

Dear

ATISN 17285 - Wind Farm Planning Policy.

Information requested

Thank you for your request which I received on 16 March. Your letter is concerned with the potential impacts of large-scale wind development on peat, trees, and flora and fauna in Future Wales' Pre-Assessed Areas.

Please note because you also sent your Freedom of Information request to Natural Resources Wales (NRW) they will respond in accordance with their established procedures on those parts of your information request which are relevant to their area of work and may be better placed to provide information on certain aspects such as peat and forestry.

You asked for:

- 1) Over what period of time were these discussions held?
- 2) Without naming anybody - what level rank of Civil Servants and Politicians attended these discussions and how many were involved?
- 3) When were these discussions finalised and reported?
- 4) To whom were they reported? When was that report signed off to enable the Data Map?
- 5) What number of trees are being proposed for felling in each preferred zone?
Approximately what percentage trees will be mature?
- 6) What mass of Peat Bog is to be disturbed in each preferred zone?
- 7) What is to happen to the excavated peat?
- 8) Are copies of the surveys of species of Fauna and Flora available for each zone? If so can I have a LINK to peruse them?
- 9) Are summary copies of all these complex discussions available on request? If so can I have a LINK?

Our response

The information you requested is enclosed.

Question 1

Discussions were those that fed into the preparation of the Arup report '[Assessment of on-shore wind and solar energy potential in Wales](#)' Stage 1 (March 2019) and Stage 2 (June 2019), which was commissioned to inform the development of Pre-Assessed Areas.

[Future Wales: the national plan 2040](#) was prepared between 2016 and 2020 and published in February 2021. Future Wales' policies on renewable energy including the designation of Pre-Assessed Areas (PAAs), formerly known as Priority Areas, including the consideration of environmental issues took place throughout the plan preparation period.

Arup's report made recommendations identifying Priority Areas in Wales most likely to be capable of supporting large scale wind and solar development, based on specific criteria including the identification of major physical and environmental constraints. The study was

informed by a number of specialist stakeholders including NRW. The identification of habitats, including peat and woodland areas, as potential constraints was considered in this study. Please also see Note of Information, para 1 below.

Question 2

Discussions were those that fed into the preparation of the Arup report 'Assessment of onshore wind and solar energy potential in Wales' which informed the development of Future Wales renewable energy policies 17 and 18, and included officials of the Planning Division and Energy Division at the rank of Higher Technical Professional Officer, Senior Executive Officer, and Grade 7 (G7 being head of branch).

The evidence required to support the preparation of policies 17 and 18 was also informed by the Future Wales [Integrated Sustainability Appraisal](#) and [Habitats Regulation Assessment](#) (HRA), produced for the Welsh Government by Arcadis, and extensive stakeholder consultation and public engagement. The [Statement of Participation](#) sets out the preparation and engagement process. Also see [Future Wales Evidence Compendium](#).

Question 3

Work on the draft National Development Framework (Future Wales) and its policies was completed following the end of the 60-day Senedd scrutiny period which ran from 21st September to 26th November 2020. Stage 2 of the Arup report 'Assessment of on-shore wind and solar energy potential in Wales' - Refinement of Priority Areas for Wind and Solar Energy, which considered the environmental constraints that informed policies 17 and 18, was published in June 2019. Further refinement work which reduced the PAAs designated from 15 to 10 and changed their numbering sequence took place after the draft National Development Framework consultation (see Appendix 1 below).

Question 4

The Planning (Wales) Act 2015 requires that the Senedd have regard to the draft Future Wales (and all of the policies there in) and the report summarising how the consultation responses on it were taken into account. Senedd debates took place on 29 September and 25 November 2020. The Senedd scrutiny process, also described in question 3 above, was completed on 26th November 2020. Julie James MS, Minister for Housing and Local Government (now the Minister for Climate Change) made a [Statement to Senedd](#) showing how the Minister had regard to the resolutions and recommendations of Senedd during the scrutiny period. The Statement was published together with the final version of Future Wales in Feb 2021. The Statement sets out where changes were made to draft Future Wales including policies 17 and 18.

Question 5

No information held. Please see note of information below.

Question 6

No information held. Please see note of information below.

Question 7

No information held. Please see note of information below.

