

## Chapter 4 - Planning Policy Context

### Introduction

4.1 In exercising functions as part of carrying out Sustainable Development in accordance with the Well-being of Future Generations Act (the Future Generations Act 2015), Section 2 of the Planning (Wales) Act 2015 requires the Welsh Ministers, as a public body, to ensure the development and use of land contributes towards improving the economic, social, environmental and cultural well-being of Wales.

4.2 The starting point for determining the merits of the proposal in the context of the above statutory duty is the provisions of the development plan, as far as these are material to the development for which planning permission is sought. (Planning and Compulsory Purchase Act 2004 (PCPA 2004) Section 38(6); Town and Country Planning Act 1990 (TCPA 1990) Section 70(2)).

4.3 Section 38(6) of the PCP Act 2004 states:

*'If regard is to be had to the development plan for the purpose 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.'*

4.4 Section 70(2) of the TCP Act 1990 states:

*'In dealing with an application for planning permission or permission in principle the authority shall have regard to—*

- i. *the provisions of the development plan, so far as material to the application,*
- ii. *any considerations relating to the use of the Welsh language, so far as material to the application;*
- iii. *any local finance considerations, so far as material to the application, and*

iv. *any other material considerations.*'

4.5 The planning system in England and Wales is a plan led system not a plan determined system. As such in undertaking planning decisions, a planning balance is required with weight being given to 'material considerations'. National planning policy is a material consideration that should be given 'substantial weight', particularly where such policies comprise up-to-date policy statements that are more recent to the provisions of the relevant development plan.

4.6 Paragraph 1.1 of Planning Policy Wales 11<sup>th</sup> February 2021, which comprises the most up to date statement of national planning policy in Wales, states:

*'Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. PPW, the TANs, MTANs and policy clarification letters comprise national planning policy.'*

4.7 In the context of this development the Mineral Technical Advice Notes (MTANs) are not relevant to the determination of this proposal.

4.8 This Chapter on relevant planning policy does not seek to undertake a 'planning balance' on the overall merits of the Proposed Development. That is the role of the accompanying Planning Statement. Rather this Chapter sets out objectively the content of relevant planning policy which the Welsh Ministers will need to take account of in reaching a decision on the merits of this application.

4.9 Planning policies in development plans can pull in opposite directions when considering the merits of a development proposal. It is hence always important to identify the most important, or dominant policies from a development plan that have a particular relevance

to the development for which planning permission is sought. A decision on any planning application should be taken in accordance with the development plan read **as a whole**.

- 4.10 It is with these principles that the relevant policies from the development plan, and other relevant land use policy considerations, are set out. Other topic-based chapters in this Environmental Statement may also have made reference to planning policy and material considerations which are especially relevant to the subject matter of the individual chapter.

### **The Development Plan**

#### **Future Wales – The National Plan 2040**

- 4.11 ‘Future Wales’ was published contemporaneously with PPW 11 (February 2021) with a ‘strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong eco systems and improving the health and well-being of our communities’.
- 4.12 Future Wales is the highest tier of the development plan, and the only part of the development plan that has been prepared in the context of up-to-date national planning policy provided by PPW. Future Wales provides a framework for strategic Development Plans and Local Development Plans.
- 4.13 The proposed development is a Development of National Significance – as an on-shore wind generation of 10 more gigawatts. This proposal must be determined in accordance with Future Wales which is the ‘national development plan for Wales’.
- 4.14 Future Wales acknowledges that ‘we face a climate emergency which is actively changing our environment and directly affecting communities’ (and an ecological emergency). Future Wales states:

*'The Welsh Government will face these challenges and find the opportunities for a better Wales with every mechanism at our disposal. Our national development framework, in this context, is an important lever to deliver the change we need.'*

4.15 Future Wales states:

*'Changes to our climate and weather patterns will have a significant impact on well-being on both current and future generations. Increasing temperatures and extreme weather events caused by climate change are putting pressure on ecosystems, infrastructure, built environment and our unique landscape and cultural heritage, which all contribute to social, economic and ecological resilience.'*

*'It is vital that we reduce our emissions to protect our own well-being and to demonstrate our global responsibility. Future Wales together with Planning Policy Wales will ensure the planning system focuses on delivering a decarbonised and resilient Wales through the places we create, the energy we generate, the natural resources and materials we use and how we live and travel.'*

4.16 In 2018, Energy Supply comprised the greatest contributor to Wales' greenhouse gas emissions, some 29% (business accounted for 22% and transport 16%) (Wales An Overview).

