



Ein cyf/Our ref qA1823311

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14 June 2024

Dear Mr Kenyon

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 62D
THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (WALES) REGULATIONS 2016
APPLICATION BY PENNANT WALTERS LIMITED FOR A PROPOSED DEVELOPMENT
TO CONSTRUCT AND OPERATE A WIND FARM OF UP TO SEVEN TURBINES EACH
WITH A THREE-BLADED ROTOR. THE DEVELOPMENT PROPOSAL ALSO
COMPRISES ASSOCIATED INFRASTRUCTURE INCLUDING: INTERNAL WIND FARM
TRACKS; CRANE PADS AT EACH TURBINE LOCATION; TURBINE FOUNDATIONS;
LAYDOWN AND STORAGE AREAS; UNDERGROUND POWER CABLES LINKING THE
TURBINES AND THE ON-SITE SUBSTATION; TEMPORARY CONSTRUCTION
COMPOUNDS AND SITE OFFICE; AND GRID CONNECTION INFRASTRUCTURE,
INCLUDING AN ON-SITE SUBSTATION AND CONTROL BUILDING TOGETHER WITH
CONSTRUCTION ENABLING WORKS AND 33KV OVERHEAD CABLE CONNECTION
WITHIN THE DNS APPLICATION BOUNDARY AT A SITE APPROXIMATELY 1KM EAST
OF TREBANOG AND APPROXIMATELY 600M SOUTHEAST OF GLYNFACH
APPLICATION REF: DNS/3280378**

1. Consideration has been given to the report of the Inspectors who examined the above planning application for a Development of National Significance (DNS).
2. In accordance with section 62D of the Town and Country Planning Act 1990 and Regulation 3 of The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, the application was made to the Welsh Ministers for determination.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

3. The Inspectors made site visits on 20 and 23 November 2023 and on 6 December. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, relate to the IR.

Main Considerations

4. I agree the main considerations are those set out in IR 140:
 - The effect on the character and appearance of the area, including the historic landscape and visual impact on dwellings;
 - The effect on ecology, biodiversity and natural resources;
 - Whether any harm would be outweighed by the scheme's benefits, particularly in relation to climate change and energy security.

Character and appearance

Landscape Character

5. The application is supported by an Environmental Statement (ES) which contains a Landscape and Visual Impact Assessment (LVIA). The Inspectors are satisfied the LVIA was produced in line with industry guidance. The IR notes the Inspectors visited a number of viewpoints (VP) to inform their considerations of the likely impact of the proposal. (IR 141-142)
6. The Inspectors are satisfied the proposal would not significantly detract from the open, remote character experienced on Mynydd y Glyn (IR 143 – 147). They agree with the LVIA assessment that the uncharacteristic large-scale elements of the proposed development would result in a level of effect on the Mynydd y Glyn and Nant Muchudd Basin Special Landscape Area (SLA) that would range from major and significant to none and not significant (IR 149). The LVIA also predicts significant landscape effects for the Llwynceilyn Slopes and Cwm Clydach SLAs (IR 150).
7. The Inspectors note the LVIA's assessment of landscape effects on the LANDMAP Aspect Areas is consistent with its findings for the SLAs (IR 151). The LVIA finds the level of effect on the Bannau Brycheiniog National Park (BBNP) to be moderate/minor to none and not significant (IR 152).
8. The Inspectors find no reason to disagree with the LVIA's assessment of landscape impacts (IR 153).

Visual effects

9. The LVIA assessed the predicted visual effect of the proposal on nineteen viewpoints (VPs). A summary of the assessment is provided in IR 154-162. The LVIA assessment of VPs indicates the level of effect would be significant from thirteen VPs (VPs 1-7, 9 and 10, 12 -15) with the greatest effects from VPs 1,2,4 and 6. In terms of visual effects, the Inspectors conclude their observations on site correspond closely with the findings of the LVIA (IR 163).

Cumulative effects

10. The Inspectors have no reason to disagree with the assessment provided in the LVIA which indicates a cumulative major or major/moderate effect at fifteen of the nineteen VPs (IR 164-167)

Visual effect on residential properties

11. A Residential Visual Amenity Assessment (RVAA) has been undertaken as part of the LVIA. The Inspectors agree with the conclusions of the RVAA that the living conditions of residents would not be adversely affected. (IR 168 – 174)

Historic landscape

12. An Assessment of the Significance of Impacts of Development on Historic Landscape (ASIDOHL) is provided in the ES. The overall findings of the ASIDOHL are that the proposed windfarm would have a slight impact on the character of the historic landscape as a whole which would not fundamentally reduce its overall value. Cadw agrees with these findings. The Inspectors have no reason to disagree with the conclusions of the ASIDOHL (IR 175-180).

Conclusion on character and appearance

13. The Inspectors conclude there would be no unacceptable adverse impacts on statutorily protected built heritage assets or unacceptable adverse visual impacts on nearby communities or individual dwellings. However, the Inspectors note the proposal would have a harmful effect on the character and appearance of the site and surrounding area, contrary to LDP Policy AW 5 “New Development” (IR 181).

Ecology, biodiversity and natural resources

Site selection and reasonable alternatives

14. The Inspectors note the relevant policy framework provided in FW and PPW (IR 182). In terms of the step-wise approach described in Chapter 6 of PPW, the Inspectors are satisfied reasonable alternative sites have been considered through the site selection and design process (IR 182 – 185).

Minimisation and mitigation

15. The Inspectors are satisfied the development and associated grid connection have been kept to the minimum footprint required. The proposal would have no direct effects on bats and the Inspectors are satisfied any potential impacts can be mitigated by measures secured by the recommended planning conditions. The Inspectors are also content that any impacts on reptiles would be limited; any effects on birds would be minimal and mitigation measures would be secured by condition. Regarding Golden Plover, the Inspectors are satisfied any effects could be minimised by scheduling works to avoid the non-breeding season; they conclude that mitigation and management measures, to be secured by condition, would mean the proposed development would not adversely affect this species (IR 186 – 198).

Water environment, peat and soil

16. Subject to appropriate conditions, the Inspectors are content there would be no significant long-term loss of agricultural land or soil in terms of quality or extent (IR 199 – 208).

Enhancement and net benefit for biodiversity

17. The Inspectors note the outline Habitat Management Plan (HMP) identifies measures for enhancing habitats within the site. They are content there is sufficient certainty that

the recommended conditions would secure the proposed enhancement measures and provide a net benefit for biodiversity (IR 209 – 213).

Habitats Regulations Assessment

18. The Blackmill Woods and Cardiff Beechwoods Special Areas of Conservation (SACs) are within 10km of the site, but there are no identified impact development-related pathways on qualifying interest features of these SACs. Therefore, the proposed development would not have any likely significant effects on these SACs or the European site network (IR 214).

Conclusion on ecology, biodiversity and natural resources

19. The Inspectors conclude that, subject to appropriate conditions, the proposed development would avoid unacceptable harm to ecological features and natural resources within and near to the site, and would secure a net benefit for biodiversity in accordance with relevant policies in the development plan (IR 215).

Other Matters

20. Subject to the recommended conditions, the Inspectors are satisfied the noise effects of the proposed development would not have a significant impact upon the amenities of neighbouring occupiers or result in a risk of unacceptable harm to local amenity (IR 216 -220). Similarly, any impacts resulting from shadow flicker can be addressed by mitigation measures secured by condition (IR 221 – 224).
21. The Inspectors are content that the safety of the proposed windfarm has been properly considered and it does not present an unacceptable risk to the health and safety of the local community (IR 225 -232).
22. As the applicant's Coal Mining Risk Assessment concludes there is a potential risk to the development from past coal mining, an intrusive site investigation, to be secured by condition, would be carried out prior to development to determine the nature of any coal mining features present, and to inform the design of any necessary mitigation works. Subject to conditions the Inspectors are satisfied the proposed development would not cause or result in a risk of unacceptable harm to health and local amenity due to contamination, landfill gas or land instability (IR 233 – 238).
23. A scheme for the mitigation of the impact of wind turbines on the operation of Cardiff Airport primary surveillance radar would be secured by planning condition. A mitigation scheme to address the potential impact on microwave links crossing the site would also be secured by condition (IR 239 – 243)

Benefits

24. The benefits of the proposed development in terms of generation of electricity, employment and the local and national economy are set out in IR 244-245.
25. The Inspectors note the applicant has submitted a Project Benefits Statement that sets out details of a proposed Community Benefit Fund and that the scheme would be locally owned (IR 246-247). I note that Future Wales is clear that local ownership is not a planning consideration and that any financial contributions for host communities through voluntary arrangements should not impact on the decision making process and should not be treated as a material consideration unless they meet the tests in Circular 13/97: Planning Obligations.

Conditions

26. I am satisfied the recommended conditions meet the relevant tests set out in Welsh Government Circular 016/2014 “The use of planning conditions for development management”. (IR 248)

Planning Balance and Overall Conclusion

27. The Inspectors note the strong support for the principle of developing renewable and low carbon energy in Policies 17 and 18 of FW. The Inspectors consider, in light of the weight given in Policy 17 to the need for renewable energy to combat the climate emergency, the harm caused by the proposal to landscape character and visual receptors would be justified and therefore not unacceptable. The Inspectors consider the proposal accords with the development plan as a whole (IR 249 – 253).
28. The Inspectors recommend planning permission be granted, subject to conditions (IR 254).

Conclusion and Decision

29. I agree with the Inspectors’ appraisal of the main considerations, the conclusions of the IR and the reasoning behind them, and I accept the recommendation. Therefore, I hereby grant planning permission for DNS/3280378, subject to the conditions in the Annex to this decision letter.

Well-being of Future Generations (Wales) Act 2015 (“WFG Act”)

30. The Welsh Ministers must, in accordance with the WFG Act, carry out sustainable development. This includes taking all reasonable steps to meet their well-being objectives.

Well-being objectives

31. I have considered the extent to which granting planning permission meets the Welsh Government’s well-being objectives. I recognise there will be some temporary negative environmental effects during construction and decommissioning phases. Although these impacts would be mitigated through the Construction Environmental Management Plan (CEMP) they would have a limited negative effect on the objective of making our cities, towns and villages even better places in which to live and work.
32. However, overall the decision would have a positive effect on the objectives to “Build an economy based on the principles of fair work, sustainability and the industries and services of the future”, “Build a stronger, greener economy as we make maximum progress towards decarbonisation” and “Embed our response to the climate and nature emergency in everything we do”. The effect of this decision on the other objectives is neutral.
33. In reaching my decision on the application, I have taken into account the ways of working set out at section 5(2) of the WFG Act and ‘SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the WFG Act’.

Looking to the long-term

34. The decision takes account of the long-term objective to generate 70% of consumed electricity in Wales by renewable means by 2030 in order to combat the climate emergency.

Involving people/Collaborating with others

35. Within the framework of a statutory decision-making process, which is governed by prescribed procedures, the application was subject to publicity and consultation, providing the opportunity for public and stakeholder engagement. Representations received through these procedures have been considered and taken into account in making a determination on this application.

Taking an integrated approach

36. The decision has taken account of the development plan and its integration of economic, social and environmental strands across spatial scales. It has also taken account of the objectives of those public sector organisations involved in the consultation process which are pursuing their own well-being objectives under the WFG Act such as NRW.

Prevention

37. The decision takes account of the need to increase renewable energy production and combat the climate emergency, as well as increasing energy security.

Reasonable steps

38. I have considered whether, having regard to the Welsh Ministers' wellbeing duty, it would be reasonable to take a different decision. I note the alternative decision would be to refuse planning permission for the development. This would negatively impact on the objective to "Build an economy based on the principles of fair work, sustainability and the industries and services of the future", "Build a stronger, greener economy as we make maximum progress towards decarbonisation" and "Embed our response to the climate and nature emergency in everything we do". The effect of this alternative decision on the other objectives would be neutral. Consequently, I consider that the decision to grant planning permission subject to conditions is a reasonable step in meeting the Welsh Ministers' well-being objectives.

Environmental Information

39. I have taken the ES and all other environmental information provided into account in the consideration of this application, as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.
40. A copy of this letter has been sent to Rhondda Cynon Taff County Borough Council.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning

Annex

Conditions - DNS/3280378

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

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

2. The development shall be carried out, and the details set out in the following conditions shall be executed, in accordance with the following plans and documents:
 - Location Map – 42864-WOOD-XX-XX-FG-J-0011_S0_P01.1 (August 2022)
 - Environmental Statement and Appendices (Volumes 1-4) (WSP UK Ltd, April 2023)

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

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

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

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

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

Reason: To ensure the impacts of the development exist only for the lifetime of the development, in accordance Policies CS 1, CS 2, AW 5, AW 6, AW 7, AW 8, AW 10, AW 12, AW 14 and SSA 23 of the Rhondda Cynon Taf Local Development Plan, Policies 17 and 18 of Future Wales: The National Plan 2040 and the relevant policies set out in Planning Policy Wales.

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

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

6. All electricity and control cables within the site, with the exception of the 33kV grid connection, shall be laid underground and alongside tracks which are constructed on the site as part of the development.

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: In the interests of visual amenity and to ensure the turbines are not obsolete, produce electricity whilst in-situ and are removed from the site if they cease to function, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: In the interests of highway safety and to ensure mud and debris are not tracked onto the highway in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

9. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) consistent with the ES Appendix 12B Outline Construction Traffic Management Plan by WSP UK Ltd dated April 2023 shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall contain (but be not limited to) the following information:
 - a) Introduction - background; number of turbines; scope of CTMP.
 - b) Context - relevant policy framework; legislative context and relevant studies relating to TMP proposals; other proposed wind farm developments that may be using a similar access routes where information is available.
 - c) Description of Route - Detailed description of the access route and any proposed route restrictions.

- d) General Construction Traffic - details of all non-abnormal loads forecast to travel to and from the site; route choice or different types of load throughout the construction programme; anticipated times of movement through traffic sensitive and/or residential areas.
- e) Public Awareness - proposals for consultation with and notification to the travelling public and local communities.

The CTMP shall be implemented as approved.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 10. Prior to the commencement of any abnormal load deliveries to the site an Abnormal Load Transport Management Plan (ALTMP) to specifically deal with the delivery of the turbine components consistent with ES Appendix 12A Abnormal Indivisible Load (AIL) Access Study by WSP UK Ltd dated April 2023 shall be submitted to and approved in writing by the Local Planning Authority. The ALTMP shall contain (but not limited to) the following information:
 - a) Description of Route - Detailed description of the access route from the port of entry to the site, identifying road types and characteristics; information on other relevant, proposed developments such as other wind farms where this is readily available; plans showing the extent of the route;
 - b) Convoy Size - number and sizes/details of loads; possible convoy composition including private and police escorts (to be agreed with the police)
 - c) Traffic Management - to include methodology for moving convoys whilst minimising delay to other traffic; detailed design and location of holding / overrun areas, including passing places and overnight/longer term layover areas; plans showing points where the police may need to hold other traffic to enable the convoys to pass, such as at junctions or bends; contingency plans in the event of incidents or emergencies.
 - d) Delivery Times - estimated journey durations based on assumed convoy speeds, including timings for traffic sensitive locations, delays to negotiate constraints and assumed arrival/departure times at residential communities; forecast queues of other traffic in both directions along the route, based on background traffic flow data; consideration of turbine deliveries to other wind farms proposing to use similar routes.
 - e) Trial Runs - documented trial run information, mimicking the movement of the longest and widest anticipated loads, witnessed/observed by the relevant highway authorities and police and recorded with full video coverage.
 - f) Consultees for ALTMP - list to include all affected highway authorities and police forces.

The ALTMP shall be implemented as approved.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 11. No turbine components shall be delivered to site until:
 - a) an assessment of the capacity and impact on those structures, identified by Welsh Government as requiring assessment, along those parts of the highway network which shall be utilised during the construction of the development, including bridges, culverts, retaining walls, embankments; and

b) details of any improvement works required to such structures as a result of construction of the development have been submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The required improvement works identified in the assessment shall be completed prior to the commencement of any Abnormal Indivisible Load (AIL) deliveries to the development site.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

12. Condition surveys of all highway features along those parts of the highway network which shall be utilised during the construction of the development shall be undertaken prior to, during and on completion of the construction phase of the development. Within 28 days of the surveys being undertaken, the survey reports shall be submitted to the local planning authority for approval in consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate).

Reason: In the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

13. Prior to the first delivery of any turbine components, a scheme to provide for the remediation of any incidental damage directly attributable to the development to the parts of the highway network which will be utilised during the construction of the development including street furniture, structures, highway verge and carriageway surfaces shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The scheme shall be implemented as approved throughout the construction phase of the development.

Reason: In the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

14. No development shall commence until a scheme for the protection of Public Rights of Way during works of construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to:
- Provision to ensure that Public Rights of Way are maintained with no obstruction to use.
 - Measures to prevent any damage to Public Rights of Way from constructional activity at the site.

The development shall be carried out in accordance with the approved scheme.

Reason: In the interest of public safety in accordance with Policy AW 7 of the Rhondda Cynon Taf Local Development Plan.

15. No development shall commence until a site wide final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The final CEMP shall provide details of, but not be limited to:
- a) Soil Management: details of topsoil strip, storage, and amelioration for re-use.

- b) Construction methods: details of materials, how waste generated will be managed.
- c) General Site Management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- d) General working practices (as set out within Appendix D of the outline CEMP) to include construction working hours.
- e) CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- f) Control of Nuisances: details of dust control measures and measures to control light spill.
- g) Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- h) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- i) Traffic Management: details of site deliveries, plant on site, wheel wash facilities.
- j) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- k) Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
- l) Constructional Noise Management Plan.
- m) Details of location of temporary storage compounds.
- n) Details of track construction and laying of cables and measures to be implemented to ensure that there are no polluting discharges from tracks and disturbed areas.
- o) Provision of any temporary fencing.
- p) Details of excavation of turbine bases and of the nature, type and quantity of material required to be imported onto the site for backfilling operations.
- q) The management of ground and surface water, foul water and the monitoring of private water abstractions.
- r) The provision of any means of temporary site illumination.

Biodiversity Management: Prior to and during site clearance of woodland or hedgerows, checks (e.g. fingertip search) of potentially suitable habitat for dormouse shall be undertaken.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to works commencing on site and are implemented for the protection of species and the environment during construction; and to protect the water environment and minimise environmental impact in the vicinity of the application site and in the interests of biodiversity, in accordance with Policies AW 5, AW 6, AW 8, and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

16. No development shall commence until a final Habitat Management Plan (HMP) for the operational phase of the wind farm has been submitted to and approved in writing by

the Local Planning Authority. The HMP should be consistent with Environmental Statement and Appendices (WSP UK Ltd April 2023) and include ground restoration details. The HMP shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity, in accordance Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

17. No development shall commence until a Wildlife Protection Plan for Construction (WPPC) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to:
- a) An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented.
 - b) Details of habitat and species mitigation, protective measures (both physical measures and sensitive working practices) to avoid impacts during construction.
 - c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
 - d) Persons responsible for:
 - i. Compliance with legal consents relating to nature conservation.
 - ii. Compliance with planning conditions relating to nature conservation.
 - iii. Installation of physical protection measures during construction.
 - iv. Implementation of sensitive working practices during construction.
 - v. Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction.
 - vi. Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented in accordance with the approved details and timing of the Plan.

Reason: In the interests of biodiversity, in accordance Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

18. No development, including site clearance, shall commence until all pre-construction surveys have been carried out in accordance with section 3.1 of the Collision Monitoring and Mitigation Strategy by WSP, dated April 2023. The results of the survey(s) together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of species listed under Section 7 of the Environment Act (Wales) 2016 as well as those listed on the Red List (Birds of Conservation Concern Wales) prior to construction and where necessary remedial measures are implemented for their protection in accordance with Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

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

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

20. No development shall commence until a water quality monitoring plan for the protection of water quality in the watercourses on site has been submitted to and approved in writing by the Local Planning Authority. The water quality monitoring plan should include, but not be limited to:
- Details and frequency of the monitoring methods.
 - Details of triggers for specific action and any necessary contingency actions, for example the need to stop work.

The water quality monitoring plan shall be carried out in accordance with the approved details during the site preparation and construction phases of the development.

Reason: To protect water quality and ensure protection of the natural environment during construction and to ensure the protection of habitats and species in accordance with Policies AW 8 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

22. No development shall commence until a written scheme of historic environment mitigation has been submitted to and approved by the Local Planning Authority. Thereafter, the programme of work shall be carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works and in order to mitigate the impact of the works on the archaeological resource, in accordance with Policy AW 7 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

26. If the assessment (referred to in condition 25) requested by the Local Planning Authority demonstrates that the specified level is being exceeded, the operator of the turbine shall take immediate steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified noise limit. The operator shall provide written confirmation of that reduction to the Local Planning Authority within a time period to be agreed with the Local Planning Authority. In the event that it is not possible to achieve the specified noise limit with mitigation within a reasonable time period, then the operation of the turbine shall cease. The measurement time period shall be based on BWEA blade length calculation (para 3.4(1) $t=4*D$ seconds) where t = measurement time period in seconds (subject to a minimum period of 10 second) D = rotor diameter in metres.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

28. Notwithstanding the provisions of conditions 24 – 27, the wind farm operator shall undertake measurements of noise levels using an appropriately qualified noise consultant during the first year of the operation of the wind turbines in a scheme to first be agreed with the Local Planning Authority to demonstrate that compliance with the noise levels in Condition 24 are being met. The data produced in accordance with the scheme shall be forwarded to the Local Planning Authority within 28 days of the measurements being undertaken.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

29. Wind speed, wind direction and power generation data for the wind turbines shall be continuously logged by the wind farm operator and provided to the Local Planning Authority at its request and in accordance with the relevant guidance in ETSU-R-97 and Chapter 13 of the Environmental Statement within 28 days of any such request. This data shall be retained for a period of not less than 24 months.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

30. No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.
- a) A site investigation scheme, based on the preliminary risk assessment/desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - b) The results of the site investigation and the detailed risk assessment referred to in a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the prevention of pollution including pollution to groundwater by contamination mobilised by the proposed development in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

31. Prior to the beneficial operation of the development a verification plan (Condition 30) demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the prevention of pollution including to groundwater by contamination mobilised by the proposed development in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

32. Turbine Construction shall not take place until a phase 2 geo-technical site investigation consistent with the description provided in ES Chapter 11 Table 11.7 has been carried out in accordance with a methodology first submitted to and approved in writing by the local planning authority and which shall include the geographical scope of the site investigation. The results of the site investigation including results from the monitoring of borehole(s) (as described in the 'Water Environment Addendum' to Chapter 10 of the Environmental Statement) and recommendations for detailed design shall be submitted to the local planning authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the local planning authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interests of health and safety and to ensure the development protects groundwater and does not cause or exacerbate any land stability issues on the site or wider area, in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

33. If during the operation of the development, any unexpected land instability and/or ground gas issues are found within the geographical scope of the site investigation which were not identified in the site investigation referred to in Condition 32, additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures which shall be retained for the lifetime of the development.

Reason: In the interests of the health and safety and to ensure the development does not cause or exacerbate any land stability issues on the site or wider area, in

accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

34. No development shall take place until a soil survey of the Proposed Development site has been undertaken in accordance with a scheme first submitted to and agreed in writing by the Local Planning Authority. The scheme will confirm the physical characteristics of soil within areas of the Proposed Development site where infrastructure siting is proposed or soil disturbance will be needed. The results of the soil survey will be used to inform the scope of a soil management plan which may include a soil resources plan. The scope of the plan(s) will be first agreed with the Local Planning Authority but will include:
- a programme for soil stripping;
 - the volume and type of soils to be affected;
 - soil handling techniques;
 - the size, location timescale and management of soil stockpiles;
 - the proposals for after-use and restoration including a programme for aftercare.

The plan(s) will be approved by the Local Planning Authority and their recommendations implemented.

Reason: To ensure the appropriate conservation of soil and prevent unacceptable impacts upon it, in accordance with Policies AW 8 and AW 12 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

35. Prior to the commencement of development a scheme for the mitigation of effects upon the microwave links which cross the site shall be submitted to and approved by the local planning authority. The scheme, which may include for the micro-siting of turbines beyond the relevant Safeguard Zone(s), must also be consistent with the micro-siting protocol required under Condition 37. The mitigation identified within the approved scheme shall be implemented prior to the beneficial use of the development and retained for the lifetime of the development.

Reason: To protect existing telecommunication links in accordance with Policy AW 2 of the Rhondda Cynon Taf Local Plan and Policy 18 of Future Wales: The National Plan 2040.

36. No turbines shall be erected until a scheme for the mitigation of impact of the wind turbines on the operation of Cardiff Airport primary surveillance radar (the "radar mitigation scheme") has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated fully in accordance with the approved radar mitigation scheme throughout the operational life of the development.

Reason: To ensure no unacceptable impacts on radar operations in accordance with Policy 18 of Future Wales.

37. No development, including vegetation clearance, shall commence until a micro-siting protocol has been submitted to and approved in writing by the local planning authority, in consultation with NRW. The protocol shall also accord with the joint agency guidance on 'Bats and Onshore Wind Turbines – Survey, Assessment and Mitigation' (Nature Scot et al, August 2021) and in particular paragraph 7.1.2 thereof. The protocol shall set out a methodology for deciding on micro-siting of all elements of the

development hereby approved to minimise the impact of the development. The protocol shall provide for the detailed layout of the turbines to be submitted to and approved in writing by the local planning authority subject to all turbines being located within 50m of the locations shown on the approved plans and internal wind farm tracks and other infrastructure within 100m. Micro-sited turbines should not be located within 50m of a watercourse or an area of peat (as defined in ES Figure 10.8) or within toppling distance of a public right of way.

Reason: To ensure siting details are agreed prior to installation in the interests of protected species (bats) and existing environmental resources/habitats and in accordance with Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

38. Prior to the beneficial operation of the development details of a final Collision Monitoring and Mitigation Strategy for birds and bats consistent with the Collision Monitoring and Mitigation Strategy April 2023 (WSP UK Ltd) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include but be not limited to:
- Details of timescales for monitoring.
 - Details of reactive management measures and adaptation of habitat management action to discourage Golden Plover.
 - Details of threshold triggers to enact additional management measures.

The final Collision Monitoring and Mitigation Strategy shall be implemented in accordance with the approved details, timescales, and triggers.

Reason: To afford appropriate protection to bird and bat species in accordance with Policies AW 8 of the Rhondda Cynon Taf Local Development Plan and Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

Notification of initiation of development and display of notice

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include the following:

Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out development must ensure the notice is:

- d) firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- e) legible and easily visible to the public without having to enter the site; and
- f) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.



Ein cyf/Our ref qA1823311

Mr David Kenyon
Cyfarwyddwr Technegol - Cynllunio
WSP
1 Cwr y Ddinas
Stryd Tyndall
Caerdydd
CF10 4BZ

E-bost: david.kenyon@wsp.com

14 o Fehefin 2024

Annwyl Mr Kenyon

**DEDDF CYNLLUNIO GWLAD A THREF 1990 – ADRAN 62D
RHEOLIADAU DATBLYGIADAU O ARWYDDOCÂD CENEDLAETHOL (CYMRU) 2016
CAIS GAN PENNANT WALTERS LIMITED AR GYFER DATBLYGIAD ARFAETHEDIG
I ADEILADU A GWEITHREDU FFERM WYNT YN CYNWYS HYD AT SAITH TYRBIN, A
PHOB UN Â ROTOR TAIR LLAFN. MAE'R CYNIG DATBLYGU HEFYD YN CYNWYS
SEILWAITH CYSYLLTIEDIG GAN GYNWYS: TRACIAU FFERM WYNT MEWNOL;
PADIAU CRAEN YN LLEOLIAD POB TYRBIN; SYLFEINI TYRBIN; ARDALOEDD
GOSOD A STORIO; CEBLAU PŴER TANDDAEAROL SY'N CYSYLLTU'R TYRBINAU
A'R IS-ORSAF AR Y SAFLE; CLOSIDD ADEILADU A SWYDDFA SAFLE DROS DRO;
A SEILWAITH CYSYLLTIAD GRID, GAN GYNWYS IS-ORSAF AR Y SAFLE AC
ADEILAD RHEOLI YNGHYD Â GWAITH GALLUOGI ADEILADU A CHYSYLLTIAD CEBL
UWCHBEN 33KV O FEWN FFIN Y CAIS DNS AR SAFLE ODDEUTU 1KM I'R DWYRAIN
O DREBANOG AC ODDEUTU 600M I'R DE-DDWYRAIN O LYN-FACH
CYFEIRNOD Y CAIS: DNS/3280378**

1. Rhoddwyd ystyriaeth i adroddiad yr Arolygwyr a archwiliodd y cais cynllunio uchod ar gyfer Datblygiad o Arwyddocâd Cenedlaethol (DNS).
2. Yn unol ag adran 62D Deddf Cynllunio Gwlad a Thref 1990 a Rheoliad 3 Rheoliadau Datblygiadau o Arwyddocâd Cenedlaethol (Meini Prawf Penodedig a Chydsyniadau Eilaidd Rhagnodedig) (Cymru) 2016, cyflwynwyd y cais i Weinidogion Cymru ar gyfer penderfyniad.
3. Cynhaliodd yr Arolygwyr ymweliadau safle ar 20 a 23 Tachwedd 2023 ac ar 6 Rhagfyr. Mae copi o adroddiad yr Arolygydd (IR) wedi'i amgáu. Mae'r holl gyfeiriadau at rifau paragraffau yn ymwneud ag adroddiad yr Arolygydd, oni nodir yn wahanol.

