

Planning Statement

Kepak, Pengarnddu Industrial Estate

14 October 2021



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Introduction

- 1.1 This Planning Statement has been prepared by Infinite Renewables Ltd. ("the applicant") to accompany a full planning application for a Local Energy Centre at Kepak, Pengarnddu Industrial Estate, Merthyr ("the application site"). A Site Location Plan (Drawing No. IR-Pengarnddu-201, Rev A) is enclosed with the application submission.
- 1.2 The full planning application description is confirmed below:

'Local Energy Centre, comprising Combined Heat & Power and Energy Storage Scheme'
- 1.3 The power generated by the Combined Heat & Power ("CHP") will be supplied to Kepak / St Merryn (a meat factory and key local employer) at a discounted rate under a Power Purchase Agreement ("PPA"). Due to the nature of the business, Kepak are a large consumer of energy, which continues to be a significant aspect of the organisation's environmental impact. Kepak are continually exploring opportunities to improve energy efficiency throughout its activities and supply chain. This includes process improvements, investment in more energy efficient equipment, and the development of new technologies.
- 1.4 This planning submission is supported by a Noise Assessment prepared by Wardell Armstrong, which will be cross referred to in this Statement.
- 1.5 This Planning Statement provides a background to the proposal and demonstrates the planning merits of the proposed development, having regard to relevant national and local planning policy, as set out within Future Wales, Planning Policy Wales and Merthyr Tydfil County Borough Council Replacement Local Development Plan, confirming that planning permission should be granted for the proposed Local Energy Centre.

Application Site and Proposed Development

Application Site

- 2.1 The Application Site measures 555m² and is located to the south of the Kepak factory in Pengarnddu Industrial Estate.
- 2.2 The Application Site currently comprises an area of hardstanding. There will be no groundworks, with the exception of a proposed cable route and boundary treatment. The site is accessed from an estate road to the west of Kepak.
- 2.3 The site is located within a Primary Growth Area and settlement boundary of Merthyr Tydfil and within a Protected Employment Site. The area is not subject to any statutory landscape, historic or ecological designations.

Proposed Development

- 2.4 The proposal is for a Local Energy Centre ("LEC") comprising CHP and energy storage scheme. This is an innovative scheme which is in receipt of grant funding from The Welsh European Funding Office ("WEFO") under West Wales and the Valleys European Regional Development Fund (ERDF) due to the pioneering nature of the proposals.
- 2.5 The CHP will generate about 1MW and will provide power directly to Kepak / St Merryn, an important local employer.
- 2.6 As shown on the Site Layout Plan, the site would comprise the following elements:
 - Combined Heat & Power – as per the Plant Layout Drawings (Drawing ref: PRJ-1930 & PRJ-3387) 18.19m in length, 2.99m in width and 10m in height to the top of the silencer stack
 - 1 x 20ft containers for the energy storage scheme / battery storage (Drawing ref: TPS-E 20FT HC)
 - Transformer Housing / Switchgear Room (Drawing ref: TR17 EKV0091)
 - Inverter Housing (Drawing ref: TR17 EKV0091)
 - Oil Tank (Drawing ref: 035214, Issue no. 001)
 - Fencing around the Local Energy Centre and Gate to provide access
- 2.7 The application site will also comprise a proposed cable route, which will connect to an existing main ring onsite, which is connected to a substation within the factory grounds, providing power directly to Kepak / St Merryn.

Planning Policy Framework

- 3.1 The following section provides an overview of the relevant policy framework relating to the application proposal. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, this application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 3.2 The statutory Development Plan comprises Future Wales: The National Plan 2040 and the Merthyr Tydfil Replacement Local Development Plan (2016-2031) ("LDP"). Material planning considerations include policies contained within Planning Policy Wales (Edition 11, February 2021) ("PPW") and guidance within Merthyr Tydfil Supplementary Planning Guidance ("SPG").

Statutory Development Plans

Future Wales: The National Plan 2040

- 3.3 Future Wales is the national development framework for Wales and has development plan status.
- 3.4 The Welsh Government strongly supports the principle of developing renewable and low carbon energy and Wales has the opportunity to become a world leader in renewable energy technology.

