

5 PLANNING POLICY

5.1 INTRODUCTION

- 5.1.1. **Chapter 5** sets out the key planning and renewable energy policies and other material considerations applicable to the Project, which have informed the siting and design process.
- 5.1.2. Each technical chapter (**Chapters 6 – 11**) of this Environmental Statement provides a summary of the key legislation relevant to the specific environmental assessment. The Planning Statement also considers the Project in the context of the relevant planning and renewable energy policies.

5.2 PLANNING POLICY CONTEXT

- 5.2.1. In terms of policy, legislation and guidance, the following International, UK and Welsh energy legislation, policy, and strategies have been taken into consideration:
- International Agreements
 - Paris Agreement 2015; and
 - Glasgow Climate Pact 2021.
 - UK energy and legislation and policy
 - Climate Change Act 2008 (as amended);
 - Energy Act (2008, 2011, 2013, 2016);
 - UK Renewable Energy Strategy (2009);
 - Clean Growth strategy (2017);
 - Net Zero Strategy: Build Back Greener (2021);
 - British Energy Security Strategy (2022);
 - Powering up Britain – March 2023 Energy Security Secretary Statements; and
 - Carbon Budget Delivery Plan (March 2023).
 - Welsh energy and legislation and policy
 - Energy Wales: A Low Carbon Transition (2012);
 - Wellbeing of Future Generations (Wales) Act 2015;
 - Environment Wales (Act) 2016 (as amended);
 - Policy Statement: Local Ownership Of Energy Generation In Wales – Benefitting Wales Today And For Future Generations (2020);
 - Energy Generation in Wales Report 2021 (2022);
 - Programme for Government (2021);
 - Net Zero Wales (2021); and
 - Energy Generation Targets For Wales: Statement To Assembly Members (2017) And 2023 Update

5.2.2. With specific regard to the grid connection, the following legislation and policy are considered to be particularly relevant to the Project:

- NPS EN-1;
- Future Wales: National Plan 2040;
- Planning Policy Wales Edition 11 (2021); and
- Technical Advice Notes.

5.2.3. The key policies considered have briefly been discussed below; however, further details relating to the policies highlighted are discussed within the Planning Statement associated with this Environmental Statement.

CLIMATE CHANGE ACT (2008)

5.2.4. The Climate Change Act (2008) (amended 2019)⁵ made it the duty of the Secretary of State (SoS) to ensure that the Net UK carbon account for 2050 is at least 100 per cent lower than the 1990 baseline. Further to this, the Climate Change Act also gave powers to the SoS to be able to set carbon budgets, with an underlying objective to achieve net-zero targets by 2050.

THE ENVIRONMENT (WALES) ACT 2016

5.2.5. The Environment (Wales) Act 2016⁶ also aims to achieve net-zero targets. The Environment Act *'puts in place the necessary framework to plan and manage Wales' natural resources in a more proactive, sustainable, and joined up way'*.

5.2.6. In terms of renewable energy, the Environment Act set a target for Welsh energy consumption to comprise 70% renewable energy by 2030.

CLIMATE EMERGENCY

5.2.7. A Climate Emergency was declared by the Welsh Government in April 2019⁷, highlighting the Welsh government's commitment to achieving a carbon-neutral public sector by 2030 and the need to coordinate action to help other areas of the economy move away from the use of fossil fuels. Prosperity for All: A Low Carbon Wales⁸, published in March 2019, sets out key policies and proposals to help Wales achieve the goal.

⁵ UK Government (2008). Climate Change Act 2008. (Online) Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents> (Accessed 07 February 2025).

⁶ The Welsh Government (2016). The Environment (Wales) Act 2016. (Online) Available at: <https://www.legislation.gov.uk/anaw/2016/3/contents> (Accessed 07 February 2025).

⁷ The Welsh Government (2019). Climate Emergency Declaration. (Online) Available at: <https://www.gov.wales/welsh-government-makes-climate-emergency-declaration> (Accessed 07 February 2025).

⁸ The Welsh Government (2019). Prosperity for all: A low carbon Wales. (Online) Available at: <https://www.gov.wales/low-carbon-delivery-plan> (Accessed 07 February 2025).

- 5.2.8. Prosperity for All: A Low Carbon Wales sets *‘the foundations for Wales to transition to a low carbon nation’*, the plan sets out how Wales aims to meet the first carbon budget, and the 2020 interim targets using 76 existing pieces of Policy from the Welsh and UK Governments, and the EU where *‘decarbonisation is integrated either as a direct outcome or a wider benefit’*.

5.3 THE LEGISLATIVE PLANNING FRAMEWORK

NATIONAL POLICY STATEMENTS

- 5.3.1. National Policy Statements (NPS) apply to both England and Wales and “*comprise the government’s objectives for the development of nationally significant infrastructure in a particular sector and state*”.
- 5.3.2. The following National Policy Statements are of relevance to Project:
- Overarching NPS for Energy (EN-1)⁹.