Canolfan Cyswilt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Y Prif Ystyriaethau

4. Cytunaf mai'r prif ystyriaethau yw'r rhai hynny a restrir yn IR 140:
 - Yr effaith ar gymeriad a golwg yr ardal, gan gynnwys y dirwedd hanesyddol a'r effaith weledol ar anheddau;
 - Yr effaith ar ecoleg, bioamrywiaeth ac adnoddau naturiol;
 - P'un a fyddai unrhyw niwed yn cael ei orbwyso gan fuddion y cynllun, yn enwedig o ran y newid yn yr hinsawdd a diogeledd ynni.

Cymeriad a golwg

Cymeriad y Dirwedd

5. Cefnogir y cais gan Ddatganiad Amgylcheddol (ES) sy'n cynnwys Asesiad o'r Effaith ar y Dirwedd a'r Effaith Weledol (LVIA). Mae'r Arolygwyr yn fodlon bod yr LVIA wedi cael ei gynhyrchu yn unol â chanllawiau'r diwydiant. Mae'r IR yn nodi bod yr Arolygwyr wedi ymweld â nifer o olygfannau (VP) i lywio eu hystyriaethau o effaith debygol y cynnig. (IR 141-142)
6. Mae'r Arolygwyr yn fodlon na fyddai'r cynnig yn amharu'n sylweddol ar gymeriad agored, pellennig Mynydd y Glyn (IR 143 – 147). Maen nhw'n cytuno ag asesiad yr LVIA y byddai elfennau annodweddiadol o fawr y datblygiad arfaethedig yn cael effaith ar Ardal Tirwedd Arbennig (SLA) Basn Mynydd y Glyn a Nant Muchudd a fyddai'n amrywio o effaith fawr ac arwyddocaol i ddim effaith ac effaith ddibwys (IR 149). Mae'r LVIA hefyd yn rhagfynegi effeithiau tirwedd arwyddocaol ar gyfer SLAau Llethrau Llwyncelyn a Chwm Clydach (IR 150).
7. Mae'r Arolygwyr yn nodi bod asesiad yr LVIA o effeithiau tirwedd ar yr Ardaloedd Agwedd LANDMAP yn gyson â'i ganfyddiadau ar gyfer yr SLAau (IR 151). Mae'r LVIA yn canfod y byddai'r effaith ar Barc Cenedlaethol Bannau Brycheiniog (BBNP) yn gymedrol/bach i ddim effaith ac effaith ddibwys (IR 152).
8. Nid oes gan yr Arolygwyr reswm i anghytuno ag asesiad yr LVIA o effeithiau ar y dirwedd (IR 153).

Effeithiau gweledol

9. Asesodd yr LVIA effaith weledol ragfynedig y cynnig ar bedair ar bymtheg o olygfannau (VPau). Rhoddir crynodeb o'r asesiad yn IR 154-162. Mae asesiad yr LVIA o VPau yn dangos y byddai'r effaith yn arwyddocaol o dair ar ddeg o VPau (VPau 1-7, 9 a 10, 12 -15) ac y byddai'r effeithiau mwyaf o VPau 1, 2, 4 a 6. O ran effeithiau gweledol, daw'r Arolygwyr i'r casgliad fod eu harsylwadau ar y safle'n cydfynd yn agos â chanfyddiadau'r LVIA (IR 163).

Effeithiau cronno

10. Nid oes gan yr Arolygwyr reswm i anghytuno â'r asesiad a ddarparwyd yn yr LVIA sy'n dangos effaith gronno fawr neu fawr/cymedrol ar bymtheg o'r pedair ar bymtheg o VPau (IR 164-167)

Effaith weledol ar eiddo preswyl

11. Cynhaliwyd Asesiad Amwynder Gweledol Preswyl (RVAA) yn rhan o'r LVIA. Mae'r Arolygwyr yn cytuno â chasgliadau'r RVAA na fyddai effaith niweidiol ar amodau byw preswylwyr. (IR 168 – 174)

Y dirwedd hanesyddol

12. Darperir Asesiad o Arwyddocâd Effeithiau Datblygiad ar y Dirwedd Hanesyddol (ASIDOHL) yn yr ES. Canfyddiadau cyffredinol yr ASIDOHL yw y byddai'r fferm wynt arfaethedig yn cael ychydig o effaith ar gymeriad y dirwedd hanesyddol yn ei chyfanrwydd na fyddai'n lleihau ei gwerth cyffredinol yn sylfaenol. Mae Cadw yn cytuno â'r canfyddiadau hyn. Nid oes gan yr Arolygwyr reswm i anghytuno â chasgliadau'r ASIDOHL (IR 175-180).

Casgliad ar gymeriad a golwg

13. Daw'r Arolygwyr i'r casgliad na fyddai unrhyw effeithiau niweidiol annerbyniol ar asedau treftadaeth adeiledig a warchodir yn statudol nac effeithiau gweledol niweidiol annerbyniol ar gymunedau cyfagos neu anheddau unigol. Fodd bynnag, mae'r Arolygwyr yn nodi y byddai'r cynnig yn cael effaith niweidiol ar gymeriad a golwg y safle a'r ardal amgylchynol, yn groes i Bolisi AW 5 "Datblygiadau Newydd" y CDLI (IR 181).

Ecoleg, bioamrywiaeth ac adnoddau naturiol

Dethol safle a dewisiadau amgen rhesymol

14. Mae'r Arolygwyr yn nodi'r fframwaith polisi perthnasol a ddarperir yng Nghymru'r Dyfodol a Pholisi Cynllunio Cymru (PPW) (IR 182). O ran yr ymagwedd fesul cam a ddisgrifir ym Mhennod 6 PPW, mae'r Arolygwyr yn fodlon bod safleoedd amgen rhesymol wedi cael eu hystyried trwy'r broses dethol safle a dylunio (IR 182 – 185).

Lleihau i'r eithaf a lliniaru

15. Mae'r Arolygwyr yn fodlon bod y datblygiad a'r cysylltiad grid cysylltiedig wedi cael eu cadw at yr ôl troed lleiaf sy'n ofynnol. Ni fyddai'r cynnig yn cael unrhyw effeithiau uniongyrchol ar ystlumod ac mae'r Arolygwyr yn fodlon y gellir lliniaru unrhyw effeithiau posibl trwy fesurau a sicrhau trwy'r amodau cynllunio argymelledig. Mae'r Arolygwyr hefyd yn fodlon y byddai unrhyw effeithiau ar ymlusgiaid yn gyfyngedig; byddai unrhyw effeithiau ar adar yn lleiafsymiol a byddai mesurau lliniaru'n cael eu sicrhau trwy amod. O ran Cwtiaid Aur, mae'r Arolygwyr yn fodlon y gellid lleihau unrhyw effeithiau i'r eithaf trwy amserlennu gwaith i osgoi'r cyfnod y tu allan i'r tymor bridio; maen nhw'n dod i'r casgliad y byddai mesurau lliniaru a rheoli, sydd i'w sicrhau trwy amod, yn golygu na fyddai'r datblygiad arfaethedig yn cael effaith niweidiol ar y rhywogaeth hon (IR 186 – 198).

Yr amgylchedd dŵr, mawn a phridd

16. Yn ddarostyngedig i amodau priodol, mae'r Arolygwyr yn fodlon na fyddai colled hirdymor arwyddocaol o ran ansawdd neu faint tir amaethyddol na phridd (IR 199 – 208).

Gwelliant a budd net i fioamrywiaeth

17. Mae'r Arolygwyr yn nodi bod y Cynllun Rheoli Cynefin (HMP) amlinellol yn amlygu mesurau ar gyfer gwella cynefinoedd o fewn y safle. Maen nhw'n fodlon bod digon o sicrwydd y byddai'r amodau argymelledig yn sicrhau'r mesurau gwella arfaethedig ac yn darparu budd net i fioamrywiaeth (IR 209 – 213).

Asesiad Rheoliadau Cynefinoedd

18. Mae Ardaloedd Cadwraeth Arbennig (ACAau) Coetiroedd Melin Ddu a Choedydd Ffawydd Caerdydd o fewn 10km o'r safle, ond ni amlygwyd unrhyw lwybrau effaith sy'n gysylltiedig â'r datblygiad ar nodweddion diddordeb cymwys yr ACAau hyn. Felly, ni fyddai'r datblygiad arfaethedig yn cael unrhyw effeithiau arwyddocaol tebygol ar yr ACAau hyn na'r rhwydwaith safleoedd Ewropeaidd (IR 214).

Casgliad ar ecoleg, bioamrywiaeth ac adnoddau naturiol

19. Daw'r Arolygwyr i'r casgliad, yn ddarostyngedig i amodau priodol, y byddai'r datblygiad arfaethedig yn osgoi niwed annerbyniol i nodweddion ecolegol ac adnoddau naturiol o fewn y safle ac yn agos ato, ac y byddai'n sicrhau budd net i fioamrywiaeth yn unol â pholisïau perthnasol yn y cynllun datblygu (IR 215).

Materion Eraill

20. Yn ddarostyngedig i'r amodau argymelledig, mae'r Arolygwyr yn fodlon na fyddai effeithiau sŵn y datblygiad arfaethedig yn cael effaith arwyddocaol ar amwynderau meddianwyr cymdogol nac yn arwain at berygl niwed annerbyniol i amwynder lleol (IR 216 -220). Yn yr un modd, gellir mynd i'r afael ag unrhyw effeithiau sy'n deillio o gysgodion symudol trwy fesurau lliniaru a sicrheir trwy amod (IR 221 - 224).
21. Mae'r Arolygwyr yn fodlon bod diogelwch y fferm wynt arfaethedig wedi cael ei ystyried yn briodol ac nad yw'n achosi risg annerbyniol i iechyd a diogelwch y gymuned leol (IR 225 -232).
22. Gan fod Asesiad Risg Mwyngloddio'r ymgeisydd yn dod i'r casgliad fod risg bosibl i'r datblygiad o ganlyniad i gloddio am lo yn y gorffennol, byddai ymchwiliad safle ymwithiol, i'w sicrhau trwy amod, yn cael ei gynnal cyn datblygu i bennu natur unrhyw nodweddion glofaol sy'n bresennol, ac i lywio dyluniad unrhyw waith lliniaru sy'n angenrheidiol. Yn ddarostyngedig i amodau, mae'r Arolygwyr yn fodlon na fyddai'r datblygiad arfaethedig yn achosi nac yn arwain at berygl niwed annerbyniol i iechyd ac amwynder lleol o ganlyniad i halogiad, nwy tirlenwi neu ansefydlogrwydd tir (IR 233 - 238).
23. Byddai cynllun ar gyfer lliniaru effaith tyrbinau gwynt ar weithredu radar gwyliadwriaeth sylfaenol Maes Awyr Caerdydd yn cael ei sicrhau trwy amod cynllunio. Byddai cynllun lliniaru i fynd i'r afael â'r effaith bosibl ar gysylltiadau microdon sy'n croesi'r safle yn cael ei sicrhau trwy amod hefyd (IR 239 – 243).

Buddion

24. Amlinellir buddion y datblygiad arfaethedig o ran cynhyrchu trydan, cyflogaeth a'r economi leol a chenedlaethol yn IR 244-245.
25. Mae'r Arolygwyr yn nodi bod yr ymgeisydd wedi cyflwyno Datganiad Buddion Prosiect sy'n amlinellu manylion Cronfa Budd Cymunedol arfaethedig ac y byddai'r cynllun ym

mherchenogaeth leol (IR 246-247). Nodaf fod Cymru'r Dyfodol yn datgan yn glir nad yw perchnogaeth leol yn ystyriaeth gynllunio ac na ddylai unrhyw gyfraniadau ariannol ar gyfer cymunedau cynhaliol trwy gytundebau gwirfoddol effeithio ar y broses benderfynu ac na ddylid eu trin fel ystyriaeth berthnasol oni bai eu bod yn bodloni'r profion yng Nghylchlythyr 13/97: Rhwymedigaethau Cynllunio.

Amodau

26. Rwyf yn fodlon bod yr amodau argymelledig yn bodloni'r profion perthnasol a amlinellir yng Nghylchlythyr 016/2014 Llywodraeth Cymru "Defnyddio amodau cynllunio i reoli datblygu". (IR 248)

Cydbwysedd Cynllunio a Chasgliad Cyffredinol

27. Mae'r Arolygwyr yn nodi'r gefnogaeth gref i egwyddor datblygu ynni adnewyddadwy a charbon isel ym Mholisiau 17 a 18 Cymru'r Dyfodol. Yng ngoleuni'r pwysigrwydd a roddir ym Mholisi 17 i'r angen am ynni adnewyddadwy i fynd i'r afael â'r argyfwng hinsawdd, mae'r Arolygwyr o'r farn y byddai cyfiawnhad i'r niwed a achosir gan y cynnig i gymeriad y dirwedd a derbynyddion gweledol, ac felly na fyddai'n annerbyniol. Mae'r Arolygwyr o'r farn bod y cynnig yn cyd-fynd â'r cynllun datblygu yn ei gyfanrwydd (IR 249 – 253).
28. Mae'r Arolygwyr yn argymhell bod caniatâd cynllunio yn cael ei roi, yn ddarostyngedig i amodau (IR 254).

Casgliad a Penderfyniad

29. Cytunaf ag arfarniad yr Arolygwyr o'r prif ystyriaethau, casgliadau'r IR a'r rhesymeg sy'n sail iddynt, a derbyniaf yr argymhelliad. Felly, rhoddaf ganiatâd cynllunio drwy hyn ar gyfer DNS/3280378, yn ddarostyngedig i'r amodau yn yr Atodiad i'r llythyr penderfyniad hwn.

Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 ("y Ddeddf WFG")

30. Mae'n rhaid i Weinidogion Cymru, yn unol â'r Ddeddf WFG, gynnal datblygu cynaliadwy. Mae hyn yn cynnwys cymryd pob cam rhesymol i fodloni eu hamcanion llesiant.

Amcanion Llesiant

31. Rwyf wedi ystyried i ba raddau y mae rhoi caniatâd cynllunio yn bodloni amcanion llesiant Llywodraeth Cymru. Cydnabyddaf y bydd rhai effeithiau negyddol dros dro ar yr amgylchedd yn ystod y camau adeiladu a datgomisiynu. Er y byddai'r effeithiau hyn yn cael eu lliniaru trwy'r Cynllun Rheoli Amgylcheddol Adeiladu (CEMP), byddent yn cael effaith negyddol gyfyngedig ar yr amcan o wneud ein dinasoedd, ein trefi a'n pentrefi yn lleoedd gwell fyth i fyw a gweithio ynddynt.
32. Fodd bynnag, at ei gilydd, byddai'r penderfyniad yn cael effaith gadarnhaol ar yr amcanion i "Adeiladu economi ar sail egwyddorion gwaith teg, cynaliadwyedd a diwydiannau a gwasanaethau'r dyfodol", "Adeiladu economi gryfach a gwyrddach wrth i ni ddatgarboneiddio cymaint â phosibl" ac "Ymgorffori ein hymateb i'r argyfwng hinsawdd a natur ym mhopeth a wnawn". Mae effaith y penderfyniad hwn ar yr amcanion eraill yn niwtral.

33. Wrth wneud fy mhenderfyniad ar y cais, rwyf wedi ystyried y ffyrdd o weithio a amlinellir yn adran 5(2) y Ddeddf WFG ac ‘SPSF1: Canllawiau Craidd, Rhannu Pwrpas: Rhannu Dyfodol – Canllawiau Statudol ar y Ddeddf WFG’.

Edrych tuag at yr hirdymor

34. Mae'r penderfyniad yn ystyried yr amcan tymor hir o gynhyrchu 70% o'r trydan a ddefnyddir yng Nghymru trwy ddulliau adnewyddadwy erbyn 2030 er mwyn mynd i'r afael â'r argyfwng hinsawdd.

Cynnwys pobl/Cydweithio ag eraill

35. O fewn fframwaith proses benderfynu statudol, a lywodraethir gan weithdrefnau rhagnodedig, roedd y cais yn destun cyhoeddusrwydd ac ymgynghori, a roddodd gyfle i ymgysylltu â'r cyhoedd a rhanddeiliaid. Mae sylwadau a dderbyniwyd trwy'r gweithdrefnau hyn wedi cael eu hystyried wrth benderfynu ar y cais hwn.

Defnyddio ymagwedd integredig

36. Mae'r penderfyniad wedi ystyried y cynllun datblygu a'r ffordd y mae'n integreiddio meysydd economaidd, cymdeithasol ac amgylcheddol ar draws graddfeydd gofodol. Mae hefyd wedi ystyried amcanion y sefydliadau sector cyhoeddus hynny a fu'n ymwneud â'r broses ymgynghori sy'n dilyn eu hamcanion llesiant eu hunain o dan y Ddeddf WFG, fel Cyfoeth Naturiol Cymru.

Atal

37. Mae'r penderfyniad yn ystyried yr angen i gynhyrchu mwy o ynni adnewyddadwy a mynd i'r afael â'r argyfwng hinsawdd, yn ogystal â chynyddu diogeledd ynni.

Camau rhesymol

38. Rwyf wedi ystyried p'un a fyddai'n rhesymol gwneud penderfyniad gwahanol, o ystyried dyletswydd llesiant Gweinidogion Cymru. Nodaf mai'r penderfyniad arall fyddai gwrthod rhoi caniatâd cynllunio i'r datblygiad. Byddai hyn yn cael effaith negyddol ar yr amcanion i “Adeiladu economi ar sail egwyddorion gwaith teg, cynaliadwyedd a diwydiannau a gwasanaethau'r dyfodol”, “Adeiladu economi gryfach a gwyrddach wrth i ni ddatgarboneiddio cymaint â phosibl” ac “Ymgorffori ein hymateb i'r argyfwng hinsawdd a natur ym mhopeth a wnawn”. Byddai effaith y penderfyniad arall hwn ar yr amcanion eraill yn niwtral. O ganlyniad, ystyriaf fod y penderfyniad i roi caniatâd cynllunio yn ddarostyngedig i amodau yn gam rhesymol tuag at gyflawni amcanion llesiant Gweinidogion Cymru.

Gwybodaeth Amgylcheddol

39. Rwyf wedi ystyried yr ES a'r holl wybodaeth amgylcheddol arall a ddarparwyd wrth bwyso a mesur y cais hwn, fel sy'n ofynnol gan Reoliadau Cynllunio Gwlad a Thref (Asesu Effeithiau Amgylcheddol) (Cymru a Lloegr) 2017.
40. Mae copi o'r llythyr hwn wedi cael ei anfon at Gyngor Bwrdeistref Sirol Rhondda Cynon Taf.

Yn gywir



Julie James AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol, Tai a Chynllunio
Cabinet Secretary for Housing, Local Government and Planning

Atodiad

Amodau - DNS/3280378

1. Bydd y datblygiad a ganiateir drwy hyn yn cael ei ddechrau cyn diwedd pum mlynedd o ddyddiad y caniatâd hwn.

Rheswm: Cydymffurfio ag Adrannau 91 a 93 o Ddeddf Cynllunio Gwlad a Thref 1990.

2. Bydd y datblygiad yn cael ei gyflawni, a bydd y manylion a nodir yn yr amodau canlynol yn cael eu gweithredu, yn unol â'r cynlluniau a'r dogfennau canlynol:
 - Map Lleoliad – 42864-WOOD-XX-XX-FG-J-0011_S0_P01.1 (Awst 2022)
 - Datganiad Amgylcheddol ac Atodiadau (Cyfrolau 1-4) (WSP UK Ltd, Ebrill 2023)

Rheswm: Sicrhau bod y datblygiad yn cael ei gyflawni'n unol â'r cynlluniau cymeradwy a gyflwynwyd gyda'r cais.

3. Bydd y caniatâd hwn yn para hyd at 30 mlynedd o'r dyddiad pan gaiff trydan ei allforio gyntaf o unrhyw dyrbin gwynt o fewn y safle i'r rhwydwaith grid trydan ('Dyddiad Allforio Cyntaf'). Bydd y datblygwr yn hysbysu'r Awdurdod Cynllunio Lleol yn ysgrifenedig o'r Dyddiad Allforio Cyntaf o fewn 28 diwrnod i'r Dyddiad Allforio Cyntaf.

Heb fod yn llai na 12 mis cyn i ddyddiad y caniatâd ddod i ben, bydd cynllun datgomisiynu ac adfer safle yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol i'w gymeradwyo'n ysgrifenedig ganddo. Bydd cynllun o'r fath yn cynnwys, er enghraifft:

- Cael gwared ar holl elfennau arwyneb y fferm wynt, ynghyd ag un metr o waelodion y tyrbinau islaw lefel y ddaear.
- Cadarnhau rheoli ac amseru'r gwaith.
- Cynllun rheoli traffig i fynd i'r afael yn llawn â materion diogelwch priffyrdd yn ystod cyfnod y gwaith datgomisiynu.
- Unrhyw waith adfer ac ôl-ofal arall, yn dilyn ymgynghori â phartion eraill, fel y mae'r Awdurdod Cynllunio Lleol yn ystyried ei fod yn rhesymol ac yn angenrheidiol.

Bydd y cynllun datgomisiynu cymeradwy'n cael ei weithredu a'i gwblhau o fewn 24 mis i ddyddiad dod i ben y caniatâd hwn.

Rheswm: Sicrhau bod effeithiau'r datblygiad yn bodoli dim ond ar gyfer oes y datblygiad, yn unol â Pholisïau CS 1, CS 2, AW 5, AW 6, AW 7, AW 8, AW 10, AW 12, AW 14 ac SSA 23 Cynllun Datblygu Lleol Rhondda Cynon Taf, Polisiâu 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040 a'r polisiâu perthnasol a nodir ym Mholisi Cynllunio Cymru.

4. Ni fydd unrhyw ddatblygiad yn dechrau hyd nes bod manylion gwneuthuriad, dyluniad, lliw a gorffeniad allanol y tyrbinau a'r strwythurau cysylltiedig y bwriedir eu defnyddio wedi cael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cytuno'n ysgrifenedig ganddo. Bydd yr holl ddeunyddiau perthnasol a ddefnyddir yn cydymffurfio â'r manylion a gymeradwywyd felly.

Rheswm: Lleihau effeithiau amgylcheddol a gweledol y datblygiad, yn unol â Pholisïau AW 5, AW 6, AW 7, AW 12 ac SSA 23 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

5. Bydd pob tyrbin gwynt o gyfluniad 3 llafn, ni fyddant yn fwy nag uchder cyffredinol o 155m i flaenau'r llafnau tyrbin, a byddant yn cylchdroi i'r un cyfeiriad. Ni fydd y tyrbinau yn arddangos unrhyw enw, logo, symbol, arwydd na hysbyseb amlwg ar unrhyw arwyneb allanol. Ni fydd y tyrbinau yn cael eu goleuo (ac eithrio at ddibenion diogelwch hedfan) ac ni fydd unrhyw oleuadau parhaol mewn mannau eraill ar y safle.

Rheswm: Lleihau effeithiau amgylcheddol a gweledol y datblygiad, yn unol â Pholisïau AW 5, AW 6, AW 7, AW 12 ac SSA 23 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

6. Bydd yr holl geblau trydan a rheoli o fewn y safle, ac eithrio'r cysylltiad grid 33kV, yn cael eu gosod o dan y ddaear ac ochr yn ochr â thraciau sydd wedi'u hadeiladu ar y safle fel rhan o'r datblygiad.

Rheswm: Lleihau effeithiau amgylcheddol a gweledol y datblygiad, yn unol â Pholisïau AW 5, AW 6, AW 7, AW 12 ac SSA 23 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

7. Os digwydd bod unrhyw dyrbin yn anweithredol (h.y. nid yw'n cyflenwi trydan i'r rhwydwaith grid trydan) am gyfnod parhaus o 12 mis ac os bydd yr Awdurdod Cynllunio Lleol yn cyfarwyddo felly, datgymalir y tyrbin gwynt a'i offer ategol cysylltiedig a gwaredir ei waelod i ddyfnder o 1 metr islaw lefel y ddaear, cyn ei waredu o'r safle o fewn cyfnod o 6 mis o ddiwedd y cyfnod hwnnw.

Rheswm: Er budd amwynder gweledol ac i sicrhau nad yw'r tyrbinau wedi darfod, eu bod yn cynhyrchu trydan tra byddant yn eu lle ac yn cael eu gwaredu o'r safle os byddant yn peidio â gweithredu, yn unol â Pholisïau AW 5, AW 6, AW 7, AW 12 ac SSA 23 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

8. Ni fydd unrhyw ddatblygiad yn dechrau nes bod manylion y modd mynediad gan gynnwys arwyneb parhaol am yr 20m cyntaf oddi ar y briffordd gyhoeddus ac amseriad y gwaith wedi cael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig ganddo. Bydd y gwaith yn cael ei gyflawni'n unol â'r manylion cymeradwy.

Rheswm: Er budd diogelwch priffyrdd ac i sicrhau nad yw mwd a malurion yn cael eu cludo i'r briffordd yn unol â Pholisi AW 5 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

9. Cyn dechrau'r datblygiad, bydd Cynllun Rheoli Traffig Adeiladu (CTMP) sy'n gyson ag Atodiad 12B yr ES sef Cynllun Rheoli Traffig Adeiladu Amlinellol gan WSP UK Ltd dyddiedig Ebrill 2023 yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd y CTMP yn cynnwys (er enghraifft) y wybodaeth ganlynol:

- a) Cyflwyniad – cefndir; nifer y tyrbinau; cwmpas CTMP.
- b) Cyd-destun - fframwaith polisi perthnasol; cyd-destun deddfwriaethol ac astudiaethau perthnasol sy'n ymwneud â chynigion TMP; datblygiadau ffermydd gwynt arfaethedig eraill a allai fod yn defnyddio llwybrau mynediad tebyg lle mae gwybodaeth ar gael.
- c) Disgrifiad o'r Llwybr - Disgrifiad manwl o'r llwybr mynediad ac unrhyw gyfyngiadau arfaethedig ar y llwybr.
- d) Traffig Adeiladu Cyffredinol - manylion yr holl lwythi anghyffredin y rhagwelir y byddant yn teithio i'r safle ac oddi yno; dewis llwybr neu wahanol fathau o

lwyth drwy gydol y rhaglen adeiladu; amseroedd symud disgwylidig trwy ardaloedd sensitif i draffig a/neu breswyl.

- e) Ymwybyddiaeth y Cyhoedd - cynigion ar gyfer ymgynghori â'r cyhoedd sy'n teithio a'r cymunedau lleol a rhoi gwybodaeth iddynt.

Bydd y CTMP yn cael ei weithredu fel y'i cymeradwywyd.