"Our wind and tidal resources, our potential for solar generation, our support for both large and community scaled projects and our commitment to ensuring the planning system provides a strong lead for renewable energy development, mean we are well placed to support the renewable sector, attract new investment and reduce carbon emissions" (Page 48)

- 3.5 Future Wales sets out 11 Outcomes, which it seeks to achieve over the next 20 years through the planning system by providing "... *quality development in the right places for the right reasons*". Outcome 11 aims to create places:

"... which are decarbonised and climate resilient ... the planning system must help Wales lead the way in promoting and delivering a competitive, sustainable decarbonised society" (Page 56)

- 3.6 Wales is abundant in opportunities to generate renewable energy and the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of the Welsh Government's commitment to decarbonisation and tackling the climate emergency. The Welsh Government have set the following ambitious targets:

- *"For 70% of electricity consumption to be generated from renewable energy by 2030.*
- *For one gigawatt of renewable energy capacity to be locally owned by 2030.*
- *For new renewable energy projects to have at least an element of local ownership from 2020."* (Page 96)

Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 – 2031)

- 3.7 The relevant LDP Objectives are:
- LDP Objective 4 - Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.
 - LDP Objective 6 - Sustainable Design: To promote high quality, sustainable and inclusive design and support measures, which mitigate the predicted effects of climate, change.
 - LDP Objective 7 - Transport: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.

- LDP Objective 9 - Heritage and cultural assets: To protect, enhance and promote all heritage, historic and cultural assets.
- LDP Objective 12 - Economic Development: To provide and safeguard appropriate land for economic and skills development.
- LDP Objective 16 Renewable Energy: To promote renewable and low carbon energy.

3.8 The relevant local development plan policies are:

- Policy SW4: Settlement Boundaries – To encourage development within urban areas, support the re-use of previously developed land . Merthyr Tydfil is defined as a Primary Growth Area.
- Policy SW11: Sustainable Design and Placemaking – Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. The policy requires, where appropriate, new development to minimise the demand for energy and utilise renewable energy resources.
- Policy EnW4: Environmental Protection – Development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from various potential impacts including noise, vibration, dust, odour nuisance and light pollution.
- Policy EnW5: Landscape Protection – The policy sets out the designated Special Landscape Areas and advises that development proposals will be permitted, among other points, providing they would not cause unacceptable harm to the character and quality of the landscape setting of the County Borough.
- Policy EcW2: Protecting Employment sites – At Pengarnddu (employment site), development will be permitted if it provides an ancillary facility or service that supports the primary employment use.
- Policy EcW8: Renewal Energy – Development proposals for renewable energy will be permitted where:
 - *"They do not have an unacceptable landscape and visual impact, including on the setting of the Brecon Beacons National Park.*
 - *There would be no unacceptable cumulative impacts in combination with existing or consented development.*
 - *Satisfactory mitigation can be put in place to minimise the impacts of the renewable energy proposal and its associated infrastructure.*
 - *Proposals make provision for the appropriate restoration and after-care of the land for its beneficial future re-use."*
- Policy EcW9: District Heating – The use of combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating will be encouraged.

Material Planning Consideration

Planning Policy Wales

3.9 PPW sets out the land use policies of the Welsh Government.

3.10 PPW sets out key planning principles in order to achieve the right development in the right place. One of the key principles *"Making best use of resources"* states:

"The planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals."
(Figure 4)

3.11 PPW seeks to secure an appropriate mix of energy provision. Paragraph 5.7.7 states:

"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 ... The planning system should ... Maximise renewable and low carbon energy generation"

3.12 PPW seeks to ensure that renewable and low carbon energy is delivered in a suitable location and supported by a sufficient policy basis. Paragraph 5.9.1 states:

"Local authorities should facilitate all forms of renewable and low carbon energy development... planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved."

3.13 Paragraph 5.9.11 states:

"The Welsh Government encourages the use of local renewable and low carbon energy as part of the imperative to reduce carbon emissions. Renewable and low carbon energy developments offer significant potential for communities and small businesses to develop their own projects for local benefit."

3.14 Paragraph 5.9.20 states:

"Planning authorities should ensure development plan policies are supportive of renewable and low carbon energy development in all parts of Wales..."

Supplementary Planning Guidance

3.15 The following Supplementary Planning Guidance is also applicable:

- Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013) – The SPG aims to provide advice on the various aspects of sustainable design and encourage the incorporation of sustainable design techniques into the design of new buildings.

