

DNS: EIA Scoping Direction

CAS-02084-T4Z8W4 - Hirfynydd Renewable Energy Park

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This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 19 October 2022, 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 submitted DNS application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) (as amended) (“The 2017 Regulations”).

1. Introduction

Planning and Environment Decisions Wales (PEDW) received a request under [Regulation 33](#) of the 2017 Regulations for a Scoping Direction in relation to a proposed development for a ‘Renewable energy park comprising wind generating capacity, solar photovoltaic generating capacity, battery storage and associated infrastructure’ by EDF Renewables (‘the Applicant’).

The request was accompanied by a Scoping Report (SR) [2022-10-19 - Hirfynydd Energy Park EIA Scoping Report] and appendices. The documents can be accessed via our casework portal:

<https://planningcasework.service.gov.wales/> - search for **CAS-02084-T4Z8W4**

The SR and appendices outline the proposed scope of the Environmental Statement (ES) for the proposed development.

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

This Direction has been prepared in accordance with the requirements of the 2017 Regulations as well as current best practice towards preparation of an ES. In accordance with the 2017 Regulations PEDW has consulted on the SR and the responses received from the consultation bodies have been duly considered in adopting this Direction.

2. Site Description

The site is predominantly dominated by open grassland used for animal agriculture; located approximately 1.5 km north-east of Crynant in the Neath Port Talbot Council (NPT) planning area.

Further information is available in section 4.1 – 4.6 of the SR.

3. Proposed Development

The proposal as described in the SR is for:

- Up to 7 wind turbines with a total installed capacity of circa 50 MW. These will have a maximum tip height of up to 200 m, each with transformers, aviation lights, turbine foundations, crane hardstanding's and laydown / storage areas.
- Circa 50 MW of solar photovoltaic panels;
- Battery storage;

- New / upgraded access tracks and turning circles to provide access to turbine bases and other infrastructure
- Power cables linking the turbines, solar PV, battery storage to the substation / control building (laid in underground trenches along access tracks where possible).
- Temporary site construction compounds and associated infrastructure.

Further information relating to the proposal can be found within paragraphs 4.10 – 4.48 of the SR.

The scope of the EIA 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.

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.

4. History

The site has been subject to a 2007 planning application for 14 wind turbines on the site. During consultation, this was reduced to a 9 turbines scheme, with 125 m blade to tip site in 2013. The application was refused by the LPA, and a Public Inquiry was held in 2014 and formally closed in 2015. The Planning Inspector dismissed the appeal in 2015. More information on this can be found within section 4.7 – 4.8 of the SR.

5. Consultation

In line with [Regulation 33\(7\)](#) of the 2017 Regulations, formal consultation was undertaken with the following bodies:

- Neath Port Talbot County Borough Council (NPTCBC);
- Natural Resources Wales (NRW);
- Cadw;
- The Coal Authority;
- Transport Directorate of the Welsh Government;
- Dwr Cymru / Welsh Water;
- South West Wales Fire and Rescue Service;
- NATS; and
- The Welsh Government's Soil, Peatland & Agricultural Land Use division (LQAS)

Responses received are included in **Appendix 1**.

6. Environmental Impact Assessment Approach

The Applicant should satisfy themselves that the ES includes all the information outlined in [Schedule 4](#) of the 2017 Regulations. In addition, the Applicant should ensure that the Non-Technical Summary includes a summary of all the information included in Schedule 4. 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 [Regulation 17](#) and Schedule 4 of the 2017 Regulations. 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 Regulations and what sections of the ES they are fulfilled by.

As the assessments are made, consideration should be given to 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.

There may also be topic areas scoped out of the ES where the developer may wish to include application documents that sit outside of the ES and provide information that will support their consultation(s) and the decision-making process. The developer is encouraged to liaise with key consultees regarding non-ES application documents which are not a legislative requirement of the DNS regime. If agreement cannot be reached over non-ES application documentation, then the developer may wish to explore whether PEDW can help provide clarity via its statutory pre-application advice service.

The ES should focus on describing and quantifying significant environmental effects. Policy considerations / arguments relating to those impacts should be addressed in other documentation supporting the application (e.g. a Planning Statement), which cross references the ES where necessary. This does not imply that ES chapters should not be prepared in accordance with relevant advice in policy documents (e.g. Technical Advice Notes), rather that the ES should concentrate on identifying significant effects on the environment rather than dealing with policy arguments or exhaustively listing policies.

Rochdale Envelope: Whilst not specifically raised in the SR for this project, PEDW has previously been asked whether the '[Rochdale Envelope](#)' approach is appropriate for a DNS application for wind turbine development. Whilst this approach may be appropriate for the pre-application Environmental Impact Assessment work, 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)
- Maximum tip height
- Maximum hub height

It is open to the applicant to propose that final hub height and rotor diameter could be left to be dealt with via a written submission to the Local Planning Authority, as a pre-commencement condition (should planning permission be granted) provided the condition specifies that the hub height must not exceed (x) m and the rotor diameter shall not exceed (y) m. As with other

conditions, the applicant should seek to agree a suitable form of wording with the Local Planning Authority, which can be submitted for the appointed Inspector's consideration.

The Applicant should also consider that, in some cases, different methods of construction may lead to different significant effects. This is particularly relevant in wind farm projects where different type of foundations may be required. The ES should be clear that the worst-case scenario is addressed consistently in terms of development footprint including construction areas.

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 PEDW.

Scoping Flexibility: PEDW is content with the ES being prepared on the basis of design parameters (e.g. dimensions of solar panels and associated infrastructure), but the locations of infrastructure should be fixed (subject to micro-siting) and the ES should assess the relevant worst-case scenario for each aspect chapter. PEDW is content that the scoping is based on a maximum scale of development as a worst-case scenario, and revisions can be made to the scheme prior to submission, but the Applicant is advised to contact PEDW where substantial changes are expected, or where changes would affect the worst-case scenario.

6.1 Baseline

[Schedule 4](#) of the 2017 Regulations states that the 'baseline scenario' is "A description of the relevant aspects of the **current** state of the environment" (emphasis added). The baseline of the ES should reflect actual current conditions at the time of submission, insofar as is possible.

6.2 Reasonable Alternatives

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives studied by the Applicant 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.

It is worth bearing in mind that under the [Conservation of Habitats and Species Regulations 2017](#) ("the Habitats Regulations") 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 Scoping Direction.

6.3 Currency of Environmental Information

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, planning policies, and applicable best practice guidance documents throughout the ES.

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.

6.4 Cumulative Effects

The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#) sets out a staged process for assessing cumulative impacts which the Applicant should follow when preparing the list of projects for inclusion in the ES; the Applicant should ensure that relevant schemes identified are addressed in the ES using the tiered approach set out in Advice Note 17. Best practice is to include proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward.

The SR states that an assessment will be made of the likely significant cumulative effects in combination with other developments considering schemes which are subject to a planning application but not yet determined, consented schemes, schemes under construction or that are operational, however this is not for each receptor type; only landscape and visual impact. The ES should include a clear rationale for what receptor types have been included. It may be necessary to include other forms of development that could have cumulative impacts with those arising from this proposal, not just wind or solar energy.

Effects deemed individually not significant from the assessment, could cumulatively be significant, so inclusion criteria based on the most likely significant effects from this type of development may prove helpful when identifying what other developments should be accounted for. The criteria may vary from topic to topic.

All of the other developments considered should be documented and the reasons for inclusion or exclusion should be clearly stated. Professional judgement should be used to avoid excluding other development that is close to threshold limits but has characteristics likely to give rise to a significant effect; or could give rise to a cumulative effect by virtue of its proximity to the proposed development. Similarly, professional judgement should be applied to other development that exceeds thresholds but may not give rise to discernible effects. The process of refinement should be undertaken in consultation with the LPA and other consultees, where appropriate.

The scope of the cumulative assessment should be fully explained and justified in the ES.

6.5 Mitigation

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 secured (through legal requirements or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

6.6 Population and Human Health

The Applicant should ensure that the ES addresses any significant effects on population and human health, in light of the EIA Regulations 2017. This could be addressed under the separate topic chapters or within its own specific chapter.

6.7 Transboundary Effects

[Schedule 4 Part 5](#) of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The ES should address this matter as appropriate.

6.8 Topics Scoped In but not subject to a standalone chapter

For such topics it may be helpful to users of the ES if it includes a summary table that signposts the chapters where these matters are addressed.

7. Environmental Impact Assessment Aspects

This section contains PEDW'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 PEDW. In accordance with Regulation 17(4)(c) 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 Scoping Report.

PEDW has set out in this Direction where it has or has not agreed to scope out matters on the basis of the information available at this time. PEDW 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.

Subject to the comments provided at Table 1, the following aspects are scoped into the ES:

Landscape and visual

Cultural Heritage

Hydrology, Hydrogeology and Geology (including Peat and Mining)

Ecology

Ornithology

Noise and Vibrations

Access, Traffic and Transport

Socio-Economics, Recreation and Tourism

Shadow Flicker

Aviation

Glint and Glare

Shadow Flicker

Major accidents and disasters

Air Quality

8. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
General			
ID.1		General	The ES should include sufficient information to enable an assessment of the direct and indirect, cumulative, short medium and long term, permanent and temporary, positive and negative, construction, operation and decommissioning. post operational phases and long-term impacts on the site.
ID.2		Table 2.1	The table included in the SR notes wind turbines within 33 km of the proposed site. However, there are a number of DNS schemes that do not appear to be listed. These are: - Mynydd Fforch Dwm – 7 km away – DNS reference 3255801 - Mynydd y Gaer – 23 km away – DNS reference CAS-01773-Z5L1D0 - Mynydd y Glyn – 26 km away – DNS reference 3280378 - Twyn Hywel – 30 km away – DNS reference 3272053 Please note that this list is not definitive, and there may be other schemes that come forward between when this Scoping Direction is issued, and Submission. It is up to the Applicant's to check whether any new schemes are within close proximity and have the potential to impact upon sensitive receptors. In addition to the schemes mentioned above, there are the following solar farms that are also within 33 km - Ty Croes Solar (reference 3227364) - Brynrhydd (reference 326056) - Llangennech / Penderi Solar (reference 3213164) - Meillion – (reference – CAS-02425-F5S2K4) The Applicant's attention is also drawn to comments received by NPTCBC that details other schemes the authority is aware of.

ID	Reference in Scoping Report	Issue	Comment
ID.3	2.10	Other forms of development	PEDW would like to remind the Applicant that 'other types of development' includes other schemes, such as other types of DNS applications (e.g. solar photovoltaic) and potentially other types of schemes that only the relevant LPAs would be aware of. The EIA and the impact of this proposal on the surroundings and the environment should not be limited to just wind energy generation.
ID.4		Solar array, battery storage, access tracks, compound storage, and substation	There is no information contained in the plans submitted as part of the SR that detail where the solar array, battery storage, access tracks, compound storage, or substation will be. At formal submission, the ES will need to encompass the whole of the proposal, with plans indicating the scale, size, location and information relating to how each element will be placed / erected. The ES will need to include an assessment of the potential impacts of all elements, and where relevant any reasonable alternatives studied by the applicant.
ID.5		Worst Case Scenario	PEDW welcomes that the ES will take into account the worst-case scenarios. It should be noted that the worst-case scenario will differ between the wind, solar and battery storage elements, and the impacts of each will need to be thoroughly explored individually, as well as cumulatively. The SR acknowledges that the worst-case candidate turbine can differ across EIA disciplines, and PEDW welcomes this approach.
ID.6	3.30 – 3.32	Chapter 3 – NPT summary	The Applicant's attention is drawn to comments made by NPT contained at Appendix 1.
ID.7	4.20 – 4.23	Access tracks	Any tracks that are required as part of this proposal would need to be included within the ES, and the impacts generated by access widening would need to be proportionately explored within the ES.
ID.8	4.25 – 4.26	Temporary Construction Compounds	The ES should be clear on the impact that the temporary compounds may have on the site, and if any elements are to stay during the operation of the site, as well as once the site has been decommissioned.
ID.9	4.27	Borrow pits	As it is anticipated that borrow pits are required, these should be clearly identified, including information regarding the expected borrowed material and

ID	Reference in Scoping Report	Issue	Comment
			depths. Restoration proposals and final land contours should be shown with appropriate cross-section plans. Relevant aspects of the ES should consider whether construction material is won on site or imported, as appropriate, including the production of waste.
ID.10		Aviation lighting	PEDW welcomes that the results of the aviation lighting assessment will be reported in a technical appendix to the ES.
ID.11	4.31	Grid Connection	The Applicant's attention is drawn to comments made by NPTCBC stating that they would prefer that all grid connection cables should be underground. The impacts of these cables and the likely significant effects will need to be assessed within the ES in a proportionate manner.
ID.12	4.36 – 4.38	Decommissioning fund	The LPA have requested that a decommissioning fund is included as part of the decommissioning strategy, this is not strictly an EIA requirement, and as such, is up to the LPA and Applicant's to discuss further as part of the application. With regards to decommissioning, the impact that this will have and the likely significant effects will need to be included proportionately in the ES.
ID.13		Decommissioning phase	The ES should clearly indicate how decommissioning of the site will take place, and clearly indicate what will be left on site, and what will be removed.
Landscape and Visual Amenity			
ID.14		Guidance	PEDW welcomes that the LVIA will be compiled using the 'Guidelines for Landscape and Visual Impact Assessment' 3 rd Edition. Should the LVIA stray from this guidance, this should be clearly explained and reasoned in the ES.
ID.15		Solar array	The LVIA should consider all aspects of the proposal. There is very little information contained in the LVIA regarding the solar array, or any other associated infrastructure. The LVIA should clearly set out all elements of the proposal, and the impact that they will have on the landscape and visual amenity.

ID	Reference in Scoping Report	Issue	Comment
ID.16	5.11	Public Rights of Way (PRoW)	PEDW notes that the impact of the proposal on PRoWs is not considered within the SR again, after this mention. The Applicant should consult directly with the LPA's Rights of Way Officer in order to ensure that a proportionate assessment is included in the ES, potentially under the 'Transport' section.
ID.17	5.67	Viewpoints	The Viewpoints for the LVIA should be agreed with the LPA, NRW, Brecon Beacons National Park (BBNP) and Cadw to ensure that the impacts of the scheme are taken from a number of agreed outlooks. The LPA has included additional viewpoints in Appendix 1, under 'Question 5.4'. However, it is important to note that not only wind turbines should be considered in the cumulative assessment; but other forms of development such as solar arrays; as the impact generated from different forms of development will differ.
ID.18	5.75 – 5.77	Cumulative Assessment Methodology.	As referenced in section 6.4 of this Scoping Direction, cumulative assessment should be undertaken in line with NSIP Advice Note 17. Any deviation from this methodology should be supported by a robust rationale in the ES. The assessment should also include other relevant types of schemes and should not be limited to wind farms in general. The LPA would be best placed to highlight any schemes that may be forthcoming.
ID.19		Section 5	The Applicant's attention is drawn to comments made by the LPA with regards to section 5. PEDW agrees with these findings.
ID.20	Diagram within paragraph 5.73	Sensitivity and Magnitude	The Applicant's attention is drawn to comments made by the LPA with regards to sensitivity and magnitude, contained at Appendix 1. There is also an additional diagram (referred to in the LPA's response as 'Appendix 1') that should also be considered. PEDW agrees with these findings, and should the ES deviate from the best practice advocated in GVLIA (3 rd edition), this should be clearly explained and reasoned in the ES.