Rheswm: Er budd diogelwch priffyrdd ac i sicrhau bod yr holl gydrannau'n cael eu dosbarthu'n ddiogel ac yn foddhaol yn unol â Pholisi AW 5 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

- 10. Cyn dechrau dosbarthu unrhyw lwythi anghyffredin i'r safle, bydd Cynllun Rheoli Cludo Llwythi Anghyffredin (ALTMP) i ymdrin yn benodol â dosbarthu'r cydrannau tyrbin sy'n gyson ag Atodiad 12A yr ES sef Astudiaeth Mynediad Llwythi Anwahanadwy Anghyffredin (AIL) gan WSP UK Ltd dyddiedig Ebrill 2023 yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd yr ALTMP yn cynnwys (er enghraifft) yr wybodaeth ganlynol:

- a) Disgrifiad o'r Llwybr - Disgrifiad manwl o'r llwybr mynediad o'r porthladd mynediad i'r safle, gan nodi mathau a nodweddion y ffyrdd; gwybodaeth am ddatblygiadau perthnasol eraill, arfaethedig megis ffermydd gwynt eraill lle mae hyn ar gael yn rhwydd; cynlluniau sy'n dangos maint y llwybr;
- b) Maint Confoi - nifer a meintiau/manylion llwythi; cyfansoddiad confoi posibl gan gynnwys hebryngwyr preifat a'r heddlu (i'w gytuno gyda'r heddlu)
- c) Rheoli Traffig - i gynnwys methodoleg ar gyfer symud confoiau gan leihau oedi i draffig arall; dylunio manwl a lleoliad ardaloedd cynnal/gor-redeg, gan gynnwys lleoedd pasio ac ardaloedd aros dros nos/tymor hwy; cynlluniau sy'n dangos pwyntiau lle y gallai fod angen i'r heddlu atal traffig arall er mwyn i'r confoiau basio, megis wrth gyffyrdd neu droadau; cynlluniau wrth gefn os bydd digwyddiadau neu argyfyngau.
- d) Amseroedd Cyflenwi - amcangyfrif o hyd siwrneiau yn seiliedig ar gyflymder confoi tybiedig, gan gynnwys amseriadau ar gyfer lleoliadau sy'n sensitif i draffig, oedi i drafod cyfyngiadau ac amseroedd cyrraedd/ymadael tybiedig mewn cymunedau preswyl; rhagweld ciwiau o draffig arall i'r ddau gyfeiriad ar hyd y llwybr, yn seiliedig ar ddata llif traffig cefndir; ystyried dosbarthiadau tyrbinau i ffermydd gwynt eraill sy'n cynnig defnyddio llwybrau tebyg.
- e) Teithiau Prawf - gwybodaeth taith prawf wedi'i dogfennu, dynwared symudiad y llwythi hiraf a lletaf a ragwelir, wedi'u gweld/arsylwi gan yr awdurdodau priffyrdd perthnasol a'r heddlu a'u cofnodi gyda sylw fideo llawn.
- f) Ymgynghoreion ar gyfer ALTMP - rhestr i gynnwys yr holl awdurdodau priffyrdd a'r heddluoedd yr effeithir arnynt.

Bydd yr ALTMP yn cael ei weithredu fel y'i cymeradwywyd.

Rheswm: Er budd diogelwch priffyrdd ac i sicrhau bod yr holl gydrannau'n cael eu dosbarthu'n ddiogel ac yn foddhaol yn unol â Pholisi AW 5 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

- 11. Ni fydd unrhyw gydrannau tyrbin yn cael eu dosbarthu i'r safle nes bydd:
 - a) asesiad o'r capasiti a'r effaith ar y strwythurau hynny y mae Llywodraeth Cymru wedi nodi bod gofyn eu hasesu ar hyd y rhannau hynny o'r rhwydwaith priffyrdd a fydd yn cael eu defnyddio wrth adeiladu'r datblygiad gan gynnwys pontydd, ceuffosydd, waliau cynnal, argloddiau; a
 - b) manylion unrhyw waith gwella sy'n ofynnol i strwythurau o'r fath o ganlyniad i adeiladu'r datblygiad

wedi cael eu cyflwyno i'r awdurdod cynllunio lleol a'u cymeradwyo ganddo yn dilyn ymgynghoriad â Llywodraeth Cymru fel awdurdod priffyrdd cefnffyrdd Cymru neu awdurdod priffyrdd perthnasol arall (fel y bo'n briodol). Bydd y gwaith gwella gofynnol a nodwyd yn yr asesiad yn cael ei gwblhau cyn cychwyn unrhyw ddsbarthiadau Llwyth Anwahanadwy Anghyffredin (ALL) i'r safle datblygu.

Rheswm: Er budd diogelwch priffyrdd ac i sicrhau bod yr holl gydrannau'n cael eu dosbarthu'n ddiogel ac yn foddhaol yn unol â Pholisi AW 5 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

12. Bydd arolygon cyflwr o'r holl nodweddion priffyrdd ar hyd y rhannau hynny o'r rhwydwaith priffyrdd a fydd yn cael eu defnyddio wrth adeiladu'r datblygiad yn cael eu cynnal cyn, yn ystod ac adeg cwblhau cyfnod adeiladu'r datblygiad. O fewn 28 diwrnod o gynnal yr arolygon, bydd adroddiadau'r arolwg yn cael eu cyflwyno i'r awdurdod cynllunio lleol i'w cymeradwyo mewn ymgynghoriad â Llywodraeth Cymru fel awdurdod priffyrdd cefnffyrdd Cymru neu awdurdod priffyrdd perthnasol arall (fel y bo'n briodol).

Rheswm: Er budd diogelwch priffyrdd yn unol â Pholisi AW 5 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Cynllun Cenedlaethol 2040.

13. Cyn dosbarthiad cyntaf unrhyw gydrannau tyrbîn, bydd cynllun i ddarparu ar gyfer adfer unrhyw ddifrod achlysurol y gellir ei briodoli'n uniongyrchol i'r datblygiad i'r rhannau o'r rhwydwaith priffyrdd a fydd yn cael eu defnyddio wrth adeiladu'r datblygiad gan gynnwys dodrefn stryd, strwythurau, ymyl y briffordd ac arwynebau ffyrdd cerbydau yn cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo yn dilyn ymgynghoriad â Llywodraeth Cymru fel awdurdod priffyrdd cefnffyrdd Cymru neu awdurdod priffyrdd perthnasol arall (fel y bo'n briodol). Bydd y cynllun yn cael ei weithredu fel y'i cymeradwywyd drwy gydol cyfnod adeiladu'r datblygiad.

Rheswm: Er budd diogelwch priffyrdd yn unol â Pholisi AW 5 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

14. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod cynllun ar gyfer diogelu Hawliau Tramwy Cyhoeddus yn ystod gwaith adeiladu wedi ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd y cynllun yn cynnwys, er enghraifft:
- Darpariaeth i sicrhau bod Hawliau Tramwy Cyhoeddus yn cael eu cynnal heb unrhyw rwystr i'w defnyddio.
 - Mesurau i atal unrhyw ddifrod i Hawliau Tramwy Cyhoeddus yn sgil gwaith adeiladu ar y safle.

Bydd y datblygiad yn cael ei gyflawni'n unol â'r cynllun cymeradwy.

Rheswm: Er budd diogelwch y cyhoedd yn unol â Pholisi AW 7 Cynllun Datblygu Lleol Rhondda Cynon Taf.

15. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod Cynllun Rheoli Amgylcheddol Adeiladu (CEMP) terfynol i'r safle cyfan wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd y CEMP terfynol yn darparu manylion y canlynol, er enghraifft:
- a) Rheoli Pridd: manylion tynnu uwchbridd, ei storio, a'i wella i'w aildefnyddio.
 - b) Dulliau adeiladu: manylion deunyddiau, sut y rheolir gwastraff a gynhyrchir.

- c) Rheoli Safle Cyffredinol: manylion y rhaglen adeiladu gan gynnwys amserlen, manylion clirio'r safle; manylion draeniad adeiladu safle, ardaloedd cyfyngiant, clustogfeydd o faint priodol rhwng ardaloedd storio (sborion, olewau, tanwydd, ardaloedd cymysgu concrit a golchi) ac unrhyw gwrs dŵr neu ddraen arwyneb.
- d) Arferion gwaith cyffredinol (fel y'u nodir yn Atodiad D o'r CEMP amlinellol) i gynnwys oriau gwaith adeiladu.
- e) Uwchgynllun CEMP: manylion maint a chyfnodau'r datblygiad; lleoliad adnoddau tirwedd ac amgylcheddol; cynigion dylunio ac amcanion ar gyfer mesurau integreiddio a lliniaru.
- f) Rheoli Niwsans: manylion mesurau rheoli llwch a mesurau i reoli gollyngiadau golau.
- g) Rheoli Adnoddau: manylion storio a dal tanwydd a chemegau; manylion cynhyrchu a rheoli gwastraff; manylion defnydd dŵr, dŵr gwastraff a defnydd ynni.
- h) Atal Llygredd: dangos sut y bydd Canllawiau Atal Llygredd ac arfer gorau yn cael eu gweithredu, gan gynnwys manylion gweithdrefnau gollyngiadau brys a chynllun ymateb i ddigwyddiadau.
- i) Rheoli Traffig: manylion dosbarthiadau i'r safle, peiriannau ar y safle, cyfleusterau golchi olwynion.
- j) Manylion yr unigolion a'r cyrff sy'n gyfrifol am weithgareddau sy'n gysylltiedig â'r CEMP a manylion cyswllt brys.
- k) Clerc gwaith tirwedd/ecolegol i sicrhau cydymffurfiaeth adeiladu â chynlluniau cymeradwy a rheoliadau amgylcheddol.
- l) Cynllun Rheoli Sŵn Adeiladu.
- m) Manylion lleoliad cloydd storio dros dro.
- n) Manylion adeiladu traciau a gosod ceblau a mesurau i'w gweithredu i sicrhau nad oes gollyngiadau llygrol o draciau ac ardaloedd yr aflonyddwyd arnynt.
- o) Darparu unrhyw ffensys dros dro.
- p) Manylion cloddio gwaelodion tyrbinau a natur, math a maint y deunydd sydd angen ei fewnforio i'r safle ar gyfer gweithrediadau ôl-lenwi.
- q) Rheoli dŵr daear a dŵr wyneb, dŵr budr a monitro tyniadau dŵr preifat.
- r) Darparu unrhyw fodd o oleuo safle dros dro.

Rheoli Bioamrywiaeth: Cyn ac yn ystod clirio coetir neu wrychoedd o'r safle, cynhelir archwiliadau (e.e. chwiliad blaen bys) o gynefin addas posibl ar gyfer pathewod.

Gweithredir y CEMP fel y'i cymeradwywyd yn ystod cyfnodau paratoi safle ac adeiladu'r datblygiad.

Rheswm: Sicrhau bod mesurau rheoli angenrheidiol yn cael eu cytuno cyn i'r gwaith ddechrau ar y safle a'u bod yn cael eu gweithredu er mwyn diogelu rhywogaethau a'r amgylchedd yn ystod y gwaith adeiladu; ac i ddiogelu'r amgylchedd dŵr a lleihau effaith amgylcheddol yng nghyffiniau safle'r cais ac er budd bioamrywiaeth, yn unol â Pholisïau AW 5, AW 6, AW 8, ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

16. Ni fydd unrhyw ddatblygiad yn dechrau nes bod Cynllun Rheoli Cynefin (HMP) terfynol ar gyfer cyfnod gweithredu'r fferm wynt wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Dylai'r HMP fod yn gyson â Datganiad Amgylcheddol ac Atodiadau (WSP UK Ltd Ebrill 2023) a chynnwys manylion adfer daear. Bydd yr HMP yn cael ei weithredu yn unol â'r manylion cymeradwy.

Rheswm: Er budd bioamrywiaeth, yn unol â Pholisi AW 8 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 9, 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol

2040.

17. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod Cynllun Gwarchod Bywyd Gwyllt ar gyfer Adeiladu (WPPC) wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd y cynllun yn cynnwys, er enghraifft:
- a) Cynllun wrth raddfa briodol sy'n dangos 'Parthau Gwarchod Bywyd Gwyllt' lle cyfyngir ar weithgareddau adeiladu a lle bydd mesurau gwarchod yn cael eu gosod neu eu gweithredu.
 - b) Manylion lliniaru cynefinoedd a rhywogaethau, mesurau gwarchod (mesurau ffisegol ac arferion gwaith sensitif) i osgoi effeithiau yn ystod y gwaith adeiladu.
 - c) Amserlen i ddangos gweithgareddau adeiladu fesul dipyn er mwyn osgoi cyfnodau o'r flwyddyn pan allai bywyd gwyllt sensitif gael ei niweidio (fel tymor adar nythu).
 - d) Personau sy'n gyfrifol am:
 - i. Cydymffurfio â chydysyniadau cyfreithiol sy'n ymwneud â chadwraeth natur.
 - ii. Cydymffurfio ag amodau cynllunio sy'n ymwneud â chadwraeth natur.
 - iii. Gosod mesurau gwarchod ffisegol yn ystod y gwaith adeiladu.
 - iv. Gweithredu arferion gwaith sensitif yn ystod y gwaith adeiladu.
 - v. Arolygu a chynnal mesurau gwarchod ffisegol yn rheolaidd a monitro arferion gwaith yn ystod y gwaith adeiladu.
 - vi. Darparu hyfforddiant a gwybodaeth am bwysigrwydd y 'Parthau Gwarchod Bywyd Gwyllt' i'r holl bersonél adeiladu ar y safle.

Bydd yr holl weithgareddau adeiladu yn cael eu gweithredu yn unol â manylion ac amseriad cymeradwy'r Cynllun.

Rheswm: Er budd bioamrywiaeth, yn unol â Pholisi AW 8 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisiau 9, 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

18. Ni fydd unrhyw ddatblygiad, gan gynnwys clirio'r safle, yn cychwyn nes bod yr holl arolygon cyn adeiladu wedi'u cynnal yn unol ag adran 3.1 o'r Strategaeth Monitro a Lliniaru Gwrthdrawiadau gan WSP, dyddiedig Ebrill 2023. Bydd canlyniadau'r arolyg/arolygon, ynghyd â mesurau lliniaru arfaethedig, yn cael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig ganddo.

Rheswm: Er mwyn sicrhau y cadarnheir diogelwch rhywogaethau a restrir o dan Adran 7 o Ddeddf yr Amgylchedd (Cymru) 2016 yn ogystal â'r rhai a restrir ar y Rhestr Goch (Adar o Bryder Cadwraethol yng Nghymru) cyn y gwaith adeiladu a, lle bo angen, rhoddir mesurau adfer ar waith i'w diogelu yn unol â Pholisi AW 8 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisiau 9, 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

19. Ni fydd unrhyw ddatblygiad yn digwydd nes bod Cynllun Lliniaru Hydrolegol wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd y cynllun yn cynnwys manylion mesurau i fynd i'r afael ag effeithiau'r datblygiad ar y cynefinoedd mawn a gwlypdir a'r mesurau ar gyfer cynnal y gwaith lliniaru hwnnw yn ystod oes weithredol y datblygiad. Bydd pob gwaith yn cael ei gyflawni'n unol â'r manylion cymeradwy.

Rheswm: Gwella a gwarchod rhywogaethau anifeiliaid a phlanhigion yn unol â Pholisi AW8 Cynllun Datblygu Lleol Rhondda Cynon Taf.

20. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod cynllun monitro ansawdd dŵr ar gyfer diogelu ansawdd dŵr yn y cyrsiau dŵr ar y safle wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Dylai'r cynllun monitro ansawdd dŵr gynnwys, er enghraifft:
- Manylion ac amllder y dulliau monitro.
 - Manylion y sbardunau ar gyfer camau gweithredu penodol ac unrhyw gamau hapddigwyddiad angenrheidiol, er enghraifft yr angen i roi'r gorau i weithio.

Bydd y cynllun monitro ansawdd dŵr yn cael ei gyflawni'n unol â'r manylion cymeradwy yn ystod cyfnodau paratoi safle ac adeiladu'r datblygiad.

Rheswm: Diogelu ansawdd dŵr a sicrhau bod yr amgylchedd naturiol yn cael ei warchod yn ystod y gwaith adeiladu a sicrhau bod cynefinoedd a rhywogaethau yn cael eu gwarchod yn unol â Pholisïau AW 8 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 9, 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

21. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod trefniadau draenio safle cyfan wedi'u cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig ganddo. Ni fydd y tyrbinau yn cael eu defnyddio'n fuddiol hyd nes y bydd y trefniadau draenio wedi'u cwblhau yn unol â'r manylion cymeradwy.

Rheswm: Sicrhau gwaredu digonol draeniad dŵr budr a dŵr wyneb yn unol â Pholisi AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

22. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod cynllun ysgrifenedig lliniaru amgylchedd hanesyddol wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Wedi hynny, bydd y rhaglen waith yn cael ei chynnal yn unol â gofynion a safonau'r cynllun ysgrifenedig.

Rheswm: Nodi a chofnodi unrhyw nodweddion o ddiddordeb archaeolegol a ganfuwyd yn ystod y gwaith a lliniaru effaith y gwaith ar yr adnodd archeolegol, yn unol â Pholisi AW 7 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

23. Ar gais rhesymol yr Awdurdod Cynllunio Lleol, yn dilyn cwyn wedi'i dilysu iddo am gysgodion symudol o unrhyw dyrbin gwynt, bydd gweithredwr y tyrbîn gwynt, os oes angen, yn cau'r tyrbîn ac ar ei draul ei hun, yn cyflogi ymgynghorydd a gymeradwywyd gan yr Awdurdod Cynllunio Lleol i fesur, asesu ac adrodd i'r Awdurdod Cynllunio Lleol ynghylch lefel y cysgodion symudol a gynhyrchir trwy weithredu'r tyrbîn gwynt yn yr eiddo y mae'r gŵyn yn ymwneud ag ef mewn cynllun i'w gytuno yn gyntaf gyda'r Awdurdod Cynllunio Lleol. Bydd yr asesiad yn dechrau o fewn 21 diwrnod i'r hysbysiad, neu ba bynnag amser hirach a gymeradwyir gan yr Awdurdod Cynllunio Lleol. Os yw'r asesiad y mae'r Awdurdod Cynllunio Lleol wedi gofyn amdano yn dangos lefelau annerbyniol o gysgodion symudol, bydd gweithredwr y tyrbîn yn cymryd camau ar unwaith i liniaru er mwyn sicrhau bod yr effeithiau'n cael eu lleihau i lefel dderbyniol. Bydd y gweithredwr yn darparu cadarnhad ysgrifenedig o'r cynllun lliniaru hwnnw ac amserlen ar gyfer ei weithredu, i'r Awdurdod Cynllunio Lleol o fewn cyfnod amser i'w gytuno'n gyntaf gyda'r Awdurdod Cynllunio Lleol.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

24. Ni fydd lefel sgôr allyriadau sŵn o effeithiau cyfunol y tyrbinau gwynt (gan gynnwys cymhwyso unrhyw gosb gyweiraid), o'i phennu yn unol â'r nodiadau cyfarwyddyd perthnasol, yn fwy na'r gwerthoedd ar gyfer y cyflymder gwynt cyfanrif perthnasol a nodir yn adrannau perthnasol y Datganiad Amgylcheddol (Ebrill 2023) neu sy'n deillio ohono, ar gwrtil unrhyw fangre sy'n sensitif i sŵn nad oes ganddo unrhyw ymglymiad ariannol sy'n bodoli'n gyfreithlon adeg y caniatâd hwn. At ddibenion yr amod hwn, diffinnir cwrtil fel 'ffin ardal ardd ddomestig sy'n bodoli'n gyfreithlon'.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

25. Ar gais rhesymol yr Awdurdod Cynllunio Lleol, yn dilyn cwyn wedi'i dilysu iddo am allyriadau sŵn o'r tyrbinau gwynt, bydd gweithredwr y tyrbinau gwynt yn cau'r tyrbîn, os oes angen, ac ar ei draul ei hun yn cyflogi person addas o gymwys, a gymeradwywyd gan yr Awdurdod Cynllunio Lleol, i fesur ac asesu ac adrodd i'r Awdurdod Cynllunio Lleol ynghylch lefel yr allyriadau sŵn o'r tyrbîn gwynt yn yr eiddo y mae'r gŵyn yn ymwneud ag ef mewn cynllun sydd i'w gytuno'n gyntaf gyda'r Awdurdod Cynllunio Lleol ac yn unol â'r nodiadau cyfarwyddyd perthnasol. Bydd yr asesiad yn dechrau o fewn 21 diwrnod i'r hysbysiad ac yn cael ei roi i'r Awdurdod Cynllunio Lleol o fewn deufis i ddyddiad y cais, neu ba bynnag amser hirach a gymeradwyir gan yr Awdurdod Cynllunio Lleol.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

26. Os yw'r asesiad (y cyfeirir ato yn amod 25) y gofynnwyd amdano gan yr Awdurdod Cynllunio Lleol yn dangos bod y sŵn yn uwch na'r lefel benodedig, rhaid i weithredwr y tyrbîn gymryd camau ar unwaith i sicrhau bod yr allyriadau sŵn o'r tyrbîn yn cael eu lleihau i'r terfyn sŵn penodedig, neu islaw hynny. Bydd y gweithredwr yn darparu cadarnhad ysgrifenedig o'r gostyngiad hwnnw i'r Awdurdod Cynllunio Lleol o fewn cyfnod o amser i'w gytuno gyda'r Awdurdod Cynllunio Lleol. Os na fydd yn bosibl cyflawni'r terfyn sŵn penodedig gyda chamau lliniaru o fewn cyfnod rhesymol, yna bydd gweithrediad y tyrbîn yn dod i ben. Bydd y cyfnod amser mesur yn seiliedig ar gyfrifiad hyd llafn BWEA (para 3.4(1) $t = 4 * D$ eiliad) lle mae t = cyfnod amser mesur mewn eiliadau (yn destun isafswm cyfnod o 10 eiliad) D = diamedr rotor mewn metrau.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

27. Os bydd tyrbîn gwahanol i'r hyn a gynhwysir yn yr asesiad sŵn a gyflwynwyd (Pennod 13: Sŵn ac Atodiadau'r Datganiad Amgylcheddol, Ebrill 2023) yn cael ei ddewis i'w osod sydd â'r potensial i gynhyrchu lefelau sŵn uwch na'r hyn a aseswyd, yna ni fydd y datblygiad yn digwydd nes bod asesiad sŵn bwrdd gwaith newydd sy'n benodol i safle o'r tyrbîn arfaethedig wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo yn ysgrifenedig ganddo.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

28. Er gwaethaf darpariaethau amodau 24 – 27, bydd gweithredwr y fferm wynt yn mesur lefelau sŵn gan ddefnyddio ymgynghorydd sŵn cymwys priodol yn ystod blwyddyn

gyntaf gweithrediad y tyrbinau gwynt mewn cynllun i'w gytuno gyntaf gyda'r Awdurdod Cynllunio Lleol i ddangos cydymffurfiaeth â'r lefelau sŵn yn Amod 24. Bydd y data a gynhyrchir yn unol â'r cynllun yn cael ei anfon ymlaen i'r Awdurdod Cynllunio Lleol o fewn 28 diwrnod o'r mesur.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

29. Bydd gweithredwr y fferm wynt yn cofnodi'n barhaus ddata cyflymder gwynt, cyfeiriad gwynt a chynhyrchu pŵer ar gyfer y tyrbinau gwynt ac yn darparu'r data i'r Awdurdod Cynllunio Lleol ar ei gais yn unol â'r canllawiau perthnasol yn ETSU-R-97 a Phennod 13 y Datganiad Amgylcheddol o fewn 28 diwrnod i unrhyw gais felly. Bydd y data hwn yn cael ei gadw am 24 mis o leiaf.

Rheswm: Amddiffyn amwynderau trigolion lleol yn unol â Pholisïau AW 5 ac AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Cynllun Cenedlaethol 2040.

30. Ni fydd unrhyw ddatblygiad yn cychwyn nes bod y cydrannau canlynol o gynllun i ymdrin â'r risgiau sy'n gysylltiedig â halogi ar y safle, wedi cael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig ganddo.
- a) Cynllun ymchwilio i'r safle, yn seiliedig ar yr asesiad risg/astudiaeth ddesg ragarweiniol i ddarparu gwybodaeth ar gyfer asesiad manwl o'r risg i'r holl dderbynyddion y gellid effeithio arnynt, gan gynnwys y rhai oddi ar y safle.
 - b) Canlyniadau'r ymchwiliad safle a'r asesiad risg manwl y cyfeirir ato yn (a) ac, yn seiliedig ar y rhain, gwerthusiad opsiynau a strategaeth adfer sy'n rhoi manylion llawn y mesurau adfer sy'n ofynnol a sut mae eu cyflawni.
 - c) Cynllun dilysu sy'n rhoi manylion y data a gesglir er mwyn dangos bod y gwaith a nodir yn y strategaeth adfer yn (b) wedi'i gwblhau ac sy'n nodi unrhyw ofnion ar gyfer monitro cysylltiadau llygryddion, cynnal a chadw a threfniadau gweithredu ynghylch hapddigwyddiadau yn y tymor hwy.

Bydd y strategaeth adfer a'i chydrannau perthnasol yn cael eu cyflawni yn unol â'r manylion cymeradwy.

Rheswm: Sicrhau atal llygredd gan gynnwys llygredd i ddŵr daear drwy halogiad a ysgogwyd gan y datblygiad arfaethedig yn unol â Pholisi AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 17 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

31. Cyn gweithredu'r datblygiad yn fuddiol, bydd cynllun dilysu (Amod 30) sy'n dangos cwblhau'r gwaith a nodir yn y strategaeth adfer a gymeradwywyd ac effeithiolrwydd y gwaith adfer yn cael ei gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd yr adroddiad yn cynnwys canlyniadau gwaith samplu a monitro a wnaed yn unol â'r cynllun gwirio cymeradwy i ddangos bod meini prawf adfer y safle wedi'u bodloni. Bydd hefyd yn cynnwys cynllun monitro a chynnal a chadw hirdymor ar gyfer gwaith monitro tymor hwy o ran cysylltiadau llygryddion, cynnal a chadw a threfniadau gweithredu ynghylch hapddigwyddiadau, fel y nodwyd yn y cynllun dilysu. Bydd y cynllun monitro a chynnal a chadw hirdymor yn cael ei gyflawni yn unol â'r manylion cymeradwy.

Rheswm: Sicrhau atal llygredd gan gynnwys llygredd i ddŵr daear drwy halogiad a ysgogwyd gan y datblygiad arfaethedig yn unol â Pholisi AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 17 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

32. Ni fydd Adeiladu Tyrbinau yn digwydd nes bod ymchwiliad safle geo-dechnegol cam 2 sy'n gyson â'r disgrifiad a ddarperir yn ES Pennod 11 Tabl 11.7 wedi'i gynnal yn unol â methodoleg a gyflwynwyd yn gyntaf i'r awdurdod cynllunio lleol ac a gymeradwywyd yn ysgrifenedig ganddo, ac a fydd yn cynnwys cwmpas daearyddol yr ymchwiliad safle. Bydd canlyniadau'r ymchwiliad safle, gan gynnwys canlyniadau monitro dyfrdyllau (fel y disgrifir yn yr 'Atodiad Amgylchedd Dŵr' i Bennod 10 y Datganiad Amgylcheddol) ac argymhellion ar gyfer dyluniad manwl, yn cael eu cyflwyno i'r awdurdod cynllunio lleol cyn i unrhyw ddatblygiad ddechrau. Os canfyddir unrhyw faterion ansefydlogrwydd tir yn ystod ymchwiliad y safle, bydd adroddiad sy'n nodi'r mesurau sydd i'w cymryd i adfer y safle i'w wneud yn addas ar gyfer y datblygiad yn cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo'n ysgrifenedig ganddo. Bydd mesurau adfer yn cael eu cynnal cyn y defnydd buddiol cyntaf o'r datblygiad yn unol â'r manylion cymeradwy a'u cadw am oes y datblygiad.

Rheswm: Er budd iechyd a diogelwch ac i sicrhau bod y datblygiad yn diogelu dŵr daear ac nad yw'n achosi nac yn gwaethygu unrhyw faterion sefydlogrwydd tir ar y safle na'r ardal ehangach, yn unol â Pholisi AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 17 Cymru'r Dyfodol: Cynllun Cenedlaethol 2040.