Assessment of the Proposal

4.1 This Section assesses the Development Proposal against the planning policy framework set out in Section 3 demonstrating how the proposed LEC is in accordance with the planning policy framework and should be granted consent.

4.2 We consider the key issues are:

- Principle of development;
- Noise; and
- Landscape impact.

Principle of development

4.3 The application site lies within the Primary Growth Area and settlement boundary of Merthyr Tydfil, where Policy SW4 applies. In this location new development is acceptable in principle subject to proposals being compatible with the LDP's other policies and material considerations.

4.4 LDP Policy EcW2 seeks to protect existing office, employment and industrial warehousing land to ensure their role and function in providing accessible sources of employment. At Pengarnddu Industrial Estate, development will be permitted if it is within specified Use Classes or if it provides an ancillary facility or service that supports the primary employment use. The proposal is for a LEC, which will generate renewable energy to power and support Kepak (a meat manufacturing plant in the Industrial Estate).

4.5 The proposed development would result in the loss of a small proportion of the larger industrial unit and a tiny proportion of the wider protected employment site. This is considered acceptable given the nature of the proposed development and the industrial estate is an appropriate location for the proposed use that is considered ancillary to the primary employment use. The LEC would be of an appropriate nature and scale to the existing employment site and would result in a clear benefit to the existing employment use through the provision of renewable energy. The proposal is therefore in accordance with LDP Policy EcW2, as well as Future Wales and PPW which support the generation of renewable energy .

4.6 PPW at Paragraph 5.9.1 states that Local Authorities should facilitate all forms of renewable and local carbon energy development. PPW at Paragraph 5.9.20 requires planning authorities to support renewable and low carbon energy developments through development plan policies. LDP Policy EcW9 encourages the use of Combined Heat and Power and while it defines heat priority areas it recognises that some sites may be suitable for a retrofitted heat network. The application site is considered to be a suitable site for retrofitting a LEC and is deliverable in accordance with policy.

Noise

4.7 A Noise Assessment Report has been prepared by Wardell Armstrong in order to consider the potential impact of noise from the proposed LEC on the nearest noise sensitive receptors. The site is within an established industrial / commercial area with limited sensitive properties.

4.8 The noise sensitive receptors in the vicinity of the proposed development include residential areas at:

- High Street, Dowlais Top; and
- Individual property south-east of the site.

4.9 The CHP could be operational during the daytime and night-time, therefore to establish baseline levels at existing sensitive receptors, a noise survey has been carried out during the daytime and night-time.

4.10 The Noise Assessment Report assesses the results of the noise survey, together with the noise levels from the proposed operation, in accordance with current guidance.

- 4.11 When considering the results of the assessment in the context of the site and its setting, the noise generated by the proposed development will be likely to be inaudible at the nearest receptor. They will therefore have no more than a low impact at either sensitive receptor with no mitigation in place. Therefore, noise is not considered to be an issue for the development and no further mitigation has been recommended to reduce noise emissions. The proposed development would not result in any harm to people, residential amenity or property and is therefore in accordance with LDP Policy EnW4.

Landscape

- 4.12 LDP Policy EnW5 is a general landscape protection policy. The proposed development would be sited next to a factory, within an industrial estate. The nearest residential properties are 800m away from the site with intervening industrial and commercial buildings as well as the Heads of the Valleys Road (A465) to the south of the site. Views of the site from the A465 are also screened with a high bank and mature vegetation. In this context, the proposed LEC would not cause unacceptable harm to the character or quality of the landscape setting in accordance with LDP Policy EnW5.

Conclusion

- 5.1 This Planning Statement supports a planning application submitted by Infinite Renewables Ltd. for the development of a Local Energy Centre, comprising CHP and an Energy Storage Scheme.
- 5.2 The proposed LEC is supported by both national and local planning policies, providing Kepak / St Merryn, a key local employer, with a renewable energy source and helping to deliver the Welsh Government's targets on renewable energy generation.
- 5.3 The proposed development would be sited on existing hardstanding within an existing factory site on an industrial estate. Supporting documents that have been submitted to accompany this planning application conclude there are no constraints that would prevent the development of the application site.
- 5.4 Overall, it is considered that the proposed development complies with the statutory development plans and all material planning considerations within PPW and relevant SPG. As such we consider the proposed development should secure planning permission subject to the imposition of reasonable conditions.

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