Question 8

Flora and fauna are Strategic Environmental Assessment (SEA) Directive topics and are identified in the scoping report as to how they have been dealt with in the ISA. The ISA ensured the principles of sustainable development were embedded in Future Wales at each stage of its preparation. There are a number of documents for the ISA which reflect the various stages of plan making which are set out in the note of information below and Appendix 2.

The HRA section 4.3 Appropriate Assessment Table 7 (p.35) provides the Appropriate Assessment for the Future Wales policies screened into the assessment. Table 7 sets out potential effects of policy on the integrity of Natura 2000 / Ramsar sites and proposed avoidance / mitigation requirements should development proposals come forward (including Renewable Energy policy 17). Also see the HRA's appendix A and B. Appendix B considers potential impact of individual PAAs on habitats and biodiversity of designated areas within or near their boundaries, and potential avoidance and mitigation measures that should be considered if developments are proposed. See note of information below for further details.

Please also see Arup's Assessment of onshore wind and solar energy potential in Wales stages 1 and 2. Arup's report discusses stakeholder involvement in preparing the assessment including contributions on constraints mapping from NRW. Section 11 (Stage 2) of the report summarises a workshop that took place between Arup the Welsh Government and NRW in April 2019.

Please also note that DNS proposals are required to carry out detailed assessments of potential development site impacts as part of their evidence to the DNS planning inquiry, this includes the carrying out of Environmental Impact Assessment (EIA) procedures and where required Habitats Regulations Assessment (HRA). Planning Environment Decisions Wales sets out the [EIA](#) and [HRA](#) requirements on their web site.

Future Wales Policy 9 provides a safeguarding approach for the protection of habitats. This policy helps ensure that areas of land that are potentially important for expanding or connecting ecological networks, adapting to climate change or other pressures, or which provide key ecological services are not compromised by development. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

Please see note of information below for further information.

Question 9

Arup's Assessment of onshore wind and solar energy potential in Wales (stage 2) includes a summary of a workshop held between the Welsh Government and NRW, 12th April 2019 (see Arup report Appendix I). NRW responses to the [Draft National Development Framework consultation](#) (7 August 2019 to 15 November 2019) can be viewed under 'Responses: Public Bodies', NRW have submitted two responses which are next to each other in the list. Similarly, NRW's response to [National Development Framework for Wales consultation](#) (7 December 2016 to 7 March 2017). The [Future Wales](#) main web site, and the Future Wales consultation pages (see Appendix 3), provide links to all Future Wales documentation over the preparation period.

Note of information

Questions 5, 6 and 7 – Woodland and Peat

The designation of Pre-Assessed Areas was informed by the broad constraints identified in the Arup research – ‘Assessment of onshore wind and solar energy potential in Wales’. Not all of a Pre-Assessed Area can or will be developed. Assessment of constraints for the purposes of establishing Pre-Assessed Areas was undertaken at a high level. It is only when actual Development of National Significance (DNS) proposals are submitted to [Planning Environment Decisions Wales](#) (PEDW) that detailed local information is provided about the location, nature and extent of a development, including for example the impacts on specific woodland or peatlands (or flora and fauna), to allow such issues to be assessed. It is for the PEDW planning inspector to consider the implications of such issues in the course of their deliberations.

Welsh Government and NRW policies and initiatives concerning woodland and peat (and flora and fauna) already exist. Policies are material considerations in the determination of planning applications.

Woodland

It is the Welsh Government’s ambition to achieve 2,000 hectares of new woodland per annum from 2020, rising to 4,000 hectares per annum by 2030.

[Planning Policy Wales](#) (section 6.4.25) states that “Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.” Also (section 6.4.26) “Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss.” Planning Policy Wales is a material consideration in the consideration of proposals for development.

Peat

Planning Policy Wales section 5.14.30 explains that peat bogs are of significant nature conservation interest. PPW states “Future peat extraction should not be granted permission unless it is limited to wholly exceptional circumstances in areas which have already been damaged significantly by recent human activity where restoration towards wetland habitats could improve the nature conservation importance of a worked-out bog. NRW and the planning authority’s ecologist and archaeological advisor should be consulted on proposals for peat extraction.”

[The National Peatland Action Programme](#) (NPAP), an initial five-year peatland restoration programme for Wales, was launched in 2020 by the Welsh Government and is being delivered by Natural Resources Wales (NRW).