33. Os canfyddir unrhyw faterion annisgwyl o ran ansefydlogrwydd tir a/neu nwy daear yn ystod gweithredu'r datblygiad o fewn cwmpas daearyddol yr ymchwiliad safle na chawsant eu nodi yn yr ymchwiliad safle y cyfeiriwyd ato yn Amod 32, bydd mesurau ychwanegol ar gyfer eu hadfer ar ffurf cynllun adfer yn cael eu cyflwyno i'r awdurdod cynllunio lleol a'u cymeradwyo'n ysgrifenedig ganddo. Bydd gwaith adfer y safle yn ymgorffori'r mesurau ychwanegol cymeradwy a fydd yn cael eu cadw am oes y datblygiad.

Rheswm: Er budd iechyd a diogelwch ac i sicrhau nad yw'r datblygiad yn achosi nac yn gwaethygu unrhyw faterion sefydlogrwydd tir ar y safle neu'r ardal ehangach, yn unol â Pholisi AW 10 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 17 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

34. Ni fydd unrhyw ddatblygiad yn digwydd nes bod arolwg pridd o safle'r Datblygiad Arfaethedig wedi'i gynnal yn unol â chynllun a gyflwynwyd yn gyntaf i'r Awdurdod Cynllunio Lleol ac a gytunwyd yn ysgrifenedig ganddo. Bydd y cynllun yn cadarnhau nodweddion ffisegol pridd o fewn ardaloedd safle'r Datblygiad Arfaethedig lle cynigir gosod seilwaith neu lle bydd angen tarfu ar bridd. Bydd canlyniadau'r arolwg pridd yn cael eu defnyddio i lywio cwmpas cynllun rheoli pridd a allai gynnwys cynllun adnoddau pridd. Cytunir ar gwmpas y cynllun(iau) yn gyntaf gyda'r Awdurdod Cynllunio Lleol ond bydd yn cynnwys:

- rhaglen ar gyfer stripio pridd;
- maint a math y priddoedd yr effeithir arnynt;
- technegau trin pridd;
- maint, lleoliad, amserlen a rheoli pentyrrau pridd;
- y cynigion ar gyfer ôl-ddefnydd ac adfer gan gynnwys rhaglen ar gyfer ôl-ofal.

Cymeradwyir y cynllun(iau) gan yr Awdurdod Cynllunio Lleol a bydd ei argymhellion yn cael eu gweithredu.

Rheswm: Sicrhau cadwraeth briodol pridd ac atal effeithiau annerbyniol arno, yn unol â Pholisïau AW 8 ac AW 12 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisi 17 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

35. Cyn dechrau'r datblygiad, bydd cynllun ar gyfer lliniaru effeithiau ar y cysylltiadau microdon sy'n croesi'r safle yn cael ei gyflwyno i'r awdurdod cynllunio lleol a'i gymeradwyo ganddo. Rhaid i'r cynllun, a allai gynnwys micro-leoli tyrbinau y tu hwnt i'r Parth(au) Diogelu perthnasol, hefyd fod yn gyson â'r protocol micro-leoli sy'n ofynnol o dan Amod 37. Bydd y mesurau lliniaru a nodir o fewn y cynllun cymeradwy yn cael eu gweithredu cyn defnydd buddiol y datblygiad ac yn cael eu cadw am oes y datblygiad.

Rheswm: Diogelu cysylltiadau telathrebu presennol yn unol â Pholisi AW 2 Cynllun Lleol Rhondda Cynon Taf a Pholisi 18 Cymru'r Dyfodol: Cynllun Cenedlaethol 2040.

36. Ni fydd unrhyw dyrbinau yn cael eu codi nes bod cynllun ar gyfer lliniaru effaith y tyrbinau gwynt ar weithrediad radar gwyliadwriaeth sylfaenol Maes Awyr Caerdydd (y "cynllun lliniaru radar") wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo. Wedi hynny, bydd y datblygiad yn cael ei weithredu'n llawn yn unol â'r cynllun lliniaru radar cymeradwy drwy gydol oes weithredol y datblygiad.

Rheswm: Sicrhau nad oes unrhyw effeithiau annerbyniol ar weithrediadau radar yn unol â Pholisi 18 Cymru'r Dyfodol.

37. Ni fydd unrhyw ddatblygiad, gan gynnwys clirio llystyfiant, yn cychwyn nes bod protocol micro-leoli wedi'i gyflwyno i'r Awdurdod Cynllunio Lleol a'i gymeradwyo'n ysgrifenedig ganddo mewn ymgynghoriad â Cyfoeth Naturiol Cymru. Bydd y protocol hefyd yn cyd-fynd â'r canllawiau asiantaeth ar y cyd '*Bats and Onshore Wind Turbines – Survey, Assessment and Mitigation*' (Nature Scot et al, Awst 2021) ac yn benodol paragraff 7.1.2 ohonynt. Bydd y protocol yn nodi methodoleg ar gyfer penderfynu ar ficro-leoli pob elfen o'r datblygiad a gymeradwywyd drwy hyn i leihau effaith y datblygiad. Bydd y protocol yn darparu ar gyfer cyflwyno cynllun manwl o'r tyrbinau i'r awdurdod cynllunio lleol a'i gymeradwyo'n ysgrifenedig ganddo, ar yr amod bod yr holl dyrbinau o fewn 50m i'r lleoliadau a ddangosir ar y cynlluniau cymeradwy a thraciau mewnol y fferm wynt a'i seilwaith arall o fewn 100m. Ni ddylid lleoli tyrbinau wedi'u micro-leoli o fewn 50m i gwrs dŵr neu ardal o fawn (fel y'i diffinnir yn Ffigur 10.8 yr ES) nac o fewn pellter disgyn i hawl tramwy cyhoeddus.

Rheswm: Sicrhau bod manylion lleoli yn cael eu cytuno cyn gosod er budd rhywogaethau gwarchoddedig (ystlumod) ac adnoddau/cynefinoedd amgylcheddol presennol ac yn unol â Pholisi AW 8 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 9, 17 a 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

38. Cyn gweithrediad buddiol y datblygiad, bydd manylion Strategaeth Monitro a Lliniaru Gwrthdrawiadau derfynol ar gyfer adar ac ystlumod sy'n gyson â'r Strategaeth Monitro a Lliniaru Gwrthdrawiadau Ebrill 2023 (WSP UK Ltd) yn cael eu cyflwyno i'r Awdurdod Cynllunio Lleol a'u cymeradwyo'n ysgrifenedig ganddo. Bydd y cynllun yn cynnwys, er enghraifft:
- Manylion yr amserlenni ar gyfer monitro.
 - Manylion mesurau rheoli ymatebol ac addasu camau rheoli cynefinoedd i annog Cwtiaid Aur i gadw draw.
 - Manylion y sbardunau trothwy i gyflawni mesurau rheoli ychwanegol.

Bydd y Strategaeth Monitro a Lliniaru Gwrthdrawiadau derfynol yn cael ei gweithredu yn unol â'r manylion, yr amserlenni a'r sbardunau cymeradwy.

Rheswm: Diogelu rhywogaethau adar ac ystlumod yn briodol yn unol â Pholisïau AW 8 Cynllun Datblygu Lleol Rhondda Cynon Taf a Pholisïau 9, 17 ac 18 Cymru'r Dyfodol: Y Cynllun Cenedlaethol 2040.

Hysbysiad am ddechrau datblygiad ac arddangos hysbysiad

Mae'n rhaid i chi gydymffurfio â'ch dyletswyddau yn adran 71ZB (hysbysiad am ddechrau datblygiad ac arddangos hysbysiad: Cymru) Deddf Cynllunio Gwlad a Thref 1990. Mae'r dyletswyddau'n cynnwys y canlynol:

Hysbysiad am ddechrau datblygiad

Cyn dechrau unrhyw ddatblygiad y mae'r caniatâd cynllunio hwn yn ymwneud ag ef, mae'n rhaid hysbysu'r awdurdod cynllunio lleol ar y ffurf a amlinellir yn Atodlen 5A Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 neu ar ffurf sylweddol debyg. Mae'r ffurf yn amlinellu'r manylion y mae'n rhaid eu rhoi i'r awdurdod cynllunio lleol er mwyn cydymffurfio â'r ddyletswydd hon.

Arddangos hysbysiad

Mae'n rhaid i'r sawl sy'n cynnal datblygiad y mae'r caniatâd cynllunio hwn yn ymwneud ag ef arddangos, yn y man lle mae'r datblygiad yn cael ei gynnal neu'n agos iddo, bob amser tra'i fod yn cael ei gynnal, hysbysiad o'r caniatâd cynllunio hwn ar y ffurf a amlinellir yn Atodlen 5B Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 neu ar ffurf sylweddol debyg. Mae'r ffurf yn amlinellu'r manylion y mae'n rhaid i'r sawl sy'n cynnal y datblygiad eu harddangos i gydymffurfio â'r ddyletswydd hon.

Mae'n rhaid i'r sawl sy'n cynnal y datblygiad sicrhau bod yr hysbysiad:

- a) yn cael ei osod yn sownd a'i arddangos mewn man amlwg yn y man lle mae'r datblygiad yn cael ei gynnal neu'n agos iddo;
- b) yn ddarllenadwy ac yn hawdd i'r cyhoedd ei weld heb orfod mynd i mewn i'r safle; ac
- c) yn cael ei argraffu ar ddeunydd gwydn. Dylai'r sawl sy'n cynnal y datblygiad gymryd camau rhesymol i ddiogelu'r hysbysiad (rhag cael ei symud ymaith, ei guddio neu ei ddifwyno) ac, os bydd angen, ei amnewid.



Report

by Siân E Worden BA MCD DipLH MRTPI and Paul Selby BEng (Hons) MSc MRTPI

Inspectors appointed by the Welsh Ministers

Report date: 23/01/2024

TOWN AND COUNTRY PLANNING ACT 1990

Section 62D

Application by: Pennant Walters Ltd

For: A wind farm of up to seven turbines, each with a three-bladed rotor, plus associated infrastructure

At: A site approximately 1km east of Trebanog and approximately 600m southeast of Glynfach (Grid ref: E303645 N189423)

Ref: DNS/3280378

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GLOSSARY OF TERMS & ABBREVIATIONS

BBNP	Bannau Brycheiniog National Park
BGS	British Geological Survey
CEMP	Construction Environmental Management Plan
CMMS	Collision Mitigation and Monitoring Strategy
CMS	Construction Method Statement
CTMP	Construction Traffic Management Plan
CRM	Collision Risk Modelling
DNS	Development(s) of National Significance
EIA	Environmental Impact Assessment
ES	Environmental Statement
FW	Future Wales
HL	(Registered) Historic Landscape
HMP	Habitat Management Plan
LVIA	Landscape and Visual Impact Assessment
MMP	Materials Management Plan
PAA	Pre-Assessed Area
PEDW	Planning and Environment Decisions Wales
PINS Wales	Planning Inspectorate Wales
PPW	Planning Policy Wales (Edition 11)
PRoW	Public Right of Way
RCT CBC	Rhondda Cynon Taf County Borough Council
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SLA	Special Landscape Area
SSSI	Site of Special Scientific Interest
WFG Act	Well-being of Future Generations Act
WG	Welsh Government
ZTV	Zone of Theoretical Visibility

Ref: DNS/3280378

Site address: Approximately 1km east of Trebanog and approximately 600m southeast of Glynfach (Grid ref: E303645 N189423)

- The application, dated 5 April 2023, was made under section 62D of the Town and Country Planning Act 1990 (as amended).
- The application is made by Pennant Walters Ltd.
- The application was confirmed as valid on 24 May 2023.
- Hearings were held on 21, 22 and 23 November.
- Site visits were made on 20 and 23 November and 6 December.
- The development proposed is to construct and operate a wind farm of up to seven turbines each with a three-bladed rotor. The development proposal also comprises associated infrastructure including: internal wind farm tracks; crane pads at each turbine location; turbine foundations; laydown and storage areas; underground power cables linking the turbines and the on-site substation; temporary construction compounds and site office; and grid connection infrastructure, including an on-site substation and control building together with construction enabling works and 33kV overhead cable connection within the DNS application boundary.

Summary of Recommendation: That planning permission be permitted subject to the conditions set out in Appendix A.

Procedural Matters

1. In accordance with Article 5 of The Developments of National Significance (Procedure) (Wales) Order 2016 ('the Order'), the applicant notified Planning and Environment Decisions Wales (PEDW) on behalf of the Welsh Ministers of the proposed development on 31 August 2022. PEDW formally accepted the notification on 8 September 2022.
 2. In September 2021 the applicant requested the Planning Inspectorate (PINS) Wales (now PEDW) to provide a formal opinion as to the extent (or scope) of topics to be reported on in an Environmental Statement (ES). A Scoping Direction was duly issued by PINS Wales on 1 December 2021. The ES submitted with the application has been prepared in accordance with this Scoping Direction and pursuant to The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 ('the EIA Regulations'). A report issued by PEDW on 24 May 2023 confirmed that the ES contained the level of information identified in Regulation 17 and Schedule 4 of the EIA Regulations and was complete for the purposes of those Regulations.
 3. On confirmation of the validity of the application on 24 May 2023, PEDW undertook the specified consultation and publicity measures as required by the Order. A Local Impact Report ('LIR') was submitted by Rhondda Cynon Taf County Borough Council ('RCT CBC') on 27 June 2023.
 4. The examination was suspended on 12 July 2023 to allow the applicant to submit further information on matters including ground conditions, peat, the water
-

environment and ornithology. The further information submitted by the applicant was subject to consultation ending on 23 October 2023.

5. Hearings covering the character and appearance of the site and surrounding area; ecology, soil and groundwater; and conditions were held on 21, 22 and 23 November. These were attended by representatives of the applicant, Local Planning Authority, Natural Resources Wales and Cadw, and by residents and Councillors who had raised objections to the scheme. Unaccompanied visits were made to the site and surrounding area on 20 and 23 November and 6 December.
6. Due to the implications of *Finney v Welsh Ministers & Ors [2019] EWCA Civ 1868*, in a letter to PEDW dated 6 September 2023 the applicant requested an amendment to the description of the development to omit reference to the rotor diameter, hub height or blade tip measurements of turbines. Instead, it is proposed to include the maximum parameters in a planning condition which could be attached to any future planning permission. Although the wording to be used in the decision is a matter for the Welsh Ministers, the amendment does not alter the scheme before us and would not prejudice the interests of any interested parties. Consequently, this report uses the applicant's amended description of development.
7. In October 2023, shortly before the hearings took place, an update to section 6 of PPW was published. The updated policy on addressing the nature emergency through the planning system will be included in the next edition (12) of PPW but took effect from the date of publication. The matters covered by the update were covered fully during the hearings.
8. New information on disused coal tips in proximity to the application site had recently become available at the time of the hearings and maps of these were supplied. The information has been considered in making the recommendation on the proposed development.
9. It became apparent during the hearings that, due to an administrative oversight, the representation submitted to PEDW by Tonyrefail Community Council had not been published. This position was remedied allowing all the matters raised in the representation to be taken into account in reaching the recommendation.

Site and Surroundings

10. The site comprises a single parcel of land which predominantly occupies the upper slopes and summit of Mynydd y Glyn and adjoins the A4233 at its western extent. Cwm Rhondda and the Ely River valley lie to the site's north and west respectively. The site lies in proximity to settlements within these valleys, including Trebanog to the west, Glynfach to the northwest, Trehafod to the north, and Tonyrefail to the southwest. In total the site encompasses an area of around 182 hectares.
11. The site is mainly characterised by grassland for agricultural grazing and features limited tree cover or discernible field boundaries. Other than an overhead electricity line and supporting pylons in the site's north and east, there is little evidence of development within the site. Consequently, despite the relative proximity to transport corridors and settlements, much of the site has a somewhat exposed and isolated character. The site accommodates an area of Open Access Land alongside a limited number of Public Rights of Way.

The Proposal

12. The development proposed is a wind farm consisting of a maximum of seven turbines. The ES assumes that each turbine would have a maximum height to the blade tip of 155m, a three-bladed rotor with a diameter up to 136m and a hub height of up to 97.5m. The rotation speed of the turbines would vary but would typically not exceed 20 revolutions per minute. The rotor and nacelle (containing the generator and, typically, a gearbox) would be set atop a cylindrical tower. The towers would be mounted on foundations typically comprising a concrete slab of around 20m in diameter and 4m in depth, overlaid with stone and topsoil to allow revegetation.
13. The submission documents identify the grid references for each turbine and the overall layout of the scheme (ES Figures 4.1a and 4.1b). A micro-siting allowance is assumed for the turbines and associated infrastructure to allow constraints identified in pre-construction surveys to be addressed. The micro-siting allowance factored into the ES is up to 50m for turbines and 100m for other infrastructure, including internal tracks, substation and construction compounds.
14. The actual hub height and rotor diameter would depend on the final turbine type selected. Consistent with the precautionary principle, the ES assesses a 'worst case scenario' based on the maximum turbine height given in the description of development. Whilst it is planned that the maximum generating capacity of the wind farm would be 30MW, for the purposes of the ES each turbine is assumed to have an output of 3.45MW, with an overall output of around 24.15MW.
15. The application includes grid connection infrastructure, including an on-site substation and control building, underground power cables linking the turbines to the on-site substation, and a 33kV overhead line mounted on wooden H-poles to connect the wind farm to the grid. This overhead line would run for around 1.4km from the substation to the site's south-eastern boundary. The line would then continue underground for over 7km to a connection point at Upper Boat. This underground section would be delivered by National Grid. Whilst not forming part of this application, the potential effects of the underground grid connection are considered in the ES.
16. The application incorporates infrastructure necessary for the scheme's construction, maintenance, and decommissioning, including around 5.2km of internal access tracks, two temporary construction compounds, permanent hard standings for cranes ('crane pads'), and temporary laydown and storage areas. The principal point of access to the wind farm would be obtained from the A4233. The application includes works necessary to accommodate a new junction between the access road and A4233 for construction traffic (Figure 4.2 of the ES). It is anticipated that Abnormal Indivisible Loads (AILs) required to transport the turbine equipment would travel to the site by road from the Port of Swansea. The construction period would last around 24 months.
17. The wind farm would have an operational life of 30 years and the ES has been prepared on the basis that the wind farm would be decommissioned after this period. Decommissioning works would take around six months and would be paid for via a decommissioning fund established by the developer.

Planning Policy, etc

The Development Plan

18. The development plan comprises Future Wales (FW) and the Rhondda Cynon Taf Local Development Plan (LDP) 2006-2021, which was adopted in 2011.

19. In order to combat the climate emergency, policy 17 of FW requires decision-makers to give significant weight to the need to meet the target to generate 70% of consumed electricity by renewable means by 2030. FW policy 18, which applies specifically to Developments of National Significance (DNS), states that proposals for renewable and low carbon energy projects will be permitted subject to certain criteria, including that proposals outside the Pre-Assessed Areas (PAAs) for wind developments do not have an unacceptable adverse impact on the surrounding landscape. Policy 18 also seeks for proposals to incorporate enhancement measures to provide a net benefit for biodiversity. This is consistent with policy 9 of FW, which requires action towards securing the maintenance and enhancement of biodiversity to be demonstrated as part of development proposals.
20. Other LDP policies of relevance to the proposal include:
 - Policy SSA 23 ‘Special Landscape Areas’
 - Policy CS 1 ‘Development in the North’
 - Policy CS 2 ‘Development in the South’
 - Policy AW 5 ‘New Development’
 - Policy AW 6 ‘Design and Placemaking’
 - Policy AW 7 ‘Protection and Enhancement of the Built Environment’
 - Policy AW 8 ‘Protection and Enhancement of the Natural Environment’
 - Policy AW 10 ‘Environmental Protection and Public Health’
 - Policy AW 14 ‘Safeguarding of Minerals’
21. LDP Policy AW 13 deals with large wind farm proposals which are developments of 25MW and over. The policy permits such schemes, subject to criteria including that they would be in a strategic search area (SSA). These were identified in Technical Advice Note (TAN) 8: Renewable Energy (2005) which is no longer in place. Policy AW 13 is therefore out of date and superseded by Policies 17 and 18 of Future Wales.
22. These LDP policies are supported by Supplementary Planning Guidance including in relation to Design and Placemaking and Nature Conservation.

National Policy

23. Planning Policy Wales (PPW) was updated during the examination. The updated Chapter 6 aligns with the policy objectives of FW, including in relation to tackling the climate emergency (para 3.30), securing an appropriate mix of energy provision (para 5.7.6) and recognising the importance and benefits of decarbonisation and using natural resources sustainably (para 5.7.7). It also notes the need for proposals to minimise impacts on local communities, such as from noise and air pollution, to safeguard quality of life for existing and future generations (para 5.9.20).
24. PPW para 6.4.3 recognises the key role played by the planning system in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, by securing appropriate mechanisms to protect against loss and secure enhancement, including by addressing the consequences of climate change. Attributes of resilient ecosystems are described and a ‘step-wise approach’ emphasises the importance of avoiding damage to biodiversity as a first priority, followed by minimising impacts, then taking steps to mitigate any harm, securing on-site compensation and, finally, securing

off-site compensation. Technical Advice Note (TAN) 5 'Nature Conservation and Planning' provides additional guidance in relation to ecology and biodiversity.

The Case for the Applicant

25. The application is supported by an ES and several other documents, including further information submitted during the examination (see Appendix C). Key elements of the applicant's case are summarised below.

Overview

26. Site identification included a high-level sieving exercise to identify potential sites within or close to PAAs, followed by a detailed review and land ownership investigation. Areas with mean annual average wind speeds of 7m per second or less in the ETSU NOABL database were excluded on the basis that these would not support a commercially viable scheme. Other factors influencing the assessment included site-specific physical constraints and attributes, including in relation to ecology and archaeology, landscape value, policy designations, and proximity to transmission lines, grid connections and other infrastructure. The eventual site was selected due to its performance in relation to these factors and, following discussions with relevant landholders, the feasibility of bringing forward the scheme.
27. The site is located outside but immediately adjacent to PAA 9. The PAAs identified in FW were identified via a high-level approach to constraints mapping. Analysis by RenewableUK Cymru concludes that wind farms are deliverable only in around 5% of PAAs once constraints are applied and operational wind farms excluded. PAA 9 includes areas where wind projects would be unviable, notably in valleys where the wind resource is lacking and populations are concentrated. To avoid such constraints, the site extends further north than the PAA boundary onto an area of higher ground.
28. The design and layout of the scheme has evolved iteratively through gathering technical evidence and consultation with statutory and non-statutory bodies, the local community and landowners. The design aims to strike a balance between optimising energy yield, ensuring scheme feasibility, avoiding environmental constraints and minimising adverse impacts.
29. Key points in favour of the proposed development include:
- The proposal would generate renewable energy with an output capacity of up to 30MW, supplying electricity equivalent to the needs of 15,376 homes annually, and contributing to the target to generate 70% of consumed energy by renewable means by 2030.
 - In relation to net greenhouse gas emissions and carbon impacts, the scheme is estimated to have a significantly beneficial effect.
 - It is expected that up to 41 jobs would be created during the construction phase, with around 4 jobs FTE supported during the operational phase.
 - Indirect local economic benefits include increased spend in services, facilities and accommodation during the construction phase, and potential sourcing of materials from local quarries.
 - The project is committed to providing an annual Community Benefit Fund of approximately £150,000 per annum, managed by a Community Interest Company.

- The applicant maintains control of its wind farms, assisting in the development of relations with local communities.

Landscape and visual

30. The Landscape and Visual Impact Assessment (LVIA) assesses the potential effects of the proposal and associated grid connection across an area of around 24km from the site, assuming a 30-year operational period and 24-month construction phase. Cumulative effects with 45 existing, permitted or planned wind farms and turbines are also evaluated within an area 26km from the site. Zones of Theoretical Visibility (ZTVs) indicate the intervisibility between schemes considered to have the greatest potentially significant cumulative landscape or visual effects. Effects are evaluated based on 19 viewpoints which range in distance from 1.3km to 13.6km from the site.
31. The LVIA has been carried out in accordance with established methodologies and assesses the landscape sensitivity of relevant LANDMAP Aspect Areas. Effects on the Bannau Brycheiniog National Park (BBNP) and several Special Landscape Areas (SLAs) designated in LDPs are also evaluated, including the Mynydd y Glyn and Nant Muchudd Basin SLA, which the site falls within. Visual effects on receptors at key recreational routes and facilities, transport routes and settlements within the ZTV of the proposed turbines within a 10km radius are also assessed, taking account of possible changes to the existing baseline and proposed 'embedded measures' including revegetation and reinstatement of grassland, retention of trees, temporary closures to Public Rights Of Way (PRoWs), and the use of non-reflective pale grey turbines.
32. The site occupies the summit and upper slopes (above approximately 300m AOD) of Mynydd-y-Glyn. The hill is steep-sided but features a relatively flat section near to its twin summit. Steep hills with short ridgelines and similar elevations lie in all directions except to the south, where the topography is less elevated and more rolling. The site hosts a single small plantation of woodland, some scattered riparian trees and patches of scrub, but is mainly occupied by improved and semi-improved grassland. Tree cover increases beyond the site boundaries, particularly to the north-east where there is a coniferous plantation. Other than isolated lengths of stone wall, field boundaries within the site are indistinct. An overhead electricity line traverses the site.
33. The proposal would not affect features associated with the Mynydd y Glyn and Nant Muchudd Basin SLA such as the small irregular field pattern. The seven turbines, access tracks and ancillary elements would, however, be dominant landscape elements within much of the SLA, excluding two areas outside the ZTV southeast of Coedely and southwest of Maesycoed. The proposal would alter the currently unindustrialised landscape character of Mynydd y Glyn, which is clearly visible from settlements such as Porth, Trehafod, Pontypridd and Llantrisant. The introduction of large-scale uncharacteristic elements associated with the proposal would give rise to a Major and Significant level of effect across a large proportion of the Mynydd y Glyn and Nant Muchudd Basin SLA. Moderate but Significant indirect landscape effects are also predicted for part of the Llwynceilyn Slopes SLA east of Cwm Hafod and the southern part of the Cwm Clydach SLA north of Penygraigwen/Pantygraig Wen. The nature of these effects would be long-term (reversible), direct, and adverse.
34. Several PRoWs cross Mynydd y Glyn and parts of the mountain are designated as Access Land. Isolated farmsteads and residential properties lie close to the access route including those on Trebanog Road, Henllys, Channel Avenue and Rhiwgarn

Road. Where views are available to residents and recreational receptors, during the construction period the access tracks, turning heads and crane hard standings could result in major/moderate visual effects which would be significant, temporary, and adverse.

35. Visual effects have been assessed for settlements falling within a radius of 10km from the proposed turbines, within the ZTVs. Major or moderate and significant effects are identified for several settlements within or around the Rhondda, Ely and Taff valleys (representative viewpoints include 1, 3, 4, 5, 7, 9 and 10). These effects would be long-term (reversible), indirect and adverse.
36. A Residential Visual Amenity Assessment (RVAA) has been completed for properties within 2km of the turbines which lie outside settlement boundaries. This identifies that significant visual effects would be experienced from 22 groups of dwellings, 5 of which would lie within 1km of the turbines. Nonetheless, a case-by-case assessment concludes that due to intervening distances, incidental screening, and the use or orientation of properties, these dwellings would not be adversely affected to such an extent that they would become unattractive places to live, individually or cumulatively.
37. Major or moderate and significant visual effects would be experienced by receptors using long distance footpaths including the Glamorgan, Taff-Ely, Rhymney Valley and Ogwr Ridgeway Walks, the Penrhys Pilgrimage Way, the Cistercian Way, and the Capital Walk – Cardiff (representative viewpoints include 1, 2, 4, 9, 11, 13, 14 and 15). Effects of a similar magnitude would be experienced by users of National Cycle Network routes 4, 47 and 881 (representative viewpoints include 2, 5 and 7), Pontypridd Golf Club and the Rhondda Golf Course. Due to the large proportion of upland to the north, north-west and west of the site which is designated as Access Land and contains numerous PRowS, moderate or major and significant effects are also anticipated from several public viewpoints within 5km (viewpoints 1, 2, 3, 4, 6 and 7 demonstrate the scale of the turbines from proximate PRowS where there is limited intervening screening). Moderate or major and significant effects would also likely be experienced by users of the A4058, A4233, A4093 and B4278.
38. In relation to the overhead grid connection, other than recreational receptors using PRow RH|ANT|95/1, who would experience locally significant visual effects, the level of effect would be moderate and not significant.
39. A cumulative assessment considers the additional or incremental effects that would be generated by the introduction of the proposed Mynydd y Glyn Wind Farm, using other wind energy developments (operational, permitted, or at the planning application or scoping opinion stage) as a future baseline. The assessment is restricted to those receptors where, individually, moderate/minor and not significant effects have been evaluated. Two scenarios are considered, the second of which represents a 'worst-case scenario' including wind energy proposals subject to a planning application or scoping opinion which may not, in reality, come forward.
40. In Scenario One, the proposed development at Mynydd y Glyn Wind Farm would be physically separate and distinct from all other cumulative wind energy developments. As such, it is considered that there would be no significant cumulative landscape effects, including on the BBNP. This separation from other schemes, in addition to topographical changes between this proposal and other existing wind turbines, would avoid significant cumulative visual effects.