The Overview states under the heading 'Renewable Energy':

*'Wales can become a world leader in renewable energy technologies. Our wind and tidal resources, our potential for solar generation, our support for both large and community scaled projects and our commitment to ensuring the planning system provides a strong lead for renewable energy development, mean we are well placed to support the renewable sector, attract new investment and reduce carbon emissions.'*

4.17 Future Wales is a 'spatial plan' setting a 'direction for where we should be investing in infrastructure and development for the greater good of Wales and its people'. Future Wales

makes clear *‘the importance of planning new infrastructure and development in such a way that they are complementary rather than competing priorities, ensuring opportunities are maximised and multiple benefits are achieved’.*

4.18 With reference to the principles established in the Well-being of Future Generations (Wales) Act 2015, Future Wales states:

*‘Choosing where to invest or considering whether a development is suitable in a certain place are difficult decisions where a balance often has to be found between competing priorities. We must strive to find solutions which maximise our contribution to the goals and well-being objectives. Future Wales provides leadership and strategic direction for taking these decisions.’*

4.19 Future Wales does not contain statements on all land use planning policies set out in Planning Policy Wales. It has policies on issues where the Welsh Government considers them a national priority at this time, or matters which are distinctly spatial and require national leadership (The structure of the Welsh planning system).

4.20 Chapter 4 the ‘spatial strategy’ includes the following policies which are considered relevant to the Proposed Development, namely:

Policy 9: Resilient Ecological Networks and Green Infrastructure

Policy 17: Renewable and Low Carbon Energy and Associated Infrastructure

Policy 18: Renewable and Low Carbon Energy Developments of National Significance

4.21 Future Wales states:

*‘Wales is abundant in opportunities to generate renewable energy and the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of our commitment to decarbonisation and tackling the climate emergency.’*

*We have set the following ambitious targets for the generation of renewable energy:*

- *For 70% of electricity consumption to be generated from renewable energy by 2030.*
- *For one gigawatt of renewable energy capacity to be locally owned by 2030.*
- *For new renewable energy projects to have at least an element of local ownership from 2020.'*

4.22 Policies 17 and 18 contain strategic spatial and detailed criteria-based policies respectively and should be considered together in the determination of applications, along with detailed advice on assessing benefits and impacts in Planning Policy Wales. It is the role of the accompanying Planning Statement to undertake an assessment of the proposed development and its compliance, or otherwise, with these national planning policies.

4.23 Policy 17 demonstrates the Welsh Government's support in principle for all renewable energy projects and technologies. Future Wales states:

*'Proposals should ensure there is no significant unacceptable detrimental impact on the surrounding natural environment and local communities and that the development delivers positive social, environmental, cultural and economic benefits.'*

4.24 Policy 18 provides the decision making framework for renewable and low carbon energy technologies.

4.25 Future Wales (and the Welsh National Marine Plan) recognise that there are a number of opportunities to generate renewable energy across a variety of technologies both on-shore and off-shore which should be maximised to help meet the targets. The Welsh Government accepts that alternatives to the *'need for large new large-scale electricity generation infrastructure... will not enable us to meet these objectives (in meeting our energy decarbonisation, and climate change targets) on their own'*.

- 4.26 Sites in National Parks and Areas of Outstanding Beauty are considered unsuitable for large scale wind and solar projects (Developments of National Significance). Future Wales states *‘Outside these areas a positive policy framework exists’*.
- 4.27 Within the Pre-Assessed Areas (PAA) for Wind energy there is a presumption in favour of large scale on-shore wind energy development and the associated landscape change subject to the criteria in Policy 18. The proposal lies outside of a PPA. Future Wales states *‘Outside of these areas a positive policy framework still exists, subject to Policy 18’*.
- 4.28 Section 5 of Future Wales addresses regional planning and is *‘central to our vision for a three-tiered planning system’*. The proposal lies within the South West Region. Future Wales states:
- ‘It is vital the region makes the best use of material resources, promotes resource efficiency and is ambitious in supporting innovative ways of promoting a circular economy.’*
- 4.29 Future Wales *‘concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes’*. (PPW 11 1.23)

#### **Pembrokeshire County Council Local Development Plan**

- 4.31 The Local Development Plan for the Application Site is titled Planning Pembrokeshire’s Future adopted in February 2013. The Plan period is stated as being *‘up to 2021’*.
- 4.32 The following strategic policies are considered relevant to the principle of the Proposed Development:

- i. **Policy SP1 (Sustainable Development)** is an overarching strategic policy which requires all developments to demonstrate how positive economic, social and environmental impacts will be achieved and adverse impacts minimised.
- ii. **Policy SP2 (Port and Energy Related Development)** supports development for port related facilities and infrastructure in those areas that are spatially defined on the Proposals Map. This policy applies to the Ports of Milford Haven including Valero Pembroke Refinery which adjoins the proposed windfarm to the north.

