



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

# DNS: EIA Scoping Direction

## 3208218: Proposed Alwen Forest Wind Farm

**Contents**

1. Introduction ..... 2

2. Site Description ..... 3

3. History ..... 3

4. Proposed Development ..... 3

5. Consultation ..... 4

6. Environmental Impact Assessment Approach ..... 5

    6.1 Environmental Statement Structure ..... 5

    6.2 Reasonable Alternatives ..... 6

    6.3 Flexibility ..... 6

    6.4 Cumulative Effects ..... 6

    6.5 Residual and Synergistic Effects and Mitigation ..... 7

    6.6 Transboundary Effects ..... 7

7. Environmental Impact Assessment Topics ..... 8

    7.1 Ecology (including Ornithology) – Scoped In ..... 8

        Ornithology ..... 9

    7.2 Landscape and Visual – Scoped In ..... 10

    7.3 Hydrology, Geology and Hydrogeological – Scoped In ..... 11

    7.4 Historic Environment (Cultural Heritage) – Scoped In ..... 11

    7.5 Traffic and Transport – Scoped In ..... 12

    7.6 Noise – Scoped In ..... 12

    7.7 Forestry – Scoped In ..... 13

    7.8 Socio-Economics – Scoped In ..... 13

    7.9 Health and Public Safety – Scoped In ..... 13

    7.10 Aviation and Existing Infrastructure – Scoped In ..... 13

8. Other Matters ..... 14

    8.1 Habitats Regulations Assessment ..... 14

    8.2 ES Accompanying Documentation / Application Requirements ..... 15

Appendix: Consultation Responses ..... 16

**Prepared by:**

Kym Scott BSc MSc  
 Robert Sparey MPlan  
 Chris Sweet MPlan

**'Scoping' is the process of determining what information must be included in the Environmental Statement for a particular project.**

**This Scoping Direction is provided on the basis of the information submitted to the Planning Inspectorate on 03 August 2018, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the subsequent Development of National Significance (DNS) application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) ("The 2017 Regulations").**

## 1. Introduction

The Planning Inspectorate ("the Inspectorate") received a request under [Regulation 33](#) of the 2017 Regulations for a Scoping Direction in relation to **Alwen Forest Windfarm** ("the Proposed Development") by Innogy Renewables UK Limited (Innogy) ("the applicant"). The request was accompanied by a Scoping Report (SR) ([Alwen Forest Wind Farm: Scoping Report, June 2018, Innogy Renewables UK Ltd](#)) that outlines the proposed scope of the Environmental Statement (ES) for the proposed development.

The 2017 Regulations require that a request for a scoping direction must include:

- a) a plan sufficient to identify the land;*
- b) a brief description of the nature and purpose of the development including its location and technical capacity;*
- c) its likely significant effects on the environment;*
- d) a statement that the request is made in relation to a development of national significance for the purposes of section 62D of the 1990 Act; and*
- e) such other information or representations as the person making the request may wish to provide or make.*

The Inspectorate is satisfied that that this has been provided in the applicant's SR. The Inspectorate is satisfied that the SR encompasses the relevant environmental aspects identified in the EIA Regulations.

This Direction has taken into account the requirements of the 2017 Regulations as well as current best practice towards preparation of an ES. In accordance with the 2017 Regulations the Inspectorate has consulted on the SR and the responses received from the consultation bodies have been taken into account in adopting this Direction (see Section 5 below).

The Inspectorate is authorised to issue this Scoping Direction on behalf of the Welsh Ministers.

## 2. Site Description

The site is defined in the SR as the area represented by the red boundary shown on Figure 2.2 of the SR. The site is located within commercial forestry, part of the **Dŵr Cymru Welsh Water** (DCWW) estate leased to Natural Resources Wales (NRW), in an area identified as a Strategic Search Area in [Technical Advice Note \(TAN\) 8: Planning for Renewable Energy](#).

The site is mainly located within Conwy County Borough Council (CCBC) local authority area, but a small part of the site is within Denbighshire County Council (DCC) local authority area. The site is described in further detail in Section 2 of the SR.

## 3. History

As detailed in Section 2.1.3 of the SR the Proposed Development lies within the vicinity of the Brenig and Clocaenog wind farms (under construction), the operational Tir Mostyn wind farm, and consented Pant y Maen and Derwydd Bach wind farms. The SR further details wind farm developments to be considered as part of the Cumulative Assessment in Table 11.3.

## 4. Proposed Development

This Scoping Direction is made on that basis that the development would include the following permanent features (as identified in Section 2.1.4 of the SR):

- Up to 9 wind turbines up to 200 m to tip;
- Turbine foundations;
- External transformer housing;
- Crane pads;
- Access tracks and entrance points (new and upgrades);
- Substation and control building, along with potential battery storage facilities;
- Underground electricity cables between the turbines and onsite substations;
- Temporary borrow pits (number to be confirmed);
- Drainage attenuation measures as necessary;
- Temporary construction and storage compounds and ancillary infrastructure; and
- Peat Restoration Area/Habitat Management Area

In addition, Section 2.1.4-2.1.6 of the SR indicates the Proposed Development would have an onsite substation, the location of which is shown in Figure 2.2 of the SR.

The SR provides information on the anticipated construction phases, and operational and decommissioning phases are also briefly discussed. The scope of the ES should include all elements of the development as identified in the SR, both permanent and temporary, and this Scoping Direction is written on that basis.

## 5. Consultation

In line with [Regulation 33\(7\)](#) of the 2017 Regulations and Schedule 5 of the Developments of National Significance (Procedure) (Wales) Order 2016, before making this Scoping Direction, the Planning Inspectorate consulted the following bodies:

- Cadw
- Conwy County Borough Council (CCBC)
- Denbighshire County Council (DCC)
- Natural Resources Wales (NRW)
- Welsh Government (in relation to aviation issues)

**All statutory 'Specialist Consultees' provided a response.** As a result of this consultation, the Inspectorate also received a response from

- The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty Joint Committee (AONB JC)

Responses received are appended to this Direction. The SR states that the applicant intends to continue consultation with statutory and non-statutory consultees for the duration of the EIA process.

Consultee	Role	PDF Page Number
Conwy County Borough Council	Statutory Consultee: Relevant Local Planning Authority	18 - 20
Denbighshire County Council	Statutory Consultee: Relevant Local Planning Authority	21 - 24
Natural Resources Wales	Statutory Consultee	25 - 31
The Welsh Ministers (Cadw)	Statutory Consultee: Historic Environment	32 - 35
The Welsh Ministers (Planning Directorate)	Consultee for development likely to affect aviation.	36 - 37
Clwydian Range and Dee Valley AONB Joint Committee	Non-Statutory Consultee	38 - 39

The legislative requirements for publicity in relation to the ES are set out by [Part 5](#) of The 2017 Regulations. However, the Inspectorate notes the intention of the applicant to go beyond the statutory minimum. Specific examples of where the applicant may benefit by liaising over details of methodology may be cited under the relevant topics later in the Screening Direction.

The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES. Similarly, the ES should demonstrate how it has taken into account this Scoping Direction.

## 6. Environmental Impact Assessment Approach

The Inspectorate is generally supportive of the approach outlined in the SR. However, the applicant should have regard to specific comments in relation to cumulative effects. In relation to Transport, consultees have identified that there could potentially be issues with the proposed approach to use of on-site borrow to provide stone (see the relevant Topic below). If it is necessary to address alternative options for provision of stone, these alternatives should be addressed throughout the relevant sections of the ES and not only in relation to any effect on vehicular movements.

The ES should include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters. Where professional judgement has been applied this should be clearly stated. The ES topic chapters should report on any data limitations, key assumptions and difficulties encountered in establishing the baseline environment and undertaking the assessment of environmental effects.

For all environmental aspects, the applicant should ensure that any survey data is as up to date as possible and clearly set out in the ES the timing and nature of the data on which the assessment has been based. Any study area applied to the assessments should be clearly defined. The impacts of construction, operation and decommissioning activities should be considered as part of the assessment where these could give rise to significant environmental effects. Consideration should be given to relevant legislation and applicable best practice guidance documents throughout the ES.

Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should provide reference to how the delivery of measures proposed to prevent / minimise adverse effects is to be secured (through legal requirements or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

### 6.1 Environmental Statement Structure

Providing that the content of this Scoping Direction and relevant consultation responses are taken into account, and all effects can be considered under the proposed topic chapters, the structure of the ES identified in Section 6 of the SR is considered appropriate. As the assessments are made, the applicant should consider whether standalone topic chapters would be necessary for topics that are currently proposed to be considered as part of other chapters, particularly if it is apparent that there are significant effects and a large amount of information for a particular topic.

The applicant should also consider a structure that allows the author of the ES and the appointed Inspector and Decision Maker to readily satisfy themselves that the ES contains all the information specified in [Regulation 17](#) and [Schedule 4](#) of the 2017 Regulations. It may be beneficial to cross-refer to the requirements in the relevant sections of the ES, and include a summary after the Contents page that lays out all the requirements from the 2017 Regulations and which sections of the ES they are fulfilled by. In addition, the applicant should ensure that the Non-Technical Summary includes a summary of all the information included in Schedule 4.