41. Scenario Two considers additional wind energy schemes including at Bryntail Farm (2 71m turbines) and Twyn Hywel (14 200m turbines) located around 5.5km to 5.8km northeast of the site. These two schemes would have significant landscape effects on the Taff Vale Eastern Slopes SLA and Mynydd Eglwysilan SLA. However, the visual connection between these schemes and the Mynydd y Glyn wind farm is severed by the Taff valley and built form within it. Consequently, significant cumulative landscape effects would not arise with these other two proposed schemes. Other planned wind energy developments would be located over 20km from the site, with visual relationships consequently too weak to give rise to any significant cumulative landscape effects.
42. In terms of cumulative visual effects for Scenario Two, there would be limited opportunities to view the Mynydd y Glyn wind farm alongside the Bryntail Farm and Twyn Hywel schemes. At representative viewpoints 6 and 14, either the Mynydd y Glyn scheme, or the Bryntail Farm and Twyn Hywel schemes, would be visually significant in their own right. However, the notable horizontal separation distance between Mynydd y Glyn and these other two schemes means that they would be visible only successively (i.e. by turning your head). The separation distance between these two other schemes would also be similar to the established pattern of operational wind farms elsewhere in the study area. Consequently, the proposal would not result in significant cumulative visual effects.

Historic environment

43. The ES has been informed by an Historic Environment Desk-Based Assessment of the development site and its surroundings. An assessment has also been made of the likely underground grid connection route. There are 3 records of non-designated historic assets located within the site boundary (one intact trig pillar, one destroyed trig pillar, and one medieval long hut) and no designated historic assets. The site is assessed as having low potential for archaeological remains, and the proposed design avoids locations of known post-medieval cairns, field boundary walls and other non-designated assets. Avoidance of disturbance to non-designated historic assets during construction would be secured by condition.
44. The proposal's effect on the setting of designated historic assets has been considered for all those which fall within the ZTV, including 7 Scheduled Monuments, 4 listed buildings (or groups of buildings), 3 Conservation Areas and 1 Historic Park and Garden. There would be no impact or a negligible magnitude of impact to the significance of these historic assets, due to their setting, from the proposed development's construction and operation, both individually and cumulatively with other wind energy schemes within 5km of the site. Nor are significant impacts on historic assets likely to arise from the underground grid connection corridor.
45. An assessment of the significance of impacts of development on the Rhondda registered Historic Landscape (HL), which the site falls within, has been undertaken. This considers potential impacts on Historic Landscape Character Areas (HLCAs) which taken together comprise the HL. Whilst higher level impacts are identified for 3 HLCAs, the proposal would not remove any features of significance, with physical impacts limited only to parts of the landscape. Being visually permeable, the proposal would not affect the ability to read or appreciate the HCLAs as a whole. Consequently, there would be only a slight impact on the character of the HL.

Biodiversity

46. Blackmill Woodlands and Cardiff Beechwoods Special Areas of Conservation, designated for their old sessile oak woods and beech forests, lie within 10km of the site. Within a 20km radius are the Severn Estuary Special Protection Area and Severn Estuary Ramsar site, which are designated for their range of overwintering and passage wildfowl and waders. Given the lack of impact pathways, NRW concurs that significant effects on these internationally designated sites are not likely.
47. The ES is supported by a Phase 1 habitat survey and other biodiversity assessments and surveys including for protected/priority species and habitats. Surveys conclude that badgers, otter, great crested newts, water vole and hazel dormice are unlikely to be present on the site. Grass snake, common lizard and slow worm were found to be present within suitable habitat. The desk study returned 28 records of marsh fritillary butterfly within 2km, the closest being around 38m from the site boundary. Of notable plant species identified in the desk study, only dog violet was detected within the site during field work.
48. The assessment of the proposed development's effects covers the construction, operation and decommissioning periods, and takes in the site plus Zones of Influence (ZOIs), which vary dependent on the sensitivity of individual ecological features and the nature of the impact. The applied methodology aligns with the standard industry guidance and takes account of embedded environmental measures including the management of dust and run-off during construction, safeguarding key species and habitats, and environmental enhancements, which would be secured by conditions including to agree and implement a Construction Environmental Management Plan (CEMP), Construction Method Statement (CMS), Habitat Management Plan (HMP) and Collision Mitigation and Monitoring Strategy (CMMS).
49. There are two Sites of Special Scientific Interest (SSSIs) within 2km of the site. Rhos Tonyrefail SSSI, which adjoins the site to the southwest, is of special interest for its marshy grassland, acid flush species-rich neutral grassland, acid grassland, wet heath, blanket mire, and population of marsh fritillary butterfly. There would be no direct effects on this SSSI and embedded measures would ensure that indirect effects would be appropriately managed.
50. There are 25 non-statutory Sites of Importance for Nature Conservation (SINCs) within the study area. Whilst the site falls partly within the Mynydd y Glyn SINC, no elements of the development would be located within the blanket bog for which this SINC is predominantly designated. Where possible existing access tracks would be used to minimise the loss of undisturbed soils, wet heath/acid grassland and grazed semi-improved acid grassland, with most habitats subject to temporary loss reinstated after construction. Under the compensation and enhancement measures set out in the HMP, 30ha of this SINC would be made stock proof and subject to a managed grazing regime across the semi-improved acid grassland and blanket bog, encouraging a greater diversity of vegetation and biodiversity and allowing for the restoration of degraded bog habitat.
51. The site intersects a small area of the Trebanog Slopes SINC occupied by dense continuous bracken, an agricultural access track and improved grassland. As habitats which would be subject to temporary and permanent land-take have negligible ecological importance, their loss would have no effect on the integrity or conservation status of the SINC. However, to secure a biodiversity net benefit, the HMP seeks to

implement stock proof fencing, bracken control, managed grazing and the introduction of devil's-bit scabious to areas of semi-improved acid and semi-improved grassland within the SINC-designated part of the site, to encourage marsh fritillary butterfly and enable connectivity for this species to the wider landscape, including the adjacent SSSI, and to increase the diversity of habitats and botanical interest within the SINC.

52. It is likely that underground cabling to secure a grid connection would need to cross two other SINCS nearby. Whilst the routes are not finalised, the length of cabling within these SINCS is likely to total around 850m. Although the nature of the effects is not likely to be significant, their specific nature and magnitude would need to be assessed outside of this process and, if necessary, mitigated and compensated for.
53. At least seven species of bat were recorded within the surveyed area. Whilst the behavioural responses of bats to wind farms are not fully understood, the proposal has the potential to affect local bat populations through the loss of habitats used for foraging, commuting or roosting; disruption of flightlines or behavioural alterations due to the presence of turbines, noise or lighting; and increased mortality due to collisions with turbines. Species such as common pipistrelle, noctule and soprano pipistrelle which were detected within the survey area are deemed to have a 'high collision risk'.
54. Embedded measures seek to mitigate adverse effects on bats and other species. Turbines have been located within lower suitability habitats and at least 50m blade-tip stand-off from natural features favoured by bats. The CEMP would seek to minimise construction-stage effects on bats, including by controlling lighting. Habitats that could support reptiles would be avoided where possible, with any removal timed to avoid sensitive periods, hand-searched as necessary, and managed appropriately. During operation, collision and barotrauma risks to bats would be reduced by pitching the blades of turbines out of the wind ('feathering') to reduce rotation speeds below around 2rpm whilst idling, which has been shown to reduce fatality rates by up to 50% compared to normal idling. Having regard to the embedded measures, the effect of the proposal and associated grid connection on the local bat and reptile population is considered to be not significant.
55. Identified developments in the immediate vicinity of the sites are not considered likely to affect spatially discrete or range-limited features present on the site or in proximity. Consequently, there would be no possibility of significant cumulative effects on designated sites and assessed species (other than bats). The primary cumulative effects of multiple wind farms on bat species are considered to be increased collision risk (and hence direct effects on population size) and the possibility of indirect effects on habitat use. However, there is little evidence that local upland areas, including Mynydd y Glyn, provide a significant habitat resource for local bat populations. Wind farms within 10km are therefore unlikely, individually, to have any significant effect on either local bat populations or their usage of the sites. It is therefore considered that cumulative effects on bats would be not significant.

Ornithology

56. The ES is supported by desk-based ornithology assessment and surveys of the site and immediate surrounds. Site-based surveys include those for breeding birds and raptors, non-breeding birds and vantage point surveys, which were carried out at appropriate times during 2020, 2021 and 2022. Further surveys were undertaken between November 2022 and February 2023 which aimed to develop a better understanding of the distribution of golden plover in the wider area.

57. Several bird species are documented within the wider area, with 52 non-breeding species recorded within the site. During the ornithological surveys, goshawk were infrequently recorded and red kite regularly recorded. Other than golden plover, surveys did not record any significant use of the site by overwintering or passage migrants. Between 2020 and 2022 golden plover were regularly disturbed and often observed flying within the site during the non-breeding period (September to March), with a peak flock size of 322 recorded and 31 records of flocks more than one hundred birds. Whilst further surveys in 2022 and 2023 recorded fewer incidences of golden plover within the site, this species is assumed to be a regular, wintering visitor in numbers ranging between 200 and 300 individuals.
58. During the breeding bird assessment undertaken in 2020, 31 species were recorded within the survey area, with 16 species breeding on the open grassland, moorland and adjacent scrub and boundary habitats on the site, and a further 16 species breeding within woodland and adjacent scrub habitats. Several of these breeding species are listed under Section 7 of the Environment (Wales) Act 2016 and/or red-listed in Wales as Birds of Conservation Concern.
59. The risk of red kite, goshawk and golden plover colliding with turbine rotors has been assessed via Collision Risk Modelling (CRM) which firstly estimates an annual collision mortality rate on the assumption that birds do not attempt to avoid collision during a specified time period; and then applies a species-specific avoidance rate to give a more refined estimate of collision risk. Other species recorded on site were considered to have insufficient flight activity levels to produce meaningful CRM results.
60. Based on the observed characteristics of goshawk and red kite, the predicted effect of displacement or disturbance during the operational phase is low and not significant. Estimated collisions for these species during the 30-year period of operation would not significantly affect the regional population. Due to the small numbers of breeding birds using grassland and moorland and the development's relatively small area of land take, impacts of habitat loss on these bird species would not be significant.
61. Golden plover is listed in Annex I of the Birds Directive and is a Section 7 priority species. The species is also red listed in Wales due to a rapid decline in the Welsh breeding population over the past 25 years. On the assumption that golden plover are a regular, wintering visitor in numbers ranging between 200 and 300 individuals, the development could result in their displacement. Using the standard avoidance rate of 98%, the CRM predicts an extremely high number of collisions for this species (up to 345 per annum). However, the behaviour of golden plover does not fit well with CRM models, as wintering flocks fly in random patterns for extended periods. Numbers are also likely to be over-estimated as the assumed site 'occupancy rate' does not take account of seasonal variations.
62. A 2021 study reported only 39 golden plover fatalities in European wind farms. Studies relating to the similar American golden plover also suggest high avoidance rates. Applying CRM avoidance rates of 99% and 99.5% to the 2020/21 and 2021/22 observed counts at the development site reduces anticipated annual collisions to between 96 and 193 birds annually. On the basis that the county, non-breeding population is estimated to be between 2,000 and 2,500 birds, this equates to an annual loss of between 4.3% and 8.6% of this population.
63. The significant variations in bird counts from year to year underscore the highly mobile nature and flexibility of this species, with flocks likely to relocate to find food or suitable

refuge should a favoured location become unsuitable. Between 2019 and 2021, flocks of 120 or more golden plover were recorded at three sites within a 10 km radius of the site, and a further five sites between 12km and 21km. The available data suggests that the wider landscape, including upland sites similar to Mynydd-y-Glyn, support a more widespread population of non-breeding golden plover, with observed increases in the number of wintering golden plover since 2019.

64. Surveys and desk-based assessments show that within 10km of the site are several locations featuring open grassland and pasture habitats of a similar elevation and character to Mynydd y Glyn. A review of these locations confirms that most are not subject to anticipated development, with local policies in place to support their protection. One of these alternative refuges (Cefn and Mynydd Eglwysilan) is the location of the proposed 'Twyn Hywel' windfarm, where similar numbers of non-breeding golden plover have been observed. However, the evidence indicates that alternative refuges near that site would limit displacement effects.
65. Whilst there is pressure in the wider area from windfarm developments, availability of suitable habitat for golden plover is widespread. The distribution and variation of counts at other similar sites also indicate that the wider landscape can continue to support larger flocks of golden plover. The predicted effect of displacement or disturbance during operation of the proposed development is therefore low.
66. Embedded measures seek to mitigate residual adverse effects on all bird species during construction and operation, including, during construction, managing the timing and duration of works to avoid or limit direct conflicts with nesting birds during the breeding season, including pre-works checks and monitoring, according to a CEMP and CMS. During operation, habitat manipulation measures such as subdividing the main area used by golden plover into smaller land parcels, and using rotational grazing to encourage increased sward heights, would discourage the use of the site by this species, with the aim of minimising monitored collisions and encouraging displacement into the wider landscape. A CMMS would also set out measures to limit the number and frequency of monitored collisions for all bird species, with curtailment or feathering having potential to provide a final level of protection for golden plover and other species, alongside measures to limit disturbance during maintenance. Enhancement measures included in the HMP would also benefit bird species which use grassland and moorland to breed.
67. Potential cumulative effects on bird species have been considered having regard to other wind energy developments within 10km of the site. Of the operational or consented schemes, only two report CRM results for a species identified within this assessment (red kite), with low modelled collision rates. When considered cumulatively with the results detailed in the ES, this represents a small proportion of the regional population of red kite, which is currently expanding. Consequently, no significant cumulative effects on bird species are predicted.

Ground conditions

68. The ES is supported by a Phase 1 Geo-environmental desk study, peat surveys and a Coal Mining Risk Assessment. A pre-construction Phase 2 geo-environmental ground investigation would assess soil for potential contaminants and undertake geotechnical testing to inform the selection of designs and materials, including deeper soil testing in areas of suspected made ground such as former landfills or colliery tips, if needed. Groundwater monitoring and sampling would also be carried out if encountered. This

phased approach accords with industry best practice. Any required remediation is likely to be small-scale and could be acceptably discharged via conditions, with the findings of ground investigations and updated environmental risk assessments provided to the LPA and NRW.

69. The study area for contaminated land receptors includes the development site and a 250m buffer area. Likely significant effects on soil receptors include temporary effects during construction activity, and permanent removal of soils for the construction of structures within the site and in the grid connection corridor. Hydrogeological effects resulting from excavations are unlikely but could potentially also lead to dewatering beyond the site.
70. According to the Predictive Agricultural Land Classification Map, the site is not likely to include any 'Best and Most Versatile' land. A conservative assumption has been made that the site accommodates Grade 4 agricultural land.
71. Bedrock is shallow across the site, typically with a thin soil layer present. Several coal seam outcrops are shown beneath the site. Areas of made ground, including spoil from past mining, are expected to be infrequent and limited in scale. The British Geological Survey holds limited relevant borehole data for the site and immediate area. Recorded shallow mining is locally noted beneath a small area of the western part of the site. One historical mine entry is present in the southeast of site, with other suspected entries in the northwest of the site and on the lower slopes beyond the site boundary. It is considered unlikely that surface workings are associated with extensive below ground workings and there are no identified historical mine gas issues.
72. The grid connection corridor is considered to cross a coal seam and a localised area of peat. Borehole records near to its eastern extent indicates topsoil overlying sand, gravel and sandstone. Whilst no potentially significant sources of contamination are identified, small areas of spoil or contamination may exist.
73. Geohazards which could be encountered include unrecorded shallow mining, valley side instability, fissures, weathering of shallow bedrock, and acidic soils from superficial peat or coal deposits. Such constraints necessitate a micro-siting allowance of turbines and infrastructure. In such circumstances, construction work would cease and would only proceed following the LPA's approval of the identified mitigation.
74. Adverse effects of the development during construction and operation include potential compaction of soil; land and groundwater contamination; permanent loss of (or damage to) soil structure and consequent degradation or loss of soil function or long undisturbed soils; erosion of soil and loss of organic matter; degradation or loss of peat and associated functions including carbon storage and habitat; unstable ground conditions; accumulation of mine gas; and consequent impacts on human health. However, these risks would be adequately mitigated by planning conditions, including to secure a CEMP and Materials Management Plan (MMP), alongside non-planning controls and standard operating procedures. Whilst the development would result in the permanent loss of soil from some areas, in the main soils would be only temporarily disturbed. In areas with buried infrastructure, soils would be reinstated or appropriately reused.

Water environment and peat

75. Dewatering of excavations has the potential to lead to a reduction in groundwater levels and subsequent decline in groundwater baseflow to watercourses and springs, water abstractions, and deterioration in the status and condition of water bodies which

support sites of biodiversity importance. Whilst the site is generally not underlain by peat, surveys confirm that there is a localised peat bog near to the summit of Mynydd y Glyn, with peat depths ranging from 2.4m below ground level to a maximum surveyed depth of at least 4.1m. Very deep peat up to 6m in thickness is present within a basin mire around 200m west-southwest of turbine 4 and 75m east of turbine 3, with a smaller possible basin mire around 260m southeast of turbine 3.

76. The underlying bedrock is of Pennant Sandstone formation. The characteristics of this formation, in addition to the site's location at the summit of a steep-sided, exposed hill, and the presence of peat, indicates that the bedrock is poorly drained and thus of relatively low hydraulic conductivity. Although no developments or access tracks are proposed within identified areas of peat, dewatering could lead to drying out and subsequent oxidation of the peat bog, which forms part of a SINC. Consequently, the Environment Agency's '*Assessing the impacts of dewatering on water resources Spreadsheet of Tier 1 analytical tools*' has been used to calculate estimated radii of influence around turbines and cable trenches, based on likely dimensions for these excavations. Although the Environment Agency's tool has been withdrawn, given the site circumstances it remains an appropriate method for assessing potential dewatering impacts.
77. The western extent of the peat bog lies marginally within the identified radius of influence of the excavation. A conceptual hydrogeological and hydrological model confirms that the base of the peat is at a similar level to the base of the turbine 3 excavation. Due to the local topography, run-off entering the turbine 3 excavation during the construction phase would predominantly be from higher topography to the north flowing west, whereas run-off into the peat would drain from the north towards the east. The nearest recorded base flow index is relatively low, suggesting that the catchment is flashy and run-off dominated, and thus that potential groundwater draw-down impacts on the peat bog, resulting from the short term excavation works, would be very low. Moreover, the turbine 3 foundation would cover only 0.13ha of the peat's total catchment area of around 10ha. Any pumped groundwater from the turbine 3 excavation could be returned to the peat overground after solids removal using sheep pens, silt fences or a settlement basin.
78. The Nant Gelliwion/ Waun Castellau SINC and Pen-y-coedcae SINC also lie within the radii of influence for the underground cable excavations. However, the hydrological conceptualisation suggests limited potential for dewatering effects, which in any case would be temporary in nature. The potential to encounter groundwater during excavations is thus limited and likely to be of low sensitivity, perched and in small quantities (BGS (British Geological Survey) borehole ST08NW111, about 700m south of the site, shows standing water at 2.2 m below ground level).
79. As a precautionary approach, embedded measures undertaken as part of a Phase 2 Geo-environmental ground study would ensure no degradation of peat due to short-term dewatering. A dewatering methodology and programme would be subject to approval, and, prior to construction, tests undertaken to confirm the hydraulic conductivity of the bedrock and to monitor groundwater levels and moisture levels in the peat. Micro-siting allowances, secured via a condition, would also ensure that development would remain outside areas of deep peat.
80. There are no private water abstractions within 400m of the site. Spring lines and the closest private abstractions are more than 60m below the base of turbine excavations. Cabling trenches would have a limited depth and footprint. It is consequently unlikely

that short-term dewatering effects would impact on water environment receptors, with insignificant effects on quality. Subject to the imposition of a CEMP via condition, and non-planning control mechanisms, the risk of flooding caused by changes to surface water flows or disturbance to existing watercourses would not be significant, as evidenced by a Flood Consequence Assessment.

81. The design of SuDS would comply with the CIRIA C75 Index Approach to managing water quality, which includes for the treatment of suspended solids and would be confirmed as part of the detailed drainage design in consultation with NRW. Having regard to the very low to medium sensitivity of the aquatic environment receptors, and the potential magnitude of change acting upon them, individual and cumulative effects on the water environment receptors would not be significant.

Traffic and transport

82. Baseline surveys of traffic, highways and public rights of way have been undertaken. Data identifies 1 accident classified as fatal within the past 4.5 years within the study area, approximately 0.5km north of the proposed site access on the A4233.
83. The construction period for the wind farm would last approximately 101 weeks. Many activities would be carried out concurrently to minimise the length of the construction period. Once operational the site would be inspected only once every six months, or if a fault were to occur. Decommissioning works would take between 6 and 12 months. Likely significant effects relate mainly to increases in traffic affecting the local road and PRow networks, and related impacts on severance, delays, amenity and safety.
84. It is estimated that around 8,777 two-way trips would be generated during the construction phase, with peak traffic flows occurring over a 12-week period between months 8 and 10. During this 12-week period around 42 HGV movements (two-way) would occur during a 12-hour weekday. Whilst the modelling indicates a 41.2% increase in HGV traffic on the A4233, this route currently handles negligible numbers of HGVs and, given the temporary nature of the effect, this change would not be significant. No other significant effects, including to the safety of users of this route, are identified.
85. An Outline Construction Traffic Management Plan (CTMP) is appended to the ES (Appendix 12B) and incorporates an Abnormal Indivisible Load (AIL) Access Study. The transportation route assumes that abnormal loads would arrive by sea at the Port of Swansea and would then be transported along Baldwins Crescent and the A483, entering the M4 at junction 42 and exiting at junction 34, following the A4119 to Tonyrefail, and then taking the A4233 to the site entrance. Final AIL arrangements and specifications would need to be agreed following the appointment of a haulier. As part of the Inspectors' request for further information, further analysis including a swept paths for Junction 42 of the M4 confirms that the AILs could be satisfactorily transported to the site.
86. The traffic and transport assessment assumes that 100% of required aggregate would be sourced from one quarry. Securing a final CTMP by condition, in consultation with the relevant highway authorities, would acceptably mitigate residual adverse effects.

Noise

87. An assessment of potential noise impacts has been undertaken for noise-sensitive receptors lying within 10km of the site and grid connection corridor. Baseline surveys of daytime and night-time background noise levels were undertaken at three

monitoring locations. The effect of the development on background noise levels was modelled using a candidate turbine, allowing 2dB uncertainty, in line with best practice, factoring cumulative effects with other schemes were also factored into the modelling. In accordance with ETSU-R-97, receptors were screened out where noise levels from proposed or existing wind turbines was found not to exceed 35 dB $L_{A90,10min}$ in wind speeds up to 10 ms^{-1} at a 10-metre height.

88. Noise and vibration impacts associated with the scheme's construction and operation were then further considered for the remaining 22 potential residential receptors to the site's southeast, southwest, west and north. For the construction period these assessments were undertaken in the context of British Standard 5228-1:2009+A1:2014, having regard to typical activities and noise levels associated with other wind farm projects. For the operational period, effects were assessed in the context of ETSU-R-97, with higher daytime and night-time limits adopted for properties with a financial involvement in the development (receptors 1, 3, 5, 21 and 22). All of these 'financially involved' properties are owner-occupied, except for Cefn Coed Farm (receptor 5), which is a tenanted property owned by the applicant.
89. The separation distances between receptors and turbines would ensure that effects due to vibration would not be significant. No construction activities are likely to exceed 65dB $L_{Aeq,t}$ and thus associated noise effects would not be significant. The small increase in vehicle flows would result in a negligible change in noise levels at residences on the A4233.
90. It is not likely that construction noise from installing underground cabling and overhead lines would result in a significant effect, particularly given its temporary nature. Whilst the overhead line may result in audible noise during wet weather or if detritus were to accumulate on the wire, it is considered unlikely that this would be close enough to existing residential receptors to result in significant effects and there would be options to relocate the line away from receptors if needed.
91. The cumulative noise assessment shows compliance at all receptors during the daytime period apart from receptor 2, where exceedances of between 0.8 to 1.7 dB are predicted at wind speeds between 6 to 8 ms^{-1} , resulting in a potential significant effect. However, as cumulative noise at receptor 2 is dominated by turbine 1, which is downwind of the receptor, during typical conditions directivity effects would reduce the cumulative noise at this receptor. During the night-time, cumulative noise levels would be below the relevant thresholds at all receptors.
92. Embedded measures include construction noise and vibration effects from site works being controlled by CEMP. The modelling demonstrates that residential amenity could be adequately protected by a planning condition securing compliance with ETSU-R-97 limits, using measurements taken at residential receptors once the wind farm is operational. If this monitoring indicates exceedances, reduced power operating modes could be specified for individual turbines to ensure compliance. On this basis, adverse noise effects on residences would be avoided.

Aviation and telecoms

93. The risk of interference with aviation and telecommunications has been assessed via consultation with relevant organisations. The proposed turbines would potentially be visible on the Cardiff Airport radar and degradation of microwave and other electromagnetic signals may also arise during operation. Some problems would need to be resolved once operational effects were fully understood post-construction.

Discussions are ongoing with Cardiff Airport and Arqiva to agree a technical approach to mitigate radar and telecommunication link impacts. These could be secured via conditions, for example as per the radar condition imposed on the Upper Ogmere Wind Farm scheme (Ref: DNS/3213662).

Shadow flicker

94. The modelling assumes a worst-case scenario whereby each property is occupied, windows or doors face the wind turbines with no intervening obstructions, the sun shines throughout daylight hours, and the wind is constant with the rotor always orientated towards the receptor.
95. The assessment identifies potential significant shadow flicker effects at 10 occupied buildings. Applying average annual sunshine hours, all buildings would be likely to experience shadow flicker for no more than 38.3 hours per annum. Mitigation in the form of a control system which automatically shuts down the wind turbine causing the effect would restrict effects to less than 30 minutes per day and/or 30 hours per year at any property. Monitoring of effects would allow for the approach to be adapted, including to unmodelled effects arising from turbine micro-siting. With such measures in place, no significant effects from shadow flicker would arise as a result of the proposal, either individually or cumulatively.

Socio economics

96. Potential direct and indirect renewable energy, climate change and economic effects are summarised earlier in this report. Tourism was estimated to be worth over £179 million to the economy of the County Borough in 2019 and the wider Southeast Wales region draws a number of day visitors. Whilst the turbines would have a visual impact on tourism receptors such as recreational routes and golf courses, previous studies indicate that wind farms do not dissuade most visitors to an area and do not seem to adversely affect local tourism. It is therefore considered that the proposal, individually and cumulatively, would not give rise to any significant effects on local tourism.

Inter-related cumulative effects

97. No common receptors are anticipated to experience more than one significant effect. One receptor, Home Farm (noise receptor 2), may experience significant (landscape and visual) effects and a (noise) effect close to the threshold of significance. However, as this noise effect could be adequately controlled via mitigation, no inter-related cumulative effects would arise.