4.33 The supporting text to Policy SP2 states:

*‘The spatial areas defined recognises those areas that are most suitable for these forms of development, but the policy is not intended to protect such areas exclusively for such development.’*

4.34 **Policy SP16 (The Countryside)** limits development to ‘the essential requirements of people who live and work in the countryside’. Three forms of development are identified, which do not include the provision of renewable energy developments. The proposed wind turbines, for reasons related to physical form, function and scale, are necessarily to be located beyond the confines of an existing settlement where the LDP applies ‘countryside’ policies.

4.35 The following general policies are considered relevant:

- i. **Policy GN1 General Development Policy** This policy sets out a range of criteria that all developments should satisfy. The purpose of this policy is to provide a framework for evaluation of potential development impacts, which in conjunction with other policies determine whether the Proposed Development is appropriate. The criteria set out to Policy GN1 are:

- a. *The nature, location, siting and scale of the Proposed Development is compatible with the capacity and character of the site and the area within which it is located.*
  - b. *It would not result in a significant detrimental impact on local amenity in terms of visual impact, loss of light or privacy, odours, smoke, fumes, dust, air quality or an increase in noise or vibration levels.*
  - c. *It would not adversely affect landscape character, quality or diversity, including the special qualities of the Pembrokeshire Coast National Park and neighbouring authorities.*
  - d. *It respects and protects the natural environment including protected habitats and species;*
  - e. *It would take place in an accessible location, would incorporate sustainable transport and accessibility principles and would not result in a detrimental impact on highway safety or in traffic exceeding the capacity of the highway network;*
  - f. *Necessary and appropriate service infrastructure, access and parking can be provided.*
  - g. *It would not cause or result in unacceptable harm to health and safety.*
  - h. *It would not have a significant adverse impact on water quality; and*
  - i. *It would neither contribute to the coalescence of distinct settlements nor create or consolidate ribbon development.*
- ii. **Policy GN4 Resource Efficiency and Renewable and Low-Carbon Energy Proposals** specifically relates to the form of development for which planning permission is sought – and may be regarded as the most relevant policy consideration within the

Development Plan. In respect of proposals for renewable energy development, Policy GN4 states:

*‘Developments which will enable the supply of renewable energy through environmentally acceptable solutions will be supported.’*

The text at paragraph 6.28 states:

*‘Pembrokeshire has significant potential to provide further energy from all renewable sources, building on its existing role as an energy centre. However, it lies outside the Strategic Search Areas for wind energy. This policy aims to encourage further use of renewables to produce energy, which will help to meet Government targets for generating power from renewable sources.’*

The reference to Strategic Search Areas is sourced from Technical Advice Note 8 (referred to below).

- iii. **Policy GN37 Protection and Enhancement of Biodiversity** states *‘all development should demonstrate a positive approach to maintaining and, wherever possible, enhancing biodiversity’*.
- iv. **Policy GN38 Protection and Enhancement of the Historic Environment** states that *‘Developments that affect sites and landscapes of architectural or historical merit or archaeological importance, or their setting, will only be permitted where it can be demonstrated that it would protect or enhance their character’*.

## **Material Considerations**

### **National Planning Policy**

#### ***Planning Policy Wales 11***

4.36 The primary objective of PPW is:

*'to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties...'*

*'PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities. It encourages a wider, sustainable and problem solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un-coordinated and deals with issues in isolation.'*

- 4.37 PPW establishes the key principles of the planning system and how development should be shaped to deliver the best possible outcomes.
- 4.38 PPW translates wider Welsh Government objectives, strategies and policies into land use planning policy. The Welsh Government is committed to delivering and maximising the contribution planning makes to the achievement of the goals set out in the Well Being of Future Generations Act. The Act places a duty in public bodies to carry out sustainable development through the definition of seven well-being goals, namely:
- i. A Prosperous Wales
  - ii. A Resilient Wales
  - iii. A Healthier Wales
  - iv. A More Equal Wales
  - v. A Wales of Cohesive Communities
  - vi. A Wales of Vibrant Culture and Thriving Welsh Language

vii. A Globally Responsible Wales

4.39 Paragraph 2.13 states:

*'The plan led system underpins the delivery of sustainable places to ensure all development plans and decisions taken by the planning system work together to deliver sustainable places.'*

4.40 Five Key Principles are identified which represent *'a guiding vision for all development plans including the NDF'*. It is stated (2.13):

*'These principles support the culture change needed to embrace place-making and ensure that planning facilitates the right development in the right place.'*

4.41 These principles will enable the goals and the five ways of working set out in the Well-being of Future Generations Act to be realised through the land use planning system. They provide the context and will act as a catalyst for the positive delivery of the planning system across Wales.