ID	Reference in Scoping Report	Issue	Comment
ID.21	5.89	Residential Visual Amenity (RVAA)	The Applicant's attention is drawn to comments made by the LPA under question 5.6. PEDW agrees with the comments made. It is important to note that each aspect of the proposal is considered in the RVAA – both solar and wind; as both aspects will have a different impact. Any deviation or exclusion of properties should be clearly referenced and explained in the ES.
ID.22	5.107	Effects Scoped Out – 10 km landscape character	The Applicant's attention is drawn to comments made by the LPA contained at Appendix 1, question 5.7, where the 10 km limit should not be used to define the area of the Brecon Beacons National Park affected by the development. PEDW agrees with this.
ID.23		Effects scoped out – 15 km cumulative turbines	PEDW does not agree that cumulative effects arising from turbines over 15 km from the development should be scoped out; as there are a number of schemes that have not been considered (see ID. 2). This element should be reassessed including the additional schemes.
ID.24		Aviation lighting	The Applicant's attention is drawn to comments made by the LPA contained at Appendix 1 under question 5.8.
Cultural Heritage			
ID.25	6.35	Pre-application advice	PEDW welcomes that the Applicant will consult directly with Cadw, Glamorgan-Gwent Archaeological Trust (GGAT) and the LPA's Conservation Officer.
ID.26		Walkover	The Applicant's attention is drawn to comments made by Cadw contained at Appendix 1 regarding the whole site being surveyed with the addition of a Lidar survey. PEDW agrees with these comments and requests that the Applicant consults directly with GGAT and Cadw to ensure that the surveys carried out are appropriately.
ID.27		Additional viewpoints	The Applicant's attention is drawn to comments made by Cadw contained at Appendix 1 regarding an additional viewpoint. PEDW agrees with this addition.
Hydrology, Hydrogeology and Geology (including Peat & Mining)			

ID	Reference in Scoping Report	Issue	Comment
ID.28	7.35	Peat surveys	PEDW welcomes that a phased approach will be undertaken in order to characterise the depth and variability of peat deposits across the site, and that peatland geomorphological walkover surveys will be undertaken. LQAS notes that the impacts of all proposals and infrastructure on hydrological function of peatland bodies and disturbance to all soils should be considered, assessed and evidenced in the ES, including decommissioning. PEDW agrees with this. NRW and LQAS have also provided comments on Peat and the surveys; namely that the Peat Survey methodology should be agreed with NRW's Lead Specialist. PEDW advises that the Applicant should liaise directly with NRW's Peat specialist.
ID.29	7.62	Impacts of proposal on water resources	The Applicant's attention is drawn to comments made by NRW contained at Appendix 1 that highlights that a number of aspects of the development can lead to risks of groundwater and surface water changes. NRW requests that a water feature survey should be carried out, and provides information as to how a preliminary site assessment should be carried out. PEDW agrees with this, and encourages the Applicant to liaise directly with NRW regarding this survey. Given this information, PEDW does not agree with the statement that 'The design of the development will ensure drainage will be maintained throughout its lifetime, such that long term effects on PWS, GWDTE and peatland habitats will not occur'. This would need to be determined through the ES process, and the findings would need to be clearly and proportionately evidenced in the ES.
ID.30	7.66	Tidal flood risk	PEDW and NRW agree that this can be scoped out of the ES and welcomes that a Flood Consequences Assessment (FCA) will be provided. Additional information regarding this can be found in NRW's response contained at Appendix 1.
ID.31	7.70	Contamination	Both the LPA and NRW notes that there is no evidence provided with regards to contamination. With records indicating that the site is within the South Wales coalfields and the underlying Aberpergwm mine, there is the potential for land contamination. The LPA notes that as a minimum, a desk study is included.

ID	Reference in Scoping Report	Issue	Comment
			PEDW agrees with the comments made by the LPA and NRW noted at Appendix 1 and consequently, contamination cannot be scoped out of the ES at this stage . Should contamination be scoped out following the findings of the initial studies, the ES should clearly indicate why.
ID.32		Soil Management Plan (SMP)	The Applicant's attention is drawn to comments made by LQAS regarding a Soil Management Scheme contained at Appendix 1. PEDW agrees that this and additional advice should be sought from the LQAS team regarding the remit of this study.
Ecology			
ID.33	8.25	Bats	The Applicant's attention is drawn to comments made by NRW detailing the requirement for Ecobat analysis to be undertaken for the bat surveys.
ID.34	8.26	Great Crested Newts (GCN)	NRW notes that in order to agree the findings of the GCN survey, that they would need to review the survey and eDNA data. The Applicant should liaise directly with NRW regarding this matter, and only once agreed, can this element be scoped out.
ID.35	8.27	Otters and Water voles	NRW would like to remind the Applicants that Otter and Water vole surveys need to be undertaken in accordance with best practice guidance. More information can be found at Appendix 1.
ID.36	8.47	Nant Y Rhos SSSI	NRW and PEDW agrees that this can be scoped out.
ID.37		Marsh Fritillary Butterfly	The Applicant's attention is drawn to comments made by NRW stating that the local Marsh Fritillary Butterfly population could be compromised through the loss of surrounding habitat – and mitigation / compensation should be planned with this in mind. PEDW agrees with this.
ID.38		Trees	Should any trees need to be felled or pruned to accommodate the proposal (including during construction and site access), these would also need to be included within the ES.
ID.39	8.49	Badgers	PEDW welcomes the approach highlighted in the SR.
ID.40	8.50	Construction Environmental	PEDW welcomes that a CEMP will be produced as part of the submission.

ID	Reference in Scoping Report	Issue	Comment
		Management Plan (CEMP)	
Ornithology			
ID.41		Survey frequency	The Applicant's attention is drawn to comments made by NRW contained at Appendix 1 relating to the number of years survey being provided for Goshawks and Wader surveys. Additionally, that survey works are on-going, however no additional information is provided regarding which surveys. The Applicant should liaise directly with NRW regarding these queries and ensure that they are clearly indicated in the ES.
ID.42	Figure 9.2	Survey location	The Applicant's attention is drawn to comments made by NRW relating to the fact that the surveys do not appear to have covered the entire site boundary.
ID.43	9.38	Scoped out	The Applicant's attention is drawn to comments made by NRW reiterating that the application is for both wind turbines and solar arrays – so the impacts cannot just be considered during the construction phase. PEDW agrees with NRW regarding this, and consequently, it is not possible to scope out elements at this stage until all aspects of the proposal have been fully considered.
ID.44		Barn Owls	NRW notes that there appears to be surveys appropriate to determine the use of the site (beyond breeding) presented within the scoping report.
ID.45		Questions 9.1 & 9.2	The Applicant's attention is drawn to comments made by the LPA and NRW regarding ornithology. PEDW has nothing further to add to this.
ID.46		CEMP	NRW have included additional information required for the CEMP. The Applicant is advised to ensure that this information is included in the ES.
Noise and Vibration			
ID.47	10.7 – 10.11	Assessment for Wind and Solar	PEDW welcomes that the assessment will look into noise and vibrations from both wind and solar elements of the scheme, as well as from stone extraction
ID.48		Question 10.1	The Applicant's attention is drawn to comments made by NPTCBC regarding this matter.

ID	Reference in Scoping Report	Issue	Comment
ID.49		Question 10.2	The Applicant's attention is drawn to comments by NPTCBC where they request discussions with the applicant in order to assess the exact procedure for defining which wind farms should be included in the cumulative assessment.
ID.50		Pen y Cwmmoeedd Cumulative assessment	NPTCBC notes that it is uncertain whether Pen y Cwmmoeedd is to be included in the cumulative impacts study, however, advises that it should be left in until the development is known that it is not significant. PEDW agrees with this.
ID.51		Question 10.3	The Applicant's attention is drawn to comments made by the LPA regarding this question. PEDW agrees with the response.
Access, Traffic and Transport			
ID.52		Studies	PEDW welcomes that a Transport Assessment, Abnormal Indivisible Loads (AIL) access review, and a Construction Traffic Management Plan will be included as part of the ES. The studies should also consider all elements of the proposal. In addition to these, the Welsh Government Transport Division sets out additional information required for a full submission. More information can be found at Appendix 1.
ID.53	11.21 – 11.27	Access and Vehicle movements	PEDW agrees with the information contained in this paragraph, noting that the applicant will agree the proposed route with relevant consultees. Also, that this process will be appropriately addressed in the EIA. The final scheme would need to ensure that the red line boundary includes all land subject to development, including any areas which may need widening. The ES would then need to address all aspects of the scheme, even if some elements were to occur outside the site boundary (if they were not subject of this application process for example). This is to ensure that the full impacts of the proposal are appropriately and adequately assessed.
ID.54	11.37	Decommissioning	PEDW does not agree that the decommissioning of the site will not need to be included in the ES. The ES will need to clearly indicate which parts of the development will remain (e.g., access tracks) once the development has

ID	Reference in Scoping Report	Issue	Comment
			ceased. Alternatively, if the access tracks are to be returned to their previous state, this would need to be clearly and proportionately addressed in the ES.
ID.55		LPA response	The Applicant's attention is drawn to comments made by NPTCBC under this chapter contained at Appendix 1. PEDW advises that the Applicant liaises directly with the LPA regarding these matters.
Socio-Economics, Recreation and Tourism			
ID.56		Public Rights of Way (PRoW)	The SR does not state how any PRoW will be impacted by the proposal. The applicants should liaise directly with NPTCBC regarding this matter, should any PRoWs intersect the site. A proportionate assessment should be included once it is known if solar energy will be included, and the impacts that the proposal will have on the PRoW. It is noted by NPTCBC that generally requires wind turbines to be a maximum tip height plus 30 m away from a Bridleway or Byway. The Applicant should directly liaise with the LPA regarding this matter.
ID.57		Tourism and recreation	NPTCBC notes in their response that the impact of the proposal should be considered in terms of its impact on tourism. PEDW agrees with this as it includes schemes that should be considered as part of the cumulative impact. However, it is not deemed necessary to include a standalone chapter on this.
Other Issues			
ID.58		Aviation	The Applicant's attention is drawn to comments made by NATS contained at Appendix 1.
ID.59	13.25	Aviation lighting	The Applicant should liaise with the LPA as well as NATS to ensure that any lighting proposed forms part of the assessment.
ID.60	13.1	Glint and Glare	PEDW notes that the SR states that a Glint and Glare assessment will be scoped out of the EIA. However, very little information is given regarding this part of the proposal – and as such, does not agree at it is possible to scope out this element at this stage. Furthermore, there may also be a need to include a

ID	Reference in Scoping Report	Issue	Comment
			Residential Impact Assessment in the LVIA depending on the findings of the Glint and Glare Assessment. It is noted that the LPA also disagrees with the scoping out Glint and Glare.
ID.61		Telecommunications	The Applicant's attention is drawn to comments made by the LPA regarding consultees to establish if there will be an impact on telecommunications.
ID.62	13.33	Shadow Flicker	PEDW notes that if a technical assessment is conducted that does not indicate a significant shadow effect on residential properties, that shadow flicker is 'scoped out'. PEDW agrees with this in principle, however any findings will need to be clearly laid out in the ES, and appropriately justified. PEDW notes that in Review of Light and Shadow Effects from Wind Turbines in Scotland (climateexchange.org.uk) (L.U.C. for climateXchange, 2017) it was found that "there is a lack of evidence to support the use of ten rotor diameters as a cut off, and this is entirely down to misinterpretation of the original reference to this distance." Whilst the approach set out in the SR is acknowledged, the ES should provide a clear rationale as to the methodology adopted, and why it is considered appropriate given the scale of turbine proposed and the requirement for more nuanced assessment suggested by the concerns raised in the above document.
ID.63		Major accidents and Disasters	As the site is in an area of high coal mining risk, coupled with their being a solar element attached to this scheme, it is not possible to rule out major accidents and disasters in the ES With regards to Coal Mining, the Applicant's attention is drawn to comments made by the LPA and Coal Authority contained at Appendix 1 – where it is noted that a preliminary risk assessment is required to assess risks, alongside the information required for a Coal Mining Risk Assessment, including plans indicating how the design has taken account of mine entries and their zone of influence.

ID	Reference in Scoping Report	Issue	Comment
			The applicant should also note that some solar panels coated in PFAS (Per- and polyfluoroalkyl substances) can leach over time due to wear and tear. Should the panels proposed include this, appropriate measures need to be put in place to ensure that leaching of PFAS into the local environment does not occur. The also potentially includes energy storage facilities and at this stage it is not clear which type of technology will be proposed. PEDW notes that there is a potential fire risk associated with certain types of batteries such as lithium-ion and that safety measures are required in the design to minimise the risk of fire. PEDW considers this to be part of the EIA process in line with Schedule 4 of the EIA Regulations. If appropriate, the applicant may consider the submission of a Battery Safety Management Plan confirming that the risks are understood, accounted for and mitigated as far as practicable, in agreement with relevant consultees. The applicant is reminded of the responsibilities set by the Regulatory Reform (Fire Safety) Order 2005. The ES should ensure that risks of accidents are accounted for and mitigated in line with Schedule 4. A proportionate section on this aspect should be included in the ES. Vulnerability to risks of major accident or disaster is therefore scoped into the ES. It may be addressed within other relevant chapters or as a separate chapter.
ID.64	13.41	Human Health	PEDW agrees that this can be scoped out as a standalone chapter, but that it will be included proportionately throughout relevant chapters.
ID.65	13.44	Material Assets and Waste – Borrow pits.	As it is anticipated that borrow pits are required, as noted in the ES, borrow pits should be clearly identified, including information regarding the expected borrowed material. Restoration proposals and final land contours should be shown with appropriate cross-section plans. Relevant aspects of the ES should

ID	Reference in Scoping Report	Issue	Comment
			consider whether construction material is won on site or imported, as appropriate, including the production of waste. Consequently, an element of minerals will need to be considered in the ES, and the ES should contain a proportionate amount of information regarding this.
ID.66		Air Quality	Whilst there are no AQMAs within 2 km of the site, vehicular movement for the construction of the proposal has the potential to pass through AQMA areas. Consequently, an impact assessment on the AQMA may be required, and this should be proportionately addressed in the ES. The LPA also notes that there may be short term risks associated with the proposal and air quality. At this stage, there is insufficient information provided to enable PEDW to agree to scope this element out of the ES.