A [Peatland of Wales map](#) has been published on DataMapWales and is available to view by everyone. This identifies peat of 40cm thickness in 50m grid squares across Wales. This page also has links to other peat related data layers, and the report [Production of the Peatlands of Wales Map - Soil Policy Evidence Programme 2020-21](#) which explains the methodology behind the production of the map.

NRW have also published ‘[The Second State of Natural Resources Report \(SoNaRR2020\) Assessment of the achievement of sustainable management of natural resources:](#)

[Mountains, moorlands and heaths](#)' which provides extensive evidence on these ecosystems across Wales including peatland and woodland. Further information is available in NRW's [Area Statements](#) for Wales.

Future Wales HRA (in particular appendix A and B) sets out detailed information regarding protected habitats in and around Pre-Assessed Areas including forest and woodland and where there is the presence of peaty soils.

Q.8 – Flora and Fauna

The European Council Directive 92/43/EEC on the Conservation of natural habitats and of wild flora and fauna (the 'Habitats Directive') requires that any plan or programme likely to have a significant impact upon a Natura 2000 site (Special Areas of Conservation (SAC), candidate Special Areas of Conservation (cSAC), Special Protection Areas (SPA), potential Special Protection Areas (pSPA) and Ramsar sites), which is not directly concerned with the management of the site for nature conservation, must be subject to an Appropriate Assessment. The Directive was transposed into Welsh law via the Habitats Regulations. The overarching process is referred to as Habitats Regulations Assessment (HRA).

Future Wales' HRA, section 4.3, Appropriate Assessment Table 7 sets out potential effects of policy on the integrity of Natura 2000 / Ramsar sites and proposed avoidance / mitigation requirements should development proposals come forward. Under Policy 17 - Renewable and Low Carbon Energy, Impacts (p.54), Table 7 states:

Appendix B (Table B) outlines the potential impacts associated with each of the PAAs and the Natura 2000 / Ramsar sites which could potentially be impacted by future wind development within them. The table also includes a list of avoidance / mitigation measures (from Table 6) which must be considered when future projects come forward in each of the PAAs. The types of potential impacts identified include (but are not limited to): mortality as a result of collision with turbine blades or associated infrastructure (in particular impacts on upland raptors and waders, as well as bats), disturbance/ displacement of qualifying species, loss/ damage to sensitive habitat under the footprint of development and infrastructure (in particular sensitive upland habitats in more rural locations), potential for the new turbines or track to break or fragment existing habitat links, and potential implications on water quality if sited near designated watercourses or groundwater dependant ecosystems. Although the locations or types of other renewable energy proposals are not yet known, one or more of the potential impacts outlined here could also be relevant to other renewable energy projects.

The Integrated Sustainability Appraisal of the National Development Framework - Final Scoping Report (2018) sets the assessment framework and baseline data, which includes peatland and forestry impacts. The final version is - [National Development Framework: integrated sustainability appraisal scoping report | GOV.WALES](#). Links to ISA and HRA documents at different stages of Future Wales preparation are set out in Appendix 2 for your information.

Biodiversity and ecosystems are referred to throughout PPW, see Chapter 6 (in particular section 6.4 Biodiversity and Ecological Networks, p136-145). Planning advice on Flora and Fauna and protected species is also set out in [TAN 5 Nature Conservation and Planning](#). Further details on Flora and Fauna are also available in NRW Area Statements and NRW State of Natural Resources Report (SoNaRR) for Wales ([Resilient Ecosystems](#)). Also, see NRW's list of [protected species](#) and which also explains the nature of protection and circumstances where certain activities may be licensed.

Also, see Chief Planning Officer letters [Securing Biodiversity Enhancements](#) and [COP15, Biodiversity Deep Dive, Section 6 Duty and the Planning System](#).

Consultation - Planning Policy Wales: net benefit for biodiversity and ecosystems' resilience

The Welsh Government is [consulting](#) on changes to Chapter 6 of PPW targeted at updating policy in section 6.4 relating to net benefit for biodiversity and the resilience of ecosystems and to strengthen policy on designated sites, in particular Sites of Special Scientific Interest, and on trees and woodlands. The consultation closes 31 May 2023.