4.42 The five Key Principles are:

- i. *Growing our economy in a sustainable manner.*
- ii. *Making best use of resources.*
- iii. *Facilitating accessible and healthy environments.*
- iv. *Creating and sustaining communities.*
- v. *Maximising environmental protection and limiting environmental impact.*

4.43 The contribution to these Key Planning Principles is addressed further in the Planning Statement that accompanies the application for this Development of National Significance (DNS).

- 4.44 Section 5 of PPW10 covers the economic components of place-making, under the heading ‘Productive and Enterprising Places’. It is stated *‘Productive and Enterprising Places are those which promote our economic, social, environmental and cultural well-being by providing well connected employment and sustainable development’*.

#### **Renewable Energy Development Considerations**

- 4.45 Under an emboldened sub-heading titled ‘Energy’, PPW identifies the Welsh Government’s highest priority is *‘to reduce demand wherever possible’* (5.7.1). However, overall demand is expected to increase as a result of growing electrification of transport and heat. PPW states (para 5.7.2):

*‘In order to ensure future demand can be met, significant investment will be needed in energy generation, transmission and distribution infrastructure.’*

*‘Collectively we will need to concentrate on reducing emissions from fossil fuel sources, whilst driving further renewable generation which delivers value to Wales.’*

- 4.46 PPW 11 (5.7.6) seeks to *‘secure an appropriate mix of energy provision which maximises benefits to our economy and communities whilst minimising potential environmental and social impacts. This forms part of the Welsh Government’s aim to secure the strongest economic development policies, to underpin growth and prosperity in Wales, recognising the importance of decarbonisation and the sustainable use of natural resources, both as an economic driver and a commitment to sustainable development.’* Paragraph 5.7.7 states that *‘the benefits of renewable and low carbon energy as part of the overall commitment to tackle climate change and increase energy is [sic] of paramount importance’*.

- 4.47 Thereafter PPW sets out the role of the planning system, being to:
- i. *‘integrate development with the provision of additional electricity grid network infrastructure.’*

- ii. *optimise energy storage.*
- iii. *facilitate the integration of sustainable building design principles in new development.*
- iv. *optimise the location of new developments to allow for efficient use of resources.*
- v. *maximise renewable and low carbon energy generation.*
- vi. *maximise the use of local energy sources, such as heat networks;*
- vii. *minimise the carbon impact of other energy generation; and*
- viii. *move away from the extraction of energy minerals, the burning of which is carbon intensive.'*

4.48 The Welsh Government expresses the preference for new power lines to be laid underground where possible. The Government recognises (5.7.9) that:

*'a balanced view must be taken against costs which could render otherwise unacceptable projects unviable.'*

4.49 Where undergrounding of power lines is not possible, the Government seeks proactive engagement between energy companies, and the public to *'mitigate the visual impact of any new potential transmissions'*. For the Proposed Development the connection to the Grid is achievable via an underground cable or tee off the existing on site overhead 132kv line.

4.50 PPW establishes an energy hierarchy. 'Renewable energy generation' is situated in the hierarchy below 'use of energy efficiently' and 'reduce energy demand' (Figure 10 of PPW 11). The Welsh Government has set statutory targets for the generation of renewable energy, being (5.7.14):

- i. *'for Wales to generate 70% of its electricity consumption from renewable energy by 2030.*
- ii. *for one Gigawatt of renewable electricity capacity in Wales to be locally owned by 2030: and*
- iii. *for new renewable energy projects to have at least an element of local ownership.'*

4.51 PPW states (5.7.15):

*'The planning system has an active role to help ensure the delivery of these targets, in terms of new renewable energy generating capacity and the promotion of energy efficiency measures in buildings.'*

4.52 Under the sub-heading 'Renewable and Low Carbon Energy' PPW states (5.9.1):

*'Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this. In doing so, planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved. Planning authorities should seek to maximise the potential of renewable energy by linking the development plan with other local authority strategies, including Local Well-being plans and Economic/ Regeneration strategies.'*

4.53 Planning authorities should ensure (5.9.10) *'development plan policies are supportive of renewable and low carbon energy development in all parts of Wales, direct developments to the right locations and set out clearly the local criteria against which proposals will be evaluated'*.