Other

98. Total tonnages for each material to be used in the development is summarised in Table 4.2 of the ES. Materials are expected to be sourced from quarries and batching plants in the local area. At the end of the 30-year period the materials used in turbines and the substation would be reused or recycled. It is likely that the plant would be reused. The buried distribution cables would be de-energised and cut off below ground level at the ends. Access tracks would remain in situ whilst disturbed areas would be reinstated and revegetated.
99. The CEMP details measures to minimise the likelihood of major accidents or disasters arising from construction of the proposal, for example through pollution prevention, management of waste, and water management measures. As required by the Construction (Design and Management) (CDM) Regulations 2015 a Construction

Phase (Health & Safety) Plan would be prepared for the works by the site contractors, setting out emergency procedures to be followed in the event of such an incident.

RCT CBC's Local Impact Report

100. Key elements of the Council's Local Impact Report (LIR) are summarised below.

Location and climate change benefits

101. Whilst the site lies outside of a PAA, the Council acknowledges the general support given to wind energy developments in FW, provided they meet the criteria in policy 18. The proposed 24.2MW wind farm would help to reduce the Country's overall carbon footprint and contribute to meeting WG's renewable energy targets and would result in a positive impact in this regard.

Landscape and visual impact

102. The submitted LVIA forecasts 'major' and 'significant' adverse impacts on the Mynydd y Glyn and Nant Muchudd Basin SLA, and 'significant' impacts on the neighbouring Llwynceilyn Slopes and Cwm Clydach SLAs. The LPA agrees with this assessment and considers that the turbines would result in significant visual impacts from many surrounding countryside locations and urban settlements, including outside the County Borough. Whilst the proposed overhead line and underground connections would not give rise to any significant effects, overall the proposed development would result in a negative visual impact.

Ecology and Nature Conservation

103. The Council agrees that the proposal would result in a neutral impact on European designated sites, qualifying features of which are sufficiently distant from the application site, and that subject to mitigation and management measures, the potential impacts on the nearby Rhos Tonyrefail SSSI would be 'not significant'.

104. The permanent loss of common and widespread wet heath/acid grassland and grazed semi-improved acid grassland within the Mynydd y Glyn SINC would be limited. The integrity or conservation status of this and the Trebanog Slopes SINC would be maintained, and a net benefit to biodiversity provided, via the compensation and enhancement measures detailed in the outline HMP. However, the detail of mitigation and enhancement measures is critical to achieving an overall neutral/positive ecological impact; further information in relation to this is required, particularly during the construction phase.

Traffic and transport

105. Impacts on the highway during the operational phase of the development are likely to be neutral. Potential negative impacts during the construction and decommissioning phases due to increased usage of local roads, including risk of damage from concentrated HGV arrivals and departures, could be mitigated via conditions.

Neighbour amenity

106. The site is located on high ground with a number of relatively small, often linear settlements in the valleys which bound it. Some of these settlements, and many residential properties within the surrounding countryside, would experience significant visual effects during the operational phase. Whilst the attractiveness of wind turbines is subjective, the erection of seven 155m turbines in such a prominent, undeveloped location is likely to result in generally negative visual impacts on nearby occupants.

107. The modelling demonstrates that shadow flicker could significantly affect 10 receptors with a further 14 experiencing non-significant effects. These effects could be acceptably resolved using standard mitigation measures secured via a condition.
108. Three properties could potentially experience a significant noise effect from the development. However, the exceedance of the relevant guidelines would be in the daytime only. Whilst representing a negative impact on affected residents, the overall noise impact would be neutral.

Cumulative effects

109. The Council considers that the proposal would not result in interrelated adverse cumulative effects on the relevant human population (e.g. in terms of residential amenity and traffic) or on other environmental receptors. However, in terms of cumulative landscape and visual impacts, there are several existing, operational wind turbine developments in relative proximity to the site, and several consented schemes within the County Borough and surrounding counties that are yet to be constructed. There are also at least two other DNS applications nearby at pre-application or validation stage which could potentially come forward. These include Twyn Hywel (fourteen 200m turbines between Pontypridd and Caerphilly) and Mynydd y Gaer (thirteen 180m turbines between Bridgend and Gilfach Goch).
110. The Council notes that the LVIA concludes that cumulative landscape and visual effects would not be significant, due to the distance between schemes and/or the nature of topography, with most settlements and communication routes being on valley floors which tend to contain views. However, whilst not all planned wind energy developments may come forward, the Council considers that the proposed development, in combination with the operational, consented and proposed turbines nearby, would have a negative visual impact in cumulative terms.

Historic environment

111. Subject to mitigation measures, the development would not result in significant effects on most designated or undesignated historic assets. The northern part of the site is, however, located within the Rhondda registered Historic Landscape (HL), registered for its dramatic landscape of upland plateau incised by two narrow, steep-sided river valleys which interact with the layers of human influences, creating a place that is locally distinctive. The Council considers that the erection of any large-scale development in this area will undoubtedly result in a negative impact on the HL, especially given the cumulative impact of existing and proposed wind farms.

Socio-economics

112. The proposal would represent a potential investment in the local economy of £9.6m during the construction phase, with around 41 full time equivalent (FTE) jobs supported. During operation, around 4 FTE jobs would be supported. There is potential for RCT CBC to benefit from the chargeable business rates, redistributed by WG. The overall economic impact would be positive.
113. Whilst open access land would remain accessible, the proposal would affect some existing PRoWs which cross the site, with some requiring permanent amendment, and new permissive routes required across the access road. However subject to the implementation of embedded measures, users would not be significantly impacted. Although there would be visual impacts on some recreational receptors, including long distance footpaths, national cycle routes and golf courses, evidence suggests that

wind turbines do not dissuade visitors, and consequently no significant effects on tourism are envisaged. Effects would be neutral in this regard.

Other matters

114. Neutral effects on Ministry of Defence (MoD) Air Traffic Control, Air Defence or Met Office radar or operations are expected. However, the ES records that the development could affect operations at Cardiff Airport and degrade microwave and other electromagnetic signals. Whilst effects on civilian aviation and localised interference issues could potentially be addressed via agreed technical approaches secured by conditions, in the absence of details this represents a negative impact.
115. Construction activities would be appropriately controlled via a CEMP, secured by condition. Around 7.54ha of soil is expected to be displaced, with a permanent loss of 6.8ha of soil, which is not significant. No land classed as the best and most versatile would be lost to the development. Mitigation measures would ensure the reuse of soil, with low ground pressure machinery used to minimise soil impaction.
116. Measures embedded in the proposal's design would avoid peatlands in accordance with a peat survey and hierarchy. Whilst the underground grid connection corridor has not been surveyed it is anticipated that peat can be avoided through design. Excavation and permanent loss of peat would therefore be avoided with no resulting significant effects.
117. The proposed wind turbines have the potential to alter the nature of runoff from the site. However, with appropriate management and mitigation the impact of this can be reduced to a neutral scenario.

Consultation responses

118. A summary of the key points raised in responses received from statutory consultees follows, including in relation to the further information submitted by the applicant.

Natural Resources Wales

119. Excavations could cause dewatering to occur and cable trenches, roadways and cabling could act as preferential pathways and remove surface water away from current flow paths. However, further information provided by the applicant during the examination, which was discussed at a meeting in November 2023 shortly before the hearings, have clarified the conceptual hydrological model and the proposed approach to managing effects on the water environment. Consequently, we are satisfied that any uncertainties relating to groundwater and dewatering could be addressed via conditions.
120. Predicted collisions on golden plover are large and could have significant consequences for a species which is not found at many sites in Wales. However, the further information provided by the applicant during the examination puts into broader context the results of the CRM in relation to golden plover. In addition to the additional details concerning alternative refuge sites and mitigation measures, the further information provided by the applicant satisfies our previous concerns.
121. Subject to the imposition of appropriate conditions, we are satisfied that the proposal would not result in significant adverse impacts on the Rhos Tonyrefail SSSI, protected species, the BBNP, and flood risk.

Cadw

122. Cadw concurs with the conclusions of the ES that impacts on designated historic assets would be no more than minor, and not significantly adverse. We also agree that the impact on the Rhondda Registered HL would be low, with the impact on Historic Landscape Character Areas (HLCAs) 003 Hafod, 035 Mynydd-y-Glyn and 036 Cilely and Rhiwgarn being moderate but not significant. As there may be undesignated historic assets that could be affected, we would advise consulting the Historic Environment Record if this has not already been done.

Glamorgan-Gwent Archaeological Trust

123. Having regard to the evidence, no objection is raised. The two known undesignated historic assets within the proposed development area, the Hafod at Rhiwgarn (of likely Medieval date) and a Modern trig point and site of a demolished trig point, would not be directly physically impacted by the proposal. There is also low potential for prehistoric, Roman, and Medieval remains to be encountered. Any Post-Medieval buried remains are likely to be of low significance. However, the data derived from the Historic Environment Record is over three years old. As best practice advises that searches should be no more than one year old it would be prudent to update this.

Welsh Government – Transport

124. Having regard to the further information provided during the examination, abnormal indivisible loads (AIL) weights appear to be acceptable for the M4, with sufficient headroom below structures. The swept path analysis of worst-case AILs identifies that traffic signs and lighting columns may need to be removed. Road space would also need to be booked for the transportation of AILs. Such measures could be acceptably dealt with via conditions, including the submission (and agreement with the relevant highway authority) of condition surveys, a scheme to remediate incidental damage, a traffic management plan, details of any supplementary highway works, and a road safety audit. The applicant would also need to enter into a highway agreement under section 278 of the Highways Act 1980 to facilitate agreed improvement works.

Welsh Government – Soil Policy and Agricultural Land Use Planning Unit

125. We have concerns with the application in connection with dewatering associated with turbine 3, and support NRW's views in this regard. Given the sensitivity of peatland bodies and associated hydrology, the micro-siting allowance of 50m for turbines and 100m for other infrastructure is too broad. It has also not been fully demonstrated whether effective site restoration can be achieved post decommissioning. For all disturbed soil areas, whether permanent or temporary, a baseline soil resources and physical characteristics report, and a clear scheme and programme setting out details on the handling, storage, restoration and proposed after-use of soils with the aim of achieving reinstatement to maintain soil function, should be provided prior to determination, and not post-consent.

The Coal Authority

126. Records indicate that there is a recorded mine entry (adit) within the site for which we hold no treatment details. The site is also in an area of shallow coal workings, fissures and coal outcrops, which may have been subject to workings at shallow depth. These features may pose a potential risk to surface stability and public safety. Records also indicate that surface coal resources present on the site.

127. The Coal Mining Risk Assessment concludes that there is a potential risk posed to the development by past coal mining activity and recommends intrusive site investigations to establish the exact situation in respect of the mining features present and any necessary mitigation works. These should be designed and undertaken by competent persons, with prior permission obtained from the Coal Authority Permit and Licensing Team before any activity is undertaken which may disturb coal property. Conditions must be imposed to ensure that these investigatory works, and any measures necessary to ensure the safety and stability of the project, are carried out prior to development commencing in areas identified as being at risk from past coal mining legacy. Amendments are suggested to the geohazards and mining hazards condition proposed at para 1.1.24 of the Ground Conditions Technical Note.

RCT CBC – Highways

128. The traffic generated during construction is not anticipated to have a detrimental impact on the existing highway network. However, a condition is required to address a substandard vision splay to the north of the proposed site access and a permanent reduction in the speed limit, alongside other highways-related conditions. The applicant would also need to enter into a highway agreement under section 278 of the Highways Act 1980 to implement the new junction provision off the A4233 Trebanog Road and works to existing highway to construct (and later remove) over-run areas to accommodate the passage of abnormal loads.

RCT CBC – Countryside

129. There are several PRoWs (footpaths) and an area of open access land within the site. Whilst no objections are raised subject to the imposition of a condition to protect and provide safe rights of way during construction, paragraph 2.25 of Technical Advice Note 8 advises that wind turbines are set back a minimum distance, equivalent to the height of the blade tip, from the edge of any road or other public right of way.

RCT CBC – Ecology

130. In general terms, sufficient mitigation land is provided to achieve the sought ecological balance. Questions remain, however, as to where displaced golden plover would go, and whether the identified impacts would be of significance for the wintering golden plover population present in this part of Wales. This is complicated by separate windfarm applications nearby, with potential in-combination impacts possible.

NATS

131. The proposal does not conflict with NATS' safeguarding criteria and accordingly no objection is raised. This position is based on information supplied at the time of this application and does not indicate the position of other airports or airspace users.

Cardiff Airport

132. The proposal has been examined by the NATS technical safeguarding team which supports Cardiff Airport. Based on their findings the proposal conflicts with our safeguarding criteria. Accordingly, Cardiff Airport objects to this proposal.

Health and Safety Executive

133. The proposed project/development does not fall within the consultation distances of any Major Hazard Installations or Major Accident Hazard Pipelines and no HSE-licenced explosive sites are in the vicinity of the proposed development.

Dŵr Cymru Welsh Water

134. There are no concerns from a water resources perspective, and it appears that no connection to the public sewerage system or potable water network is proposed. No objections are raised.

Wales & West Utilities

135. Wales & West Utilities has pipes in the area which may be affected and at risk during construction works. The applicant would be required to discuss requirements in detail before any works commence on site.

National Grid Gas

136. No National Gas transmission assets would be affected by the proposal.

South Wales Fire and Rescue Service

137. No objection is raised. The need for access and adequate water supplies for firefighting purposes should be considered.

Representations from other interested parties

138. In addition to the representations summarised above, letters of objection were received from Tonyrefail Community Council and six residents or local Councillors during the initial round of consultation. Hearing statements were also submitted by three residents.

139. Key matters raised in these are summarised as follows:

- The proposal is outside the pre-assessed areas and, given the height of both Mynydd y Glyn (a 'Marilyn') and the proposed turbines, would cumulatively cause visibility blight over a wide area, particularly given the 36 turbines already in operation in the Ely valley, industrialising the currently attractive landscape.
- Biodiversity would be seriously affected. The site is designated as a SINCC and the proposal threatens watercourses in the adjacent SSSI. The figures are misleading and ambiguous, including in relation to bird strikes.
- Peat bog would be dewatered and devalued contrary to the National Peatland Action Programme, with consequent release of carbon dioxide, continuing a trend of severe loss of upland peatlands. Watercourses and springs would be affected by the development, including from the significant and impermeable concrete foundations. A considerable amount of topsoil would be lost.
- Coal tips and mine workings, particularly above Trehafod, Britannia and Glynfach, would be destabilised, with risk to human health.
- The set-back distance from communities is insufficient to avoid harmful impacts; fragments of blades could be flung a considerable distance, endangering residents in the valleys below, including in three schools and a supermarket. Turbines malfunction and, in high wind speeds, are so dangerous that not even employees can approach them.
- Properties would experience negative noise, visual and shadow flicker impacts. The turbines would be far closer to dwellings than the minimum 3,000m distance proposed in a private member's bill of the House of Lords.

- The proposal would set a precedent and would facilitate other large-scale wind energy developments on environmentally sensitive land.
- Drainage would be altered, exacerbating flood risk at the valley floor.
- Lights required for aviation would be visible from the BBNP causing light pollution and the turbines would also cause air traffic control issues at Cardiff airport.
- The risk of wildfires would be exacerbated.
- There would be adverse impacts on archaeology and historic assets.
- Local tourism would be affected.
- Preferable alternatives include tidal, hydro, offshore wind, or upgrading the Mynydd Portref wind farm on the western side of the Ely valley.
- The online consultation portal and related information is inaccessible to the public and discriminatory to deprived communities. Consultation with communities has not been sufficient. The process is biased towards the applicant.

Inspectors' Appraisal

140. We consider that the main considerations in this case are:

- a) The effect on the character and appearance of the area, including the historic landscape and visual impact on dwellings;
- b) The effect on ecology, biodiversity and natural resources; and
- c) Whether any harm would be outweighed by the scheme's benefits, particularly in relation to climate change and energy security.

Character and appearance

Landscape character

141. As part of the ES the applicant submitted a Landscape and Visual Impact Assessment (LVIA). This was produced in line with industry standard guidance set out in the 3rd edition of the Guidelines for Landscape and Visual Impact Assessment which is published by the Landscape Institute.
142. Some concern has been expressed that the visual representations provided in the photomontages are inaccurate and misleading. We are satisfied, however, that they are consistent with current guidance and as realistic as existing technology will allow. Moreover, the LVIA is a tool to be used by decision makers in assessing the impact that a proposal might have; it is not decisive in itself. We have visited several of the selected viewpoints (VPs), focussing on those which would be most affected, and other locations in order to ascertain for ourselves the likely impact of the proposal.
143. Landscape and visual effects are assessed separately. Landscape effects are those of change and development in the landscape, and on the elements that make up the landscape and its distinctive character.
144. Mynydd y Glyn is a flat-topped hill with its highest point being at about 377m. It has an elongated form and stands alone and separate from the hills and valleys, ridges and higher ground to the north and west. Its position marks a transition from the characteristic, South Wales valley topography to a more undulating, more sparsely populated and rural landscape to its south and east.

145. Sitting on top of Mynydd y Glyn and including its highest points, the application site itself is open and exposed. It is grazing land with few trees aside from a small area of woodland. With the exception of some lengths of stone wall, the field pattern is not clearly defined and there are no buildings on the site. Running across the site is an overhead electricity line carried on double pole pylons and, in a similar position to where the proposed substation would be, is a weather mast.
146. The most noticeable change to the existing landscape would be the erection of the seven turbines proposed which would each be anchored in a circular base of approximately 20m in diameter at its widest. This part would be at least 3m below ground, however, with a smaller platform of about 5.5m in diameter evident at ground level. Although the substantial foundations of the turbines would not be visible, they would nevertheless constitute a significant and permanent alteration to the physical structure of the landscape. The associated infrastructure to be constructed on the site would include: internal wind farm tracks; laydown and storage areas; underground power cables linking the turbines and the on-site substation; temporary construction compounds and a site office; an on-site substation and a 33kV overhead cable connection from this to the site boundary. These elements would also alter the character of the landscape but would not be as visible as the turbines or as deep seated as the turbine foundations.
147. The modern, precisely engineered and technologically sophisticated turbines would be uncharacteristic of the organic, natural-looking landscape of Mynydd y Glyn which currently contains few man-made structures. Although the turbines would be tall, large-scale and conspicuous structures, they would, however, be dispersed around the site with a considerable distance between each. Other development on site, such as tracks, the substation and, during construction, the two compounds, would be low level, insignificant in the expanse of landscape and thus inconspicuous. Once construction was complete there would rarely be more than two or three maintenance personnel and vehicles on site, and at infrequent intervals only. In our opinion, therefore, the presence of the proposed development would not significantly detract from the open, remote and wild character experienced on Mynydd y Glyn.
148. The LVIA assesses the effect on landscape by the various classifications they fall under including all of the LANDMAP aspect areas, the Bannau Brycheiniog National Park (formerly known as the Brecon Beacons National Park), and the locally designated Special Landscape Areas (SLAs).
149. The proposed development would be within the Mynydd y Glyn and Nant Muchudd Basin SLA which would, the LVIA finds, experience direct effects with the operational turbines being dominant landscape elements across much of the SLA. The LVIA describes how the un-industrialised nature of the existing landscape is a characteristic which would be altered by the scheme. The turbines would also be clearly visible from settlements which have Mynydd y Glyn as a backdrop in views out from them including Porth, Trehafod, Pontypridd, and Llantrisant. The LVIA concludes that the level of effect on this SLA would therefore range from major and significant to none and not significant, an assessment with which we concur.
150. The effect of the proposed wind farm on other landscape designations scoped into the assessment would be indirect. The LVIA predicts significant landscape effects for the Llwynceilyn Slopes and Cwm Clydach SLAs. In both of these the impact could arise from the scale of the turbines dominating the smaller-scale field pattern characteristic of parts of these SLAs.

151. The LVIA's assessment of the landscape effects on the LANDMAP Aspect Areas is consistent with its findings for the SLAs. It is predicted that there would be a major significant to no effect for the Mynydd y Glyn Visual and Sensory Aspect Area (VSAA), and major/moderate to moderate significant to no effect for the Mynydd Gaer, Mynydd Maesteg, and Mynydd Eglwysilon & Mynydd Meio VSAs. In respect of Historic Landscape Aspect Areas (HLAAs), the assessment is that there would be a moderate significant to no effect for the Nant Castellau and Nant Muchudd, and Rhondda Settlement Corridor HLAAs.
152. The potential effects on the Bannau Brycheiniog National Park (BBNP) were fully assessed to ascertain whether there would be any indirect effects on the special qualities (SQs) for which the BBNP is valued and designated. These include sweeping grandeur and outstanding natural beauty; rugged, remote and challenging; sounds, sights, smells and tastes; and peace, tranquillity and dark skies. For all the assessed SQs, although sensitivity is high the magnitude of change would be very low to zero and, consequently, the level of effect would be moderate/minor to none and not significant.

153. We have no reason to disagree with the LVIA's assessment of landscape effects.

Visual effects

154. Visual effects are defined in the LVIA guidance as the effects of change and development on the views available to people and their visual amenity. These include how the surroundings and views of individuals or groups of people may be affected by the change or loss of existing elements of the landscape and/or the introduction of new elements.
155. The LVIA assessed the predicted visual effect of the proposal on nineteen viewpoints, the locations of which were agreed with the Council and other consultees. They are well dispersed around the site at distances from 1.3km to 13.6km to the nearest turbine.
156. The LVIA includes drawings showing the Zones of Theoretical Visibility (ZTV) from where (i) the hub heights, and (ii) the blade tips may be visible. These are based only on the topography of the surrounding area and do not take account of the likelihood of screening and obstruction of views from features such as trees, forestry and buildings. The ZTVs indicate that much of the land within a 5km radius of the site would have views of the hub heights of the proposed turbines. This amount greatly decreases within 10km and again beyond that.
157. At these further distances the scale of the proposed turbines would also be much reduced. The LVIA includes measurements for Field of View (FoV). This is the amount of a view which would be taken up by the proposed development between its outer extremes when measured in degrees. From VP1 at 1.3km distance the FoV would be 37°; from VP19 at 13.6km away the FoV would be just 5°. These measurements provide an indication of how dominant in a view the proposed development would be. The LVIA assessment of VPs indicates that the level of effect would be significant from thirteen (VPs 1-7, 9 & 10, 12 – 15) with the greatest effects being witnessed from VPs 1, 2, 4 and 6.
158. In terms of their visual impact on the landscape, where the turbines were viewed across open and empty vistas they would have the most stark effect. The effect would be increased by the number of turbines and the proportion of each which could be

seen. At VP2, for example, where the towers of two turbines, the rotors of three, and the blade tips of two more would be visible across open farmland, the level of effect is assessed as major and significant. In addition, this VP is on a public footpath where receptors would have a high sensitivity to change. These principles are also illustrated at VP6 where the towers of five and rotors of two turbines would be seen beyond a wide and rolling agricultural landscape, albeit at a slightly greater distance (2.5km) than at VP2 (1.3km). The level of effect at VP6 is also assessed as major and significant.

159. In contrast, from VP8 only the rotors of three turbines and blade tips of a further three would be visible; the turbine towers would be screened from view by topography and forestry. There are also many other man-made features visible in this landscape, including a line of pylons, another windfarm in the distance, and a busy urban scene in the foreground, which would distract from the turbines behind. Accordingly, the assessment for this VP is that there would be a moderate and not significant level of effect.
160. The presence of the urban landscape would also reduce the effect of the proposed development from VPs 5 and 7 even though most of the turbines and a large proportion of several of them would be visible from both locations. When at these VPs in person, as opposed to looking at a photomontage, it is apparent that the noise and movement of vehicles and people would be a further distraction. These VPs are both assessed as having a major/moderate and significant level of effect.
161. Although part of an urban landscape intrudes into the view from VP4 it is to one side of the scene. Steep valley sides screen most of the intervening development from view such that the turbines would mainly be seen across an expanse of open heathland. Most of the towers of four turbines and the full rotors of two would be visible. Above and in apparent proximity to a residential part of Trebanog, the large scale of the turbines would be emphasised by juxtaposition with the modestly sized houses. The LVIA's assessment from this VP is a major and significant level of effect.
162. VPs 10 and 12 are further from the proposed development at 5.6km and 6.8km respectively. At VP10 the distracting properties of urban features are demonstrated whereas the built up valley floors and sides are less apparent and not central to the view from VP11. Both of these VPs are, however, assessed as having a major/moderate and significant level of effect.
163. All in all, our observations on site correspond closely with the assessments of the LVIA as to the visual impact of the proposed turbines.

Cumulative effects

164. As we travelled through the area to carry out site visits we could see existing windfarms in a number of locations. Those at Pant-y-Wal and Fforch Nest to the north west of Gilfach Goch (referred to as Group 2 in the LVIA), and Headwind Taf Ely and Mynydd Portref south west of Tonyrefail (Group 1), would be the closest to the proposed windfarm and are particularly visible from the application site.
165. The LVIA cumulative ZTVs (Figs. 6.21 and 6.22) indicate that there would be a comparatively small area to the south of Gilfach Goch from which the proposed windfarm, the Group 1 and the Group 2 windfarms would all be visible within about 5 to 6km of each other. They would, however, be located roughly at the three angles of an equilateral triangle with no other windfarm development existing or planned or

closely visible in the gaps between the angles. The spaces between the three areas of windfarm development would be extensive and sufficient to prevent the perception of complete enclosure and for there not to be an overwhelming effect on the area.

166. For the full cumulative effect position, including windfarms with planning consent, those which are the subject of a planning application, and those which have a scoping opinion, we have relied on the LVIA drawings and assessment. This shows firstly, the cumulative effect of the proposed development with operational and consented windfarms and secondly, those two categories with the addition of proposed windfarms those in the planning process and with scoping opinions.
167. The assessment indicates a significant level of effect of either a major or major/moderate degree at fifteen of the nineteen VPs. We have no reason to disagree with this assessment.

Visual effect on residential properties

168. The visual effects of the proposed development on residential receptors, who are considered to have a high sensitivity to impacts, are considered throughout the LVIA. A Residential Visual Amenity Assessment (RVAA) has also been carried out as part of the LVIA.
169. It is a widely recognised principle that the view from a dwelling is not a matter for the planning system. Nonetheless, there may be circumstances in which the effect on residential visual amenity is so serious as to become a matter of public interest. The test in such instances, which has emerged from the examination of several windfarm cases in the UK, is whether the proposed turbines would affect the residential visual amenity of dwellings through an overbearing or over dominant effect to such an extent as for them to become unattractive places in which to live.
170. The LVIA is intended to measure the effects of proposed new features on a landscape in an objective manner. Every individual's response to the proposed turbines, however, will be tempered by their sympathy or otherwise with the appearance, effectiveness and other characteristics of wind turbines. In addition the RVAA notes that having a significant view of the proposed development would not necessarily amount to it having an unacceptable effect on visual or residential amenity. This is an important distinction with which we fully concur.
171. The RVAA identified 33 groups of properties within 2km of the proposed turbines with significant visual effects being limited to 22 of these; the visual effect on some would be much greater during the winter when intervening vegetation was bare of leaves. Others would not be significantly affected due to the screening effects of landform and vegetation.
172. Four groups of properties, which would all be within 0.7km of the nearest proposed turbine, would experience a major visual effect. Treferig House and Rackets Cottages would be getting on for 1.5km from the proposed turbines but, due to their elevation, orientation and open views, would also be subject to a major visual effect. For similar reasons Pen Rhiw Gwynt Farm, which would be 1.8km from turbine 2 would also experience a major visual effect. Thirteen further groups of dwellings would experience lesser but still significant visual effects.
173. Where the RVAA revealed that the proposed turbines would have the potential to compromise residential visual amenity to the extent of affecting living conditions, a further stage of assessment was carried out. Five groups of dwellings were taken

through to this stage. It provided detailed descriptions of the properties' layouts, access, and curtilage, the existing available views, and predicted changes to views, culminating with a reasoned conclusion on the effects upon the residential visual amenity of each group.

174. We are confident that the assessments carried out for this final stage include all the residential properties likely to be affected, and that they are thorough and accurate. We therefore agree with the overall conclusion of the RVAA that, mainly as a result of the distances from the nearest proposed turbines, the orientation and layout of dwellings, the presence of partial screening, and the use of the property, the living conditions of their residents would not be adversely affected. No residential properties, therefore, would be affected to the extent that they would become unattractive places in which to live. As there would be no significant impact upon the amenities of neighbouring occupiers, in this respect the proposed development would be consistent with LDP Policy AW 5.