Overarching National Policy Statement for Energy (EN-1)

- 5.3.3. A revised version of NPS EN-1 came into force on 17th January 2024. EN-1 sets out national policy for energy infrastructure and provides the primary policy for decision by the Secretary of State.
- 5.3.4. The following sections are considered pertinent to the Project:
- Section 2; and
 - Section 3.
- 5.3.5. Further information regarding the Project and NPS EN-1 is found within Section 4.2 of the Planning Statement.

FUTURE WALES: THE NATIONAL PLAN 2040

- 5.3.6. Future Wales: The National Plan 2040 (FWNP)¹⁰ was published in February 2021 and sets out the national development framework for development in Wales up to 2040. FWNP sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems, and improving the health and well-being of communities.
- 5.3.7. Future Wales was prepared to provide a clear, long-term spatial direction for Government policy, action and investment in Wales, it sets out a framework for addressing key national priorities through the planning system; it is stated that *‘Wales is abundant in opportunities to generate renewable*

⁹ Department of Energy and Climate Change (2024). Overarching National Policy Statement for Energy (EN-1). (Online) Available at: <https://www.gov.uk/government/collections/national-policy-statements-for-energy-infrastructure> (Accessed 07 February 2025).

¹⁰ The Welsh Government (2021). Future Wales: The National Plan 2040. (Online) Available at: <https://www.gov.wales/future-wales-national-plan-2040> (Accessed 06 February 2025).

energy, and the Welsh Government is committed to maximising this potential’ as such, Future Wales has set the target for 70% of electricity consumption to be generated from renewable energy by 2030.

- 5.3.8. Future Wales recognises the role that Wales can play in supporting the use of renewable energy, the plan recognises on page 48 that *“Wales can become a world leader in renewable energy technologies”*. It is further recognised that Wales’ potential for wind, tidal, and solar energy generation and commitment and willingness to support both large and community-scaled projects provide *“a strong lead for renewable energy development [...] support the renewable sector, attract new investment and reduce carbon emissions”*.
- 5.3.9. It is also highlighted (via Policy 18) that the Welsh Government is supportive of both on- and off-shore wind infrastructure; further to this, the government is supportive of associated infrastructure (cables).
- 5.3.10. Page 99 of the FWNP states that *‘the Welsh Government acknowledges the significant challenge that grid infrastructure and capacity will have on the potential for new on-shore and off-shore renewable energy developments across Wales. We are committed to working with energy networks and developers to identify opportunities and barriers as well as working collaboratively to find solutions’*.
- 5.3.11. The following FWNP Policies of relevance to the Project are listed below:
 - Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure; and
 - Policy 18 – Renewable and Low Carbon Energy Developments of National Significance.
- 5.3.12. Further information setting out how the highlighted policies are of relevance to the Project is situated within section 4.3 of the Planning Statement.

PLANNING POLICY WALES (EDITION 12)

- 5.3.13. Planning Policy Wales (Edition 12)¹¹ was published in July 2024 and sets out the land use planning policies of the Welsh Government. The PPW is also supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters.
- 5.3.14. It is stated that the primary objective of PPW is to *‘ensure that the planning system contributes towards the delivery of sustainable development and improved the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, and other key legislation’*.
- 5.3.15. In paragraph 3.30, PPW states that *“in 2019, the Welsh Government declared a climate emergency in order to coordinate action nationally and locally to help combat the threats of climate change. The*

¹¹ The Welsh Government (2024). Planning Policy Wales (Edition 12). (Online) Available at: <https://www.gov.wales/planning-policy-wales> (accessed 06 February 2025)

planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources.”

- 5.3.16. Paragraph 5.7.7 goes on to state that *“the benefits of renewable and low-carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of paramount importance”*.
- 5.3.17. There are many references to the electricity grid and energy storage, which is considered of relevance to the Project. These are:
- The need for appropriate energy infrastructure is contextualised within paragraph 5.7.2, which states *“overall power demand is expected to increase as a result of growing electrification of transport and heat.”* This is further solidified by the PPW stating that *“in order to ensure future demand can be met, significant investment will be needed in energy generation, transmission and distribution infrastructure”*.
 - Paragraph 5.7.8 states that *“an effective grid network is required to fulfil the Welsh Government’s renewable and low carbon ambitions”*.
 - Paragraph 5.7.9 states that the *“Welsh Government’s preferred position on new power lines is that, where possible, they should be laid underground. However, it is recognised that a balanced view must be taken against costs which could render otherwise acceptable projects unviable”*.

TECHNICAL ADVICE NOTE

- 5.3.18. TAN 5 provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation within Wales. It sets out the key principles of planning for nature conservation for both local development plans and when deciding planning applications that may affect nature conservation.
- 5.3.19. Further information relating to TAN 5 is held within Section 4.3 of the Planning Statement.