4.54 'Should' has the meaning of reflecting *'Welsh Government expectations of an efficient and effective planning system'* (PPW 1.9).

4.55 The Proposed Development is not in an area ‘identified’ for renewable energy generation within the approach set out for local and regional planning (5.9.2 – 5.9.9).

4.56 PPW states (5.9.15):

*‘Outside identified areas, planning applications for renewable and low carbon energy developments should be determined based on the merits of the individual proposal. The local need for a particular scheme is not a material consideration, as energy generation is of national significance and there is a recognised need to optimise renewable and low carbon energy generation.’*

4.57 PPW identifies the planning considerations that should be taken into account in determining planning applications. These are stated (5.9.19) as being:

- i. *‘the contribution a proposal will make to meeting identified Welsh, UK and European targets.*
- ii. *the contribution to cutting greenhouse gas emissions; and*
- iii. *the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development.’*

4.58 Thereafter PPW states at paragraph 5.9.20:

*‘Planning authorities should also identify and require suitable ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy development. The construction, operation, decommissioning, remediation and aftercare of proposals should take into account:*

- i. *the need to minimise impacts on local communities, such as from noise and air pollution, to safeguard quality of life for existing and future generations;*
- ii. *the impact on the natural and historic environment;*

- iii. *cumulative impact;*
- iv. *the capacity of, and effects on the transportation network;*
- v. *grid connection issues where renewable (electricity) energy developments are proposed; and*
- vi. *the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so, consider whether measures to adapt to climate change impacts give rise to additional impacts.'*

4.59 The Welsh Government supports renewable energy projects which *'provide proportionate benefit to the host community or Wales as a whole'* (5.9.24). PPW states (5.9.25):

*'The social, environmental and economic (including job creation) benefits associated with any development should be fully factored into, and given weight in the decision-making process.'*

4.60 The main significant environmental effects of the Proposed Development are the effects upon landscape and visual amenity, and the effect upon the historic environment. The principles of national planning policy relating to these issues are set out below and are more particularly addressed within the related topic-based Chapters of this ES.

### **Landscape and Visual Planning Considerations**

4.61 It is an inevitable consequence of large-scale modern wind turbine development that such structures cannot be fully screened by new landscaping and will inevitably have a significant impact upon the 'host' landscape for several kilometres.

4.62 Landscape is addressed within PPW at Section 6.3. Paragraph 6.3.3 states:

*'Considering landscape at the outset of formulating strategies and policies in development plans and when proposing development is key to sustaining and enhancing their special*

*qualities, and delivering the maximum well-benefits for present and future generations as well as helping to deliver an effective and integrated approach to natural resource management over the long term.'*

4.63 This policy approach means:

- i. *'ensuring Wales contributes to meeting international responsibilities and obligations for landscapes.*
- ii. *ensuring statutorily designated sites are properly protected and managed;*
- iii. *ensuring that the value of all landscapes for their distinctive character and special qualities is protected; and*
- iv. *ensuring the opportunities landscapes provide for tourism, outdoor recreation, local employment, renewable energy and physical and mental health and well-being are taken into account and multiple well-being benefits for people and communities secured.'*

4.64 Paragraph 6.3.4 states that *'where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission'*. The accompanying Planning Statement addresses this policy consideration. All policy statements should be read as a whole. Policy statements may pull in different directions particularly where an individual proposal is of a large scale. A planning balance has to be reached across the provisions of planning policies that are relevant to an individual proposal.

4.65 PPW refers to the statutory landscape designations and the duty to have regard to the purposes of National Parks and AONB. Paragraph 6.3.5 states:

*'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.'*

4.66 The proposals do not lie within the Pembrokeshire Coast National Park. The consideration as to whether the proposals lie within ‘the setting of the National Park’ are addressed in the Landscape and Visual Effects chapter.

4.67 The setting of a heritage asset is a more commonly understood concept, and is described (TAN24 Glossary) as meaning:

*‘The setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to surrounding landscape.’*

4.68 It is considered that such a meaning can be transposed to the setting of a National Park and AONB.

4.69 PPW paragraph 6.3.6 states:

*‘In National Parks, planning authorities should give great weight to the statutory purposes of National Parks, which are to conserve and enhance their natural beauty, wildlife and cultural heritage, and to promote opportunities for public understanding and enjoyment of their special qualities. Planning authorities should also seek to foster the social, economic and cultural well-being of their local communities.’*

4.70 This policy consideration applies to developments **within** National Parks, where ‘**great weight**’ is to be given to conserving and enhancing their statutory purposes. Planning Authorities have to have regard to the statutory duty for National Parks whether the development is located within the Park, or in the setting of the National Park.