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at: Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

The final Pre-Assessed Area's as set out in Future Wales were wind only and omitted solar, and were amended as follows:

- Area 1: Deleted in its entirety due to MOD constraints.
- Area 2: Deleted as it is a solar-only area.
- Area 3: Solar area deleted.
- Area 4: Deleted as it is a solar-only area.
- Area 5: Affected by low flying zone.
- Area 6: Affected by low flying zone.
- Area 7: Not affected.
- Area 8: Deleted in its entirety due to MOD constraints.
- Area 9: Affected by low flying zone.
- Area 10: Solar area deleted, and western boundary amended to exclude MOD constraint.
- Area 11: Western boundary amended to take into account bat migration route.
- Area 12: Deleted as it is a solar-only area.
- Area 13: Deleted as it is a solar-only area.
- Area 14: Solar area deleted, and new southern boundary amended by MOD constraint.
- Area 15: Solar area deleted.

Following the amendments described above, the areas were renumbered as follows:

- Priority Area (PA) 3 is now Pre-Assessed Area (PAA) 1.
- PA 15 is now PAA 2.
- PA 5 is now PAA 3.
- PA 6 is now PAA 4.
- PA 7 is now PAA 5.
- PA 9 is now PAA 6.
- PA 10 is now PAA 7.
- PA 11 is now PAA 8.
- PA 14 is now PAA 9 and 10.

The following ISA and HRA reports set out the assessment of Future Wales at the different stages.

Integrated Sustainability Appraisal

Issues, Options and Preferred Option Stage:

- Interim ISA report - [180430-interim-isa-report.pdf \(gov.wales\)](#)
- Consultation report and summary of responses – [National Development Framework: Issues, options and preferred option | GOV.WALES](#)

Draft Future Wales Stage:

- Non-technical summary – [Integrated Sustainability Appraisal Report - non-technical summary.pdf \(gov.wales\)](#)
- ISA report: [integrated-sustainability-appraisal-report_0.pdf \(gov.wales\)](#)
- Consultation Report and summary of responses - [Draft National Development Framework | GOV.WALES](#)

Senedd scrutiny stage:

- Non-technical summary: [Future Wales: integrated sustainability appraisal non-technical summary | GOV.WALES](#)
- ISA - [Future Wales: integrated sustainability appraisal | GOV.WALES](#)

Final Report:

- Non-technical summary – [Future Wales: integrated sustainability appraisal non technical summary | GOV.WALES](#)
- ISA - [Future Wales: integrated sustainability appraisal | GOV.WALES](#)

The post publication statement represents the conclusion of the ISA process including how environmental and sustainability considerations have been integrated into Future Wales. This can be found here: [Future Wales: post publication statement | GOV.WALES](#)

Habitats Regulations Assessment (HRA)

A Habitats Regulations Assessment (HRA) was also undertaken. A consideration of the likelihood of significant effects (also known as HRA screening) was undertaken to determine if Future Wales (either in isolation and/or in combination with other plans or projects) would generate an adverse impact upon the integrity of a National Site Network site (previously known as a Natura 2000 site) and Ramsar site, in terms of its conservation objectives and qualifying interests. The results of the HRA Screening Report, and subsequent assessments, were reflected and integrated, into the ISA, as part of an iterative process. The screening and subsequent assessments are set out below for each stage of Future Wales plan making process. The reports including the consultation documents and summary of responses are set out below for each stage:

Issues, Options and Preferred Option Stage

- Preliminary HRA screening report - [National Development Framework: Issues, options and preferred option | GOV.WALES](#) consultation.

Draft Future Wales Stage

- [Draft National Development Framework | GOV.WALES](#) consultation.

Senedd scrutiny stage

- [Future Wales: habitats regulations assessment | GOV.WALES](#)

Final Report:

- [Future Wales: habitats regulation assessment | GOV.WALES](#)

Future Wales Public Consultations

[Draft National Development Framework](#) (7 August 2019 to 15 November 2019)

[National Development Framework for Wales](#) (7 December 2016 to 7 March 2017)

[National Development Framework: Issues, options and preferred option](#) (30 April 2018 to 23 July 2018)

[Integrated sustainability appraisal scoping report for the National Development Framework](#) (28 April 2017 to 21 July 2017)

[Proposals relating to the Statement of Public Participation for the National Development Framework](#) (1 February 2016 to 24 April 2016)