## 6.2 Reasonable Alternatives

The SR does not specifically discuss any alternatives considered in relation to the Proposed Development. In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives considered should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made.

The **applicant's attention is drawn to the comments from CCBC regarding reasonable alternatives**. However, the Inspectorate is conscious that the wording of the 2017 Regulations requires a description of the reasonable alternatives *studied* by the applicant (emphasis added), rather than directing what alternatives should be studied. However, if the project appears to warrant an Appropriate Assessment (AA) under the [Conservation of Habitats and Species Regulations 2017](#) ("the Habitats Regulations"), it is worth bearing in mind unless it can be clearly shown to the Welsh Ministers that the project would have no adverse effect on the integrity of any designated sites, it would have to be shown that there is no feasible alternative solution (see advice note from IEMA). Further advice regarding the Habitats Regulations is provided in the final chapter of this Screening Direction.

## 6.3 Flexibility

The **applicant's attention is brought to comments from DCC regarding the [Rochdale Envelope approach](#)** (at point 7: Embedded Mitigation and Further Layout Iterations). However, whilst this approach may be appropriate for the EIA work being undertaken at this stage, it should be noted that a DNS application is an application for full planning permission under the [Town and Country Planning Act 1990 \(as amended\)](#). It is therefore not possible to submit a DNS application with as much uncertainty over what is proposed as is acceptable for an Outline application, or for a Development Consent Order under the [Planning Act 2008](#). At the point of application the following matters should be clear:

- Number of turbines
- Locations of the turbines (subject to micro-siting considerations)
- Tip height
- Hub height
- Rotor diameter

Once that level of certainty is reached for the application, the ES should be reviewed and if necessary updated to ensure it properly captures the impacts of the application being submitted. If the applicant has any further queries about the scope for flexibility in the DNS application process, they should contact the Inspectorate.

## 6.4 Cumulative Effects

In relation to the assessment of cumulative effects, the applicant should also have regard **to the Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#)** – which may be of relevance, in addition to the guidance identified in the SR. The scope of the cumulative assessment should be fully explained and justified in the ES.

The Inspectorate agrees with the comments received from DCC in relation to cumulative effects, i.e. the consented Derwydd Bach wind farm should be included in any assessment

of cumulative effects, as there is no certainty that the scheme will never be brought forward. As discussed in the section on Noise, the Inspectorate also agrees in principle with the view of DCC that all consented and operational turbines of any scale should be included as part of the cumulative assessment. The applicant should seek to agree the approach in regards to Cumulative Effects on each applicable environmental topic with the relevant Consultees. If agreement cannot be reached and the applicant considers it is not possible to include all turbines in the cumulative assessment, a reasoned justification should be provided as to the selection criteria for those included and excluded.

The Inspectorate considers that the grid connection should be subject to a high level assessment of cumulative effects with the Proposed Development, to include consideration of potential significant effects under all applicable EIA topics.

### **6.5 Residual and Synergistic Effects and Mitigation**

The Inspectorate considers the approach to residual effects, mitigation and synergistic effects to be largely appropriate. However, the applicant should consider any comments from relevant consultees when preparing this section of the ES.

### **6.6 Transboundary Effects**

[Schedule 4 Part 5](#) of the 2017 Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The SR has not indicated whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State. The ES should address this matter as appropriate.

## 7. Environmental Impact Assessment Topics

This section contains the **Inspectorate's specific comments on the scope and level of detail** of information to be provided in the **applicant's ES. Environmental topics or features are not scoped out** unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the Inspectorate. In accordance with [Regulation 17\(4\)\(c\)](#) of the 2017 Regulations the ES should be based on this Scoping Direction in so far as the Proposed Development remains materially the same as the Proposed Development described in the **applicant's SR**.

The Inspectorate has set out in this Direction where it has / has not agreed to scope out matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Direction should not prevent the applicant from subsequently agreeing with the relevant consultees to scope such matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

### 7.1 Ecology (including Ornithology) – Scoped In

NRW provided some detailed comments which the Inspectorate directs the applicant to incorporate when undertaking the relevant work for this topic (there were no comments received from either relevant LPAs). The Inspectorate advises the applicant to continue to liaise with NRW **and the relevant LPAs' ecologists** to agree the relevant methodologies for this topic of the ES, ensuring that NRW have sight of the information they need to satisfy themselves as to the appropriateness of the proposed approach.

The applicant should ensure that the baseline for any ecological assessments is robust and provides the necessary data to assess any likely significant effects of the Proposed Development. The Inspectorate advises that ecological survey data greater than two years old should be updated in order to prepare the ES. Additionally, ecological surveys should be undertaken at the correct time of year, and any departures from optimal survey timings and/or methodologies should be clearly justified in the ES, along with an explanation of implications for the assessment of significant environmental effects.

In advice received from NRW, the applicant should ensure that the ES clearly sets out any effects on protected species, and where adverse impacts are identified; appropriate mitigation and/or compensation schemes should be addressed in the ES.

Section 9.1.2 of the SR makes reference to peat depth. The Inspectorate directs the applicant to take heed of the comments on this matter in paragraphs 18 – 21 of **NRW's** response.

NRW have provided specific comments in relation to a number of protected species surveys, namely Dormouse, Otter and Bats in 9.1.15 of the SR. Full results of surveys undertaken should be included in the ES, with the use of figures and appendices as appropriate. In previous consultation with NRW, as set out in 9.1.17 of the SR, the applicant has scoped out a number of ecological surveys to be conducted as part of the ES, and this appears suitable. The applicant should consider the updated comments received from NRW in relation to red squirrel, pine marten and water vole. The ES must present a robust baseline and clearly set out the data on which assessments are based, providing details as to why features have been scoped out of the ES.

In response to Table 9.1 of the SR, based on the comments received from NRW:

<b>Receptor</b>	<b>Summary of NRW Comments</b>	<b>Detailed Assessment Scoped In / Out</b>
Protected Sites	See 'Ornithology' below	See 'Ornithology' below
Red Squirrel	Assessment required. The red squirrel project will hold additional records.	Scoped In
Hazel Dormouse	Surveillance needs to be carried out in October 2019.	Scoped In
Bats	Approach agreed.	Scoped In
Otter	Consideration should be given to track culvert works.	Scoped Out, subject to <b>complying with NRW's</b> advice.
Pine Marten	Possible need for pre-commencement surveys.	Scoped Out
Reptiles	N/A	Scoped Out
Badger	N/A	Scoped Out
Water Vole	Survey required as track works comes within 30 m of watercourse	Scoped Out, subject to setback of at least 30 m being maintained.
Fish	Unlikely to be any impact.	Scoped Out
Invertebrates	N/A	Scoped Out

### **Ornithology**

NRW have made a number of comments regarding Ornithology. In relation to protected sites, NRW advises that the ES considers both construction and operational impacts of the development on the Mynydd Hiraethog Site of Special Scientific Interest (SSSI) and Berwyn Special Protection Area (SPA); the Planning Inspectorate agrees that the ES should be prepared on this basis. Furthermore, NRW requires clarification in relation to the rationale for survey/target species identification. Further information is also required by NRW in relation to flight height of key receptor species, collision risk data collection and modelling approach. The Inspectorate advises that the applicant should consider all requests from NRW in relation to methodology, in order to ensure that the baseline methodology is wholly appropriate, in preparation of the ES.

It is noted in Section 10.1.27-10.1.29 of the SR that the applicant considers a second winter survey to be unnecessary. The Inspectorate agrees with **NRW's comments regarding** this point, and therefore directs that a second winter of bird survey is required.

The Inspectorate advises that comments related to Table 10.1 from NRW are followed. It is recommended that moorland species are included in any detailed assessments, in preparation of the ES. With regard to preliminary conclusions, the applicant is advised that NRW will comment further on any conclusions when full results are available. Though, the preliminary results have been noted.

The ES should address all potential impacts likely to arise from the Proposed Development and assess whether significant effects could occur. The applicant should ensure that comments received from consultees have been addressed in producing the ES. Subject to

further refinement and inclusion of recommendations received from NRW and other consultees, the general approach to ornithology is acceptable.

## 7.2 Landscape and Visual – Scoped In

The applicant should satisfy themselves that they have fully considered the direct landscape impacts arising from the proposed development. Given the limited theoretical visibility beyond that point, a 35km radius for the Study Area is considered appropriate in this instance. The viewpoints included in the assessment should be adequate to allow significant visual effects to be fully assessed; the assessment should fully consider impacts on the special qualities of the Clwydian Range and Dee Valley AONB and the Snowdonia National Park. The assessment should include the impacts of the aviation lighting that will be required due to the height of the proposed turbines.

The Inspectorate notes the intention to undertake the assessment in accordance with professional guidance and advises that the methodology applied to the assessment is clearly set out in the ES, including any departures from standard guidance where applicable. In their response, NRW suggest that the Isle of Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity and Capacity Study will be of relevance to the Landscape and Visual Impact Assessment (LVIA) for this project. Subject to the comments contained in this section, the approaches to assessment of effects on landscape character and LANDMAP aspect areas and the proposed approach and scope for the assessment of effects on designated landscapes are considered appropriate.