### The Historic Environment

4.71 The historic environment is considered to be ‘*central to Wales’ culture and its character, whilst contributing to our sense of place and identity. It enhances our quality of life, adds to regional and local distinctiveness and is an important economic and social asset*’. (6.1.1)

4.72 Paragraph 6.1.9 states that:

*'Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.'*

4.73 When considering development proposals that impact upon Listed Buildings, paragraph 6.1.10 states:

*'There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.'*

4.74 The Proposed Development does not directly affect nationally important archaeological remains.

4.75 Chapter 8 of this ES considers the effect of this proposal on the following listed buildings and their settings.

#### **Technical Advice Note 24 (TAN 24) The Historic Environment, 2017**

4.76 The TAN acknowledges (1.8) that:

*'Changes in the historic environment are inevitable. This can be the result of decay caused by natural processes, damage caused by wear and tear of use, and the need to respond to social, cultural, economic and technological changes.'*

4.77 TAN 24 recognises (1.9) that:

*'the public benefit of taking action to reduce carbon emissions or to adapt to the impact of climate change should be weighed against any harm to the significance of historic assets'.*

4.78 *'Significance'* is defined in the TAN 24 Glossary of Terms (Annex D) as the *'sum of the cultural heritage values of a place'* – which may be drawn from four component values:

- i. evidential value
- ii. historical value
- iii. aesthetic value
- iv. communal value

The Historic Environment Chapter of this ES sets out the understanding of these values to form the basis of a Statement of Significance when assessing the impact of the development on the heritage environment.

4.79 Paragraph 1.26 states that:

*'For any development within the setting of a historic asset, some of the factors to consider and weigh in the assessment include:*

- i. *The significance of the asset and the contribution the setting makes to that significance*
- ii. *the prominence of the historic asset*
- iii. *the expected lifespan of the Proposed Development*
- iv. *the extent of tree cover and its likely longevity*
- v. *non-visual factors affecting the setting of the historic asset such as noise.'*

4.80 Paragraph 1.27 states:

*‘Other factors which may affect the setting of a historic asset include the inter-visibility with other historic or natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact.’*

### **Material considerations**

#### **Local Planning Policy Documents**

##### ***Pembrokeshire Coast National Park Local Development Plan 2010***

4.81 The Pembrokeshire Coast National Park Local Development Plan (PCNPLDP) applies to development proposals within the National Park – which lies to the west and south of the Application Site. The PCNPLDP is a statutorily adopted development plan (September 2010) which similarly applies to the period up to 2021. The PCNPLDP is not a statutory development plan for the purposes of the determination of this application (the Application Site lies wholly within the administrative area of Pembrokeshire County Council).

4.82 The provisions of the PCNPLDP are considered to be a material consideration in the determination of the merits of the development in consequence of the physical form and scale of the proposal.

4.83 Strategic Policy 33 ‘Renewable Energy’ provide *‘positive support for renewable energy proposals which take account of the Special Qualities of the National Park’*. These *‘special qualities’* are set out at paragraph 4.56 as being:

*‘those characteristics and features of the National Park which individually or in combination contribute to making this National Park unique ...*

- i. *Coastal Splendour*
- ii. *Diverse Geology*
- iii. *Diversity of landscape*

- iv. *Distinctive settlement character*
- v. *Rich historic environment*
- vi. *Cultural heritage*
- vii. *Richness of habitats and biodiversity*
- viii. *Islands*
- ix. *Accessibility*
- x. *Space to breathe*
- xi. *Remoteness, tranquillity and wildness*
- xii. *The diversity of experiences and combination of individual qualities'*

4.84 Strategic Policy 8 seeks to protect and enhance these '*special qualities*' by achieving the following priorities:

- i. *'The sense of remoteness and tranquillity is not lost and is wherever possible enhanced – see Policy 9. Policy 9 addresses Light Pollution.*
- ii. *The identity and character of towns and villages is not lost through coalescence and ribboning of development or through the poor design and layout of development. The identification of Green Wedges will assist in achieving this priority.*
- iii. *The pattern and diversity of the landscape is protected and enhanced – see Policy 14 and Policy 15*

4.85 Policy 14 addresses the Protection of Buildings of Local Importance. The HIS establishes that the proposed turbines will have no adverse effect on buildings which make an important contribution and interest of the National Park.