9. Other Matters

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

9.1 Habitats Regulation 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.

9.2 SuDS Consent

Whilst a separate legislative requirement from planning permission, the Applicant's attention is drawn to the statutory SuDS regime that came into force in Wales in January 2019. The requirement to obtain SuDS consent prior to construction may require iterative design changes that influence the scheme that is to be assessed within the ES and taken through to application. As such, it is recommended that the applicant contact the local SuDS Approval Body early on.

Appendix 1: Consultee Responses

Date Dyddiad: 31/01/2023

Contact Cyswllt: Claire Hall
Direct line Rhif ffôn: [REDACTED]
Email Ebost: [REDACTED]

Your ref Eich cyf: CAS-02084-T4Z8W4
Our ref Ein cyf: P2022/0904

FAO Adeline Wilcox, Planning Officer
Planning and Environment Decisions Wales
Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

BY EMAIL ONLY
PEDW.Infrastructure@gov.wales

Dear Adeline

Project Name: Hirfynydd Renewable Energy Park
Site Address: Land to the east of Crynant, Neath Port Talbot
Proposed Development: Renewable energy park comprising wind generating capacity, solar photovoltaic generating capacity and battery storage.

I write in regards to your letter dated 25 October 2022, which seeks advice on the scope of the EIA for the above mentioned proposed DNS renewable energy project. Consideration has been given to the information provided in the EIA Scoping Report prepared by LUC and the questions raised therein, together with the relevant regulations and information that the Authority holds. Our advice is set out below in response to the respective chapters, the questions raised by the applicant and with reference to Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 ('the 2017 EIA Regulations').

The Authority would also wish to draw the Inspectorate's attention to a previous planning appeal decision for the erection of 9 (formerly 14) wind turbines on the site, which was dismissed on 4 September 2015 following a 5 day Public Inquiry (appeal reference APP/Y6930/A/13/2209942). This application is referred to in Chapter 4 of the submitted EIA Scoping Report. In light of this significant planning history, the advice of The Coal Authority should be sought, particularly in respect of Chapter 7 and related issues.

Chapter 1: Introduction

It should be noted that the indicative location of the wind turbines have been provided (being broadly similar to those subject of the previous unsuccessful appeal albeit less in number) however there is no indication of where the 50MW solar arrays are going

to be positioned. In accordance with regulation 33(2) the likely significant effects the solar array would have upon the environment will need to be assessed.

It is not clear what the operating capacity of the battery storage would be and it is not known where the compound area or control building(s) and sub-station would be sited. In accordance with regulation 33(2) the likely significant effects of the battery storage and associated infrastructure to support the energy park will need to be assessed.

Chapter 2: The EIA Process and Methodology

Question 2.1 – Are consultees aware of other wind farm (in addition to those shown in Table 2.1), solar proposals or other developments that should be added to the list for consideration in the cumulative assessments?

DNS/3255801 - Mynydd Fforch Dwm Wind Farm (Welsh Government)
P2013/0635 – Hendre Fawr Farm Solar Farm (Neath Port Talbot CBC)

P2014/0567 - Pantymoch Farm Penycae Solar Farm (Neath Port Talbot CBC)

P/2015/0176 – Bryn Henllys Solar Farm (Powys CC)

22/0634/10 – Bryngolwg Farm Hirwaun Solar Farm (Rhondda Cynon Taf CBC)

Renewable Energy application details are publicly available from DBEIS' website.

DNS application details are publicly available from Welsh Government's website.

Question 2.2 – Several measures are considered to be an integral part of the design/construction process as part of good practice, and it is proposed that these will be taken into account prior to assessing the likely effects of the Development. Can consultees please confirm they are happy with this approach to mitigation?

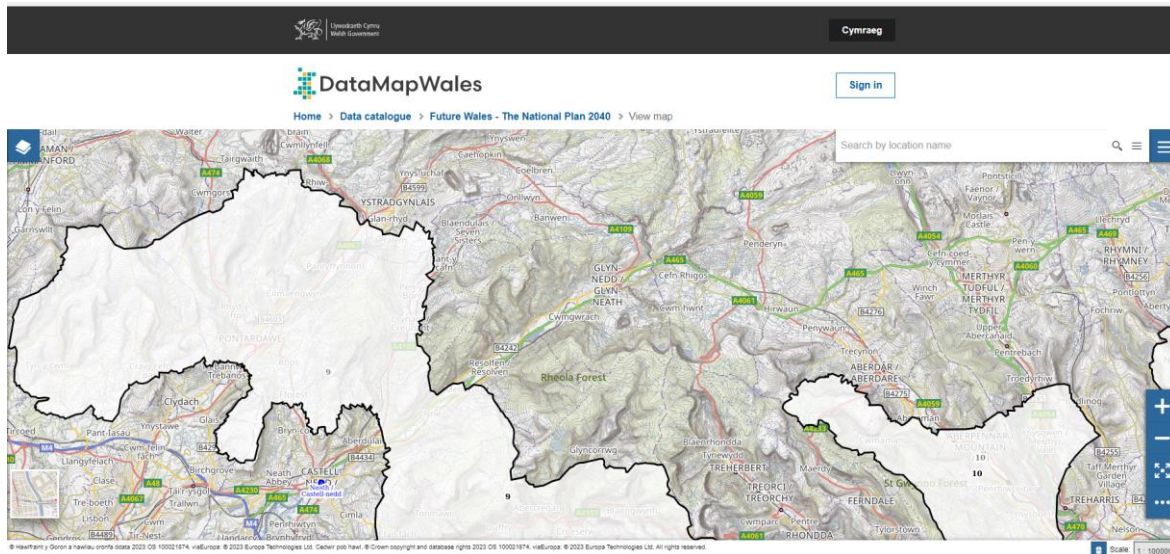
Provided those good practices and the likely potential effects which they are designed to mitigate are clearly identified, yes.

Chapter 3: Legislative Planning and Policy Context

Planning Policy Wales 11 ('PPW 11') is a key consideration. This states that a planning authority has a statutory duty to have regard to National Parks and AONBs purposes whether development is within or in the setting of these areas. They should also have regard to their identified special qualities which should be given weight in the development management process.

PPW 11 refers to LANDMAP and associated landscape character assessments to inform local policies and decision-making. It also refers to Future Wales: The National Plan 2040. In respect of this it is noted that the proposed wind farm development is over 1km outside Policy 17 pre-assessed areas where the Welsh Government indicates that there is a presumption in favour of large-scale development subject to Policy 18.

The application site is clearly outside of the pre-assessed wind areas identified within Future Wales, as illustrated in the map below:



Application of national planning policy therefore falls primarily to the criteria contained within Policy 18. There is no presumption in favour of landscape change, as would be the case for sites located within pre-assessed wind areas that are subject to Policy 17.

Policy 18 states that a DNS will be permitted subject to Policy 17 and the following criteria:

1. *'Outside of the Pre-assessed Areas for wind developments and everywhere for all other technologies, the proposal does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty).*
2. *There are no unacceptable adverse visual impacts on nearby communities and individual dwellings;*
3.
*The cumulative impact of **existing and consented** renewable energy schemes should also be considered' (author's emphasis).*

From 2005 the previous national planning policy for onshore wind development was based on Technical Advice Note ('TAN') 8. This defined a series of strategic search areas ('SSAs') and the proposed site lay within Area E. It is therefore notable that the site has now been excluded from the Policy 17 pre-assessed area.

The Authority concurs with the sentence, contained at para.3.17, that *"as the most recent expression of national planning policy, Future Wales is considered to have primacy in the planning policy hierarchy"*. The previous SSA boundaries (and former TAN 8 policy) are revoked and have been superseded by the new pre-assessed wind areas contained within Future Wales.

The effect on the Brecon Beacons National Park (BBNP), its purposes and its associated special qualities will need to be taken into consideration. The method for undertaking this is discussed later in this response.

Policies on wind energy and landscape need to be taken into account and any conflict identified. The Special Landscape Areas in the study area, in particular Dulais Valley, Vale of Neath and Mynydd y Garth should in particular be considered.

A revision to Technical Advice Note 15: Development and Flood Risk is due to come into effect on 1 June 2023. As such the submission should have regard to this document.

A proposed revision to Technical Advice Note 11: Noise is currently out to consultation and the submission should have regard to the potentially significant change to how noise and soundscapes are considered within the context of more recent national planning policy guidance on this topic.

Chapter 4: Site and Project Description

Paras. 4.19-4.21 SWTRA/WG will need to advise on the trunk roads which are a substantial element of the proposed turbine delivery route. NRW will need to advise on the suitability of utilising the existing tracks that they have responsibility for managing.

It is advised that NPTCBC policy for wind farms recommends that planning permission is not determined until such time as a Transport Management Plan (TMP) for the access route to the site has been agreed with the Highway Authority. It is recommended that applicants liaise with the relevant highway officers who will consult with the police to identify whether a TMP is required for a particular development, and to determine the required scope of the TMP. As a result of this, the Highway Authority needs to ensure that the transport route and methodology for accessing the site has been fully and properly considered. This is the rationale behind the need for a TMP to support all wind farm development planning applications.

Paras. 4.28-4.30 The Civil Aviation Authority and Ministry of Defence will need to advise on the likely effects on aviation.

Para. 4.31 The Authority considers that all grid connection cables should be underground.

It is not clear where the intended grid connection point(s) are or whether the project requires any off site work (e.g. widening of tracks, roads and bridges to facilitate access to the development and/or grid connection points). In accordance with regulation 33(2), the likely significant effects of these would also need to be assessed.

Paras. 4.36-4.38 Details of a fund or the funding of the decommission strategy should be included, providing information on how such a fund would be provided, secured and ensuring that it is available should it be required prior to the end of the project's predicted life expectancy.

Chapter 5: Landscape and Visual Amenity

White Consultants are commissioned to review and advise the Local Authority in relation to landscape and visual impact assessment matters ('LVIA') and their comments are incorporated below.

The LVIA scoping report is well written and covers the main topics. However, the method and information provided are not sufficient to agree all issues. For instance:

- There is very limited information on the location and design of the solar arrays, access roads/routes and battery storage.
- The Zone of Theoretical Visibility (ZTV) map is not overlaid on key receptors such as long distance trails, public rights of way (PROWs) and the National Park and it uses bare ground data only even in the detailed study area.
- There are no baseline photos at suggested viewpoints.

Therefore, the comments in this response are provisional and subject to further information coming forward. In addition to the information requested below the LVIA should also include:

Forestry resource/management plans if available showing the phasing of removal and/or replanting of the forest plantation surrounding the proposed wind farm to clearly inform how this may open up or reduce views during the lifetime of the development, or at least 10 years. Expected tree growth rates for proposed species would be helpful.

Question 5.1 - Is the proposed approach and scope for the assessment of effects on landscape character and LANDMAP aspect areas/Landscape Character Areas considered to be appropriate? [NB can NRW provide the information required to enable us to complete the Stage 2 filtering process for Geological Landscape aspect areas i.e. data needs to provide a match between the Sits IDs in the GIS data and the online survey records].

- 5.1.1 The use of a 10km cut off for effects on landscape character is to an extent arbitrary as LCAs, receptors and intervisible slopes and hill tops in the BBNP to the north rise beyond this point including representative viewpoints such as Viewpoints 4, 5 and 19. The 10km limit should not be used to define the area of the BBNP affected by the development.
- 5.1.2 LANDMAP information should be used to inform the value and susceptibility of landscape even in areas where landscape character areas are defined (para.5.22). LANDMAP information has evaluations for all key aspects and management guidelines can indicate sensitivities/susceptibilities.
- 5.1.3 The principles for judging landscape sensitivity (Table 5.3) describes landscapes of higher or lower susceptibility and value. This gives the assessor a great deal of flexibility to make judgements across the three proposed levels of sensitivity (para.5.69) and therefore makes the assessment less transparent and verifiable. The definitions in the table are concise and the full range of factors/indicators that make a landscape more or less susceptible to a particular type and scale of development are not set out. This is important to inform and understand how the judgements are reached. The three levels of sensitivity proposed means that there is likely to be a significant difference between high, medium and low with intermediate categories effectively being omitted. This does not reflect the complexity of most landscapes. For instance, Special Landscape Areas (SLAs) are not mentioned in terms of influencing value and with a three point scale are likely to be placed in the middle category (medium?). This may understate the value and so five categories are suggested.

- 5.1.4 The magnitude of landscape effects (Table 5.5) mentions four factors which influence magnitude – size/scale, geographical extent, duration and reversibility. It is not clear from the method how these factors are combined to arrive at a judgement. From experience of previous wind energy LVIA's it is important to emphasise that the factors are not of equal weighting and the size/scale factor is the most important. The reason this is important is that the lesser factors can be used to erode the likely magnitude rather than inform it.
- 5.1.5 The LUC diagram illustrating how sensitivity and magnitude are considered to form a judgement on significance of effects is of concern. This is because it indicates the principle of combining sensitivity and magnitude of effect either too vaguely and inaccurately or, if taken literally and tracing levels of effect or sensitivity in proportion to size of the shaded square and in relation to the written levels of significance, the resulting levels of significance appear low e.g. a centrally drawn line of medium effect on a medium sensitivity receptor results in a significance of effect between moderate and minor. Overall, this approach is not helpful to transparency or confidence in the findings. The diagram is a variation on a much more accurate and widely accepted diagram developed by LI/IEMA which is shown in **Appendix A**. It is strongly recommended that this is used instead in the method.

Question 5.2 – Is the proposed approach and scope for the assessment of effects on designated landscapes considered to be appropriate?

- 5.2.1 The proposal lies within the setting of the Brecon Beacons National Park (BBNP) and the effect on its purposes and related special qualities should be assessed. It appears to be reasonable that the distance from the proposal and the nature of the intervening landscapes and the AONB itself mean that the effects on the Gower AONB can be scoped out although the designation and special qualities should be noted as stated (para.5.27). However, the opinion of NRW should be taken as definitive in this regard.
- 5.2.2 The listing of the BBNP special qualities is welcomed and should be considered alongside the effects on the landscape character and visual receptors within the National Park. However, due to their nature they should not be assessed using the same method. As GLVIA3 and the LVIA scoping report itself do not set out a method, the following principles should be taken into consideration in the assessment and will be used by NPTCBC to assess the LVIA findings:
- All special qualities are of high value and important whether physical, historical, cultural or perceptual.
 - Special qualities can be affected by development in a designated area's setting and this in turn can affect the primary statutory purpose. Developments within the setting of designated landscapes should therefore be assessed in the same way as those developments within an area.
 - The likely change and effect on each special quality should be assessed separately and should not be averaged out when summarised.
 - Special qualities may be used to inform the value of landscape receptors (character areas/types) or visual receptors i.e. people in an LVIA but the effects on the special qualities should still be assessed separately.

- The effect on special qualities can be important even if the geographical area/extent where they are affected is limited. Sometimes the most important special qualities relate to essentially linear features such as coasts, escarpment edges and ridge tops so the areas affected relative to the overall size of the designated area should not be used to diminish the attributed importance of effect.
- The proportion of the total number of special qualities affected should not be used as a means of minimising effects on the designation's purpose.
- A qualitative narrative approach should be used considering the importance of the special qualities affected and clearly addressing if the designation is conserved, enhanced or harmed by the proposed development or whether there is no effect.
- The assessment should be transparent, clearly formatted and proportionate i.e. the scope and level of detail should be consistent with the size and complexity of a given development.