5.4 THE DEVELOPMENT PLAN

- 5.4.1. As the Project is situated within two Local Authorities, the proposal will be assessed against both Local Development Plans and associated Planning Practice Guidance (PPG). These include:
- Bridgend County Borough Council Replacement Local Development Plan (RLDP), adopted March 2024¹²; and

¹² Bridgend County Borough Council (2014). Bridgend County Borough Council Replacement Local Development Plan. (Online) Available at: <https://www.bridgend.gov.uk/residents/planning-and-building-control/replacement-local-development-plan/adopted-bridgend-replacement-local-development-plan-2018-2033/> (Accessed 07 February 2025).

- Neath Port Talbot County Borough Council (NPTCBC) Local Development Plan (LDP) adopted January 2016¹³.

BRIDGEND COUNTY BOROUGH COUNCIL REPLACEMENT LOCAL DEVELOPMENT PLAN (RLDP), ADOPTED MARCH 2024

- 5.4.2. The Replacement Local Development Plan (RLDP) was adopted in March 2024. This Plan replaced the previous Local Development Plan (LDP 2006 – 2021). The RLDP sets out key policies and land use allocations that will be used to shape and guide development taking place within Bridgend County Borough.
- 5.4.3. Objective 3j of the RLDP highlights the importance of facilitating renewable energies, and their associated infrastructure, within the County Borough, stating that the plan aims to *'promote developments that are well located and designed to assist in meeting energy demand with renewable and low carbon sources in accordance with the energy hierarchy for planning (set out in PPW) [...] thereby helping to both mitigate the causes of climate change and tackle the 'climate emergency' declared by Welsh Government and Council'*.
- 5.4.4. The following Policies are considered pertinent to the Project:
- Policy DNP 1: Development in the Countryside;
 - Policy DNP 4: Special Landscape Areas;
 - Policy DNP 5: Local and Regional Nature Conservation Sites;
 - Policy DNP 6: Biodiversity, Ecological Networks, Habitats and Species;
 - Policy DNP 7: Trees, Hedgerows, and Development;
 - Policy SP13: Decarbonisation and Renewable Energy; and
 - Policy SP18: Conservation of the Historic Environment.
- 5.4.5. These highlighted policies are further discussed within the Planning Statement.

NEATH PORT TALBOT COUNTY BOROUGH (NPTCBC) COUNCIL LOCAL DEVELOPMENT PLAN (LDP), ADOPTED JANUARY 2016

- 5.4.6. The Neath and Port Talbot County Borough Council Local Development Plan was adopted in January 2016 and covers the plan period of 2011 – 2026. The LDP aims to guide sustainable growth by providing new housing, improving infrastructure, and protecting the environment. It focuses on transforming the area into a vibrant community with a diverse economy and provides the basis for decisions on land use planning in the County Borough.

¹³ Neath Port Talbot County Borough Council (2016). Neath Port Talbot County Borough Council (NPTCBC) Local Development Plan (Online) Available at: <https://www.npt.gov.uk/planning-and-building-control/planning-policy/> (Accessed on 07 February 2025).

5.4.7. Section 2.2 of the LDP sets out the Plan's key objective; OB19 states that the County Borough aims to 'make a proportionate contribution towards the energy needs for Wales with a focus on renewable energy'. The following policies are considered relevant to the Project:

- Policy SP 1: Climate Change;
- Policy SP 15: Biodiversity and Geodiversity;
- Policy EN 2: Special Landscape Areas;
- Policy EN 6: Important Biodiversity and Geodiversity Sites;
- Policy SP 16: Environmental Protection; and
- Policy SP 18: Renewable and Low Carbon Energy.

5.4.8. These highlighted policies are further discussed within the Planning Statement.

OTHER MATERIAL CONSIDERATIONS

5.4.9. It is considered that the following PPG documents are also applicable to the Project:

- SPG 19: Biodiversity and Development (July 2014) (BCBC)¹⁴
- SPG: Landscape and Seascape (May 2018) (NPTCBC)¹⁵
- SPG: Biodiversity and Geodiversity (May 2018) (NPTCBC)¹⁶

5.4.10. Further information regarding these documents are held with the Planning Statement.

5.4.11. For further information relating to topic-specific policies, these are addressed within the relevant technical chapter (**Chapters 6 – 11**) of this draft EIA report.

¹⁴ Bridgend Borough Council (2014). SPG 19: Biodiversity and Development. Available at: <https://uat.bridgend.gov.uk/residents/planning-and-building-control/local-development-plan/supplementary-planning-guidance/> [Accessed March 2025]

¹⁵ Neath Port Talbot County Borough Council (2018). SPG: Landscape and Seascape. Available at https://media.npt.gov.uk/media/j42dzulp/spg_landscape_seascape_may18.pdf?v=20241209172432 Accessed March 2025].

¹⁶ Neath Port Talbot County Borough Council (2018). SPG: Biodiversity and Geodiversity. Available at: https://media.npt.gov.uk/media/nqpnpgge/spg_biodiversity_geodiversity_may18.pdf?v=20241209172432 [Accessed March 2025]