- i. *The historic environment is protected and where possible enhanced.*
- ii. *Development restores or wherever possible enhances the National Park's ecosystems. The protection of links between sites or the creation of links where sites have become isolated is of particular importance – see Policy 10 and Policy 11*

4.86 Policy 11 addresses biodiversity. Chapter 7 of this ES addresses biodiversity. The appraisals conclude that the proposed turbines will have no adverse effect on biodiversity value within the National Park.

- i. *Development which would damage or destroy Geological Conservation Review sites, or any other important geological resource is not permitted.*
- ii. *Local biodiversity action plan species and habitats are protected for their amenity, landscape and biodiversity value – see Policy 11.*
- iii. *The Welsh language remains an important component in the social, cultural and economic life of many communities in the Park – see Policy 12.*

4.87 Policy 12 relates to the interests of the Welsh Language. The erection of three turbines has no meaningful effect on the underlying purpose of this policy.

- i. *Development of the undeveloped coast is avoided and sites within stretches of the developed coast are protected for uses that need a coastal location – see Policy 17, Policy 18, Policy 33 and Policy 35.'*

4.88 Policy 17 relates to Shore Based Facilities. The proposal has no adverse effect on the purpose of Policy 17. Policy 18 is a specific policy relating to Porthgain, Saundersfoot, Solva and Tenby Harbours. The proposal has no effect upon the purpose of this policy.

- i. *Policy 35 seeks to attract visitors 'outside the peak season while ensuring that National Park environment is conserved and enhanced as a landscape of national and international importance'. The policy provides for visitor facilities and activities. The*

ES Chapter on Landscape and Visual Effects considers the impact of the proposals on the landscape and visual qualities of the National Park.

4.89 The consideration as to whether this proposal impacts upon the ‘special qualities’ of the National Park is made against priorities a); c) and d).

4.90 Paragraph 4.148 of the Local Plan states:

*‘In terms of potential for renewables the Renewable Energy Assessment advises:*

- i. *On biomass heat/power installations small scale (100kW – 300kW) and medium scale (10MW - 40MW) proposals are more likely to be appropriate*
- ii. *Similarly, small scale anaerobic digestion plants within a complex of buildings are most likely to be acceptable for appropriate wastes (10kW).*
- iii. *The only realistic option for hydro power is micro schemes (<100kW).*
- iv. *The potential for ground and water source heat pumps exists throughout the Park area with the exception of air source heat pumps where there will be locational restrictions due to noise and visual impact.*
- v. *There is very significant potential for the future development of solar hot water in the National Park.*
- vi. *On wind energy developments: There is potential for small scale proposals (10kW-50kW) and to a lesser degree medium scale proposals (50kW-330kW). Finally, there are extremely limited opportunities for larger scale proposals (>330kW – 3MW).’*

4.91 In the context of the operation of Policy 33, the Proposed Development would be characterised as ‘large scale renewable energy development’ (not so in a national planning policy context). Policy 33 states:

*'Large scale renewable energy schemes will only be permitted where they do not compromise the special qualities of the National Park.'*

- 4.92 The issue as to whether this scheme may be considered to compromise the special qualities of the National Park is addressed within the Landscape and Visual Impact Chapter of this ES.

#### **Pembrokeshire Coast National Park Authority Supplementary Planning Guidance 2011**

- 4.93 This Guidance identifies at paragraph 9.17 *'key landscape sensitivities and general guidance for siting wind energy schemes within the National Park'*. The SPG provides a checklist of factors to be taken into account. Annex 2 of the SPG provides a summary of landscape sensitivity to wind energy development for each Landscape Character Area (LCA) of the National Park for wind energy development, considered by size of wind turbine. A large turbine is described as being 65m – 125m. The SPD has not envisaged wind turbines of the scale which are now feasible and have greater efficiency in terms of power output. The SPD indicates 'possible potential' for wind turbines of the scale referred to within the National Park. It is acknowledged that the SPG does not lend support or positive assistance for the proposal which lies outside the National Park.

- 4.94 The site lies partly within Landscape Character Area LCA6 and LCA7. For either LCA, the SPG states:

*'The majority of this LCA is unsuitable for large or medium scale turbines. There may, however, be limited opportunity for a single or a small cluster of medium or large (under 100m to bade tip) scale turbines on land close to existing oil refinery chimneys to provide a new point of focus as long as they are sited sensitively following the guidance below.'*

- 4.95 The more detailed guidance is particular to each LCA. These issues are addressed within the relevant topic-based Chapters of this ES, under Landscape and Visual Impact; Historic Environment; and Biodiversity.