5.2.3 The assessment for each special quality in scope should:

- Describe likely changes caused by the development at each phase.
- Assess if the nature of effect is beneficial, neutral or adverse and why.
- Assess the duration of effect.
- Assess if changes are important and if they conserve, enhance or harm the special quality.

5.2.4 In respect of cumulative effects, it is recommended that the following principles should be taken into consideration where assessing the effects on special qualities and the consequent harm to the statutory purpose of National Parks and AONBs:

- The landscape baseline against which cumulative effects should be assessed is without the existing, consented and proposed developments to be assessed.
- The focus should be on the most relevant developments such as those closest to the proposals and to the National Park.
- Combined cumulative assessments should reflect what receptors in the designated areas see and experience in total. (This can inform qualities such as panoramic views and tranquillity).
- The two main assessments which are required are combined and additional cumulative effects as set out below.
- The approach to combined cumulative effects is to consider the total effects of all agreed developments on the special qualities in addition to landscape character and visual receptors.
- A measure of a significant effect is where the developments combined become a key characteristic and/or a dominant characteristic and whether this is compatible with special qualities.
- The approach to additional cumulative effects is to consider the contributory effects of the proposed development to the overall effect of

all agreed developments on the special qualities. This could be a percentage or proportion.

- 5.2.5 The important cumulative effects on special qualities should be summarised with predicted duration. This is the main factor in coming to a judgement on the overall level of cumulative harm to the statutory purpose of conserving and enhancing the natural beauty of a National Park.

Question 5.3 – Is the proposed approach and scope for the assessment of visual effects appropriate?

- 5.3.1 The NRW requirement for a 33km outer study area limit is supported. The scoping study suggests a detailed study areas of 15km is the focus of visual effects which seems reasonable. However, based on detailed Natural Resources Wales (NRW) and the latest Offshore energy strategic environmental assessment (OESEA) 4 research studies of offshore wind energy seascape and landscape visual impact assessments (SLVIAs) significant effects may occur *at least* 20km away from 200m high turbines (1:100 ratio). As such it is noted and agreed that popular summits at this distance and at 28km within the National Park are considered. It is suggested that the 20km buffer should be indicated on all relevant figures.
- 5.3.2 The lack of a figure showing constraints such as the BBNP, long distance trails, rights of way and annotated settlements overlying a ZTV mean that it is unclear if the likely effects on these key receptors is adequately covered. This also is important for finally agreeing viewpoints.
- 5.3.3 The same comments made above on susceptibility, value, sensitivity, magnitude of effect and significance of landscape effects apply to visual effects (see 5.1.3 – 5.1.5 above).
- 5.3.4 Any implications of forest management including the removal of forest plantations over the life of the development (such as on the Hirfynydd Ridge) should be noted.
- 5.3.5 Cimla should be added to the list of settlements in 5.41.

Question 5.4 – Do consultees consider that the proposed viewpoints are appropriate to inform the visual assessment, and that the suggested presentation of visualisations is appropriate?

- 5.4.1 As mentioned above, it would be very helpful to have a figure showing constraints such as the BBNP, long distance trails, rights of way and annotated settlements overlying a ZTV. Viewpoints can then be agreed to cover representative or worst case locations.
- 5.4.2 Other than the wind turbines, the location, extent and size of solar array and other elements of the development has not been provided. This influences the choice of nearby viewpoints. Overall, it is felt that this element of the development is not adequately covered by viewpoints. Additional viewpoints are set out below.
- 5.4.3 ZTVs using OS Terrain 5 and landcover on a 1:25k OS base should be used in the detailed study area for the solar array and wind turbines (separately) to ensure that the optimum viewpoints are chosen. This should be in addition to a

bare ground ZTV for the whole development to take into account the removal of forest plantations over the life of the development.

- 5.4.4 Baseline photographs from each of the proposed viewpoints should be provided for agreement as in some locations the change of position within a few metres can substantially change perception depending on foreground elements and screening. In addition, portrait photos will be needed in some locations where there is a substantial level change with the development rising above.
- 5.4.5 It is welcomed that LI TGN 06/19 is to be followed and that the photomontages are to be prepared for each viewpoint. As part of the presentation an A3 full frame image should be used where the development of both wind and solar developments (where visible) can be contained within this. This will allow for ease of printing by third parties and decision-makers and for taking on site. A good example is the Lethans A3 viewpoint pack (see sample in **Appendix B**).
- 5.4.6 The following additional viewpoints are requested to fully explore visual effects, especially of the solar farm:
- Tyn-y-Graig Farm and associated fishing ponds- viewpoint on lane looking across the main lake south east of Crynant. This has very clear close views across the valley towards the solar farm as well as turbines and would also inform effects from this side of the valley from St Illtyd's Way and some dwellings in Crynant.
 - Viewpoints looking north and south from PROW running through the site/assumed solar farm location (approx. 280274 105153).
 - Sarn Helen/recreational Hirfynydd forest users viewpoint e.g. 'stargazing hare' viewpoint on a forest trail (see Google maps) which overlooks the solar array area.
 - Rhos Common- representing open views from the wider valley side landscape and dwellings to the north west. This gives a very clear view of the turbines on the ridge top but also solar arrays in case they are proposed on improved pasture on the north eastern edge of the site (approx. 279032 107481).
 - Neath- seat and open viewpoint adjacent to the river looking north. (approx. 275482 197908) to represent low valley views from the south.
- 5.4.7 There are queries on the following viewpoints in the absence of photos:
- 8 - Will turbines be visible from this viewpoint taking into account trees on the skyline? If not, a more appropriate viewpoint may be needed e.g. on A465 to the north east.
 - 9 - This viewpoint is on the edge of Ffynnon Oer windfarm and close to the proposed Melincourt wind farm. Is there more merit in a view further along the trail to the north east adjacent to forest plantation?
 - 15 - Is this the worst case viewpoint in Crynant with potential screening by trees? If not, a viewpoint to the north around Ynyswen Terrace is an alternative that should be considered (approx. 279372 106097).

Question 5.5 – Is the approach to inclusion of schemes within the cumulative assessment appropriate?

- 5.5.1 Please see response to question 2.1 (above).
- 5.5.2 The question does not ask if approach is appropriate. The method proposed for cumulative assessment is of concern as it does not address the most important cumulative effects. GLVIA 3 states that stakeholders and local communities will be concerned about the totality of past, present and future proposals (7.16) and agreement should be reached on combined and/or additional effects (7.18). Policy 18 of Future Wales states that the cumulative impact **of existing and consented** renewable energy schemes should be considered. This reinforces the point. This means that the total combined effects of existing, consented and proposed wind farms should be assessed. (It is assumed that there are no other solar farms but this should be verified if not already done so). In practice this means that the assessment should be assessed against the *baseline of no wind turbines* in order to count existing development as a contributor to the combined effect (contrary to 5.75). This is also justifiable on the basis of the temporary nature of all renewable developments, albeit long-term. However, the *additional* contribution of Hirfynydd wind farm to the combined cumulative effect should also be measured and described. This will include in terms of relationship with other windfarms including relative size of turbine. This approach will be helpful to understand the overall effects on the National Park as well as local communities and landscapes.
- 5.5.3 Having said the above, the cumulative impact assessment should be proportionate. Cumulative impact assessments can be large and confusing so it is important that the most important cumulative effects are addressed clearly. Those that are most important are those with existing or consented turbines, at closer distances and juxtapositions, where there is a large sweep of turbines visible and where receptors (especially residential) have developments on two or more sides.
- 5.5.4 The comments above relating to sensitivity, magnitude of effect and significance in the LVIA scoping report of landscape (see 5.1.3 – 5.1.5 of this response) also apply to cumulative effects. For instance, in relation to sensitivity, the factors that make a landscape more or less susceptible to a series of developments, especially of different sizes and design, are not set out. This is important to understand how the judgements are reached.

Question 5.6 – Is the approach to the assessment of effects on visual amenity appropriate?

- 5.6.1 This question is taken as referring to residential visual amenity.
- 5.6.2 Guidance set out in TGN2/19 Residential Visual Amenity Assessment, Landscape Institute, March 2019 mentions wind turbines at 150m and taller (4.6) when discussing realistic buffers but these turbines at 200m are notably larger. It goes on to state (4.7):
- ‘When assessing relatively conspicuous structures such as wind turbines, and depending on local landscape characteristics, a preliminary study area of approximately **1.5-2km** radius may initially be appropriate in order to begin identifying properties to include in a RVAA’ (author’s emphasis).*
- 5.6.3 The public inquiry decision for Mynydd Marchywel wind farm in NPT found that its five turbines at 126.5 m high breached the RVA threshold of acceptability

with wind turbines at a distance of 920m-2.4km from a property. The wind farm was refused.

- 5.6.4 Taking into consideration the above, our view is that distance of *around* 2km should be scoped for the RVAA. The proposed 2km buffer appears approximately correct but there are properties in Seven Sisters to the north just over the 2km and with open views of the proposed turbines which should be included. A mix of individual properties and groups of properties should be assessed as appropriate, depending on distance and arrangement.
- 5.6.5 Two rural dwellings south of Crynant Brook are omitted in Figure 5.12 (these were viewed from the site). Due to this omission it would be advisable to check the accuracy and up to date nature of data source.

Question 5.7 – Do consultees consider the effects to be scoped in and out appropriate?

5.7.1 In relation to paragraph 5.107, the following comments are made:

- As mentioned above, the use of a 10km cut off for effects on landscape character is to an extent arbitrary as LCAs within intervisible slopes and hill tops in the BBNP to the north rise beyond this point. The 10km limit should not be used to define the area of the BBNP affected by the development. 10km is reasonable within NPT.
- There is a need to assess the indirect cumulative combined and additional effects on the National Park and SLAs.

Question 5.8 – Is the approach to the aviation lighting assessment and night-time photography appropriate and proportionate, and are the suggested night-time viewpoints appropriate?

- 5.8.1 It is not clear from the description if the aviation lighting has a cut off below certain angles which may render the assessment at Crynant of limited value (in addition this viewpoint is queried elsewhere within this response). If the effects of lighting are likely to be de minimis here, a viewpoint slightly further away and at higher elevation in NPT may be appropriate e.g. Seven Sisters Viewpoint 2. The rationale for any change should be explained.

Question 5.9 – Are there any other relevant parties who should be included within the post-scoping consultation process for the LVIA?

Given the site's proximity to the National Park boundary, it is recommended that the LVIA be agreed with the BBNP Authority in order to identify key viewpoints and likely significant effects. The developer should also enter into discussions with the Authority's Countryside & Rights of Way Officers to identify any particular LVIA issues that could affect the scope of the recreation and tourism likely significant effects.

Chapter 6: Cultural Heritage

Glamorgan Gwent Archaeological Trust (GGAT) are the Authority's consultants in relation to Archaeological and Heritage Impact Assessments. Their comments are set out below:

Question 6.1 – Do consultees agree with the scope and approach of the Cultural Heritage and Archaeology Assessment?

It is noted that the Cultural Heritage section (Chapter 6) indicates the presence of numerous archaeological sites, including several Scheduled Monuments. As such it is intended to carry out a full archaeological desk-based assessment. This must be provided in order to identify the archaeological potential of the site, as well as to determine any impact of the proposal on the archaeological resource, including setting. Such an exercise will need be conducted in accordance with the Chartered Institute for Archaeologists *Standard and guidance for historic environment desk-based assessment (2014)* and to an agreed written scheme of investigation (WSI). Depending on the results of the assessment, it is possible that further archaeological work will be required.

Due to the presence of Scheduled Monuments, Cadw must be consulted for their views on the proposals.

Question 6.2 – Are consultees happy with the proposed viewpoints for consideration in the cultural heritage assessment?

The Local Authority offers no comment on this matter as we have no in house expertise in this field. Please refer to any Cadw comments in this regard.

Chapter 7: Hydrology, Hydrogeology and Geology (including Peat & Mining)

Surface water drainage must be approved by the Authority's Highway Development Control service acting in its SuDS Approving Body (SAB) role. Notwithstanding any other consent(s) that may be required under the Land Drainage Act 1991, any culverts/ditches/open watercourses that conveys water through their land are to remain free from obstruction at all times. All tributary watercourses (culverted or not) located within the application site would have riparian responsibilities whereby the responsibility to sustain the flow of watercourse would remain with the land owner and subsequently passed on to the respective landowners should the land be sold.

Question 7.1 – Is the proposed assessment methodology appropriate?

The Authority offers no comment on this matter as we have no in house expertise in this field.

Question 7.2 – Are the proposed list of effects which are scoped in appropriate?

The proposal is to screen out land contamination stating that there is "*no evidence of contamination recorded within the site*". However the Local Authority has not seen any evidence to support this conclusion and given the mining history in the area we feel that as a minimum the ES should include a desk study to demonstrate that contamination pollutant linkages do not exist. Furthermore, best practice guidance now requires a risk assessment for Coal Mine Gas Emissions for sites that are within a Coal Mining Reporting Area (as defined by the Coal Authority) and therefore the

Local Authority requires a risk assessment in accordance with CL:AIRE – Good Practice for Risk Assessment for Coal Mine Gas Emissions.

Question 7.3 – Is the use of the Scottish Government Carbon Calculator acceptable?

The Authority offers no comment on this matter as we have no in house expertise in this field.

Chapter 8: Ecology

Question 8.1 – Are consultees content with the proposed approach to the ecological desk study and site survey work?

Yes.

Question 8.2 – Do consultees agree that it should be possible to scope out effects on great crested newt, common species of reptile and amphibian, and badger, and detailed consideration of effects on designated sites other than Sarn Helen SINC and NPT Watercourses SINC?

Subject to NRW acceptance, yes.

Question 8.3 – Do consultees agree that the scope of cumulative assessment can be limited to wind farm developments within 10km of the Site?

Yes.

The Local Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016. It is therefore essential that the recommendations for the conservation of biodiversity be followed to ensure that the Planning Authority complies with this statutory requirement along with the adopted guidance in the Biodiversity Supplementary Planning Guidance and TAN 5 (2009).

Chapter 9: Ornithology

Question 9.1 – Are consultees content with the proposed approach to the ornithological desk study and survey work?

Yes.

Question 9.2 - Do consultees agree that the scope of cumulative assessment can be limited to wind farm developments within 10km of the Site?

Yes.

Chapter 10: Noise and Vibration

Question 10.1 – Are the consultees happy with the suggested approach for the noise assessment?

The approach set out in 10.22 to 10.27 regarding construction noise is considered to be acceptable. The approach set out in 1.28 to 10.32 (complying with ETSU-R-97 and IOAGPG) is considered to be acceptable in general terms. However at this stage the Local Authority would emphasise that water noise in streams and rivers will probably be the dominant noise in some locations but, conversely, there will be properties, sometimes close by, where there is little or no water noise. So when it comes to allocating background noise levels to other locations it is important that there are measurement locations without water noise that can be used for other similar properties.