The applicant should ensure that the landscape and visual impact of the whole scheme is assessed, and that as far as practical, all elements are included in visualisations. In particular, the control building, substation, and storage and construction compounds and associated infrastructure should be included in any visualisations from close range viewpoints, in addition to any other permanent features. It will also be appropriate to consider temporary installations, for example cranes used during the construction phase. Consultation responses received from the relevant LPAs suggest that the applicant should also consult with the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty Joint Committee (AONB JC), the Clwyd / Powys Archaeological Trust (CPAT) and the Snowdonia National Park Authority (SNPA) when refining the viewpoints to be included in the final assessment. This approach is agreed and the Inspectorate recommends that the applicant follows this advice and makes efforts to agree viewpoint locations with the consultees.

The AONB JC, NRW and CCBC have suggested some initial additional viewpoints, details of which are contained in the attached consultation responses. The Inspectorate agrees that the addition of these viewpoints would be appropriate and recommends that the applicant **take account of these suggestions, including NRW's point regarding the need for wireframe images in specific circumstances.**

The approaches to the assessment of cumulative visual impacts and Residential Visual Amenity are considered appropriate, subject to further consultation and refinement with the relevant consultees. Cadw, in its comments on Cultural Heritage Assessment (CHA), has suggested that the criteria used to determine other development to be included in the assessment of cumulative effects for that topic may need to be refined to take account of the potential effects on SAMs and suggests that this may require the inclusion of further schemes in the LVIA, with cross-reference in the CHA. This approach is recommended and

the applicant should consider refining the approach to cumulative assessment in consultation with the relevant consultees.

### 7.3 Hydrology, Geology and Hydrogeological – Scoped In

The applicant should satisfy themselves that they have fully considered the impacts arising from the Proposed Development in these respects. The intention to carry out the required assessments in line with professional guidance and ongoing consultation with the relevant consultees is acknowledged and recommended. Based on the information provided, it is agreed that Geology and those designated sites located upslope of the site can be scoped out of this section of the ES.

NRW has highlighted a number of issues that should be taken into account in the relevant parts of the ES or CEMP and the applicant should factor these in to their assessment work. The applicant should note the comments from NRW and CCBC regarding the potential need for Ordinary Watercourse Consent from the Local Lead Flood Authority and for further assessment relating to the Water Framework Directive.

### 7.4 Historic Environment (Cultural Heritage) – Scoped In

The applicant should ensure that the study area, or areas, applied to the assessment are sufficient to identify all potential significant effects on historic assets. The study area must be clearly defined in the ES. Given that some flexibility in the Proposed Development design is likely to remain at the time of assessment, the ES should demonstrate how the **'worst case scenario' has been taken into account**. The following comments are made in relation to the information submitted in the SR; the approach to continued consultation with the relevant bodies set out at paragraph 13.1.25 is acknowledged and recommended. Cadw has provided comments on the SR which highlight a number of issues that the applicant should factor in to their proposed CHA.

The CHA should take account of undesignated assets of national importance, in line with the advice set out in [TAN 24: Historic Environment](#). Initial assessment should therefore consider all historic assets within the study area; a cautious approach should be taken when eliminating sites from further assessment, with particular attention given to the **seasonal nature of 'intervening vegetation', where that is the proposed basis for not** undertaking further assessment.

From the information submitted, it is not clear what level of assessment is proposed for those Scheduled Ancient Monuments (SAMs) that lie within the 5km radius but are not included at paragraph 13.1.13 of the SR. The approach to those assets should be clearly explained in the ES.

As indicated by Cadw, single turbines and those below 50m have the potential to result in cumulative effects on SAMs. As such, it is not agreed that those aspects should be scoped out of the assessment of cumulative impacts on historic assets in the first instance. However, it is acknowledged that following initial assessment it will likely be possible to further refine the scope at that point. Again, a cautionary approach should be taken and the seasonal nature of vegetation taken into account when scoping out particular assets from further assessment.

It is reasonable to consider that underground cabling would have no long term visual impact on historic assets once in place. However, the impacts of the construction phase for

the underground cable connection should remain within the scope of assessment. Even if underground cabling were routed along existing roads, there would still be potential for impacts on buried archaeological remains and as such, it is not agreed that assessment of the grid connection should be scoped out of initial assessment in its entirety. The approach to this aspect will likely be able to be refined following initial assessment and consultation with the relevant bodies.

### 7.5 Traffic and Transport – Scoped In

According to the SR, the applicant has scoped out a full Transport Impact Assessment as it is considered likely that no significant effects will occur as a result of the Proposed Development. However, CCBC advise that a Transport Assessment is required to determine the potential for significant effects arising from vehicles connected with the development using the trunk and county road networks. Additionally, a swept path analysis should be conducted to ensure abnormal loads can effectively manoeuvre along the highway. The Inspectorate directs that the applicant should produce a full Transport Assessment as part of the ES, in consultation with the relevant highway authorities.

It is noted in 14.1.27 of the SR that the bulk of stone material required for the proposed development is to be sourced from borrow pits located within the site boundary. In the production of the ES, the applicant should have regard to the comments of DCC and CCBC about the possibility of the need for importation of stone, given the issues that arose with the Clocaenog Forest windfarm. The applicant may be required to import stone as part of the scheme should an issue arise with the sourcing of stone onsite. Unless it can be demonstrated that there is reasonable level of certainty that the proposed borrow pits are a viable method of sourcing the required material, the ES should also address alternative sourcing of and importing of stone. This should be addressed in the ES, and as part of the Transport Assessment. A proportionate approach should be taken to the level of information required for this topic; the applicant should liaise with the relevant highway authorities over the approach and relevant methodologies and include a justification for the approach taken in the ES.

The Traffic Management Plan should be agreed with the relevant highway authorities, and the applicant is advised to engage with the relevant local authorities with respect to proposed traffic management routes for construction traffic.

### 7.6 Noise – Scoped In

It is noted from the SR that noise impacts associated with operation of the Proposed Development will be considered in the ES. CCBC and DCC agree that construction noise can be scoped out of any noise assessment, and the Inspectorate is content with this approach. DCC advises that the construction method statement should include noise abatement measures and the Inspectorate endorses this approach. The applicant should also ensure that the ES clearly sets out the justification for scoping out construction noise.

Paragraph 15.1.25 of the SR states that issues of amplitude modulation will not be fully assessed and the ES will summarise the current situation in terms of analysis and possible ratings. It is agreed that this topic should be covered in as much depth as is reasonably possible. Guidance relating to amplitude modulation contained in the Institute of Acoustics' **Amplitude Modulation Working Group's 'Final Report: A Method for Rating Amplitude Modulation in Wind Turbine Noise'** and the associated [IOA AM Code](#), published in August 2016 should be taken into account when doing so.

Paragraph 15.1.17 of the SR identifies both consented and operation windfarms that are to be included in the cumulative noise assessment. In principle, the Inspectorate agrees with the view of DCC that all consented and operational turbines of any scale should be included as part of the cumulative noise assessment. The applicant should seek to agree the approach with the relevant LPAs. If agreement cannot be reached and the applicant considers it is not possible to include all turbines in the cumulative assessment, a reasoned justification should be provided as to the selection criteria for those included and excluded.

It is noted that the SR does not set out the noise impact on recreational users, such as walkers and cyclists. The applicant should consider the noise impact of operation on recreational users as part of the ES. CCBC provide further comment on this. Any relevant guidance or standards, other than those outlined in the SR, that are published prior to or during production of the ES should also be given due consideration.

Given that the site lies within two local authority areas, methodology and monitoring locations should be discussed and agreed, where possible, with appropriate officers at both authorities.

### **7.7 Forestry – Scoped In**

The Inspectorate is content with the approach to Forestry. However, [NRW's website](#) refers to the [4<sup>th</sup> Edition of The UK Forestry Standard](#) (5 July 2017). The applicant should refer to the current version of any guidance when preparing the ES.

### **7.8 Socio-Economics – Scoped In**

The Inspectorate is content with the approach set out in the SR.

The Inspectorate agrees that Tourism be Scoped Out of the ES. The applicant should ensure that the ES provides clear justification as to why it was Scoped Out.

### **7.9 Health and Public Safety – Scoped In**

Ice Throw and Lightning are Scoped Out of the ES.

Based on the advice in [TAN 8](#) on Shadow Flicker and the comments received from DCC (at point 18: Health and Public Safety), the Inspectorate considers that it would be premature to Scope Shadow Flicker out at this stage. Shadow Flicker should be addressed in the ES once the turbine locations and dimensions are finalised (as they must be for a DNS application).

At that stage, a proportionate assessment should be undertaken; if it can be demonstrated that no receptors will be affected, then the ES section should not be unduly onerous to complete.

### **7.10 Aviation and Existing Infrastructure – Scoped In**

The applicant is directed to heed **Welsh Government's comments regarding the scope of the assessment on Aviation interests, i.e.:**

- Consider the effect on the following facility under the supervision of the Defence Infrastructure Organisation: Warton Aerodrome and Preston
- Consider the effect on two radar installations operated by NATS as part of the en-route phase of flight: **St Anne's and Great Dun Fell.**

As identified above, the assessment of impacts on users of Public Rights of Way should include operational noise and visual elements as well as construction / decommissioning impacts on access.