## **Other material considerations**

### **Non land-use planning policy documents**

#### ***Haven Waterways Enterprise Zone***

- 4.96 The Proposed Development lies within the Haven Waterways Enterprise Zone. The Enterprise Zone is based on existing and potential new energy sites building upon the area's established industry base.
- 4.97 It is acknowledged that the designation of an Enterprise Zone is not a spatial planning policy provision. The designation of the Enterprise Zone is made reference to in providing a spatial context in which this energy related development is proposed to be located.

### **Ministerial Statements**

- 4.98 Ministerial Statements do not comprise statements of national planning policy other than when issued as 'policy clarification letters.' Nevertheless, such statements may comprise material planning considerations to be taken into account within decision-taking.
- 4.99 In announcing the establishment of the Welsh Government Energy Service in 2018, the Cabinet Secretary for Energy, Planning and Rural Affairs, stated:

*'The transition to a low carbon energy economy presents Wales with an enormous opportunity to create a system which delivers significant economic and social benefits for Wales. Doing this whilst meeting our legally binding carbon targets and budgets requires us to develop new policies and strengthen the policies and programmes already driving decarbonisation.*

*I have strengthened Planning Policy Wales, our national land-use planning policy document, to align with our energy ambitions and establish an energy hierarchy. We want local planning authorities to see renewable resources as valuable assets supporting prosperity.'*

## Relevant Legislation

4.100 In addition to the primary legislation provided by the Planning Acts, other legislation which has to be taken into account with the development management process includes provisions relevant to the development from:

- i. The Ancient Monuments and Archaeological Areas Act 1979
- ii. Listed Buildings Act 1990
- iii. The Well-being of Future Generations (Wales) Act 2015
- iv. The Environment (Wales) Act 2016

### The Listed Building Act 1990

4.101 The provision of this Act which is relevant to the determination of this application as a Development of National Significance is Section 66(1) which states:

*'In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

### The Well-being of Future Generations (Wales) Act 2015

4.102 The underlying provision of the Act is to cause public bodies through their decision-taking to *'think about the long-term impact of their decisions to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change'*. The Act is presently unique to Wales.

- 4.103 The Act requires inter alia *‘public bodies to do things in pursuit of the economic, social, environmental and cultural well-being of Wales in a way that accords with the sustainable development principle...’*
- 4.104 In the Act ‘sustainable development’ means the *‘process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle aimed at achieving the well-being goals’*.
- 4.105 The ‘sustainable development’ principle is set out at Section 5 and means *‘that the body must act in a manner which seeks to ensure that the needs of the present are not met without compromising the ability of future generations to meet their own needs’*.
- 4.106 The ‘well-being goals’ have been listed at paragraph 4.38. The description of the goals is set out above.

Goal	Description of the goal
<b>A prosperous Wales</b>	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
<b>A resilient Wales</b>	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
<b>A healthier Wales</b>	A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
<b>A more equal Wales</b>	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
<b>A Wales of cohesive communities</b>	Attractive, viable, safe and well-connected communities.
<b>A Wales of vibrant culture and thriving Welsh language</b>	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
<b>A globally responsible Wales</b>	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

4.107 The Planning Statement addresses how the Proposed Development contributes towards the achievement of the ‘well-being goals’ with particular contribution to the following goals:

- i. A prosperous Wales
- ii. A resilient Wales
- iii. A globally responsive Wales.

**The Environment (Wales) Act 2016**

4.108 This Act sets a legal target of reducing greenhouse gas emissions by at least 80% by 2050. The Act also requires a series of interim targets to be achieved. These targets include:

- i. for Wales to generate 70% of its electricity consumption from renewable energy by 2030;
- ii. for 1 Gigawatt of renewable electricity capacity in Wales to be locally owned by 2030; and
- iii. for new renewable energy projects to have at least an element of local ownership by 2020.

**Conclusions**

4.109 The decision-taker is required to undertake a planning balance as to the merits of the proposal in the overall public interest. Primacy is to be given to the provisions of the national development plan – Future Wales..

In so far as there may be tension between policies in Future Wales and currently adopted local development plans, greater weight will be given to the provisions of Future Wales in its presentation of up-to-date national planning policies which impact upon ‘issues and challenges’ at a national scale and have been prepared pursuant to the land use planning policy set out in PPW 11.