The Institute of Environmental Management and Assessment (IEMA), publishes “Guidelines for Environmental Noise Impact Assessment”. It says that even though ETSU-R-97 is endorsed by government that does not relieve the assessor of the need to describe the impact of the development. As with other disciplines there should be a clear explanation of the impact. It is not sufficient (or accurate) to say, for example, that where ETSU-R-97 limits are met there is no impact.

Question 10.2 – Do the consultees agree with the proposed scope of the cumulative operational noise assessment?

The approach to the cumulative operational noise assessment in 10.33 to 10.35 is considered to be acceptable subject to the comments below.

As regards 10.34, the Local Authority would welcome a discussion with the applicant's consultant to clarify the exact procedure for defining which wind farms should be included in the cumulative assessment since there are some procedures in the quoted documents which are unclear. However, it is agreed it is likely that Maesgwyn and its extension are likely to be the only wind farms to be considered.

As regards 10.35 the Local Authority is uncertain whether this is intended to mean Pen Y Cwmoedd is to be scoped out or not. The Local Authority considers it should be left in until it is shown that it is not significant.

Question 10.3 – Do the consultees have any comments on the effects proposed to be scoped out?

Agreed that vibration and traffic noise during the operational period can be scoped out.

Agreed that decommissioning noise can be dealt with by a CEMP, in which case it can be scoped out.

It would be preferred if infrasound and low frequency noise were dealt with separately.

It would be acceptable for infrasound to be scoped out. Low frequency noise does not need to be assessed separately from the ETSU-R-97 procedure using A-weighted decibels.

As suggested the topic of AM should be dealt with separately.

Chapter 11: Access, Traffic and Transport

The Highway Authority's comments are set out below:

1. A full Transport Impact Assessment is required which shall include a scoping opinion between the Council Highways and the applicant to agree on which areas of highway are to be assessed and surveyed as part of the TIA.
2. It is recommended that trial run of the turbine delivery be undertaken to identify any street furniture that needs to be relocated, together with any alterations to the highways such junctions overrun areas, roundabouts etc. Any works required to the adopted highway must be undertaken under Section 278 of the Highways Act.
3. All works to be constructed on the public highway should be subject to Road safety Audits, stages 1 to 4 in accordance with GG 119 of the Design Manual for Roads and Bridges. Each stage of the Road safety Audit shall be submitted for approval in writing by the Highway Authority. All issues highlighted at each stage, being addressed to the written approval of the Highway Authority within 3 months of that stage of that Road safety Audit has been approved.
4. Proposed delivery route on NPTCBC adopted highway network may be subjected to a condition surveys before commencement of any heavy good deliveries to and from the site this includes items such as culverts. These surveys will be required as a minimum for the construction and decommissioning phases and any defects/damage to the existing highway resulting in frequent use of HGV's will need to be remediated by the developer or a financial contribution to the Council shall be made to allow the Councils highway department to make good the damage.
5. The Junction of the site access with A4109 will require vehicular visibility splays in accordance with TAN18. It is recommended that during the proposed survey to collect vehicle trip data for the TIA it also collects vehicle speed data and the 85%ile ascertained. Details of which can be provided to the Local Authority to agree the vision splay requirements of the junction.
6. A Construction Environmental Management Plan will be required. The CEMP must be adhered to throughout the construction and decommissioning phases. The Statement shall provide for:
 - a. **Construction and decommissioning methods:** details of the extent and phasing of development; details for the storage and management of plant and materials used in constructing the development
 - b. **Drainage:** Details of drainage measures during construction phases to ensure that the drainage of any adjoining land, and land downstream is not interrupted or otherwise adversely affected by the development.
 - c. **General Site Management:**
 - i. details of the construction programme including timetable
 - ii. details of site clearance
 - iii. details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing.

- d. **Control of Nuisances:** Wheel washing facilities and measures to control light spill.
- e. **Traffic Management:**
 - i. details of all site deliveries including routes of vehicles, plus delivery and construction times
 - ii. details for the loading and unloading of plant and materials; details for the parking of vehicles of site operatives and visitors
 - iii. scheme for the erection of temporary/semi-temporary signage
 - iv. The frequency and size of vehicles used to transport the waste material arising from the construction works;
- f. **Hours of working on site**, including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works) to prevent noise or nuisance amenity issues to surrounding properties.
- g. **Responsible Persons:** details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details, the CEMP must also be signed by the responsible person.

Question 11.1 – Is the proposed methodology acceptable, including what is proposed to be scoped out and the approach to the cumulative assessment?

Yes, the proposed methodology is considered acceptable

Question 11.2 – Are the proposed traffic survey locations acceptable?

The proposed ATC location to ascertain baseline figures at the site entrance is acceptable, however no details of the survey duration is provided. The Authority require a minimum 7 days of data during a neutral month. It is advised that the ATC gathers vehicle speed data in addition to vehicle numbers.

Question 11.3 – Is the use of Low National Road Traffic Forecasts (NRTF) acceptable for the whole of the study to determine future year traffic flows?

Yes.

Question 11.4 – What committed development traffic flows should be included in the baseline traffic flows?

Wildfox Resorts Afan Valley development (alpine, extreme sports, tracks and trails, forest zones, lodges, restaurants, hotel and spa). The submitted TA and addendum assessed the impact of the development on the operation of key junctions i.e. M4 J40 and J36 and junctions along the Afan Valley and A4063. The figures contained in the ES were based on a 5 day weekly flows rather than the 5 day average which generates a significantly lower flow rate, the revised results indicate that the proposed junction operates within its theoretical capacity up to and including the 2039 'with development' scenario with a maximum degree of saturation of 28% and queue of 2 PCUs (cars) on the A4107 Brytwn Road(s) approach to the junction in the PM peak.

The transport addendum considered circumstances where visitors might choose to use the J36/A4063 route, identifying that the anticipated volumes of long distance visitor trips generated by the development during the changeover day (i.e. Monday or Friday) could generate 42 vehicle movements (two-way) to/from the east during the

am peak period, and up to 62 vehicle movements (two-way) to/from the east during the pm peak period.

Question 11.5 – Is a Framework Abnormal Load Transport Management Plan sufficient for the planning consideration stage?

Consideration should be given to a trial run, submitted in the form of a Trial Traffic Management Plan (TTMP). This can help to identify constraints where a trial run vehicle is unlikely to be able to pass without alterations to highway infrastructure, a reduction in length and/or modification to the load as well as to identify locations where oncoming traffic could be held and following traffic released to avoid queues and the need for any related Temporary Traffic Regulation Orders (TTROs). A TTMP should be prepared in consultation with the Highway Authority and police.

Chapter 12: Socio-Economics, Recreation & Tourism

Question 12.1 – Can consultees confirm the methodology outlined above is appropriate to inform the socio-economic impact assessment?

Yes the methodology is considered appropriate.

Question 12.2 – Do consultees agree that the proposed geographic study areas (10km radius, NPT, Wales and the UK) are appropriate for reviewing socio-economic impact?

Yes a 10km area is considered to be acceptable.

Question 12.3 - Can the consultees identify any relevant stakeholders who should be included in our consultation exercise regarding the development of the socio-economic impact assessment?

Seven Sisters Community Council

Crynant Community Council

NPT Business & Economic Development Team

Public Health Wales

Question 12.4 – Are the consultees satisfied that tourism and recreation effects can be scoped out of the EIA?

No. Given the importance of outdoor tourism and recreation, as evidenced by an increasing number of commercial ventures in former coal mining areas like this, the impact on this topic area should at least be acknowledged and assessed in the Environmental Statement. The Authority has recently granted planning permission for a £250M adventure resort (see response to 11.4 above), the likely effects of the proposals on this committed development should be taken into consideration.

Chapter 13: Other Issues

Question 13.1 – Do consultees agree with the scoping out of telecommunications, solar glint and glare and utilities?

In terms of **telecommunications and utilities** whilst the Local Authority does not disagree with your assessment, in determined applications for wind farms in the past the Authority would normally consult specialist, consultees such as Ofcom, and the BBC research Department, utility companies who operate in the area. Without further information and responses from external consultees we would be unable to comment in relation to the impact upon TV and microwave fixed links, gas, water and power lines. However the statutory and other bodies responsible for these issues should be able to provide further information.

In relation to **solar glint and glare**, until an assessment is undertaken the Local Authority are unable to comment on whether this can be scoped out.

Question 13.2 – Do consultees agree with the proposals for the assessment of effects on aviation, shadow flicker, climate change, major accidents and disasters, population and human health and land use?

In terms of **aviation** whilst the Local Authority does not disagree with your assessment in determined applications for wind farms in the past the Authority would normally consult the Ministry of Defence; The Civil Aviation Authority; Cardiff Airport, and Swansea Airport and would take advice from their representation, as such we would recommend that these external bodies are consulted.

In relation to **shadow flicker**, until an assessment is undertaken the Local Authority are unable to comment on whether this can be scoped out.

In relation to **climate change**, the Local Authority has publicly declared a climate emergency (at a meeting of full Council in September 2022) reaffirming its earlier commitment to tackling climate change. The Council published its Decarbonisation and Renewable Energy ('DARE') Strategy in 2019.

In relation to **Major accidents and disasters** whilst the Local Authority agrees that this area is not known to experience natural disaster and extreme weather events, the application site is within a coal mining high risk area, as such expert advice should be taken from the Coal Authority on these matters.

In relation to **Population and Human Health**, it is noted that Footpaths 2, 3 & 9.D.Hi, Bridleways 3 & 9.D.Hi and Byway 39.N.Hi affect the site (see plan at Appendix C). The PROWs must be protected at all times. The Local Authority generally requires wind turbines to be a minimum tip height plus 30m away from a Bridleway or Byway to avoid users in case of collapse. If this is not possible the developer should enter discussions with the Authority's Rights of Way Officers.

There is also a potential impact upon human health during the construction phase of development associated with the historic coal mining within the development areas has also been identified. It is noted that the application site falls within areas where there is historic coal mining with various underground shafts within or adjacent to the boundary. Any permanent structures could be affected by ground gas from old mine workings and spoil tips and be a human health risk to site workers. It is therefore recommend that a Preliminary Risk Assessment and desk study is carried out to assess these risks. These potential impacts must be fully assessed and addressed within any ES submitted in support of the development proposal.

Question 13.3 – Are there any other relevant consultees who should be consulted about the other EIA topic assessments?

See responses to 13.1 and 13.2 above. Finally, the Local Authority cannot see any reference to Air Quality within the Scoping Report, and whilst we acknowledge that the risk during operation is low, we do consider there to be some short term risks during construction that should at least be acknowledged and discussed in the Environmental Statement.

Yours sincerely

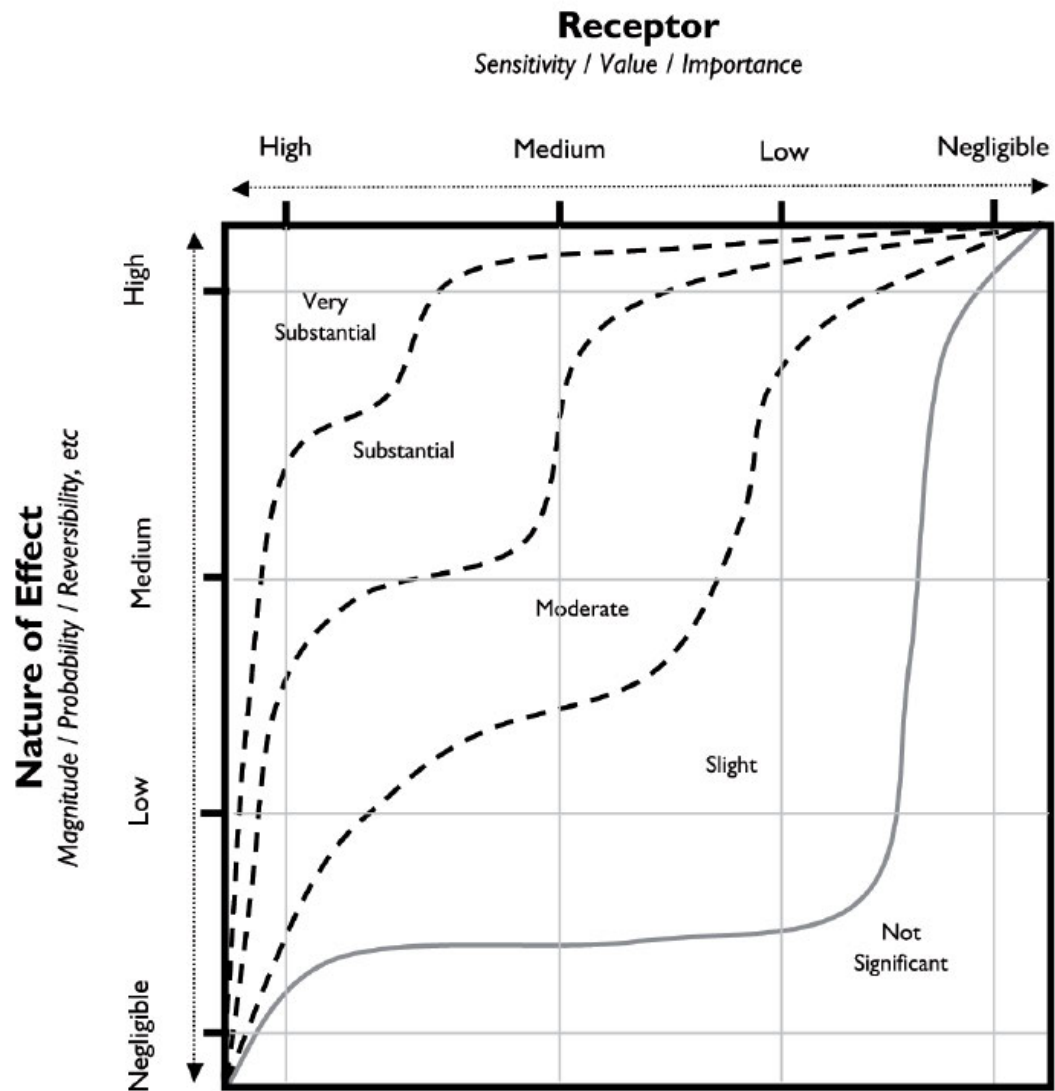
Claire Hall
Senior Planner
Neath Port Talbot County Borough Council

Enclosures:

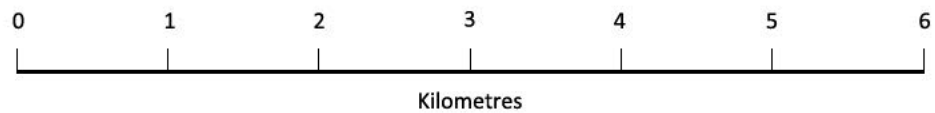
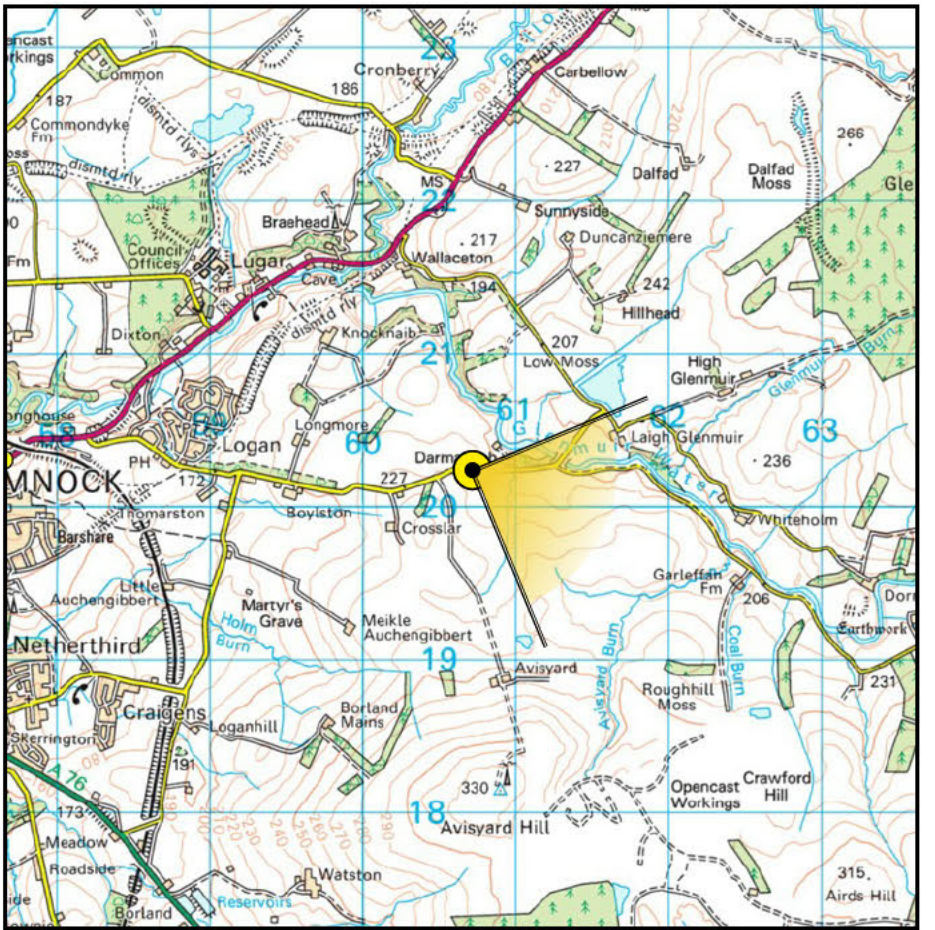
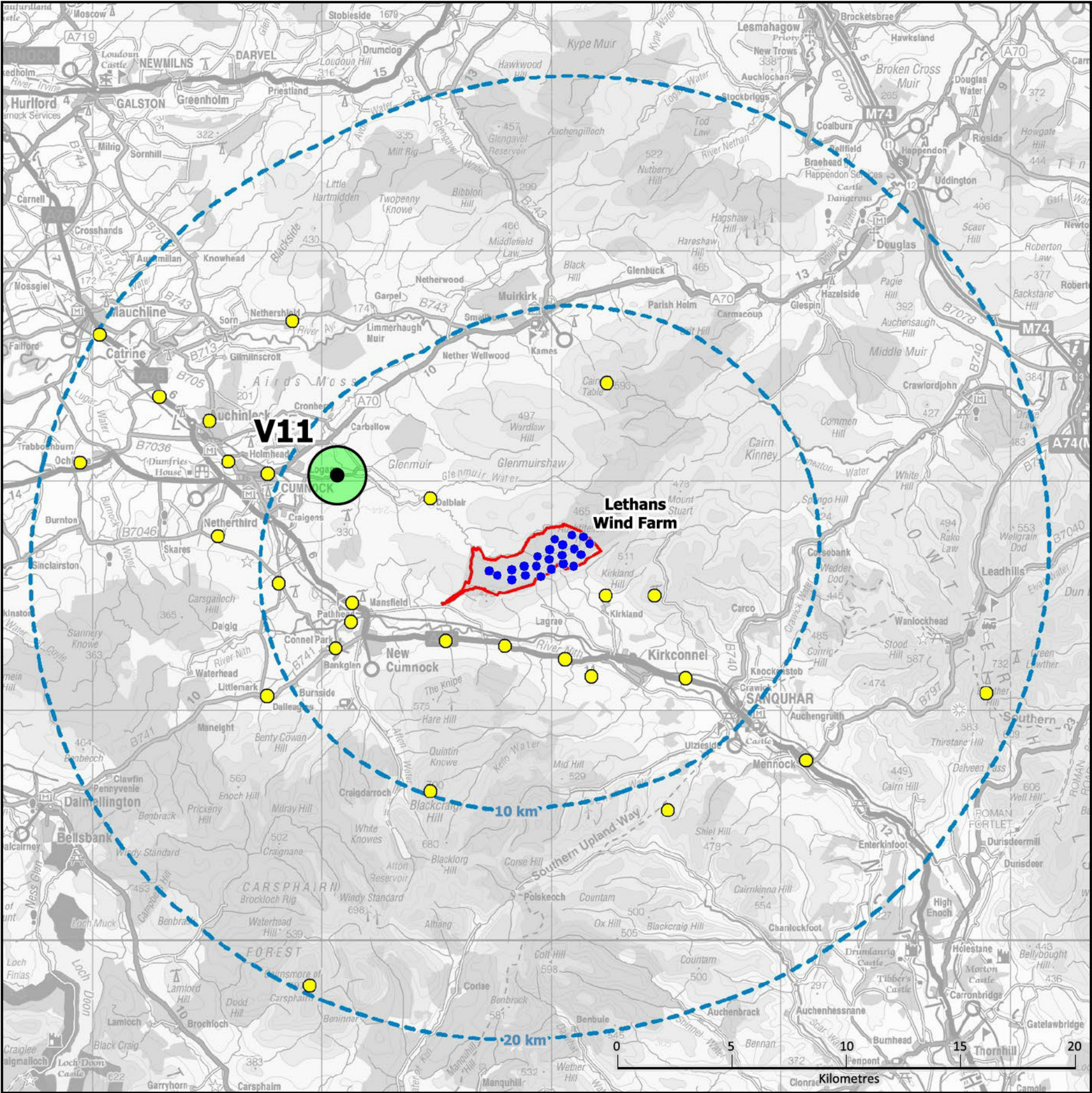
Appendix A – IEMA significance diagram

Appendix B – Lethans wind farm A3 single frame visualisation sample

Appendix C – map of affected PROWs



Derived from Figure 6.3, page 61- IEMA Special Report – The state of environmental impact assessment practice in the UK, 2011.



WIRELINE COLOUR KEY

- Operational
- Approved
- In planning
- In scoping



BANKS Renewables development with care	RPS	ID	Title	Easting	Northing	Elevation	View bearing	Nearest WT	FEI Figure 9.49 Viewpoint Pack
		V11	Glenmuir Water Road	260658	620251	217 m	114°	7.86 km	



Photomontage

View flat at a comfortable arm's length

BANKS Renewables development with care RPS	Camera: Nikon D600 - Lens: Nikon 50 mm /1.8 - 1.5 m above ground level Paper size 420 x 297 mm (A3) Correct printed image size 390 x 260 mm									FEI Figure 9.30 27-degree Photomontage
	ID	Title	Easting	Northing	Elevation	Bearing	FOV	Nearest WT	Date - Time	
	V11	Glenmuir Water Road	260658	620251	217 m	114º	27º	7,857 m	31/03/2016 @ 16:07	

This image is intended for use at the viewpoint only. Further information should also be referred to in the ES



COUNTRYSIDE AND WILDLIFE

Nico a Pearce
Corporate Director of Environment
THE QUAYS, BRUNEL WAY, BAGLAN ENERGY
PARK
NEATH SA11 2GG

Drawing Title: P2022/0904

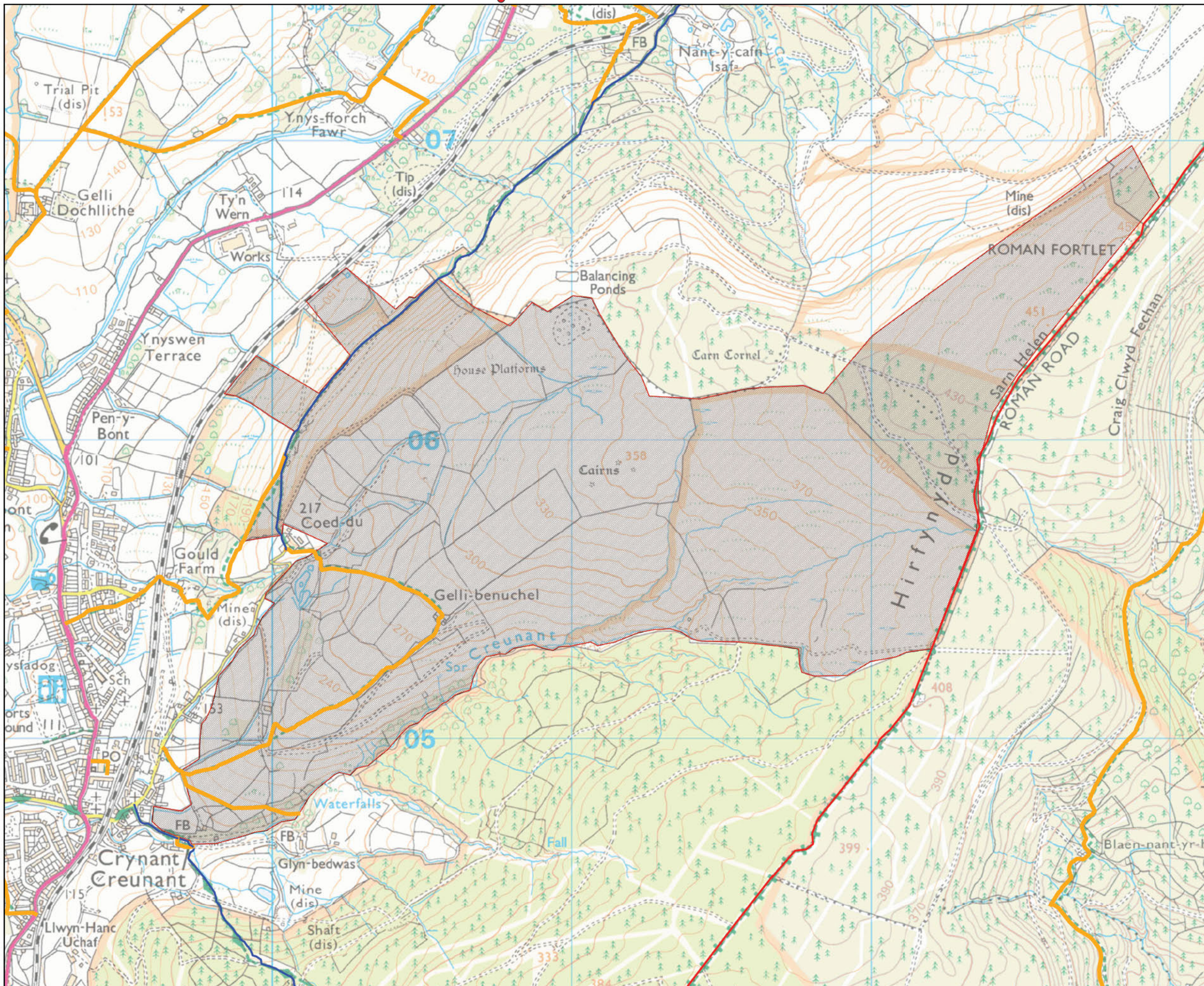
Plot Ref: Hirfynydd Renewable Park
Land to the East of
Crynant
Neath.

Date: 10th November 2022

Key

- Footpath
- Byway
- Bridleway
- Planning App Area

0 500 m



Maes Newydd
Llandarcy
Neath Port Talbot
SA10 6JQ

Ebost/Email:

Adeline Wilcox
The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dyddiad / Date: 14 December 2022

Annwyl / Dear Mr Wilcox,

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

Project Name: Hirfynydd Renewable Energy Park

Site Address: Hirfynydd Renewable Energy Park, Crynant, Neath, SA42 0RZ.

Proposed Development: Renewable energy park comprising wind generating capacity, solar photovoltaic generating capacity, and battery storage.

Thank you for referring the above proposal for a scoping opinion, which we received on 25 October 2022. Natural Resources Wales (NRW) has reviewed the information provided in the 'EIA Scoping Report' document by LUC (project number 12065; dated October 2022) and the associated appendices provided on the Planning Inspectorate website.

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 (ES). 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 ES. Our comments are set out below following the chapter order in the scoping report and we have provided a response to the questions posed where relevant to matters that fall under our remit.

Chapter 2 The EIA Process and Methodology

Questions

Q2.1: Are consultees aware of other windfarms (in addition to those shown on Table 2.1), solar proposals, or other developments that should be added to list for consideration in the cumulative assessments?

Land at Mynydd Forch Dwm is currently at statutory pre-application stage for 'Proposed onshore wind farm and solar array together with associated equipment, infrastructure and ancillary works.'

Q2.2: Several measures are considered to be an integral part of the design/construction process as part of good practice, and it is proposed that these will be taken into account prior to assessing the likely effects of the Development. Can consultees please confirm they are happy with this approach to mitigation?

Yes. We note that the key principle of mitigation will be adjustments in location of turbines as a result of further information from surveys and consultation.

Chapter 5 Landscape and Visual Amenity

Questions

Q5.1: Is the proposed approach and scope for the assessment of effects on landscape character and LANDMAP aspect areas considered to be appropriate?

Yes. We note that NRW's LANDMAP guidance note 46 is to be applied. We note that 'reporting units' will be within 10km of the site. This will include large areas of the southward-dipping plateau of the Brecon Beacons National Park.

(NB: can NRW provide the information required to enable us to complete the stage 2 filtering process for Geological Landscape aspect areas i.e. data needs to provide a match between Site IDs in the GIS data and the online survey records)

Please submit a request to datadistribution@naturalresourceswales.gov.uk and please note the LANDMAP UIDs will be required for us to process this request.

Q5.2: Is the proposed approach and scope for the assessment of effects of designated landscapes considered to be appropriate?

Yes, we note that the effects on Brecon Beacons National Park special qualities are scoped in. SP8 - 'rugged, remote and challenging landscapes' has not been included as one of the relevant special qualities of Brecon Beacons National Park. We consider this quality to be relevant and therefore should be included in the assessment. We note that Gower Area of Outstanding Natural Beauty (AONB) is scoped out due to distance from the site (22km and more).