Impacts on Utility Lines and TV and Microwave fixed links are Scoped Out.

## 8. Other Matters

**This section does not constitute part of the Scoping Direction, but addresses other issues related to the proposal.**

### 8.1 Habitats Regulations Assessment

[The Conservation of Habitats and Species Regulations 2017](#) require competent authorities, before granting consent for a plan or project, to carry out an appropriate assessment (AA) in circumstances where the plan or project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects). The competent authority in respect of a DNS application is the relevant Welsh Minister who makes the final decision. It is the **applicant's responsibility to provide sufficient information to the** competent authority to enable them to carry out an AA or determine whether an AA is required.

When considering whether or not significant effects are likely, applicants should ensure that their rationale is consistent with the [CJEU finding](#) that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an AA and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site **when determining whether an AA is required ('screening')**. The screening stage must be undertaken on a precautionary basis without regard to any proposed integrated or additional avoidance or reduction measures. Where the likelihood of significant effects cannot be excluded, on the basis of objective information the competent authority must proceed to carry out an AA to establish whether the plan or project will affect the integrity of the European site, which can include at that stage consideration of the effectiveness of the proposed avoidance or reduction measures.

Where it is effective to cross refer to sections of the ES in the HRA, a clear and consistent approach should be adopted.

**The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 10: Habitat Regulations Assessment relevant to Nationally Significant Infrastructure Projects](#)** may prove useful when considering what information to provide to allow the Welsh Ministers to undertake AA.

## 8.2 ES Accompanying Documentation / Application Requirements

The Non-Technical Summary (NTS) to the ES is a part of the ES, as defined by Regulation 17 and Schedule 4 of the 2017 Regulations.

A Design and Access Statement (DAS) is a requirement under Article 14 of the Developments of National Significance (Procedure) (Wales) Order 2016. Guidance on **producing a DAS is available in '[Design and Access Statements in Wales: Why, What and How](#)', produced by the Design Commission for Wales and published by Welsh Government.**

The Planning Inspectorate agrees that the ES should focus on environmental impacts, clearly identifying the residual effects, and that those effects should be assessed against relevant planning policy (local and national) and legislation in a Planning Statement which is cross referenced with the ES, but sits outside it. The applicants should be aware that the Welsh Ministers must have regard to extant policy at the time of making the decision, rather than submission of the application, so addressing the potential implications of any emerging policy which has been published in draft form at the time of submitting the application may help to avoid subsequent delays if new policy comes into force while the application is under consideration.

The requirements for a Pre-Application Consultation report are detailed in Article 11 of the Developments of National Significance (Procedure) (Wales) Order 2016. In terms of publicity and consultation related to the application which goes beyond the requirements in the 2017 Regulations, the Inspectorate will not comment as part of this statutory Scoping Direction, other than to encourage the applicant to pursue best practice and seek advice from consultees with the relevant local knowledge to inform their approach. The Inspectorate publishes guidance relating to [Pre-Application Consultation](#) for DNS, and can potentially offer case by case advice subject to a formal request for pre-application advice on a chargeable basis; this falls outside the scope of the EIA Scoping Direction.

If the applicant wishes to gain advice relating to the scope of the application beyond the statutory requirements, they are advised to contact the Planning Inspectorate separately to this EIA Scoping Direction request.

## Appendix: Consultation Responses

---

<b>Consultee</b>	<b>Role</b>	<b>PDF Page Number</b>
Conwy County Borough Council	Statutory Consultee: Relevant Local Planning Authority	18 - 20
Denbighshire County Council	Statutory Consultee: Relevant Local Planning Authority	21 - 24
Natural Resources Wales	Statutory Consultee	25 - 31
The Welsh Ministers (Cadw)	Statutory Consultee: Historic Environment	32 - 35
The Welsh Ministers (Planning Directorate)	Consultee for development likely to affect aviation.	36 - 37
Clwydian Range and Dee Valley AONB Joint Committee	Non-Statutory Consultee	38 - 39

The Planning Inspectorate  
Crown Building  
Cathays Park  
Cardiff  
CF10 3NQ

Gofynnwch am / Please ask for: **Ceri Thomas**

 **01492575391**



 **ceri.thomas@conwy.gov.uk**

Ein Cyf / Our Ref: **DC/ENQ/28192**

Eich Cyf / Your Ref:

Dyddiad / Date: **04/09/2018**

**Site / Location:** Alwen Forest  
4km North West of  
Cerrigydrudion  
Conwy  
LL21 9TT

**Proposal:** EIA Scoping Consultation: Wind  
Farm (up to 9 turbines),  
substation, battery storage and  
associated infrastructure.

Dear Sirs

**Re: Your Recent EIA Scoping Consultation**

I refer to your letter dated 6<sup>th</sup> August 2018 requesting Conwy County Borough Council's (CCBC) advice on a Scoping Direction to be made under The Town and Country Planning (Environmental Impact Assessment)(Wales) Regulations 2017 ("the EIA Regulations").

CCBC makes the following observations on the Scoping Report (SR).

Content	CCBC's comments
General	<p>The SR fails to address the requirement in paragraph 2 of Schedule 2 of the EIA Regulations to provide "a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the applicant or appellant which are relevant to the proposed development and its specific characteristics and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects".</p> <p>The only alternatives identified relate to the locations of the substations and construction compounds. The ES should address all reasonable alternatives studied by the applicant, including a more robust justification for the proposed tip height. The reasons cited for selecting the proposed tip height (which is significantly higher than existing and consented wind turbines in the Clocaenog Forest Strategic Search Area) relate to efficiency and availability rather than environmental effects.</p>

Paragraph 2.1.4	The proposal is described as being for 'up to 9 wind turbines', but it is unclear whether a minimum number is proposed. Similarly, the reference to 'up to 200m' tip height should be clarified in respect of the range of tip heights that are being contemplated.
Diagram 2.1	The meanings of the references to 'Class 1a' and 'Class 2b' sites is unclear. Whilst that diagram shows that the market is dominated by larger turbines, it does not demonstrate that smaller turbines are unavailable, and hence does not support the justification provided in the preceding paragraphs in relation to the selection of the turbine height.
Paragraph 2.1.28	The ES and planning application will need to clarify the number, location and capacity of each of the borrow pits, and include existing and proposed site sections. They should also identify whether any these pits could be used for future working (for example, by forestry operators exercising 'permitted development' rights) once their restoration (and any aftercare period) is complete.
Paragraph 4.1.5	The site of the consented Derwydd Bach wind farm is in Denbighshire. CCBC understands that the Derwydd Bach wind farm has an extant planning permission but is unlikely to be implemented. On this basis, CCBC does not consider on the information currently available that the Derwydd Bach scheme should be included in the cumulative assessment.
Paragraph 4.1.20	The applicant anticipates that mitigation measures identified in the SR will be secured through planning conditions. CCBC would expect that a similar approach will be taken in respect of any further mitigation measures that may be identified in the ES. It is therefore imperative that only those mitigation measures which the applicant is committed to implement will be identified.
Paragraph 5.1.2	<p>The list refers to the 9<sup>th</sup> edition of PPW. The Welsh Government has recently undertaken a consultation on the 10<sup>th</sup> edition. If this is published prior to the submission of the planning application, this reference will need to be updated and any policy changes reviewed.</p> <p>The ES should assess how the proposal would secure the indicative capacity targets for SSAs in Table 1 of TAN8.</p> <p>The Conwy LDP designates part of the development site as a Safeguarded Hard Rock Reserve. The ES should address how the proposal is justified in accordance with Policy MWS/3.</p> <p>CCBC's Supplementary Planning Guidance (SPG) LDP17: Onshore Wind Turbine Development is in draft form and has not been adopted as SPG.</p>
Paragraph 11.1.6	Some of the preliminary LVIA viewpoints are within or on the boundary of the Snowdonia National Park. The Snowdonia National Park Authority should therefore be consulted on the LVIA.
Table 11.2	CCBC requests additional viewpoints on the Alwen Trail (which forms a regionally important recreational route) and on the minor road between Llyn Aled and the A543 (which provides expansive views which are not affected by existing wind turbines).

Rydym yn croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh.  
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi /  
We will respond to any correspondence in Welsh which will not lead to a delay.