Historic landscape

175. Two of the proposed turbines would be located within the Rhondda Historic Landscape. As one of the largest and best-known mining conurbations, this is a rare and important historic landscape which includes settlement and agricultural remains dating from the prehistoric period onwards. Accordingly, it is listed on the Register of Landscapes of Special Historic Interest (RLSHI) in Wales. PPW states that the register should be taken into account in decision making when considering the implications of developments which meet the criteria for EIA, which is the case here.
176. An Assessment of the Significance of the Impact of Development on Historic Landscape (ASIDOHL– Appendix 7E), which follows the methodology recommended by Cadw, has therefore been carried out by the applicant as part of the ES. Its aim is to provide more detailed information on the likely extent and nature of the effects on the designated historic landscape arising from the construction and operation of the proposed windfarm.
177. The ASIDOHL has considered and evaluated the potential effects on the Historic Landscape Character Areas (HLCAs) within the 5 km study area unless they would have no views of the proposal. The likelihood and type of direct and indirect physical impacts on those areas has been assessed, and there has been a detailed evaluation of possible effects on the character of each of the HLCAs included in the study. The assessment found that as a result of factors such as:
- the limited extent of direct physical impacts;
 - the lack of indirect physical impacts;
 - the distance or lack of visibility of turbines from historic assets; and
 - the presence of modern industrial structures and infrastructure;
- the effects generally would be categorised as only slight or moderate. In addition, there was no reason to believe that the proposed windfarm would affect the management or use of the historic landscape.
178. A higher level of potential impact was identified for the HLCAs containing or closest to the application site but this would not significantly affect the remainder of the Rhondda Historic Landscape. There would also be a degree of physical impact on these HLCAs, but this would be limited and would not affect the ability to read or appreciate

them as a whole. The landscape would retain its coherence, the visual and historic connection between the different HLCAs would remain, and the historic development of the area would continue to be understood.

179. All in all, the findings of the ASIDOHL were that the proposed windfarm would have a slight impact on the character of the historic landscape as a whole which would not fundamentally reduce its overall value. We considered the ASODHOL to be robust and prepared in line with guidance and have no reason to disagree with its conclusions. In its response to consultation on the proposal, Cadw also agreed with the conclusions of the ASIDOHL.
180. The proposed development would thus impact upon sites of architectural and historical merit and sites of archaeological importance. The applicant has demonstrated, however, that the effects would be slight such that the character and appearance of the site would be preserved in line with LDP Policy AW 7. Condition 22, which would not allow development to begin until a written scheme of historic environment mitigation had been approved by the local planning authority, would further safeguard the historic environment.

Conclusion on character and appearance

181. There would be no adverse effect on the setting of National Parks or on AONBs. Neither would there be unacceptable adverse impacts on statutorily protected built heritage assets, or unacceptable adverse visual impacts on nearby communities or individual dwellings. The LVIA, with which we agree, has found that there would be significant effects at major and major/moderate levels at several of the VPs, in terms of both visual impacts and the cumulative effects. This assessment indicates that the scale, form and design of the development would have a harmful effect on the character and appearance of the site and surrounding area, contrary to LDP AW 5.

Ecology, biodiversity and natural resources

182. Policy 9 of FW states that development proposals should take action towards securing the maintenance and enhancement of biodiversity, to provide a net benefit, and to take innovative, nature-based approaches to site planning and design in order to secure the resilience of ecosystems. These objectives are consistent with those of FW policy 18 to avoid unacceptable adverse impacts on ecological interests and to provide a net benefit for biodiversity. These FW policies reflect the section 6 duty of the Environment (Wales) Act 2016 and are supported by section 6 of PPW, as amended in October 2023, which amongst other things provides policy guidance on implementing the section 6 duty and sets out a 'step-wise approach' to securing the maintenance and enhancement of biodiversity and protecting the resilience of ecosystems.

Site selection and reasonable alternatives

183. Section 3.2 of the ES confirms that the ecological value of land was considered at the site selection stage. At the hearings the applicant clarified that this evaluation took account of species records and other environmental information, alongside constraints associated with statutorily designated sites. Whilst the ES does not specify how ecological value was weighted in relation to other factors such as land ownership and proximity to grid connections, it is clear that the baseline ecological condition of land was considered at an early stage, with professional judgment applied with the intention to ensure that, as far as is reasonable for a desk-based evaluation,

significant direct effects on irreplaceable habitats and protected species would be avoided. There is some merit to the applicant's contention, made at the hearings, that this initial 'sieving exercise' bears comparison to that which underpinned the selection of PAAs, as set out in the evidential study entitled '*Assessment of onshore wind and solar energy potential in Wales*' (June 2019).

184. Following identification of the application site, on-site surveys were undertaken, for example to determine the extent of peatland and evaluate the use of the site and key land-based and aquatic habitats by certain species. The ES records how the results of these surveys brought about iterative revisions to the scheme's layout, including changes to the site boundary and the position of turbines and access tracks, with the intention of avoiding direct impacts on certain sensitive site-level habitats and species.
185. The ES confirms that the site contains grassland, scrub and woodland habitats and that much of the site and grid connection corridor are likely to have original soils in situ which may be relatively undisturbed. However, in our view, excluding sites containing such habitats and resources at the site selection stage could, given the potential effects of wind turbines on human and other receptors, unjustifiably rule out the consideration of sites which in other respects may be acceptable, particularly in the light of public benefits which may be wholly exceptional. Whilst several protected species have either been observed within the site or are likely to be present within its various habitats, the mobility of species across site boundaries will inevitably present challenges to identifying direct effects at the initial stage of site selection. Moreover, species exhibit diverse characteristics and vulnerabilities which may be specific to families or genera and may require detailed consideration on a case-by-case basis. With this in mind, and having regard to the evidence, including the evaluation of potential permanent or temporary direct effects on key existing ecological features as set out in tables 8.22 and 9.20 of the ES, we find that reasonable alternatives which would result in lesser harm to protected species and irreplaceable habitats have been adequately discounted via the site selection and scheme design processes.

Minimisation and mitigation

186. A Phase 1 habitat survey was initially completed during April and May 2020. Further field work, including targeted surveys for specific species, habitats and peatland were undertaken later in 2020, 2021 and 2022. These have informed assessments of potential effects during the construction and/or operation phases of the proposed development within the ES, including in relation to the potential buried cable grid connection route outside the application boundary. We are persuaded by the evidence that ecological effects of potential significance would be confined to the Rhos Tonyrefail SSSI, key features associated with five SINC, and certain bat, reptile and bird species identified in the ES.
187. The land-take of turbine foundations, storage areas, crane pads, construction compounds and substation would be modest relative to the site as a whole. Proposed access tracks would partly use an existing network and would be of a length and width appropriate to their required use. These factors would assist in minimising direct permanent or temporary losses of undisturbed soils, or on habitats for which SINC have been designated, which are mainly confined to semi-improved grassland or dense bracken of no local botanical value. Whilst the construction of the grid connection route could directly affect hedgerows, mature trees and scrub woodland, this habitat loss would be limited in scale and temporary in nature, with compensation or enhancement therefore possible. The Rhos Tonyrefail SSSI lies outside the

application site and neither the proposed development nor the associated grid connection route would directly affect this SSSI or indirectly affect species for which it has been designated, such as marsh fritillary butterfly.

188. The proposed development and associated grid connection would not directly affect foraging habitat for bats, sever commuting features or disturb existing bat roosts. Potential effects on bat species during construction and decommissioning phases could be adequately mitigated via the imposition of conditions, including for the approval and implementation of a CEMP. The principal potential adverse effect on bat species, which relates to mortality or barotrauma associated with turbine collisions, would be minimised by the blade tips of turbines being set off a minimum of 50m from woodland and aquatic habitats known to be favoured by bats, and further mitigated via a CMMS to secure the feathering of turbine blades to reduce rotation speeds to around 2rpm or below when idle. Whilst bat fatalities would remain likely, the evidence indicates that the most affected species would be common pipistrelle, which is common and widespread. The separation of the site from other existing, consented or planned wind farms would also ensure that principal commuting and migration routes for bats would not be meaningfully affected.
189. The mortality risk to reptiles would be heightened during the construction period but the limited areas of affected habitat and the application of mitigation measures would ensure that effects on site-based populations would not be significant. Permanent loss of habitats favoured by reptile species would also be limited in extent and a profusion of refugia within the site would further limit adverse effects in this regard.
190. Empirical evidence indicates that wind farms cause negligible disturbance or displacement to raptor species such as red kite. Whilst information is more limited in relation to goshawk, this species is tolerant of commercial forestry activities and has been recorded near to existing wind farms in Wales. Moreover, proposed operational areas are separated from favoured goshawk habitats and identified nest sites by other habitats. Modelling indicates that collisions with turbines during the operational period would not significantly affect the viability of regional populations of goshawk or red kite. Permanent loss of grassland habitat for ground nesting birds such as skylark, meadow pipit reed bunting, linnet and willow warbler would be minimal, and mitigation measures secured via condition would ensure that effects on these species during the construction phase would not be significant.

Golden plover

191. Surveys undertaken in 2020 recorded wintering golden plover on and around the application site in all months during the non-breeding season. A peak flock size of 322 individuals was observed in November 2020, with birds roosting and foraging in grassland and tussock habitats on the plateau near to the summit of Mynydd y Glyn, within 200m of four proposed turbines. In line with advice from RCTCBC and NRW, CRM was undertaken for this species, alongside targeted surveys completed in 2022 and 2023 to gain a greater understanding of behaviours of, and potential effects of the proposed development on, local wintering populations.
192. Applying the standard avoidance rate of 98% recommended in *Avoidance Rates for the onshore SNH Wind Farm Collision Risk Model* (Scottish Natural Heritage, 2018), the CRM predicts 345 turbine collisions per annum for this species. Equating to around 15.3% of the estimated non-breeding county population, this would represent a long-term and significant impact. However, an Ornithology Technical Note submitted

by the applicant in response to our request for further information notes that very few European golden plover fatalities from turbine collisions have been recorded, with studies of the similar American golden plover indicating turbine avoidance rates of higher than 99%. Consequently, the empirical evidence suggests that the standard avoidance rate of 98% is excessively cautionary for this species.

193. Whilst applying a higher avoidance rate of 99.5% still predicts a high number of bird strikes per year, at the hearing the applicant's ornithologist contended that this modelled estimate is likely to considerably overestimate fatalities as observational evidence indicates that golden plover tend to avoid active windfarms. In any case, the outline HMP seeks to reduce collision risk via measures intended to discourage golden plover from using the application site for over-wintering, including rotational grazing of grassland to increase sward height, and sub-dividing areas of favoured habitat into smaller parcels. The CMMS also proposes pre- and post-construction monitoring and identifies potential targeted curtailment or feathering measures which could be implemented were a heightened and significant level of mortalities recorded for this species.
194. We agree that the proposed management and mitigation measures secured via a CMMS and HMP would be necessary to acceptably limit potential effects on golden plover. In doing so, the development would reduce the extent of an existing habitat which currently supports a priority species which is red listed in Wales, and would adversely affect, either individually or cumulatively with existing or future windfarms, connections between similar habitats on nearby mountaintops which may be utilised by golden plover for overwintering. This calls into question whether the proposed mitigation and management measures would be consistent with the objective of PPW to minimise the initial impact of development on biodiversity and ecosystems.
195. We heard at the hearings, however, that the golden plover flocks observed on Mynydd y Glyn are likely to breed in Scandinavia or Russia and are unlikely to derive from the smaller Welsh breeding population for which the species has been red listed. These northern visitors are likely to over-winter in South Wales regularly, but not necessarily annually. Variations in observed flock sizes reinforce that this is a highly mobile species whose susceptibility to human disturbance and weather conditions makes them unlikely to rely on a single refuge for roosting and foraging during the winter.
196. An assessment undertaken by the applicant identifies over 250 hectares of suitable alternative habitats within 10km which could support golden plover displaced from the application site. This evidence confirms that there is a reasonable prospect of these alternative refuges remaining available during the lifetime of the development, not least as their use by wintering golden plover is locally understood, and effects of future developments are likely to be assessed with that in mind. Connectivity between refuge habitats for this species would therefore be retained, with no adverse effects on their conservation status, either individually or cumulatively with other permitted or planned developments.
197. Consequently, as the evidence indicates that the use of the application site by golden plover is intermittent and incidental rather than structural, relates to a local population rather than a site-based population, and that there are sufficient alternative refuge locations to support continued over-wintering within the locality, we concur with the view of NRW that the proposed development would not harmfully affect this species. Whilst the proposed development would reduce suitable habitat for golden plover on the development site, this would be limited to the construction and 30-year operational

period and would be reversible. Moreover, the deterrent measures would be implemented alongside habitat enhancements intended to yield benefits to other species. This is a matter to which we return subsequently.

198. Effects on golden plover during the construction phase could be minimised by scheduling works to avoid the non-breeding season. Subject to this and the implementation of mitigation and management measures via an HMP and CMMS, we conclude that the proposed development would not adversely affect this species.

Water environment, peat and soil

199. The proposed excavation of foundations for turbines and other structures, and reprofiling of land for access tracks in this exposed, elevated location would have potential effects on ground and aquatic resources. Consequently, the ES is supported by technical studies including a Phase 1 geo-environmental desk study, peat depth surveys and a Flood Consequence Assessment. These studies were informed by consultation with statutory bodies and draw on relevant information, for example in relation to agricultural land quality, water abstractions, watercourse flow rates and water quality data, and evaluate potential effects on receptors such as springs, watercourses and water-dependent habitats.
200. Although peat is found superficially across much of the application site, surveys confirm that there are some areas of peat deeper than 0.4m, including one substantive peat bog south of the summit. In response to our request for further information, an addendum to the ES focusing on the water environment refines the conceptual hydrogeological model used to evaluate the nature of bedrock and potential effects of the development on peat, and further justifies some of the assumptions and tools used in the model.
201. BGS-derived data indicates relatively low rates of hydraulic conductivity within the Pennant Sandstone Measures which underlie the application site. The local presence of peat, in addition to the location, elevation and morphology of the peat bog relative to the underlying topography, also point to poorly drained bedrock. As there is no compelling evidence to suggest that the bedrock is fractured, it is reasonable to assume that the peat bog is likely to be fed by surface flows and rainfall rather than groundwater. Despite the Environment Agency's analytical tool having been withdrawn, it therefore remains an appropriate tool for evaluating possible dewatering effects.
202. This analytical tool indicates that dewatering could be experienced within around 24m of the turbine excavations and 2.7m of the cable trenches. Whilst most water-based receptors lie outside these radii, the peat bog would lie marginally within the indicative radius of influence of the turbine 3 excavation. The potential route of the buried cable grid connection would also bisect two SINCS designated in part for aquatic or marsh features. Any dewatering risk would, however, occur only during the construction period, estimated to be between 4 and 6 weeks in each case. Effects associated with cable trenches would also be limited by the shallow depth of the excavations.
203. As confirmed by the applicant's hydrogeologist at the hearings, irrespective of the estimated radius of influence, dewatering of the peat bog is not anticipated as it is unlikely to be aquifer-fed. As the calculated radii of influence represent a 'worst case scenario' used to inform optimal locations for undertaking ground survey work, direct impacts on the peat bog would be avoided. The applicant's further information clarifies that, as a precautionary measure, pre-construction tests carried out at an observation

borehole between the location of turbine 3 and the peat bog would establish the hydraulic behaviour of the bedrock underlying the site. The results of these tests would, if necessary, inform the re-siting of turbines and access tracks further from sensitive features according to a 'micro-siting protocol' to be agreed with RCTCBC in consultation with NRW. Further, any shallow water accumulating within the turbine 3 excavation, whilst not anticipated, could be returned to the peat bog during construction.

204. Subject to the imposition of appropriate conditions to secure further pre-construction surveys, a micro-siting protocol, monitoring and (if required) re-watering of the peat bog during construction, and the implementation of a CEMP and drainage strategy to prevent disruption to groundwater flows, we concur with RCTCBC and NRW that the proposed development would not temporarily or permanently dewater water-sensitive receptors, including peatland. Unacceptable adverse impacts on peat soils would be avoided in this regard, with their ecological value and capacity to act as carbon sinks safeguarded. The proposed mitigation measures would also avoid adversely affecting private water abstractions in the immediate area, and a condition to require the approval and implementation of a water quality monitoring plan would appropriately guard against pollutants entering the water environment during construction.
205. Turning to soils more generally, the site is currently used for sheep grazing on land of relatively poor agricultural value, with more diverse agricultural uses on the lower lying land associated with the future grid connection. The ES assumes that much of the site and grid connection corridor host original and relatively undisturbed soils. The relative sensitivity and typology of soils within the site has been estimated via the Phase 1 geo-environmental and peat delineation surveys, alongside other desk-based research.
206. In line with the recommendations of the Phase 1 geo-environmental study, a proposed condition would secure a Phase 2 geo-environmental ground investigation prior to construction. Amongst other things, this would seek to characterise soil chemistry in parts of the site, with deeper testing carried out where needed to inform the detailed design of the development. Additional conditions to secure the approval and implementation of a CEMP and Materials Management Plan (MMP) would ensure that soils were stored and handled according to best practice during construction, avoiding soil compaction by vehicles and stockpiles, cross-contamination, and loss of organic matter due to erosion and run-off, thereby safeguarding the long-term structure, function and quality of soils. The MMP would also include measures for the re-use of displaced soils within the site where practicable.
207. There has been some criticism that the application relies too heavily on desk-based evidence, and that postponing certain ground-based surveys until immediately prior to construction mean that there remains uncertainty about the development's effects. However, having regard to the circumstances of the case, including the extent of intrusive ground works, in our view the evidence convincingly demonstrates that the development could be implemented without significant loss of irreplaceable natural and ecological resources. Moreover, we consider there to be potential environment benefits in undertaking ground-based surveys concurrently, with the final details of design determined iteratively and potentially adjusted in response to unpredicted constraints which may only come to light during the construction process.
208. Whilst the turbine foundations, crane pads, access tracks, compounds and substation would remain in situ after the operational period, we are satisfied that the development

and associated grid connection has been kept to the minimum footprint required and that, subject to appropriate conditions, there would be no significant long-term loss of agricultural land or soil in terms of quality or extent.

Enhancement and net benefit for biodiversity

209. The outline HMP identifies measures for enhancing habitats within the site, with potential benefits for certain species. Selective clearance of bracken and scrub, planting of devil's-bit scabious, additional fencing and controlled grazing in the west and north of the site are specifically intended to enhance the condition of habitats for marsh fritillary butterfly, securing wider ecological connectivity for this species of conservation concern from the nearby SSSI to the wider landscape. In relation to the peat bog, controlled livestock grazing is proposed to improve botanical diversity in an area dominated by purple moor grass, and a feasibility study is proposed to be carried out to determine whether water levels could be raised to aid restoration. At the hearings it was confirmed that there is a real possibility that these habitat management measures could increase the extent of blanket bog in good condition.
210. It is also proposed to increase the diversity of plant species within existing areas of semi-improved acid grassland and restore areas of wet heath via controlled rotational grazing, new fencing and restored walls. As with the area of blanket bog, these measures are intended to enhance the condition of site-based habitats for which SINCs have been designated. Whilst some of the management measures are expressly intended to deter golden plover, improving the extent and condition of grassland and moorland habitats would be likely to benefit ground nesting birds such as skylark, meadow pipit, reed bunting, linnet and willow warbler.
211. The outline HMP sets out a framework for periodic monitoring to be undertaken prior to and throughout the operational period, including in relation to the diversity, extent and condition of vegetation, water levels and target species. The results of these surveys would, in consultation with a steering group, inform any required refinement and management measures during the operational period.
212. The existing habitats within the site are varied and patently of value to wildlife, and there would be permanent loss of some habitats and resources. Nonetheless, it is clear from the evidence that overgrazing and poor management has led to significant habitat degradation in several parts of the site. The reduction in suitable habitat for wintering golden plover would be reversible in the long-term, and proposed mitigation would avoid adverse effects on the viability of this and other species during the construction and operational periods. Moreover, the golden plover deterrent measures would increase the extent of good quality habitat, benefiting other species.
213. As the proposed enhancement measures would take place within the site boundary there is sufficient certainty that appropriate conditions would secure the intended outcomes during the operational period. Subject to such conditions, we consider that the proposed enhancement measures would promote the adaptation of species and habitats and, on balance, provide a net benefit for biodiversity.

Habitats Regulations Assessment

214. Two designated sites of international importance, the Blackmill Woodlands and Cardiff Beechwoods Special Areas of Conservation (SACs), lie within 10km of the site. There are no identified impact development-related pathways on qualifying interest features

of these SACs. Consequently, the proposed development would not have any likely significant effects on these SACs or the European site network.

Conclusion on ecology, biodiversity and natural resources

215. Subject to appropriate conditions, the proposed development would avoid unacceptable harm to ecological features and natural resources within and near to the site, and would secure a net benefit for biodiversity, in accordance with FW policies 9 and 18 and the ecology, biodiversity and environmental protection objectives of LDP policies AW 6, AW 8 and AW 10.

Other Matters

Noise

216. The matter of noise is covered in detail in the ES and accompanying appendices. The noise assessment was carried out in line with current good practice and industry guidance. This includes *ETSU-R-97 The assessment and rating of noise from wind farms* which, as its title indicates, was prepared specifically to address wind turbine noise and to supplement generic noise guidance.

217. Construction noise and vibration (from piling if required), other construction noise, including from construction traffic and the building of the construction compound, and operational noise were assessed. As decommissioning noise would be less than, or similar to, noise arising during the construction period it was not included in the assessment.

218. The operational noise assessment indicates that, with the single exception of the receptor of Home Farm during the daytime, the guidance-derived noise limits are unlikely to be exceeded at any receptor at any time. The assessment assumed the worst-case scenario. The applicant thus considers that the level of noise predicted at Home Farm, which under prevailing conditions would be upwind of the relevant turbine, is likely to be an overestimate. Further analysis would indicate whether noise levels would still be expected to exceed guidance levels at this receptor. If they were, mitigation such as reducing operating modes would ensure that the limits were not exceeded.

219. Noise levels on and around the site would be controlled by a number of conditions to protect the living conditions of neighbouring occupiers. The approved Construction Environmental Management Plan (CEMP) would set out working hours to ensure that there was no construction noise at times when neighbouring occupiers could expect to enjoy quiet conditions including early mornings, evenings and most of the weekend. Conditions also set out the level of noise emissions from the turbines, combined, which must not be exceeded, and a monitoring regime for the first year of operation to demonstrate compliance with these. As a safeguard, two further conditions outline the process whereby complaints about noise from the turbines would be managed and resolved. A final condition on the matter of noise ensures that, should an alternative model of turbine be selected, it would not be installed unless it was demonstrated to the local planning authority that it would not result in noise levels above those approved.

220. Subject to the recommended conditions being imposed, the noise effects of the proposed development would not have a significant impact upon the amenities of neighbouring occupiers, or result in a risk of unacceptable harm to local amenity. In

this respect it would be consistent with Policies AW 5 and AW 10 of the LDP, and Future Wales Policy 18.

Shadow Flicker

221. Shadow flicker is a phenomenon resulting from the sun shining through the rotating blades of a wind turbine, casting a moving shadow. The flickering effect is caused by the rotating blades casting intermittent shadows through the windows of neighbouring buildings. It occurs when the sun is low on the horizon and at a certain angle to the shadow-casting turbine. It can take place at affected properties for comparatively few hours each year. Although it can create a nuisance for the occupiers of those properties, research has shown that it is not harmful to health.
222. The National Policy Statement for Renewable Energy Infrastructure (EN3) states that research and computer modelling on flicker effects has demonstrated that there is unlikely to be a significant impact at distances greater than ten rotor diameters from a turbine. The shadow flicker study area in this case is therefore based on a distance of 10 times the assumed rotor diameter of 132 m plus a further 50 m to account for the micro-siting allowance. The resulting shadow flicker study area is shown in Figure 15.1 of the ES. Twenty-four residential receptors within the study area were assessed for the potential of shadow flicker effects.
223. The assessment indicated that eleven of the receptors in the study area would not experience any shadow flicker. The remaining thirteen receptors could experience between 11.8 and 119.8 hours of shadow flicker per year. At 442m from the nearest turbine, the most affected dwelling would be that closest to the proposed development. Shadow flicker could occur there on 204 days of the year for an average 35.4 minutes each day which would amount to 119.8 hours in total in the year. This is, however, the worst-case scenario. Average, local, annual sunshine hours have been applied to the model to obtain the likely scenario. In this instance, the most affected dwelling would be likely to experience shadow flicker for no more than 38.3 hours per annum and there would be similar reductions for all other affected receptors.
224. Shadow flicker does not occur unless the turbine blades are rotating. Mitigation therefore takes the form of a control system which would automatically shut down the turbines during the periods when shadow flicker could occur. This would restrict its effects to less than 30 minutes per day and / or 30 hours per year at any property. A condition to this effect would be imposed together with a monitoring programme to ensure the mitigation was effective and to adjust it if and when necessary. In addition, a further condition sets out how complaints about shadow flicker would be addressed. With such measures in place we are confident that shadow flicker arising from the proposed development would not harm the living conditions of occupiers in the surrounding area or local amenity, in line with LDP Policies AW 5 and AW 10, and Future Wales Policy 18.

Safety

225. Concerns were raised about the safety of the proposed turbines and the various dangers which could be presented if they were to topple, if blades were to sheer off, if they were to spin out of control or to catch fire.
226. The safety of a proposed wind farm is an important consideration from its inception and is a facet of its design. It is a statutory requirement that the ES provides

descriptions of the potential risks to human health, cultural heritage or the environment, for example due to accidents or disasters; and of the expected significant adverse effects deriving from the vulnerability of the development to risks of major accidents and disasters, relevant to the project concerned. This information was provided.

227. The design for the proposed windfarm complies with good practice in structural design including compliance with the relevant British and European standards. Expected ground conditions and design loads have been taken into account as well as the effects of climate change.
228. The ES also outlines the safety provisions built into the turbines such as automatic shut down if wind speed exceeds 25m/s. Modern wind turbines are designed to withstand high wind speeds and are normally certified against structural failure for wind speeds up to 150mph. The ES notes that lightning generally has no effect on turbines unless they suffer a direct hit. Turbines are therefore fitted with a lightning protection system as part of their design. Very heavy snow and ice may affect the anemometer or aerodynamics of the turbine blades which would result in temporary automatic shutdown, the turbines would restart themselves when the snow and ice had thawed.
229. The ES also provides information on servicing and emergency works, both of which would be covered by the Construction (Design and Management) Regulations 2015. Turbines would be maintained by a local team of technicians, typically at 6 monthly intervals. High voltage equipment, such as the substation, would also be inspected and maintained every 6 months.
230. In response to consultation, the Fire Authority stated that the applicant should consider the need for the provision of: adequate water supplies on the site for firefighting purposes; and access for emergency firefighting appliances. It did not, however, make any objection to the proposed development.
231. During the hearings our attention was drawn to a decision on a large windfarm to the south of the Heads of the Valleys road between Neath and Aberdare (Pen y Cymoedd) made by the Secretary of State (SoS) for Energy and Climate Change in May 2012. This noted that experience to date was that properly designed and maintained wind turbines were a safe technology with no examples of causing injury to members of the public. A 'freak accident' in Scotland, whereby a turbine caught fire during gales and exploded, was considered by the SoS to be the result of a highly unusual combination of circumstances and not, therefore, a reason to refuse consent to wind farm applications. We fully concur with these conclusions in the context of the application before us here.
232. We are thus satisfied that the safety of the proposed windfarm, and consequently of those involved in its construction and operation as well as those living around it, has been properly considered and taken into account in its design, location and other features. We do not consider that the proposal would present an unacceptable risk to the health and safety of the local community.

Coal workings and disused tips

233. During the hearings we were made aware of maps showing disused coal tips throughout Wales which had recently been published by the Welsh Government. We appreciate that there is, understandably, a high level of sensitivity to this matter and that full and cautious consideration must be given to such information.