Q5.3: Is the proposed approach and scope for the assessment of visual effects appropriate?

Yes, we note that the effects within 15km will be assessed, and also effects on popular hilltops up to 28km away within Brecon Beacons National Park are to be assessed. We consider that visual effects on the popular hilltop of Cefn Bryn (33km distance) in Gower AONB should be included in the assessment of visual effects as representative of the AONB.

Q5.4: Do consultees consider that the proposed viewpoints are appropriate to inform the visual assessment, and that the suggested presentation of visualisations is appropriate?

We note that viewpoint (VP) 19 relates to road users as they pass over the high plateau, and that VPs 4 and 5 relate to those using recreational routes in the Brecon Beacons National Park. Neither of these recreational routes are aligned directly with views to the site at these viewpoints. Therefore, it is requested that an additional or alternative viewpoint is taken on the Beacons Way as it descends from Fan Hir, from where there would be views to the site directly ahead at approximately 12km distance. There are potential viewpoints at Cribarth and Penwyllt National Nature Reserve within 10km that should be considered to reflect closer views. We note that VP7 at Merthyr Common is within 1km of the boundary of the Brecon Beacons National Park (and very close to the proposed Pen March Wind Farm). This setting of Brecon Beacons National Park needs to be taken into account in the assessment from VP7. We note that no viewpoints are considered in Gower AONB. However, we consider it appropriate to assess a viewpoint from the high ground of the eastern end of Cefn Bryn as representative of the expansive inland views from Gower. We note that the proposed wirelines and photomontages will be in accordance with LI guidance.

Q5.5: Is the approach to inclusion of schemes within the cumulative assessment appropriate?

Yes.

Q5.6: Is the approach to the assessment of effects on residential visual amenity appropriate?

Not relevant to NRW

Q5.7: Do consultees consider the effects to be scoped in and out appropriate?

Yes, however, as noted in our reply to Q5.3 and Q5.4, visual assessment and a viewpoint from Gower AONB needs to be scoped in.

Q5.8: Is the approach to aviation lighting assessment and night-time photography appropriate and proportionate, and are the suggested night-time viewpoints appropriate?

Yes, however, the exact location of N1 viewpoint at Craig-y-Nos (one of the '10 Places to go star-gazing' in the Brecon Beacons National Park, to be agreed with NRW to ensure least disturbance from lighting in the Swansea Valley. The proposal is unlikely to be visible

from within the Country Park itself and a viewpoint at Penwyllt National Nature Reserve could be considered (accessible by vehicle close to the nature reserve)

Q5.9: Are there any other relevant parties who should be included within the post-scoping consultation process for the LVIA?

Not known.

Chapter 7 Hydrology, Hydrogeology and Geology (including Peat & Mining)

Q 7.1: Is the proposed assessment methodology appropriate?

Yes, however further information is required regarding land contamination from Aberpergwm mine and controlled waters.

Q7.2: Are the proposed list of effects which are scoped in appropriate?

Water Resources

Activities related to wind turbine construction such as foundations and borrow pits can result in risks to groundwater and surface water from instances such as pollution/turbidity, risk of mobilising contamination and physically disturbing aquifers. It should therefore be ensured that any works will not result in contamination or affect water resources. We advise that firstly a water feature survey should be carried out which identifies all water features which could be affected by the proposed operations.

The developer should therefore undertake a preliminary site assessment for a water feature surveys which should include the following:

- Identification of all water features both surface and groundwater (ponds, springs, ditches, culverts etc.) within a 300 metres radius of the site;
- Use made of any of these water features. This should include the construction details of wells and boreholes and details of the lithology into which they are installed;
- An indication of the flow regime in the spring or surface water feature, for example whether or not the water feature flows throughout the year or dries up during summer months;
- Accessibility to the spring/well;
- This information should be identified on a suitably scaled map (i.e. 1:10,000), tabulated and submitted to Natural Resources Wales. It would be useful for the developer to photograph each of the identified water features during the survey.

Based on the results of the survey the applicant must assess the likely impacts from the development on both quantity and quality of the surface water and groundwater. This should take into consideration both the preferred methods of construction and the assumed hydrogeology in the vicinity of the development.

We may require identified groundwater features to be monitored during the proposed workings. We would therefore recommend that the survey be undertaken as soon as

possible to enable the developer to carry out suitable baseline monitoring prior to the commencement of any workings at the site.

These water features should be assessed to identify any mitigation measures required to prevent pollution and to safeguard water resources. Further advice on pollution prevention is provided below.

Dewatering of excavations (i.e. borrow pits) may lower groundwater levels locally and may derogate nearby domestic and licensed groundwater sources. Certain private and small water supplies do not require a licence; therefore, we are not necessarily aware of their existence. The locations of private domestic sources are held by the local authority and the details presented in the water feature survey.

If dewatering is proposed as part of these works an abstraction licence from NRW may be required. The granting of planning permission does not guarantee an abstraction licence under the Water Resources Act 1991. A permit under the Environmental Permitting (England and Wales) Regulations 2016 may be required if the works involve the use of drilling fluids, foams or grouts.

A soil management plan should be produced in conjunction with a peat management plan. We would expect phased soil stripping to be undertaken during construction, together with the adoption of soil conservation and storage techniques in accordance with best practice guidance (Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, DEFRA).

Flood Risk

All watercourses within the site boundary are classified as ordinary watercourses (rather than main rivers) and therefore any culverting/crossings or works to these rivers would be subject to consent from the relevant Lead Local Flood Authority.

We welcome the inclusion of a Flood Risk Assessment. Any works proposed within 8m of the identified floodplain may require a Flood Risk Activity Permit (FRAP) from NRW. We will be able to provide further information on this when greater detail of the scheme is provided. Further information on FRAPs is available on our website at: Natural Resources Wales / Flood risk activity permits.

Land Contamination

Given the location of the site within the South Wales coal fields and the underlying Aberpergwm mine there is the potential for land contamination and as a minimum a Preliminary Risk Assessment (PRA) should be completed.

We therefore advise the developer:

1. Follows the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2. Refer to the Environment Agency's 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3. Refer to the Environment Agency's (2018) 'Approach to Groundwater Protection'

Peat

We note that probing surveys have already been undertaken and a Phase 1 survey is yet to be undertaken. We advise that the 'Unified peat layer' dataset resource, which was created by NRW and the Welsh Government, is also accessed for baseline information. This data is available by accessing the Lle Portal via NRW's website: [Natural Resources Wales / Maps](#)

Chapter 8 Ecology

Questions

Q 8.1: Are consultees content with the proposed approach to the ecological desk study and site survey work?

Yes, however we have outlined below the requirement for Ecobat analysis for the bat surveys.

Question 8.2: Do consultees agree that it should be possible to scope out effects on great crested newt, common species of reptile and amphibian, and badger, and detailed consideration of effects on designated sites other than Sarn Helen SINC and NPT Watercourses SINC?

Yes however we would need to review and agree the findings of the Great Crested Newt survey and eDNA data.

The development is unlikely to have any impact upon the Marshy Grassland feature of Nant Y Rhos Site of Special Scientific Interest so we agree this can be scoped out, however the resilience of the local Marsh Fritillary Butterfly population could be compromised through loss of surrounding habitat, and mitigation/compensation should be planned with this in mind

Question 8.3: Do consultees agree that the scope of cumulative assessment can be limited to wind farm developments within 10 km of the Site?

Yes

General advice

The EIA for this development should include sufficient information to enable the local planning authorities to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals.

Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short, medium and long term; permanent and temporary; positive and negative, and construction, operation and decommissioning phase and long-term site security impacts on the nature conservation resource, landscape and public access.

Description of the Project

Within the EIA, the proposed scheme should be described in detail in its entirety. This description should cover construction, operation and decommissioning phases as appropriate and include detailed, scaled maps and drawings as appropriate.

We would expect the description to include:

- The purpose and physical characteristics of the proposals;
- Location, development size and configuration of the development including flexibility of the site layout;
- Procedures for good working practices;
- Identification of appropriate pollution contingency and emergency measures for watercourses on site;
- Timing of all works and contingency plans should slippage in the programme occur;
- Maintenance requirements of structures;
- Maintenance of any habitats within the site;
- Artificial lighting requirements, including likely intensity and location of light spill on green infrastructure.

Illustrations within the Environmental Statement

Any maps, drawings and illustrations that are produced to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections of the EIA such as biodiversity.

Description of Biodiversity

The EIA must include a description of all the existing natural resources and wildlife interests within and in the vicinity of the proposed development, together with a detailed assessment of the likely impacts and significance of those impacts.

Key Habitats

Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). We advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present.

Protected Species comments

Sites Surveys

We advise the site is subject to assessment to determine the likelihood of protected species being present in the area and likely to be affected by the proposals. Targeted species surveys should be undertaken for all species scoped in and:

- i. Be undertaken by qualified, experienced and where necessary, licensed ecologist; and
- ii. comply with current best practice guidelines. In the event that the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the EIA.

Up to date survey information should be included in the ES and the data provided as an appendix to the ES.

We generally agree with chapter 8 of the scoping report regarding the protected species to be scoped in/out, however, we offer the following comments regarding bats, otter, water vole and dormice. We would also look to the extended Phase 1 surveys to guide the need for further, more specific protected species surveys.

Bats

We welcome the site is being surveyed for its use by bats including, static detector surveys at the turbine locations and surveys of buildings and trees for the presence of roosting bats.

We advise that the following guidance is adhered to:

[Bats and onshore wind turbines - survey, assessment and mitigation | NatureScot](#)

In addition, for each of the bat species at moderate or high risk of collision from wind turbines, we advise that the results of an Ecobat analysis of the data is provided for each proposed turbine location, for each season for the 2002 and 2023 surveys.

We note that the surveys have principally been focussed on a 6 turbine scheme, but that there's a recent addition of a 7th turbine which will form part of the submitted scheme. Surveys should ensure that they cover the full bat activity period for this turbine location.

If any trees require felling or pruning to accommodate the proposals then we advise that they are scoped into the EIA and are subject to surveys to assess their potential to support roosting bats. Any deemed to have potential to support roosting bats should be subject to climbed, endoscope surveys to further assess potential roost features for the presence of bats.

Otter and Water vole

We note that both otter and water vole have been identified in close proximity to the proposals and that water courses within 200m have been surveyed. We would advise that these surveys are undertaken in accordance with best practice guidance and that water vole surveys are undertaken in the period mid-April to the end of June, and July to September with at least 2 months apart between visits. Should otter and water vole be identified during the surveys additional information must be provided to include;

- The species specific impacts in the short, medium and long term;
- Mitigation and compensation measures proposed to offset the impacts identified.

We would advise that this also includes any associated infrastructure works.

Dormice

We note that surveys for dormice are ongoing. Surveys should be in accordance with best practice and should evidence of dormice be found we would advise that additional information is provided to include;

- The species specific impacts in the short, medium and long term;
- Mitigation and compensation measures proposed to offset the impacts identified.

We would advise that this also includes any associated infrastructure works.

Impact Assessment

We advise that EIA considers significance (both alone and in combination) and where applicable conservation status. In respect of conservation status, we advise consideration be given to current conservation status (CCS), and demonstration of no likely detriment to maintenance of favourable conservation status (FCS) during construction operation and decommissioning phases of the scheme.

Where proposals implicate protected species which are also notified features of designated sites (Eg. SAC, SSSI), we advise that the EIA considers the impacts on those species from both perspectives. We also advise that the relevant Environment Team are consulted on the proposals.

We advise that the EIA sets out how the long term site security of any mitigation or compensation will be assured, including management and monitoring information and long term financial and management responsibility. Where the potential for significant impacts on protected species is identified, we advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the EA.

EPS Licence

Where a European Protected Species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW. The EIA must include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

Where a European Protected Species is present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- (a) It satisfies an appropriate derogation or licencing purposes, which in the case of development is most likely to be preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- (b) There is no satisfactory alternative and
- (c) The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

These requirements are also translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The local planning authority will take them into account when considering the EIA where a European Protected Species is present.

Local Biodiversity Interests

We advise that the development incorporates robust green infrastructure that will remain unlit to allow protected species to continue to inhabit the site and move through it. It is vital that the design of the development avoids narrow green infrastructure corridors through it, and avoids breaks in those corridors.

Securing Biodiversity Enhancement

In accordance with the Environment (Wales) Act 2016 and Planning Policy Wales, the application demonstrates how it can deliver biodiversity enhancements and thus contribute to promoting ecological resilience. This is reaffirmed in the Welsh Government letter of 23/10/19 to all Chief Planning Officers.

Chapter 9 Ornithology

Questions

Q 9.1: Are consultees content with the proposed approach to the ornithological desk study and site survey work?

Yes, however we have not reviewed the full surveys detail and results.

Q 9.2: Do consultees agree that the scope of cumulative assessment can be limited to wind farm developments within 10 km of the Site?

Yes

Ornithology comments

Further clarity is required regarding the number of years of survey are undertaken for breeding surveys for Goshawks.

Justification is required as to why only one year of breeding bird survey and breeding Wader survey were conducted as opposed to two.

Paragraph 9.25 states “on going survey work” but this does not appear to be described within the ornithological chapter.

Figure 9.2 Breeding Bird Survey Areas – clarity is required as to why the breeding wader survey, nor the breeding bird surveys, did not cover the entire application boundary.

The species scoped out seem to be being determined on the basis of operational and construction phases for the wind turbine element of the scheme. The application is for both turbines and photovoltaic arrays, and therefore impacts from both types of schemes need to be fully considered. We therefore do not agree with the scoping out of species at this stage until all impacts have been considered.

With regard to barn owls, there appears to be surveys appropriate to determine the use of the site (beyond breeding) presented within the scoping report.

Pollution Prevention Measures

We welcome that a site specific Construction Environmental Management Plan (CEMP) will be produced, as outlined in several of the chapters. We also note much of the

mitigation for protected species and ornithology will be included in the CEMP. The plan should be produced to address pollution prevention and control measures, to be deployed across the whole project area. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed; to include all infrastructure including turbine foundations, crane hardstandings; construction laydown areas; mineral borrow pits to include location, volume of rock to be removed from each location, reinstatement plan; construction of electrical substation and battery storage
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures (Please note that depending on the results of the ecological survey work, this information may need to be provided in a separate standalone document).
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- De-watering of excavations (further advice on dewatering provided above)
- Culverting and headwall details including improvements/upgrading; to include material types and backfill;
- An assessment of the location of buried cables on the site to assess the accessibility of the forest. Where restrictions are limited, crossing points (concrete slab) should be constructed to allow access.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.
- Resource Management: details of waste generation and its management; details of water consumption, wastewater and energy use; procedure for handling and producing cement based products such as concrete and grout, storage and use of polluting substances such as fuels, oils and chemicals, soil and peat storage methods to include soil handling methods during site restoration;
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

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If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Rhian Isaac

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales

Adeline Wilcox
Planning Officer
PEDW

PEDW.Infrastructure@gov.wales

Eich cyfeimod
Your reference

CAS-02084-T4Z8W4

Ein cyfeimod
Our reference

Dyddiad
Date

13 December 2022

Llinell uniongyrchol
Direct line

Ebost
Email:

Dear Adeline

Hirfynydd Renewable Energy Park - EIA Scoping Consultation Land to the East of Crynant, Neath Port Talbot

Thank you for your letter of 25 October asking for Cadw's view on the scope of the Environmental Impact Assessment (EIA) for the above.

