

**Providing Council with Written Responses to Questions asked at Council  
6 July 2023**

<b>1</b>	<p><b>Councillor Wendy Fitzgerald</b></p> <p><b>In relation to Minute 25 – Swansea Replacement Local Development Plan (RLDP) - Final Delivery Agreement and Next Steps.</b></p> <p>Asked whether National data was considered as part of the Call for Candidate Sites, specifically the data relating to Housing numbers, as it appears that Swansea has already met them.</p> <p><b>Response of the Cabinet Member for Corporate Services &amp; Performance</b></p> <p>Following publication of the approved Delivery Agreement (DA), the call for candidate sites must be the first formal stage of preparing an LDP. It must be undertaken early prior to the next formal stage, which is to produce and agree the 'Preferred Strategy'. The function of the candidate site process is to gather suitable evidence from site promoters to understand the sustainability, deliverability, and financial viability of all sites within the County boundary that may be available for development.</p> <p>The Council is required to permit interested parties to propose any site within the County boundary for a range of uses. The call for candidate sites cannot place a cap or ceiling on the quantum of land that is permitted to be submitted for consideration, having regard to any national data or policies relating to growth projections, such as population growth data.</p> <p>When the Council undertakes assessments of the submitted sites for potential inclusion in the LDP, this will be done using a standardised methodology in line with the requirements of national guidance. Nationally prescribed planning and placemaking principles will be integrated into the assessment process in order that the process identifies which sites sufficiently comply with requirements in this regard. Not all sites that are assessed as being compliant, deliverable, and viable will ultimately be chosen to be allocated in the 'Deposit' LDP.</p> <p>A candidate site register must be published by the Council at the Preferred Strategy consultation (Regulation 15). That Register will highlight the status of that site having regard to the assessment process that has been undertaken by that stage. The publication of the draft Preferred Strategy for consultation marks the stage when the Council's proposed broad approach to the scale and location of growth (to allow future development to be planned in a sustainable manner) is publicised. For the avoidance of doubt, it is the Preferred Strategy that provides the strategic framework for more detailed policies, proposals, and specific land use allocations to then be identified and formulated for inclusion in the 'Deposit' LDP.</p> <p>Having regard to the above it is therefore the Preferred Strategy that must have regard to national data and policies, for example that set out in Future Wales: The National Plan 2040. This includes information relating to housing numbers and scale of growth. The Strategy will need to articulate growth levels spatially, how that level will be delivered in broad terms (candidate sites, urban capacity, land bank analysis, new allocations) with key sites being defined. The Strategy must be in accordance with the principles of sustainable development and placemaking as set out in Planning Policy Wales and Future Wales.</p>
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**2**

**Councillor Wendy Fitzgerald**

**In relation to Minute 28 – Councillors Questions (Q11)**

Asked for clarity regarding the final sentence of the written response specifically “...and to enable the full reinstatement of the special landscape quality following the decommissioning of any wind energy generation development”.

She stated that the use of concrete in these peat areas potentially permanently damage the special landscape quality, therefore how would this be rectified.

**Response of the Cabinet Member for Corporate Services & Performance**

With regard to decommissioning – the following advice was given to Committee during consideration of the application:

**4.9 Decommissioning**

At the end of the operational life of the wind farm (approximately 25 years) the wind farm will be decommissioned. Site clearance and reinstatement would take approximately six months and would comprise the following:

- removal of turbines from the site.
- foundations removed to a depth of 1000m and re-instated with topsoil.
- turbine interconnecting cables disconnected and left in place.
- demolition of substation building and compound and the area re-instated.

The working lifespan of a modern wind turbine is initially expected to be in the region of 25 years, although developments in technology could possibly extend this in the future.

In the event of planning permission being granted, a condition would be incorporated for 25 years only, after which a new application must be made, or the turbines would have to be decommissioned and taken down. The developers have submitted a draft Heads of Terms for a proposed Section 106 Legal Agreement. With respect to an obligation to provide security for decommission and restoration, it is proposed to provide a financial payment (figure to be agreed per turbine) to be paid into an escrow account prior to the commencement of the development. Alternatively, the developer would replace the escrow account with a decommission bond of equivalent value. The amount of security would be reviewed every 8 years and would be increased or decreased to reflect the estimated costs of decommission and restoration. This payment would be claimed by the City and County of Swansea in the event of the developer failing to decommission or restore the site and would cover the cost of dismantling / removal of the wind turbines when power generation finally ceases, removal of the concrete bases, the electricity sub-station, the grid connection and the access roads on the site – and returning the ground to its former appearance.

Condition 3 attached to the planning permission requires a decommissioning and site restoration scheme to be submitted within 18 months of the expiry of the permission i.e. First Export Date is 29th January 2019 so expiry is 29th January 2044, and this will allow the LPA to consider the proposals at that time. There is also a decommissioning bond under the Sec 106 to be called upon in the event of the developer going bust etc.

**3**

**Councillor Brigitte Rowlands**

**In relation to Minute 28 – Councillors Questions (Q11)**

She stated that the peat removed from Mynydd y Gwair was not protected. What will Planning do to protect the land in the future and what has been learnt from that failure.

**Response of the Cabinet Member for Corporate Services & Performance**

There was the requirement under Condition 7 – CMS – for dealing with the handling of peat. No objection to the proposed method of handling the peat was raised by consultees, including NRW, during consideration of the discharge of condition application. I understand that there may have been a problem of the stored peat drying out as there was a prolonged drought period back in 2017/18. Should the situation arise again then advice would be sought from relevant consultees and whether the proposals are suitable

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