234. The maps show that no part of either of the nearest coal tips are within the application site. The excavations for the foundations of the turbines would not, therefore, impinge upon or be immediately adjacent to the tips.
235. The Coal Authority is a statutory consultee in former coal working areas such as this and, as its consultation response records, has a duty to respond to planning applications in order to protect the public and the environment in mining areas. Its responses note that the applicant has submitted a Coal Mining Risk Assessment (dated April 2023) as part of the ES. Drawing on a range of information sources, this assessment concludes that there is a potential risk to the development from past coal mining activity. Consequently, the applicant recommends that intrusive site investigations should be carried out prior to development to determine the nature of any coal mining features present, and to inform the design of mitigation works necessary to allow the development to proceed safely.
236. The Coal Authority concurs with these recommendations and requires that they should be implemented through conditions imposed on any consent. Accordingly condition 32 requires an approved phase 2 geo-technical site investigation, which would be consistent with the information on measures to mitigate the potential effects on ground conditions provided in the ES, to be carried out. Its results, including any land instability issues that are found, and recommendations for detailed design must be approved by the local planning authority, and carried out, prior to development taking place.
237. In addition, condition 33 ensures that, should any unexpected land instability be discovered during the operation of the windfarm, additional measures for their remediation must be approved, implemented and retained.
238. The proposed development would not cause or result in a risk of unacceptable harm to health and local amenity because of contamination; landfill gas; or land instability and would therefore be consistent with LDP Policy AW 10.

Potential effects on Cardiff Airport radar and microwave links

239. Cardiff Airport's initial response to consultation was to object as, following examination of the proposal by NATS, it considered that the proposed development would conflict with safeguarding criteria. NATS is the specialist company providing air traffic control services and technical and operational support to Cardiff Airport.
240. In the light of potential concerns and to ensure that these would be addressed satisfactorily NATS was consequently invited to attend the hearing session dealing with conditions. In response to this invitation NATS clarified that the proposed development had been examined from a technical safeguarding aspect and would not conflict with safeguarding criteria; it did not object to the proposal.
241. As a further safeguard, condition 36 would ensure that no turbines were erected until a scheme for the mitigation of the impact of the wind turbines on the operation of Cardiff Airport primary surveillance radar had been approved by the local planning authority. The development would be required to operate in full accordance with the approved scheme throughout its lifetime. Aviation safety lighting would also be installed on the turbines.
242. The proposed development would, subject to this condition, not have unacceptable impacts on the operations of defence facilities and operations, including aviation and radar, and would thus comply with Future Wales Policy 18.

243. The effect of the proposal on the microwave links crossing the site would be allayed through a condition requiring an appropriate mitigation scheme to be approved prior to the commencement of development and implemented in its construction and operation. The proposed windfarm would not, therefore, have an unacceptable impact on microwave links.

Benefits

244. The proposed windfarm would be expected to generate 24.2MW of electricity annually which would supply the domestic electricity needs of approximately 15,376 average households. The eventual output would depend upon the turbine chosen for the scheme but would not be over 30MW. This would be approximately 14% of the existing households in the Council's area; the 2021 Census records 103,300 households here.

245. There would also be benefits to the local and national economy from the creation of new jobs during construction and operation, and from expenditure on materials, components and services in connection with the construction, operation and maintenance of the proposed windfarm. These are quantified in Chapter 16 of the ES.

246. The applicant has also submitted a Project Benefits Statement which sets out the broad details of the Community Benefit Fund which would be established to ensure that the local community shares some of the financial benefits of the proposed wind farm. This would amount to a sum of £150,000 a year, £4.5 million over the lifetime of the project, which is intended to be spent mainly in the communities of Trebanog, Tonyrefail, Trehafod and Porth. It would be distributed to local groups in the form of grants of between £100 and £50,000 following an application or bidding process.

247. WG has a target for renewable energy projects to have an element of local ownership. Local ownership is defined as 'energy installations, located in Wales, which are owned by one or more individuals or organisations wholly owned and based in Wales, or organisations whose principal headquarters are located in Wales.' The applicant is part of a Wales-based company which maintains control of all its wind farms from project inception to operation; the focus of the parent company is on delivering new energy development in Wales. The proposed development would therefore be locally owned in the terms of the definition and would contribute significantly towards Future Wales' targets of new renewable energy projects having at least an element of local ownership from 2020.

Conditions

248. Should the Minister be minded to grant planning permission, the conditions set out in Appendix A comply with the advice in Circular 16/14, 'The Use of Planning Conditions for Development Management' and are recommended. The conditions in Appendix A have been agreed by the applicant and RCTCBC.

Planning Balance and Overall Conclusion

249. The proposed development would cause harm to the area's landscape character and to visual receptors, conflicting with relevant policies of the LDP. The most significant impacts would arise from the visual impacts on a number of VPs, which represent the various types of urban and rural settings around the proposal, and the cumulative effects. Whilst these effects would not prevail beyond the decommissioning of the scheme, they would nonetheless be experienced for a significant amount of time.

250. The scheme's impacts on ecology, biodiversity and natural resources would be acceptable in all respects, subject to controls secured by the recommended planning conditions. These conditions would result in the restoration and enhancement of existing ecological and natural resources and would assist in securing a net benefit for biodiversity. Having regard to the likely time period over which these biodiversity enhancements would be in place following implementation, this is a valuable benefit.
251. The principal benefit of the scheme would be in securing renewable energy production and the consequent reduction in CO₂ emissions. The generation of sufficient electricity to provide for the needs of about 15,000 homes for every year of its lifetime is a considerable contribution including to WG renewable energy targets. Future Wales requires us to give significant weight to this benefit.
252. Local economic benefits such as new jobs are largely incidental to the scheme and therefore attract only limited weight. The proposal's effects in relation to residential amenity, traffic and highway safety, historic assets, hazards and risks, flooding, drainage and watercourses, agriculture and soil, materials and waste would be neutral and weigh neither for nor against the scheme. Whilst the Community Benefit Fund would no doubt be welcomed, it has not been shown to be necessary in accordance with the tests set out in Circular 13/97 'Planning Obligations'. In coming to our recommendation, we have consequently afforded this no weight.
253. WG's strong support for the principle of developing renewable and low carbon energy from all technologies and at all scales is implemented through Future Wales Policies 17 and 18. In the light of the significant weight that Policy 17 attributes to climate change and energy security benefits, we consider that the harm caused by the proposal to landscape character and visual receptors would be justified and not unacceptable. Consequently, the proposal would accord with Policy 18 which permits DNS proposals for renewable and low carbon energy projects subject to Policy 17 and that, outside of the pre-assessed areas for wind developments, the proposal would not have an unacceptable adverse impact on the surrounding landscape particularly on the setting of National Parks. We therefore conclude that the proposal would accord with the development plan as a whole.

Recommendation

254. That planning permission be granted, subject to the conditions attached at Appendix A.
255. In reaching this recommendation we have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. We consider that this recommendation accords with the Act's sustainable development principle, in particular through its contribution towards the Welsh Ministers' well-being objectives to embed our response to the climate and nature emergency in everything we do, and to build a stronger, greener economy as we make maximum progress towards decarbonisation.

Siân Worden

INSPECTOR

Paul Selby

INSPECTOR

Appendix A: Schedule of recommended planning conditions

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

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

- 2) The Development shall be carried out, and the details set out in the following conditions shall be executed, in accordance with the following plans and documents:

- Location Map – 42864-WOOD-XX-XX-FG-J-0011_S0_P01.1 (August 2022)
- Environmental Statement and Appendices (Volumes 1-4) (WSP UK Ltd, April 2023)

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

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

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

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

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

Reason: To ensure the impacts of the development exist only for the lifetime of the development, in accordance Policies CS 1, CS 2, AW 5, AW 6, AW 7, AW 8, AW 10, AW 12, AW 14 and SSA 23 of the Rhondda Cynon Taf Local Development Plan, Policies 17 and 18 of Future Wales: The National Plan 2040 and the relevant guidance set out in Planning Policy Wales.

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

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

- 6) All electricity and control cables within the site, with the exception of the 33kV grid connection, shall be laid underground and alongside tracks which are constructed on the site as part of the development.

Reason: To minimise the environmental and visual impacts of the development, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: In the interests of visual amenity and to ensure the turbines are not obsolete, produce electricity whilst in-situ and are removed from the site if they cease to function, in accordance with Policies AW 5, AW 6, AW 7, AW 12 and SSA 23 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: In the interests of highway safety and to ensure mud and debris are not tracked onto the highway in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 9) Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) consistent with the ES Appendix 12B Outline Construction Traffic Management Plan by WSP UK Ltd dated April 2023 shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall contain (but be not limited to) the following information:

- a. Introduction - background; number of turbines; scope of CTMP.

- b. Context - relevant policy framework; legislative context and relevant studies relating to TMP proposals; other proposed wind farm developments that may be using a similar access routes where information is available.
- c. Description of Route - Detailed description of the access route and any proposed route restrictions.
- d. General Construction Traffic - details of all non-abnormal loads forecast to travel to and from the site; route choice or different types of load throughout the construction programme; anticipated times of movement through traffic sensitive and/or residential areas.
- e. Public Awareness - proposals for consultation with and notification to the travelling public and local communities.

The CTMP shall be implemented as approved.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 10) Prior to the commencement of any abnormal load deliveries to the site an Abnormal Load Transport Management Plan (ALTMP) to specifically deal with the delivery of the turbine components consistent with ES Appendix 12A Abnormal Indivisible Load (AIL) Access Study by WSP UK Ltd dated April 2023 shall be submitted to and approved in writing by the Local Planning Authority. The ALTMP shall contain (but not limited to) the following information:
- a. Description of Route - Detailed description of the access route from the port of entry to the site, identifying road types and characteristics; information on other relevant, proposed developments such as other wind farms where this is readily available; plans showing the extent of the route;
 - b. Convoy Size - number and sizes/details of loads; possible convoy composition including private and police escorts (to be agreed with the police)
 - c. Traffic Management - to include methodology for moving convoys whilst minimising delay to other traffic; detailed design and location of holding / overrun areas, including passing places and overnight/longer term layover areas; plans showing points where the police may need to hold other traffic to enable the convoys to pass, such as at junctions or bends; contingency plans in the event of incidents or emergencies.
 - d. Delivery Times - estimated journey durations based on assumed convoy speeds, including timings for traffic sensitive locations, delays to negotiate constraints and assumed arrival/departure times at residential communities; forecast queues of other traffic in both directions along the route, based on background traffic flow data; consideration of turbine deliveries to other wind farms proposing to use similar routes.
 - e. Trial Runs - documented trial run information, mimicking the movement of the longest and widest anticipated loads, witnessed/observed by the relevant highway authorities and police and recorded with full video coverage.
 - f. Consultees for TMP - list to include all affected highway authorities and police forces.

The ALTMP shall be implemented as approved.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

11) No turbine components shall be delivered to site until:

- a. an assessment of the capacity and impact on those structures identified by WG as requiring assessment along those parts of the highway network which shall be utilised during the construction of the development including bridges, culverts, retaining walls, embankments, and
- b. details of any improvement works required to such structures as a result of construction of the development

have been submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The required improvement works identified in the assessment shall be completed prior to the commencement of any Abnormal Indivisible Load (AIL) deliveries to the development site.

Reason: In the interests of highway safety and to ensure safe and satisfactory delivery of all components in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

12) Condition surveys of all highway features along those parts of the highway network which shall be utilised during the construction of the development shall be undertaken prior to, during and on completion of the construction phase of the development. Within 28 days of the surveys being undertaken, the survey reports shall be submitted to the local planning authority for approval in consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate).

Reason: In the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

13) Prior to the first delivery of any turbine components, a scheme to provide for the remediation of any incidental damage directly attributable to the development to the parts of the highway network which will be utilised during the construction of the development including street furniture, structures, highway verge and carriageway surfaces shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The scheme shall be implemented as approved throughout the construction phase of the development.

Reason: In the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

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

The development shall be carried out in accordance with the approved scheme.

Reason: In the interest of public safety in accordance with Policy AW 7 of the Rhondda Cynon Taf Local Development Plan.

- 15) No development shall commence until a site wide final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The final CEMP shall provide details of, but not be limited to:
- a. Soil Management: details of topsoil strip, storage, and amelioration for re-use.
 - b. Construction methods: details of materials, how waste generated will be managed.
 - c. General Site Management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - d. General working practices (as set out within Appendix D of the outline CEMP) to include construction working hours.
 - e. CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
 - f. Control of Nuisances: details of dust control measures and measures to control light spill.
 - g. Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
 - h. Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
 - i. Traffic Management: details of site deliveries, plant on site, wheel wash facilities.
 - j. Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
 - k. Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
 - l. Constructional Noise Management Plan.
 - m. Details of location of temporary storage compounds.

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

Biodiversity Management: Prior to and during site clearance of woodland or hedgerows, checks (e.g. fingertip search) of potentially suitable habitat for dormouse shall be undertaken.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to works commencing on site and are implemented for the protection of species and the environment during construction; and to protect the water environment and minimise environmental impact in the vicinity of the application site and in the interests of biodiversity, in accordance with Policies AW 5, AW 6, AW 8, and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policies 17 and 18 of Future Wales: The National Plan 2040.

- 16) No development shall commence until a final Habitat Management Plan (HMP) for the operational phase of the wind farm has been submitted to and approved in writing by the Local Planning Authority. The HMP should be consistent with Environmental Statement and Appendices (WSP UK Ltd April 2023) and include ground restoration details. The HMP shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity, in accordance Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

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

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

All construction activities shall be implemented in accordance with the approved details and timing of the Plan.

Reason: In the interests of biodiversity, in accordance Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

- 18) No development, including site clearance, shall commence until all pre-construction surveys have been carried out in accordance with section 3.1 of the Collision Monitoring and Mitigation Strategy by WSP, dated April 2023. The results of the survey(s) together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of species listed under Section 7 of the Environment Act (Wales) 2016 as well as those listed on the Red List (Birds of Conservation Concern Wales) is confirmed prior to construction and where necessary remedial measures are implemented for their protection in accordance with Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

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

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

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

- Details and frequency of the monitoring methods.
- Details of triggers for specific action and any necessary contingency actions, for example the need to stop work.

The water quality monitoring plan shall be carried out in accordance with the approved details during the site preparation and construction phases of the development.

Reason: To protect water quality and ensure protection of the natural environment during construction and to ensure the protection of habitats and species in

accordance with Policies AW 8 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

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

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

- 22) No development shall commence until a written scheme of historic environment mitigation has been submitted to and approved by the Local Planning Authority. Thereafter, the programme of work shall be carried out in accordance with the requirements and standards of the written scheme

Reason: To identify and record any features of archaeological interest discovered during the works and in order to mitigate the impact of the works on the archaeological resource, in accordance with Policy AW 7 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 23) At the reasonable request of the Local Planning Authority, following a validated complaint to it about shadow flicker from any wind turbine, the operator of the wind turbine shall, if required, shut down the turbine and at its own expense, employ a consultant approved by the Local Planning Authority to measure, assess and report to the Local Planning Authority the level of shadow flicker generated by the operation of the wind turbine at the property to which the complaint relates in a scheme to first be agreed with the Local Planning Authority. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority. If the assessment requested by the Local Planning Authority demonstrates unacceptable levels of shadow flicker, the operator of the turbine shall take immediate steps to provide mitigation to ensure that the impacts are reduced to an acceptable level. The operator shall provide written confirmation of that scheme of mitigation and a timescale for its implementation, to the Local Planning Authority within a time period to first be agreed with the Local Planning Authority.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 26) If the assessment (referred to in condition 25) requested by the Local Planning Authority demonstrates that the specified level is being exceeded, the operator of the turbine shall take immediate steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified noise limit. The operator shall provide written confirmation of that reduction to the Local Planning Authority within a time period to be agreed with the Local Planning Authority. In the event that it is not possible to achieve the specified noise limit with mitigation within a reasonable time period, then the operation of the turbine shall cease. The measurement time period shall be based on BWEA blade length calculation (para 3.4(1) $t=4*D$ seconds) where t = measurement time period in seconds (subject to a minimum period of 10 second) D = rotor diameter in metres.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

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

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 28) Notwithstanding the provisions of conditions 24 – 27, the wind farm operator shall undertake measurements of noise levels using an appropriately qualified noise consultant during the first year of the operation of the wind turbines in a scheme to first be agreed with the Local Planning Authority to demonstrate that compliance with the noise levels in Condition 24 are being met. The data produced in accordance with the scheme shall be forwarded to the Local Planning Authority within 28 days of the measurements being undertaken.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 29) Wind speed, wind direction and power generation data for the wind turbines shall be continuously logged by the wind farm operator and provided to the Local Planning Authority at its request and in accordance with the relevant guidance in ETSU-R-97 and Chapter 13 of the Environmental Statement within 28 days of any such request. This data shall be retained for a period of not less than 24 months.

Reason: To protect the amenities of local residents in accordance with Policies AW 5 and AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 18 of Future Wales: The National Plan 2040.

- 30) No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.
- a. A site investigation scheme, based on the preliminary risk assessment/desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - c. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the prevention of pollution including pollution to groundwater by contamination mobilised by the proposed development in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

- 31) Prior to the beneficial operation of the development a verification plan (Condition 30) demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the prevention of pollution including to groundwater by contamination mobilised by the proposed development in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

- 32) Turbine Construction shall not take place until a phase 2 geo-technical site investigation consistent with the description provided in ES Chapter 11 Table 11.7 has been carried out in accordance with a methodology first submitted to and approved in writing by the local planning authority and which shall include the

geographical scope of the site investigation. The results of the site investigation including results from the monitoring of borehole(s) (as described in the 'Water Environment Addendum' to Chapter 10 of the Environmental Statement) and recommendations for detailed design shall be submitted to the local planning authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the local planning authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interests of health and safety and to ensure the development protects groundwater and does not cause or exacerbate any land stability issues on the site or wider area, in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

- 33) If during the operation of the development, any unexpected land instability and/or ground gas issues are found within the geographical scope of the site investigation which were not identified in the site investigation referred to in Condition 32, additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures which shall be retained for the lifetime of the development.

Reason: In the interests of the health and safety and to ensure the development does not cause or exacerbate any land stability issues on the site or wider area, in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

- 34) No development shall take place until a soil survey of the Proposed Development site has been undertaken in accordance with a scheme first submitted to and agreed in writing by the Local Planning Authority. The scheme will confirm the physical characteristics of soil within areas of the Proposed Development site where infrastructure siting is proposed or soil disturbance will be needed. The results of the soil survey will be used to inform the scope of a soil management plan which may include a soil resources plan. The scope of the plan(s) will be first agreed with the Local Planning Authority but will include:

- a programme for soil stripping;
- the volume and type of soils to be affected;
- soil handling techniques;
- the size, location timescale and management of soil stockpiles;
- the proposals for after-use and restoration including a programme for aftercare.

The plan(s) will be approved by the Local Planning Authority and their recommendations implemented.

Reason: To ensure the appropriate conservation of soil and prevent unacceptable impacts upon it, in accordance with Policies AW 8 and AW 12 of the Rhondda Cynon Taf Local Development Plan and Policy 17 of Future Wales: The National Plan 2040.

- 35) Prior to the commencement of development a scheme for the mitigation of effects upon the microwave links which cross the site shall be submitted to and approved by the local planning authority. The scheme, which may include for the micro-siting of turbines beyond the relevant Safeguard Zone(s), must also be consistent with the micro-siting protocol required under Condition 37. The mitigation identified within the approved scheme shall be implemented prior to the beneficial use of the development and retained for the lifetime of the development.

Reason: To protect existing telecommunication links in accordance with Policy AW 2 of the Rhondda Cynon Taf Local Plan and Policy 18 of Future Wales: The National Plan 2040.

- 36) No turbines shall be erected until a scheme for the mitigation of impact of the wind turbines on the operation of Cardiff Airport primary surveillance radar (the “radar mitigation scheme”) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated fully in accordance with the approved radar mitigation scheme throughout the operational life of the development.

Reason: To ensure no unacceptable impacts on radar operations in accordance with Policy 18 of Future Wales.

- 37) No development, including vegetation clearance, shall commence until a micro-siting protocol has been submitted to and approved in writing by the local planning authority, in consultation with NRW. The protocol shall also accord with the joint agency guidance on ‘Bats and Onshore Wind Turbines – Survey, Assessment and Mitigation’ (Nature Scot et al, August 2021) and in particular paragraph 7.1.2 thereof. The protocol shall set out a methodology for deciding on micro-siting of all elements of the development hereby approved to minimise the impact of the development. The protocol shall provide for the detailed layout of the turbines to be submitted to and approved in writing by the local planning authority subject to all turbines being located within 50m of the locations shown on the approved plans and internal wind farm tracks and other infrastructure within 100m. Micro-sited turbines should not be located within 50m of a watercourse or an area of peat (as defined in ES Figure 10.8) or within toppling distance of a public right of way.

Reason: To ensure siting details are agreed prior to installation in the interests of protected species (bats) and existing environmental resources/habitats and in accordance with Policy AW 8 of the Rhondda Cynon Taf Local Development Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

- 38) Prior to the beneficial operation of the development details of a final Collision Monitoring and Mitigation Strategy for birds and bats consistent with the Collision Monitoring and Mitigation Strategy April 2023 (WSP UK Ltd) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include but be not limited to:

- Details of timescales for monitoring.
- Details of reactive management measures and adaptation of habitat management action to discourage Golden Plover.
- Details of threshold triggers to enact additional management measures.

The final Collision Monitoring and Mitigation Strategy shall be implemented in accordance with the approved details, timescales, and triggers.

Ref: DNS/3280378

Reason: To afford appropriate protection to bird and bat species in accordance with Policies AW 8 of the Rhondda Cynon Taf Local Development Plan and Plan and Policies 9, 17 and 18 of Future Wales: The National Plan 2040.

Appendix B: Appearances

Hearing 1: Character and appearance of the area

FOR THE APPLICANT:

Paul Maile	Solicitor, Eversheds LLP
David Kenyon	Technical Director, WSP
Neil Furber	Landscape Consultant, WSP
Jacob Hall	Senior Environmental Consultant, TSP
Stephen Jefferson	Senior Solicitor, Eversheds LLP

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Farley	Team Leader, Planning Applications
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FOR CADW:

Neil Maylan	Senior Historic Environment Planning Officer
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INTERESTED PERSONS:

Byron Williams	Local resident
Mike Sibley	Local resident
Kim Allen	Local resident
Lynne Forsyth	Local resident
Cllr Glenn Evans	Tonyrefail and District Community Council
Jane Birch	Local resident

Hearing 2: Ecology, soil and groundwater

FOR THE APPLICANT:

Paul Maile	Solicitor, Eversheds LLP
David Kenyon	Technical Director, WSP

Ben Fretwell	Hydrogeologist, WSP
Christopher Hill	Ecology Team, WSP
Michael Shackshaft	Ornithology Team, WSP
Jacob Hall	Senior Environmental Consultant, TSP
Stephen Jefferson	Senior Solicitor, Eversheds LLP

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Farley	Team Leader, Planning Applications
Richard Wistow	Ecologist

FOR NATURAL RESOURCES WALES:

Gail Parkhouse	Development Advisor
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INTERESTED PERSONS:

Mike Sibley	Local resident
Lynne Forsyth	Local resident
Robert Bevan	Local resident
Cllr Glenn Evans	Tonyrefail and District Community Council
Cllr Danny Grehan	Ward Councillor, Tonyrefail East

Hearing 3: Planning conditions and mitigation measures

FOR THE APPLICANT:

Paul Maile	Solicitor, Eversheds LLP
David Kenyon	Technical Director, WSP
Jacob Hall	Senior Environmental Consultant, TSP
Stephen Jefferson	Senior Solicitor, Eversheds LLP

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Farley	Team Leader, Planning Applications
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Richard Wistow	Ecologist
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FOR NATURAL RESOURCES WALES:

Gail Parkhouse	Development Advisor
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INTERESTED PERSONS:

Byron Williams	Local resident
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Mike Sibley	Local resident
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Kim Allen	Local resident
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Lynne Forsyth	Local resident
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Cllr Glenn Evans	Tonyrefail and District Community Council
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Jane Birch	Local resident
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Martin Hutchinson	Local resident
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Appendix C: Document List

(Note: Superseded documents are shown struck-through)

Submission documents (May 2023)

PEDW ref	Document name
APP - 001	DNS Notification Form and Acceptance
APP - 002	DNS Application Form
APP - 003	Design and Access Statement
APP - 004	Planning Statement
APP - 005	(Pre-application) Consultation Report
APP - 006	Collision Monitoring and Mitigation Strategy
APP - 007	Outline Construction Environmental Management Plan
APP - 008	Project Benefits Statement
ES - 001	Environmental Statement – Volume 1: Non-Technical Summary
ES - 002	Environmental Statement – Volume 2: Chapters 1 to 17
ES – 003 to ES – 012	Environmental Statement – Volume 3 to 3.9: Appendices (Technical reports, etc)
ES – 013 to ES – 033	Environmental Statement – Volume 4 to 4.16: Figures

Representations (May and June 2023)

PEDW ref	Document name
REPS 001	National Grid (Gas) (No 1)
REPS 002	Health and Safety Executive
REPS 003	Glamorgan-Gwent Archaeological Trust
REPS 004	Dŵr Cymru Welsh Water
REPS 005	The Coal Authority
REPS 006	NATS
REPS 007	National Grid (Gas) (No 2)
REPS 008	Cadw
REPS 009	WG – Transport
REPS 010	Phil Thomas (No 1)
REPS 011	Wales & West Utilities
REPS 012	RCT CBC – Highways

REPS 013	Lynne Forsyth
REPS 014	Michael Sibley
REPS 015	Phil Thomas (No 2)
REPS 016	Byron Williams (No 1)
REPS 017	Cardiff Airport
REPS 018	Natural Resources Wales
REPS 019	WG – Soil Policy & Agricultural Land Use Planning Unit
REPS 020	Kim Allen
REPS 021	RCT CBC – Countryside
REPS 022	Byron Williams (No 2)
REPS 023	Robert Bevan (No 1)
REPS 024	RCT CBC – Flood, Water and Tip Risk Management
REPS 025	South Wales Fire and Rescue Service
REPS 026	Robert Bevan (No 2)
REPS 027	Byron Williams (No 3)
REPS 028	Tonyrefail and District Community Council

Further information from the applicant (September 2023)

PEDW ref	Document name
EXINFO	Regulation 15(2) cover letter, dated 6 September 2023
EXINFO	ES Chapter 10 Water Environment Addendum
EXINFO	Technical note: Mynydd-y-Glyn: PEDW request for further information - Ground Conditions
EXINFO	Technical note: Mynydd-y-Glyn – Ornithology – Formal Request for Information Response

Representations (October 2023)

PEDW ref	Document name
REPS2 001	The Coal Authority
REPS2 002	South Wales Fire and Rescue
REPS2 003	WG – Transport
REPS2 004	Cadw
REPS2 005	RCT CBC – Ecology
REPS2 006	Natural Resources Wales

REPS2 007 WG – Soil Policy & Agricultural Land Use Planning Unit

Hearing Statements (November 2023)

PEDW ref	Document name
HEARSTAT	Byron Williams
HEARSTAT	Byron Williams 2 and 2a
HEARSTAT	Byron Williams Hearing 3
HEARSTAT	Lynne Forsyth
HEARSTAT	Michael Sibley
HEARSTAT	WG – Transport
HEARSTAT	Pennant Walters Hearing 1 Statement and Appendices
HEARSTAT	Pennant Walters Hearing 2 Peat and Soils
HEARSTAT	Pennant Walters Hearing 3 Terrestrial Ecology and Ornithology

Statements of Common Ground (SoCGs) (November 2023)

PEDW ref	Document name
SOCG	Suggested Planning Conditions (draft, 8 November 2023)
SOCG	SoCG between the Applicant and NRW (draft, 8 November 2023)
SOCG	SoCG between Applicant and RCTCBC
SOCG	SoCG between the Applicant and NRW (final, 21 November 2023)
SOCG	Suggested Planning Conditions (final, 27 November 2023)

Documents submitted during the hearings

Document name
Map of Special Landscape areas and Rhondda Historic Landscape Area (from applicant)
Information on coal tips and associated maps (from Byron Williams)
Coal tip maps (from RCTCBC)
Coal tip map/categories and application site layout and boundary (from applicant)