Prif Switsfwrdd / Main Switchboard: 01492 574000

[www.conwy.gov.uk/cynllunio](http://www.conwy.gov.uk/cynllunio) [www.conwy.gov.uk/planning](http://www.conwy.gov.uk/planning)

BT Cyfnewid Testun / BT Text Relay Service 18001 01492 574000



Table 11.2 (continued)	It is noted that the list of preliminary LVIA viewpoints will be refined through fieldwork and discussion. CCBC requests that it is included in such discussions.
Paragraph 12.1.10	The applicant is advised to contact the Flood Risk and Infrastructure at <a href="mailto:land.drainage@conwy.gov.uk">land.drainage@conwy.gov.uk</a> for clarification on the need for Ordinary Watercourse consent.
	It is noted that the sustainable drainage requirements of the Flood and Water Management Act 2010 will take effect from January 2019.
Chapter 14	The local highway authority advises that a Transport Assessment is required to determine the effects that vehicles connected to this development will have on the trunk road as well as the county roads. Swept path analysis is vitally important to review the effect of abnormal loads on the highway and what accommodation works are required (specifically at junctions and bends in the road) to ensure they can manoeuvre along the highway and to minimise disruption to the general highway users.
Paragraph 14.1.10	This paragraph will need to be reviewed in the light of the applicant's decision to withdraw the planning application for one of the borrow pits relating to the Clocaenog Forest Wind Farm.
Chapter 15	CCBC agrees with the SR in respect of noise at residential properties. However, the SR does not address the impact of noise on recreational users, which include walkers, cyclists, runners and anglers. The draft 10 <sup>th</sup> edition of PPW states that the health imperative of appropriate soundscapes in contributing to the overall character and quality of places and the health and well-being of people and wildlife should be fully recognised (para. 5.139). Given the potential impact of operational noise on the quiet enjoyment of recreational users, CCBC considers that these impacts should be scoped into the ES.

I would be grateful if the Planning Inspectorate would take the above matters into account in issuing its Screening Direction.

I would be grateful if you would provide me with a copy of the Screening Direction in due course.

Yn ddiffuant / Yours sincerely

  
Paula Jones

Rheolwr Rheoli Datblygu ac Adeiladu / Development and Building Control Manager

Rydym yn croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh.  
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedl /  
We will respond to any correspondence in Welsh which will not lead to a delay.



Prif Switsfwrdd / Main Switchboard: 01492 574000  
[www.conwy.gov.uk/cynllunio](http://www.conwy.gov.uk/cynllunio) [www.conwy.gov.uk/planning](http://www.conwy.gov.uk/planning)  
BT Cyfnewid Testun / BT Text Relay Service 18001 01492 574000



Eich cyf / Your ref

Ein cyf / Our ref : 00/2018/0778

Dyddiad / Date : 23 August 2018

Rhif union / Direct dial : 01824 706727



Dear Sir / Madam

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) (Wales) Order 2012**

CYNNIG / PROPOSAL: Proposed Alwen Forest Wind Farm - EIA Scoping Direction consultation  
LLEOLIAD / LOCATION: Alwen Forest , Bylchau, Denbigh

I write on behalf of Denbighshire County Council as local planning authority in relation to your letter dated 07/08/2018 inviting comments from the Council on the scope of the EIA and the proposed methodologies outlined in the Scoping Report.

Our comments are based on the information set out in the Alwen Forest Wind Farm Scoping Report (Doc Ref: 1171877 Issue C), having regard to the provisions of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (the 2017 Regulations).

Please note, due to time and resource constraints, technical specialists within the Council have not provided an input into this response, and the comments on the relevant chapters in the Scoping Report set out below are limited to the views of planning officers only:

**COMMENTS ON SCOPING REPORT:**

**1. Introduction**

No observations.

**2. The Proposed Alwen Forest Development**

No observations.

**3. Consultation**

No observations.

**4. Approach to the Environmental Impact Assessment (EIA)**

4.1.15 states the consented Derwydd Bach scheme is to be scoped out of the cumulative assessment as the developer is not progressing this scheme.

Planning permission was granted for the Derwydd Bach windfarm (planning application ref: 04/2007/0964) on 21/07/2011 following the signing of the Section 106 Agreement. The Council agreed to partially discharge the pre-commencement conditions attached to the Derwydd Bach planning consent to enable the development to be constructed in phases, which was an approach the Council has taken previously. The pre-commencement conditions were therefore partially discharged to allow the first phase of the development to be carried out which consisted of the construction of the

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

Ffôn: 01824 706727

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: 01824 706727

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



site access, and therefore the permission has been implemented. The developer however subsequently confirmed that they were not progressing with the scheme.

The Council therefore do not contest that the Derwydd Bach scheme is currently not been progressed, however as the permission has been implemented, albeit only through the construction of the site access, the permission would nevertheless remain extant and it could be resurrected at a later date by the original developer or by a new developer. Whilst this may be unlikely, it is a possibility, and therefore as the permission remains extant, our view is that it should be included within the cumulative assessment.

## 5. Legal and Policy Context

The Council has made a formal start on the review of the LDP, however it is still in the early stages and therefore the Local Development Plan (June 2013) remains the adopted development plan for Denbighshire.

Welsh Government are currently consulted on Planning Policy Wales Edition 10, and therefore Planning Statement should acknowledge this.

## 6. Environmental Statement

No observations.

## 7. Embedded Mitigation and further Layout Iterations (EIA)

7.1.2 states the layout represents the worst case scenario (e.g. the layout presents the maximum potential number of and tip height). However, given the lead in time for windfarm development from submission of a planning application to commencement of construction is often several years, due to ongoing advancement of turbine technology, it is often the case that the dimensions of the final preferred turbines to be installed differ from the candidate turbine used in the EIA (typically the hub height is reduced to accommodate longer blades within the overall tip height limit).

A turbine with longer blades / larger rotor diameter may have different environmental effects to the candidate turbine used in the EIA (e.g. in terms of landscape and visual impacts, noise and shadow flicker).

The Council would therefore advise the EIA methodology should apply the 'Rochdale Envelope' not only to the layout and tip height, but also to the dimensions of the candidate turbine in terms of hub height and rotor diameter to ensure the candidate turbine also represents a 'worst case scenario' regardless of whether such a turbine is actually commercially available (this was the approach taken in the EIA for the Burbo Bank Extension offshore windfarm (Nationally Significant Infrastructure Project which was subject of a Development Consent Order application).

## 8. Purpose of this Scoping Report

No observations.

## 9. Ecology

The Council's Ecology Officer has reviewed the Scoping Report, and has confirmed he has no concerns with the proposed methodology and having regard to the results and discussion presented in the Scoping Report, the Council has no objection to the proposed approach with respect to Ecology.

## 10 Ornithology

The Council's Ecology Officer has reviewed the Scoping Report, and has confirmed he has no concerns with the proposed methodology and having regard to the results and discussion presented in the Scoping Report, the Council has no objection to the proposed approach with respect to Ornithology.

## 11. Landscape and Visual

The Council would agree a 35km radius is an appropriate Study Area for the LVIA.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ  
Ffôn: 01824 706727  
e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ  
Phone: 01824 706727  
e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



With respect to the identification of suitable viewpoints to be included in the LVIA, in addition to CCBC and DCC, the Council consider the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty Joint Advisory Board (AONB JAC) and the Clwyd / Powys Archaeological Trust (CPAT) should also be consulted.

The Council concurs with the views of the AONB JAC that additional view points from with the south-west area of the AONB should be included within the LVIA. The AONB JAC have suggested view points from higher ground of the Berwyn (e.g. Liberty Hall, 549m elevation) and Llantysilio Mountains (e.g. Moel y Gamelin, 577m elevation) and the Council would suggest these are included as additional viewpoints.

### **Cumulative Assessment**

As stated above, the Derwydd Bach windfarm consent was implemented and therefore remains extant. The Council therefore consider that the Derwydd Bach windfarm should be scoped into the cumulative assessment.

11.1.31 states that only turbines less than 50m in height within 5km of the site will be included within the scope of the cumulative assessment. However, there is a considerable number of single / pairs of turbines across Denbighshire and Conwy which are around 50m in height (typically 50kW turbines located on farms) which are visible in the landscape from beyond 5km.

Due to the proliferation of this scale of turbine developments across the area, the Council therefore consider that all turbines of between 20 – 50m in height within 15km of the site should be included within the scope of the cumulative assessment.

The Council has no objection to turbines of less than 20m in height being scoped out.

### **12. Hydrology, Geology and Hydrogeology**

A number of residential properties across Denbighshire and Conwy have private water supplies, and groundworks, excavations and working out borrow pits has the potential to directly impact on sources of private water supplies.

As the number and location of water abstractions for private water supplies in close proximity to the site have not yet been identified, the impacts on those water supplies is currently unknown and accordingly the Council would be in full agreement that water resources and private water supplies should be scoped in.

The Council has no objection to Geology and Designated Sites to be scoped out from a hydrological perspective.

### **13. Cultural Heritage**

The Council agrees cultural heritage issues should be included within the scope of the EIA.

### **14. Traffic and Transport**

The Council's Highways Officer has not been able to input into this scoping opinion consultation within the time constraints, and therefore it is advisable for the developer to engage with the local highway authority with respect to proposed traffic management routes for construction traffic.

It is noted that the AIL traffic route is proposed to follow the same route as the Clocaenog Forest Wind Farm and Brenig Wind Farm.

The Council note that it is stated at 14.1.27 that the bulk of the stone material will be sourced from borrow pits within the site boundary. However, as the suitability of borrow pits has not been fully investigated at this stage, and the Council is aware of other windfarms where consented borrow pits have subsequently been found to be unsuitable (for example the Clocaenog Forest wind farm where one of the consented borrow pits was found to be unviable post consent), it is therefore reasonable to conclude there is the potential that the scheme may need to import stone should this issue arise with the scheme currently proposed, and the vehicular movements associated with the importation of stone should be considered in the scoping exercise.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ  
Ffôn: 01824 706727

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ  
Phone: 01824 706727

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



In accordance with current Welsh Government advice however, a Transport Management Plan should be agreed with relevant highway authorities and submitted with the DNS application for approval rather than dealt with by condition.

