mynydd Llangynidr (part of which is located in the BBNP). It is noted, that the delivery route for the development will not involve roads within the BBNP.

Due to the distance from BBNP and scale of the proposed turbine, it is considered that the primary consideration for the BBNPA is the landscape and visual impact of the proposed wind turbine.

An almost identical application was made in 2018 and at that time, BBNPA provided a fringe response that expressed significant concern over "*the cumulative impact of the proposal upon the special qualities and purposes of the National Park.*" (18/16725/FRI refers)

Landscape and Visual Impact

Whilst it is appreciated that the site forms part of an area identified for employment use within the Blaenau Gwent Local Development Plan (2012), BBNPA remains concerned about the cumulative impact this proposal will have when viewed alongside the 2 x 500kw existing wind turbines within the same industrial estate (approximately 700m and 500m

away) and the further wind turbines in the wider local context (at Tafarnaubach turbine, Tredegar turbines, Pen Bryn Oer turbines etc.).

The Landscape and Visual Impact Assessment (LVIA) that accompanies the application considers cumulative impact (paragraphs 4.27 – 4.37 refer) including the cumulative impact on the special qualities of the BBNP (Table 3 refers). This assessment concludes:

“the proposals will not result in a significant cumulative effect. The scheme is set relatively low down within the surrounding landscape, within the context of an existing group of turbines. It is therefore considered that the proposals can be integrated without detriment to the character or qualities of the wider landscape context and visual environment.”(paragraph 4.37 refers)

However, this conclusion is based on the assumption that:

“wind turbine development is established in this landscape setting and turbines form a characteristic component within the upland landscapes to the south” (paragraph 4.43 refers).

The LVIA cumulative impact assessment appears to be based on an acceptance of extensive wind turbine development in the area. This is in sharp contrast to BBNPA’s Landscape and Development Supplementary Planning Guidance (SPG) (endorsed by BBNPA 2014) that does not appear to be utilised in the LVIA. It is likely that this proposal will be visible from Landscape Character Area (LCA) 9: Mynyddoedd Llangatwg & Llangynidr. For this LCA, the SPG recognises the impact of wind turbines on views to the south (the area of the planning application) as a force for change and includes guidelines to protect long views including to the south outside BBNP, including wind turbines and to resist applications for future development that harm the special qualities of the area.

Conclusion

There is concern that the combined and successive impact of wind turbines on the southern fringe of BBNP will give rise to a significant effect and create a landscape character dominated by wind turbines. This issue and the resulting potential detrimental impact on the special qualities of the national park is identified in BBNPA’s Landscape and Development SPG.

We wish to raise significant concerns about the cumulative impact of this proposal upon the special qualities and purposes of the Brecon Beacons National park.

I trust this is of assistance to you. If you require further information from the Brecon Beacons National Park, please do not hesitate to contact me.

For further details please contact Alanna.Russell@blaenau-gwent.gov.uk

22/21099/FRI	N: 205466 E: 295316	Hirwaun	Land Adj To Bryngelli Ind Est, , Meadow Lane, , Hirwaun, , CF44 9PT	Fringe No Comments	10 June 2022
22/21100/FRI	N: 204905 E: 297474		Oasis, 46 Heol Bryn Gwyn, Pen Y Waun, Aberdare, CF44 9HB,	Fringe No Comments	26 May 2022
22/21121/FRI	N: 194197 E: 297823		Land Adj To Former Nant-y-Gwydon Landfill Site	Fringe No Comments	23 June 2022
22/21100/FRI	N: 204905 E: 297474		Oasis, 46 Heol Bryn Gwyn, Pen-y-waun, Aberdare, CF44 9HB	Fringe No Comments	16 June 2022
22/21199/FRI	N: 204270 E: 292612		Land At Rhigos Mountain And Former Tower Colliery Site, Rhigos Road, Hirwaun, Aberdare, CF44 9UF	Fringe No Comments	24 June 2022
22/20846/FRI	N: 207582 E: 290073		Angel Farm, Pontneathvaughan Road, Glynneath, Neath, Neath Port Talbot, SA11 5NR	Fringe No Comments	30 March 2022
22/20923/FRI	N: 212380 E: 314333		Land Adj Rassau Ind Estate, Brecknockshire, Gwent, NP23 5SD	Fringe No Comments	19 April 2022
22/20922/FRI	N: 207923 E: 290166		Bryngolwyg Farm, Rhigos Road, Hirwaun, Aberdare, CF44 9UG,	Fringe No Comments	9 May 2022