## **15. Noise**

15.1.17 identifies operational and consented windfarms to be included in the cumulative noise assessment. Due to the proliferation of individual and pairs of turbines across Denbighshire and Conwy, the Council consider all operational and consented wind turbines of any scale should be included within the cumulative noise assessment.

The Council has no objection to construction noise being scoped out of the EIA, however the construction method statement should nevertheless include noise abatement measures to ensure construction activities do not adversely impact on amenity of residential properties within the vicinity of the site.

## **16. Forestry**

No observations

## **17. Socio-Economic**

No observations

## **18. Heath and Public Safety**

### **Shadow Flicker**

As stated under Chapter 7 above, the dimensions of the final preferred turbine may differ from the candidate turbine, and accordingly the need for a shadow flicker assessment should be based on a worst case scenario (i.e. the largest rotor diameter which could be accommodated within the overall tip height) and not based solely on a candidate turbine with a 105m rotor.

In the absence of further information regarding the worst case scenario, the Council do not agree that shadow flicker assessment should be scoped out.

## **19. Aviation and Existing Infrastructure**

No observations

## **20. Summary, Residual and Synergistic Effects and Mitigation**

No observations

## **21. ES Accompanying documentation**

Support the bilingual publication of the NTS.

Please note, this response is made at officer level and is given without prejudice; it is not to be held as binding on the Local Planning Authority or any of its elected members.

Yours sincerely

**Denise Shaw MRTPI**

Planning Officer

(On behalf of Denbighshire County Council)

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ  
Ffôn: 01824 706727

e-bost: [cynllunio@sirddinbych.gov.uk](mailto:cynllunio@sirddinbych.gov.uk) Gwefan: [www.sirddinbych.gov.uk](http://www.sirddinbych.gov.uk)

Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ  
Phone: 01824 706727

e-mail: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)



Er sylw / For the attention of: Robert Sparey,  
Adeilad y Goron,  
Parc Cathays,  
Caerdydd,  
CF10 3NQ

Annwyl / Dear Robert Sparey,

**TOWN AND COUNTRY PLANNING ACT 1990  
THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016  
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT (WALES)  
REGULATIONS 2017**

**Potential DNS Application**

**Site Address: Alwen Forest, 4 km north west of Cerrigydrudion, Conwy / Denbighshire, LL21 9TT**

**Proposed Development: Wind farm (up to 9 turbines, up to 200 m to tip), substation, battery storage and associated infrastructure**

Thank you for referring the above proposal for a scoping opinion, which we received on 06/08/2018. NRW has reviewed the information provided in the 'Scoping Report' document (Innogy Renewables UK Ltd Ref: 1171877 draft C, June 2018) and the associated appendices (Figures 2.1 – 2.3, 9.1 and 10.1 Alwen Forest, Figures 11.1-11.3 and 13.1-13.3 Alwen Forest).

Please note that our comments are without prejudice to any comments we may wish to make when consulted on any subsequent planning applications or on the submission of a more detailed scoping report or the full Environmental Statement. At the time of any planning application there may be new information available which we will need to take into account in making a formal response.

These comments include those matters NRW consider will need to be taken into consideration and applied to the Environment Impact Assessment (EIA) and the resulting Environmental Statement (ES).

**Construction Environmental Management Plan (CEMP)**

1. We note that section 2.1.29 of the submission confirms that a CEMP is to be prepared.
2. We will require a comprehensive and site-specific CEMP to be produced in support of the ES and address all relevant environmental issues. Details shall include strategies relating to the management of soil, silt and materials and full details of pollution prevention, pollution incident response plan and waste management plan.

3. The submission should refer to and incorporate best practice to ensure environmental safeguards are in place. All waste arising needs to comply with the Environmental Permitting Regulations 2016. NRW require waste arising from the works to be disposed or recycled at a suitably permitted site. Waste movements must show duty of care under Section 34 of EPA '90. All waste carriers must be upper tier registered.

### **Habitat Management Plan (HMP)**

4. We concur with section 2.1.32 that there will be a requirement for a Habitat Management Plans and agree that the aims and objectives of such and HMP will evolve during the course of the EIA process as further ecological baseline survey results and detailed peat probing surveys are obtained.

### **Cumulative Assessment**

5. We note in section 4.1.15 that it is proposed to scope out Derwydd Bach out of the cumulative assessment as the connection agreement between the grid supplier and Tegni Cymru cyf was terminated on 12 October 2015. We agree that Derwydd Bach can be scoped out of the cumulative assessment.

### **Mitigation and Monitoring of Environmental Effects**

6. NRW note within section 4.1.16 – 4.1.19. we are in general agreement with the proposed approach. However, it should be noted that a landscape and visual sensitivity has not been included for review and comments. A 4-point significance of effect scale is proposed. Please note in our experience we have on occasion found a 4-point scale to be too broad and can cause borderline significant visual effects to be discounted. We will be carefully reviewing wireframe and photomontage images to consider the magnitude of change from the proposed development.

### **Ecology**

7. NRW advise that the ES should clearly set out any effects on protected species and, where adverse effects are identified, should propose and deliver appropriate mitigation and/or compensation schemes to ensure the Favourable Conservation Status of the affected species is maintained.
  - Dormouse
8. NRW have advised on the placing of the boxes, however, it should be noted that surveillance will need to be carried out to October 2019, this is subsequent to the interpretation of the outcome of the results. It should also be noted that negative records do not demonstrate absence. NRW would welcome the additional inclusion of footprint tunnels.
  - Otter
9. NRW note the proposal design incorporates a 100m setback from all known watercourses (9.1.4). This is welcomed. However, consideration should be given to track culvert works.

- Bats

10. NRW agree with the proposed approach to bat activity and roost surveys.

- Red squirrel and pine marten

11. The comments accord with previous advice and we consider the survey effort proportionate, it should be noted that the Red Squirrels United (RSU) volunteers are very stretched at the moment any assistance/support for the RSU should be considered.

12. There is a need to take into account the current conservation status may change during the course of 2018 and 2019 for red squirrel and pine marten. This should be addressed in the provisions of the Environmental Statement and consequent recommendations may include pre-commencement surveys.

13. It should be noted that there is a red squirrel re-enforcement programme that is currently being implemented for the area.

- Water Vole

14. NRW note the proposal design incorporates a 100m setback from all known watercourses (9.1.4). This is welcomed. In this case water vole survey is not required unless any track works come within 30m of any watercourse.

15. With regards to table 9.1: Summary of EclA considerations our comments are as follows:

Receptor	Suggested Assessment	Detailed	NRW comment
Red Squirrel	Yes		Agreed  Note that in respect of 9.1.25 The red squirrel project will hold additional records.
Hazel dormouse	Yes		Agreed
Bats	Yes		Agreed
Otter	No		Agreed subject to the assessment ensuring consideration of tracks
Pine Marten	No		Agreed
Water Vole	No		Agreed subject to the assessment ensuring consideration of tracks

16. NRW note sections 9.1.38 – 9.1.40. and are generally in agreement with the preliminary conclusions. However, the assessment must consider potential changes in current conservation status of red squirrel and Pine marten owing to ongoing conservation. This can be considered within the provisions of the Environmental Statement.

## **Fisheries**

17. NRW are of the view that it is unlikely that the Alwen Forest development could have an impact on fish or fisheries.

## **Peat**

18. NRW note that paragraph 9.1.2 states that some information on peat depth and associated semi-natural habitats have been collected and supplied by NRW. We require that this information is submitted.
19. NRW note that paragraph 9.1.4 states that it is possible that one or more new upgraded access tracks will cross peat in excess of 5m depth. There are raised bogs in the vicinity and a peat depth of over 5 m would appear to indicate the location of potentially another raised mire within the forest, which should be avoided at all costs.
20. We require a digital copy of the proposed infrastructure and any digitised peat depths to be submitted. Site visits will be required to ascertain the impact of the new tracks on deep peat and hydrological flows through the peat. It is noted from figure 2.2 that T4 and T6 are on deep peat, as is the potential location of the compound, alternative sub-station and the track between T6 and T3 cross deep peat.
21. NRW note that paragraph 12.1.15 states that a desk-based study on soils and peat has been conducted and that the initial peat survey has been confined to the areas of the new tracks and indicative turbine locations. NRW require a minimum of 1 peat probe per hectare of development area, generally as a grid across the whole development area which will ensure that the peat resource across the development area is known and that infrastructure can be moved to avoid it where possible. NRW also require a minimum of 1 peat core per 10 peat probes. Further peat surveys confined to infrastructure would then be used to determine the exact locations of turbines and tracks to avoid deep peat wherever necessary and comply with Welsh Government's plan to have all areas of deep peat in Wales under favourable management by 2020 or provide sufficient mitigation in the form of bog restoration on site.

## **Ornithology and Protected Sites**

22. There are potential impacts to the bird assemblages that are features of the Mynydd Hiraethog Site of Scientific Interest and Berwyn Special Protection Area. NRW advise that both construction and operational impacts on these sites are fully assessed in the ES.
23. In the meeting between NRW and the applicant's ecologist it was agreed that the rationale for survey / target species identification needed to be clear. This would be achieved through appended tables defining focal species (in SNH 2014 guidance) and legal / policy drivers (e.g. Annex 1, WAC 1981, BoCC Wales red list / Env Act Wales Section 7). These tables do not appear have to been included – NRW require this clarification.
24. In addition, NRW also require that supporting text is provided to clarify how flight height for key receptor species will be recorded and that the scope would provide clarity on collision risk data collection and modelling approach. This has not been included to date and further information regarding this is sought.

25. Providing the above information is brought forward then NRW agrees that the baseline methodology is appropriate. However, it is not clear how the applicant has taken on board our comments relating to nightjar (from the agreed minutes February 2018 (Appendix B)) and ensuring that surveys are scheduled for local arrival, settlement and breeding.
26. With regards to section 10.1.27 – 10.1.29 NRW are of the view that a second winter of bird survey is required. While the numbers of birds seen were small, several are features of the Berwyn SPA and, a precautionary approach is needed to ensure the small numbers seen are not the result of interannual variation.
27. With regards to what is proposed in Table 10.1: Summary of OIA considerations, there appears to be a disparity between 10.1.30, “that four species of highly protected raptor are currently holding territory within the raptor survey area”, and 10.1.33 (and table 10.1) that moorland species will be discounted from detail assessment in the OIA. NRW does not agree with this view given then size of the proposed scheme, therefore recommend that moorland species are included.
28. NRW note sections 10.1.35 – 10.1.3. with regards to preliminary conclusions. However, will comment further on any conclusions once in receipt of the full results.

## **Landscape and Visual**

29. NRW advise that the ES should fully consider impacts on the special qualities of both the Clwydian Range and Dee Valley AONB and the Snowdonia National Park.
30. NRW are in agreement with the use of a 35km search area and a 20km detailed study area as noted in section 11.1.5.
31. NRW note section 11.1.6. and advise that the Clwydian Range and Dee Valley AONB Planning Officer should be consulted. Also, to note the Alwen forest lies on the western edge of the TAN 8 SAA, closest to the boundary of the Snowdonia National Park. 200m high turbines are being proposed. We therefore recommend Snowdonia National Park be given the opportunity to be consulted.
32. NRW advise that the Isle of Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity and Capacity Study will be of relevance to landscape and visual issues. There may be reference in this document to the issues of development within the setting of the national park.
33. NRW note the proposed approach and scope for the assessments of effects on landscape character and LANDMAP aspect areas in section 11.1.14 – 11.1.20. We agree with the proposed use of LANDMAP. Judgements about Landscape Susceptibility will need to be supplemented with site evaluation.
34. We agree to the proposed approach and scope for the assessment of effects on designated landscape within section 11.1.21 – 11.1.22 and consider them to be appropriate.
35. We are generally in agreement with the proposed representative views noted in section 11.1.23. – 11.1.30 and Table 11.2. Sequential views from the B4407 (viewpoint 12) will need to be considered, with wireframe images produced to illustrate the range of views of the development when travelling from higher ground into the valley. In addition, there are some

specific views that we would wish to see included and modelled with wireframe images. These include Carnedd y Filiast – a peak on the eastern boundary of Snowdonia National Park and Cefn Y Capel – the ridgeline to the west of the Capel Curig orientates views towards the Clocaenog TAN8 SSA.

36. With regards to section 11.1.31 – 11.1.33, NRW does not have any comments to make. We consider that the local authority is best placed to advise on the list of relevant projects.

- Residential Visual Amenity

37. With regards to section 11.1.34 – 11.1.36. NRW does not have any comments to make. This issue will lie with the relevant local planning authority to review.

### **Hydrology, Geology and Hydrogeology**

38. We note as part of the full Environmental Impact Assessment and Environmental Statement that further studies of the private water supplies and groundwater dependant terrestrial ecosystems would be undertaken for these reports and therefore have been scoped in. We also note that geology has been scoped out – it is unlikely to change during the lifetime of the developed, and we accept this outcome.

39. We would require further details on specific aspects of the development included (but not exhaustive):

- disposal of foul water from welfare facilities during construction and operation if not taken off site,
- storage of fuels, oils and chemical during construction and operation,
- borrow pits and whether these will be sub water table, and
- proximity of (domestic) private water supplies to windfarm infrastructure.

40. Some of these issues may be covered in the CEMP, as previously stated above it is noted that section 2.1.29 of the submission confirms that a CEMP is to be prepared.

- Flood Risk

41. We note sections 12.1.22 – 12.1.28 with regards to flood risk. The site boundary is completely within zone A as per the Development Advice Maps accompanying TAN15. All watercourses within the site boundary are classified as those of 'ordinary' watercourses (rather than main rivers) and as such any culverting/crossings would be subject to a consent from the relevant Lead Local Flood Authority. The surface water drainage arrangements along with any SUDS (sustainable drainage systems) and run off rates/volume to those ordinary watercourses would need to be agreed/approved by the LLFA. In Wales the LLFA's are within the local authorities.

- Water Framework Directive

42. The applicant should also be aware that consideration must be given as to whether the proposed works could prevent any mitigation measures or actions intended to achieve Good Ecological Status (GES) / Good Ecological Potential (GEP) from being implemented, which could result in the water body failing to meet its objectives. Where a scheme is considered to

cause deterioration, or where it could contribute to a failure of the water body to meet GES or GEP, then an Article 4.7 assessment would be required.

43. The Alwen - above Afon Brenig catchment is currently achieving a moderate status under the water framework directive due to PH failure. NRW's concern would be that the works and tracks leading to the works could further increase the input of PH and possibly deteriorate this water body further and possibly the downstream water body Alwen - Ceirw to Brenig.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours sincerely,

*Siôn M. Williams*

Siôn M. Williams

Uwch Gynghorydd Cynllunio Datblygu / Senior Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales



Llywodraeth Cymru  
Welsh Government

Plas Carew, Uned 5/7 Cefn Coed  
Parc Nantgarw, Caerdydd CF15 7QQ  
Ffôn 0300 025 6000  
E-bost [cadw@llyw.cymru](mailto:cadw@llyw.cymru)  
[cadw.gov.wales](http://cadw.gov.wales)

Plas Carew, Uned 5/7 Cefn Coed  
Parc Nantgarw, Caerdydd CF15 7QQ  
Ffôn 0300 025 6000  
E-bost [cadw@gov.wales](mailto:cadw@gov.wales)  
[cadw.gov.wales](http://cadw.gov.wales)

Robert Sparey  
The Planning Inspectorate

[policy.wales@pins.gsi.gov.uk](mailto:policy.wales@pins.gsi.gov.uk)

Eich cyfeirnod  
Your reference

3208218

Ein cyfeirnod  
Our reference

Dyddiad  
Date

24 August 2018

Llinell uniongyrchol  
Direct line

0300 025 6007

Ebost  
Email:

[amadminplanning@gov.wales](mailto:amadminplanning@gov.wales)

Dear Mr Sparey,

**TOWN AND COUNTRY PLANNING ACT 1990  
THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES)  
ORDER 2016  
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT  
(WALES) REGULATIONS 2017**

**Proposed Development:** Wind farm (up to 9 turbines, up to 200 m to tip), substation, battery storage and associated infrastructure, Alwen Forest, 4 km north west of Cerrigydrudion, Conwy

Thank you for your letter of 6 August 2018 asking for Cadw's advice on the scope of the EIA and the proposed methodologies outlined in the Scoping Report for this potential DNS application.

Designated Historic Assets

I can confirm that the impact on the following designated historic assets, and their setting, should be taken into account:

*Scheduled Monuments:*

Within a 5km ZTV:

DE076	Cae Ddunod Camp
DE085	Bwlch-Du Round Barrow
DE086	Hen Ddinbych Circular Platforms
DE087	Circular Platforms North West of Hen Ddinbych
DE095	Hafod-y-Dre Stone Rows and Cairn
DE100	Rhiwiau round barrow cemetery
DE168	Gorsedd Bran Round Barrows
DE228	Ffridd Brynhelen Enclosures & Fields
DE283	Hafotty Wen Ring Cairn

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.  
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



DE284 Nant Heilyn Stone Setting

*Listed Buildings*

19340	Milestone	II
19341	Pont Ty'n-y-rhyd	II
19342	Pont-yr-Alwen	II
19343	Cerrigydrudion War Memorial	II
	Morris Monument in the churchyard of the Church of St	
19344	Mary Magdalene	II
	Pair of Williams Chest Tombs in the churchyard of the	
19345	Church of St Mary Magdalene	II
	Table Tomb in the churchyard of the Church of St Mary	
19346	Magdalene	II
19347	Cowhouse, Yards and Stable at Hafod y Maidd	II
19348	Llechwedd-llyfn	II
19351	Alwen Dam	II
19352	Pont-y-rhuddfa	II
	Hafod y Maidd Farmhouse including attached farm building	
19353	at the W end	II
	Barn and Carthouse opposite Hafod y Maidd including	
19354	attached pigsties	II
19355	Carthouse at Hafod y Maidd	II
20583	Pont Twllaran	II
20584	Tyrpeg Mynydd	II
20597	Chapel at Hafod	II
20598	Telephone Call-box at Hafod	II
20602	Stable building at Cernioge	II
20603	Glanrafon	II
20604	Bryn-heilyn	II
20612	Stable Building at Bryn-heilyn	II
20993	U-shaped Agricultural Range at Tan-y-graig	II
20994	Bwlch-du	II
63	Hafan Prys Almshouses	II
67	Cernioge Farmhouse (Cerniogau-mawr)	II
70	Church of St Mary Magdalene	II

Further details are available at:

<http://cadw.gov.wales/historicenvironment/recordsv1/cof-cymru/?lang=en>

The Alwen Forest wind farm would comprise up to 9 turbines up to 200m to tip, with turbine foundations, external transformer housing, crane pads, access tracks and entrance points, substation and control building, underground electricity cables, temporary borrow pits, drainage attenuation and construction and storage compounds, and peat restoration/habitat management area.

Chapter 13 of the scoping report presents the proposed methodology for assessing the impact of the development on the historic environment. Largely the methodology proposed is acceptable subject to the following recommendations:

### **Question 23:**

The document as presented implies that only DHA (Designated historic assets) will be subject to evaluation of indirect impact. TAN 24 guidance advises that when considering development proposals it is necessary to consider not only designated monuments but all archaeological remains, and to treat undesignated assets of national importance with the same level of attention as designated assets. To meet this requirement it is important that the initial site assessment needs to include consideration of the full range of historic assets within the study areas. This information is held by the regional Historic Environment Record and may include archaeological sites which while not currently designated, are considered to be of national or regional importance, and therefore significant as stated in TAN 24 para 4.2. It is noted that in Table 13.1 non-designated assets of equivalent national significance are included in the highest category of significance in line with the TAN 24 guidance.

The evaluation methodology proposes that it will not undertake detailed assessment of all DHAs in the Outer Study Area – but to focus on those that initial assessment identifies have visibility with turbines. This methodology is acceptable, but it is advisable to take a cautious approach when eliminating sites from further assessment and that due account must be taken of the seasonal nature of vegetation where “intervening vegetation” is proposed to be used as the basis for no further assessment (13.1.12).

Clarity should also be sought on the methodology proposed in section 13.1.13 which lists five scheduled monuments where full visibility with the wind farms are anticipated – and what level of assessment is therefore proposed for the other five scheduled monuments within the 5km zone that are not listed here.

### **ASIDOHL 2**

Cadw confirms that an ASIDOHL 2 assessment will be required for this application – paragraph 13.1.21.

### **Question 24**

More explanation is required regarding the intention to exclude all single turbines and turbines below 50m outside of the scope of the assessment of cumulative impact.

Single turbines in close proximity to the proposed wind farm could be considered visually to result in a cumulative effect on scheduled monuments and start to change the character of the rural landscape and wider setting of rural listed buildings, and therefore merit inclusion in the assessment.

It would be preferable for the study to include an initial study of the numbers and locations of existing single turbines before a decision is taken regarding their potential impact in terms of cumulative effect. It is recognised that with increasing distance, the cumulative impact of single turbines will reduce and is less likely to be significant.

## **Question 25**

13.1.26 See note above regarding the need to take account of seasonal variation in vegetation cover before it is used as a criterion for scoping out assessments.

13.1.27 It is reasonable to consider underground cabling to have no long term visual impact on historic assets after they have been installed and are operational – although it would be expected that there will be some impact during the construction phase. However, it would be unwise to assume that underground cabling, if running alongside existing roads, has no potential to impact on buried archaeological remains. Consideration of potential for archaeological impact should remain within scope.

Yours sincerely,

Mike Weatherhead

Policy & Protection

**From:** [REDACTED]  
**Sent:** 12 September 2018 08:59  
**To:** dns.wales  
**Cc:** Planning.Directorates@gov.wales

**Subject:** RE: 3208218 - DSN Wind Farm, Alwen Forest - EIA Scoping Consultation: Aviation

Dear Mr Sparey

Thank you for your request for scoping advice in respect of a proposed wind farm (up to 9 turbines, up to 200 m to tip), substation, battery storage and associated infrastructure at Alwen Forest, 4 km north west of Cerrigydrudion, Conwy / Denbighshire, LL21 9TT.

I have considered the proposal solely in relation to my policy responsibilities for aviation safeguarding, which in terms of Environmental Impact Assessment is the impact on material assets, specifically the operation of radar infrastructure and the establishments reliant on the radar such as airfields and meteorological facilities.

### **Scope of assessment**

**Chapter 19 of the applicant's scoping report identifies** potential significant impacts on aviation infrastructure. The Environmental Statement (ES) must consider the effect on the following facility under the supervision of the Defence Infrastructure Organisation – Warton Aerodrome, Preston.

Similarly the assessment in the ES must consider the effect on two radar installations operated by NATS as part of the en-route phase of flight– **St Anne's and Great Dun Fell**.

The scoping report notes the proposed development would be located in a low flying area operated by the Ministry of Defence (MoD). The wind turbines are likely to affect flying operations in the area and the MoD may object to development proposal. While the effect may have to be assessed as part of the determination of this application, I do not consider it is likely to have a significant effect on a material asset and this potential impact can therefore be omitted from the ES.

The turbines will require aviation lighting due to their proposed height. The assessment of the lighting should be part of the Visual and Landscape Section of the ES.

### **EIA methodology**

The paragraph 19.1.13 of the scoping report explains sensitivity of receptors will be categorised as low, moderate or high. The associated table 19.1 also includes a receptor category of negligible. This row of the table should not be used in the **assessment as receptors with 'negligible' sensitivity should be scoped out of the ES.**

Subject to this change, the use of the matrix presented in table 19.1 and justification for the criteria in paragraph 19.1.13 is supported.

Please let me know if you need any additional information.

Yours sincerely

Hywel Butts

Pennaeth y Gangen Rheoli Datblygu / Head of Development Management Branch  
Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Llywodraeth Cymru / Welsh Government



**Bryniau Clwyd a  
Dyffryn Dyfrdwy**  
Clwydian Range  
and Dee Valley


Ardal o Harddwch Naturiol Eithriadol  
Area of Outstanding Natural Beauty

Bryniau Clwyd a Dyffryn Dyfrdwy AHNE  
Park Gwledig Loggerheads, Yr Wyddgrug, Sir Ddinbych CH7 5LH

Clwydian Range and Dee Valley AONB  
Loggerheads Country Park, Nr. Mold, Denbighshire CH7 5LH

**Ffon** | Tel: 01352 810614 | **Ffacs** | Fax: 01352 810644  
**E-bost** | E-mail: clwydianrangeanddeevalley@denbighshire.gov.uk  
**Gwefan**: www.ahnebryniauclwydadyffryndyfrdwy.org.uk/  
**Web**: www.clwydianrangeanddeevalleyaonb.org.uk/

 [www.facebook.com/Clwydian Range & Dee Valley AONB](http://www.facebook.com/ClwydianRange&DeeValleyAONB)

 @Clwyd\_Deer\_AONB

Cyf | Ref: 3208218

Dyddiad | Date: 23 August 2018

**Rob Sparey**  
**The Planning Inspectorate**  
**Crown Buildings**  
**Cathays Park**  
**Cardiff**  
**CF10 3NQ**

Dear Rob

**PROPOSAL: Potential DNS Application - Wind farm (up to 9 turbines, up to 200 m to tip),  
substation, battery storage and associated infrastructure – EIA Scoping**

**LOCATION: Alwen Forest, 4 km north west of Cerrigydrudion, Conwy / Denbighshire,  
LL21 9TT**

Thank you for consulting the AONB on this potential DNS application. The following observations are submitted on behalf of the Joint Committee following consultation with the AONB Partnership and the Chair of the Joint Committee:

**“The Joint Committee welcomes the intention to undertake a full Landscape and Visual Impact Analysis (LVIA) as part of the Environmental Impact Assessment (EIA). Given the scale and height of the proposed turbines, the adoption of a 35-45km Zone of Theoretical Visibility (ZTV) analysis is appropriate. The selection of Moel Famau as a viewpoint (554m elevation, 20.8 km from the site) for assessing visual impact (including cumulative impacts) is supported. However, the committee would point out that the south-west area of the AONB, notably the higher ground of the Berwyn (e.g. Liberty Hall, 549m elevation) and Llantysilio Mountains (e.g. Moel y Gamelin, 577m elevation), is within the 15-25km range and the development could also have potential adverse visual impacts on the setting of the AONB in this area. In this context, the Joint Committee would ask that additional viewpoints in these areas be included in the LVIA. The committee would also welcome further consultation on the LVIA as it progresses.”**

I would be grateful if you could take account of the committee's views in responding to this request for a scoping direction.

Yours sincerely,

**Tony Hughes**  
**For the Clwydian Range and Dee Valley AONB Joint Committee**