Cadw, as the Welsh Government's historic environment service, has assessed the characteristics of this proposed development and its location within the historic environment. In particular, the likely impact on designated or registered historic assets of national importance. In assessing if the likely impact of the development is significant Cadw has considered the extent to which the proposals affect those nationally important historic assets that form the historic environment, including scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes.

These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

Advice

A scoping report produced by LUC has been submitted along with the scoping request. Chapter 6 of this document confirms the Cultural Heritage and identifies that the impact of the proposed development on the designated historic assets listed in Annex A, will be considered following the methodology outlined in "The Setting of Historic Assets on Wales". It also poses two questions for consultees to consider:

Q6.1 Do consultees agree with the scope and approach of the Cultural Heritage and Archaeology Assessment?

We have concerns that the proposed walkover survey may not cover the whole application area. The whole of the application area should be covered in order to

identify currently unrecorded archaeological sites, the presence of which could have an effect on the proposed setting assessments. This survey may be enhanced by carrying out a Lidar survey before it. Following the walkover survey there may be a need for geophysical surveys and archaeological evaluation to be carried out in order to determine the significance and extent of the identified archaeological sites.

Q6.2 Are consultees happy with the proposed viewpoints for consideration in the cultural heritage assessment?

The forestry surrounding scheduled monument GM275 Carn Cornel Round Cairn has been recently cleared so a viewpoint from that designated historic asset will also be required.

Yours sincerely

Jenna Arnold

Diogelu a Pholisi/ Protection and Policy

Annex A

Within a 5km developer ZTV to blade tip:

Scheduled Monuments

BR074 Section of Road NE of Coelbren Fort
BR327 Bryn Llechwen ring cairn
GM146 Coelbren Fort
GM274 Hirfynydd Roman Earthwork
GM275 Carn Cornel Round Cairn
GM326 Two Platform Houses 1600m SE of Blaen-Nant Farm
GM327 Cairn on Mynydd-March-Hywel
GM343 Roman Marching Camp South East of Coelbren Fort
GM385 Three Round Cairns on Carn Caca
GM396 Canal Aqueduct over the River Twrch, Ystalyfera
GM399 Tramroad at Ystradgynlais
GM416 Remains of Blast Furnace at Melin Court
GM423 Remains of Venallt Ironworks
GM531 Mynydd March Hywel Round Cairn
GM592 Coed Ddu ring cairn
GM593 Coed Ddu house platforms and enclosure

Registered Parks and Gardens

PGW(Gm)53(NEP) Rheola

Listed Buildings

11771 Rheola House II*
11842 Aberpergwm Aqueduct over Neath Canal II
11843 Limekiln to SE of Maes-Gwyn Lock on Neath Canal II
11847 Gates across driveway at Aberpergwm House II
11848 Gelli Galed Farmhouse II
11849 Walls of barn to NW of Gelli Galed Farmhouse II
11851 Circular latrine at Blaen-nant-yr-hebog II
11852 Farmer's Arms aqueduct over the Neath Canal II
11853 Rheola overbridge on Neath Canal II
11854 Rheola Brook Aqueduct II
11855 Aber-clwyd lock and overflow on Neath Canal II
11856 Aber-clwyd bridge over Neath Canal II
11858 Cefn Coed Colliery, No. 1 Shaft Headframe II*
11859 Cefn Coed Colliery, No. 2 Shaft Headframe II*
11860 Cefn Coed Colliery chimney and boiler house flue II*
11861 Cefn Coed Colliery Boilerhouse II*
11862 Cefn Coed Colliery Pump House II
11863 Cefn Coed Colliery Engine House Range and Steam Capstan Engine II*
11867 Church of Saint Cadoc II*
11868 Memorial to Jane Williams in the churchyard of the Church of Saint Cadoc II
21967 Pant y Gelli II
22873 Bridge over Neath Canal SW of Ynys Nedd Farm II
23032 Sardis Independent Chapel and attached schoolroom II
23080 Godre'r Rhos Independent Chapel and vestry II*
23082 Jerusalem Independent Chapel II
23083 Melincwrt Independent Chapel II*
23086 Bethel Independent Chapel II
23087 Wern Independent Chapel II
25946 ,74,Heol Giedd,Cwm Giedd,Swansea,,SA9 1LS II
25947 ,76,Heol Giedd,Cwm Giedd,Swansea,,SA9 1LS II
25948 ,78,Heol Giedd,Cwm Giedd,Swansea,,SA9 1LS II

25953 Canal Aqueduct over Afon Twrch, including weir II*
80809 Canal Aqueduct over Afon Twrch, including weir II*
82048 Circular pigsty at Blaendulais Farm II
82050 The War Memorial II
82267 Bridge over former Vale of Neath Railway II
82270 Clydach Brook aqueduct over former Vale of Neath Railway II
82271 Llwyn-coedwr Farmhouse II
82289 Twrch Brook culvert and overflow sluice on the Neath Canal II
82447 Gate and railings and churchyard wall to SE of Church of St Cadoc II
82448 Bridge, gatepiers and railings at S end of Manor Drive II
82450 Bridge over Neath Canal at Maes-gwyn II
82451 Crugau II
82452 Barn at Crugau II
82453 Milestone on B4242 near Crugau II
82454 Bridge over Neath Canal near Crugau II
82547 Chapel of ease to the Church of St Margaret II
82548 Ynys-y-bont Bridge II
87634 Stables and Coach House at Rheola House II



Ref: CAS-02084-T4Z8W4

Robert Sparey
Planning and Environment Manager
Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Via Email: PEDW.Infrastructure@gov.wales

16th December 2022.

Dear Mr Robert Sparey,

Re: Scoping Direction Consultation Response – CAS-02084-T4Z8W4, Hirfynydd Energy Park, Land to the East of Crynant, Neath Port Talbot.

In reference to the recent e-mail from PEDW consulting the Department on the above Scoping Direction request, the Department offers the following response for your consideration regarding the use of soil and peat resources.

For the Department, the key issues likely to be significantly affected by the development are:

- The protection of peat resource
- Maintaining soil services and functions
- Beneficial restoration and after use of site

1. Context and Background:

Peat soils are extremely fragile. Peatland habitats cover 3-4% of Wales yet store in the region of 20-25% of all Welsh soil carbon. Development and loss of peatland is contrary to the objectives of the National Peatland Action Programme (NPAP)¹. The Net Zero Plan² for Wales (Policy 72) requires the restoration of approximately 45,000ha of peatland by 2050 – therefore any losses to the peatland resource would undermine this objective. The priority now given to peatlands reflects their significance in addressing the Nature and Climate Change Emergencies in Wales.

¹ <https://cdn.cyfoethnaturiol.cymru/media/692545/national-peatlands-action-programme.pdf>

² <https://gov.wales/net-zero-wales-carbon-budget-2-2021-2025>

The Welsh Government's long term Peatland Policy (Welsh Government Ministers Decision - June 2019) is:

- i) ensure "*all peatlands with semi-natural vegetation are subject to favourable management/restoration,*" **and**
- ii) restoring "*a minimum of 25% of the most modified areas of peatland*".

The Welsh Government Biodiversity Deep Dive³ recently tripled the restoration target of peatland with a view towards the Net Zero 2050 target.

Mineral, organo-mineral and peat soils are finite and provide crucial ecosystem services to Wales. These services include food, fibre, water and important contributions to climate regulation, biodiversity and protection from natural disasters. The Natural Resources Policy (NRP) requires that we sustainably manage our soil resource, to build resilience and maintain the soils functions and ecosystem services our soils provide.

2. Policy Context:

The Department has examined the Scoping Opinion Report (Chapter 3 and Chapter 7) and consider the policies and guidance below are also applicable to this development: -

- Policy 9 of the National Development Framework (NDF) – Future Wales⁴ highlights soil carbon, biodiversity hotspots / networks, natural flood management and upland habitats as national natural resources. These national natural resources exist as a direct result of the presence of peat soils.
- Policy 17 of NDF Future Wales - states '*all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment*'.
- Policy 18(11) of NDF Future Wales – sets out the requirement for '*...acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration*'.
- Schedule 5 of Town and Country Planning Act 1990 (as amended)
- Minerals Technical Advice Note⁵ (MTAN) 1 – Chapter D
- Technical Advice Note (TAN) 6⁶
- Paragraph 6.4.3 (bullet 4) and 6.4.4 of Planning Policy Wales (PPW)⁷
- Paragraph 5.14.50 to 54 of PPW
- Natural Resources Policy⁸

³ <https://gov.wales/written-statement-biodiversity-deep-dive>

⁴ <https://gov.wales/future-wales-national-plan-2040-0>

⁵ <https://gov.wales/sites/default/files/publications/2018-09/mtan1-aggregates.pdf>

⁶ <https://gov.wales/technical-advice-note-tan-6-planning-sustainable-rural-communities>

⁷ <https://gov.wales/planning-policy-wales>

⁸ <https://gov.wales/natural-resources-policy>

3. Peatland Definition:

The Department considers the definition of peatland to be used for assessment is as published in the National Peatland Action Programme (NPAP)⁹. This includes any transitioning shallow peaty soils integral to the hydrological functioning of peat bodies: -

Peat soils are defined by the Soil Survey of England & Wales as:

- *more than 40 cm of organic (O horizon) material within the upper 80cm, excluding fresh litter (L) and living moss; **or***
- *more than 30 cm of organic (O horizon) material resting directly on the bedrock (R or Cr) or extremely stony material; **and**,*
- *no overlying non-humose material mineral horizon that has a colour value of 4 or more and extends below 30cm depth.*

4. Baseline information:

The extent, depth, condition, and distribution of the peatland resource (within the red-line boundary) is expected to be clearly identified and evidenced. As defined above, this should include any shallow peat soils supporting the hydrological functioning of peat habitats (on site or adjoining). A robust baseline is required to inform the ES and therefore options for infrastructure siting and working area, to ensure that peatland and impacts to hydrological functions can be adequately assessed.

Location and extent of mineral, organo-mineral and shallow peat (where not integral to the functioning of a peat body) soils on site and their physical characteristics is also required to assess potential impacts and inform decisions on infrastructure locations and borrow pits.

The volumes of each peaty and mineral soil unit that will be excavated for any on site infrastructure should be clear and based on survey evidence. For all infrastructure, including borrow pits, information should be provided on the current condition of the site, sufficient to clearly demonstrate that resources are available to put in place the appropriate standard of reclamation at decommissioning for beneficial after use.

5. Agricultural Land Classification – information and advice.

The Department does not hold any information on detailed ALC surveys for the site. According to the Predictive ALC Map¹⁰, the site is considered at best **Grade 4**.

As per published guidance¹¹, the Department does not consider BMV land to be present at this site, therefore an ALC survey is not recommended.

⁹ <https://cdn.cyfoethnaturiol.cymru/media/692545/national-peatlands-action-programme.pdf>

¹⁰ <https://gov.wales/agricultural-land-classification-predictive-map>

¹¹ <https://gov.wales/agricultural-land-classification-predictive-map-guidance>

6. Infrastructure

The Scoping Report (Chapter 4) contains little detail on the level and type of infrastructure proposed on site. For example, depth and volume of turbine and crane pads; depth, density and spacing of piles for the solar PV arrays; track and cable lengths and location, if and what fill material is used in trenches, location of battery storage, substation and compounds. Information and detail on all proposed infrastructure is essential to inform the ES process.

7. Peatland and Hydrology

It is good to see that some initial peat probing work has been undertaken on site. This work notes a significant extent of peatland within the application site, specifically with proposed turbine locations in areas of deepest peat concentration (see Figure 1.2 against Figure 7.3). The peatland areas require further assessment as part of the ES process (in line with the definition of peatland above).

A phased approach to peat surveys on site is proposed (section 7.35). The applicant should discuss and agree the peat survey methodology with NRW Lead Specialist Advisor – Peatlands. The commitment to the use of micro siting (Section 4.33) is also welcomed to avoid areas of peat and sensitive hydrological features.

It is welcomed that the proposed study area for peat impacts will also consider any off-site peat areas that are integral to the hydrological functioning of on-site peat bodies (Section 7.33).

The Department agrees that peat is a potential sensitive receptor for assessment. The potential impacts of all proposals and infrastructure on hydrological function of peatland bodies and disturbance to all soils should be considered, assessed and evidenced in the ES, including decommissioning.

8. Soil Management Scheme

The approach on management and impacts of soils (this includes all peat, organo-mineral and mineral soils) on site is unclear. A soil management scheme should be prepared by the developer, informed by a baseline soil resources and physical characteristics report, and be considered as part of the ES process. This should be a clear scheme and programme setting out how all soils and their function will be conserved and reinstated.

The Scheme should be presented in sufficient detail for the determining authority and statutory consultees to form a judgement as to its feasibility, and should include: -

- Soil stripping programme - volumes and types of soils affected.
- Soil handling techniques and procedure.
- Size, location, construction, management and period of soil storage dumps.
- Proposed decommissioning, after use and restoration programme, including techniques and aftercare programme.

A detailed scheme will support the ES process in considering: -

- Reasonable alternatives considered for the proposal.
- Potential impacts of the development and demonstrate how the proposal will not have an unacceptable adverse impact on the environment (in this case the peatland and soil resource).
- The feasibility and how effective restoration and beneficial after use can be achieved.
- How the proposal will maintain the resilience of national natural resources and avoid the loss of function and services provided by the peatlands and soils.

The advice expressed does not bind any other part of Welsh Government commenting on the proposal. I trust the above comments are clear and unambiguous. I would welcome further discussion if you consider this helpful.

Yours sincerely

Arwel Williams

Agricultural Land Use & Soil Policy Advisor

[REDACTED]

Pridd, Mawndir a Chynllunio Defnydd Tir Amaethyddol / Soil, Peatland & Agricultural Land Use Planning
Is-adran Tirweddau, Natur a Choedwigaeth / Landscapes, Nature and Forestry Division
Yr Adran Newid Hinsawdd / Department for Climate Change
Llywodraeth Cymru / Welsh Government

Dear Adeline,

We are content that the Scoping Opinion covers off Transport Issues and for these to be part of a wider Transport Assessment. The turbine component route to site is identified and will need to be covered in detail with regard to the whole route, port to site and should include all travelling weights and dimensions.

We look forward to reviewing the detail of the Transport Case when this is made.

Kind regards

Richard

Richard Jones

Peiriannydd Ffyrdd / Route Engineer

Is-adran Rheoli'r Rhwydwaith - Network Management Division

Trafnidiaeth / Transport

Llywodraeth Cymru / Welsh Government

Parc Cathays / Cathays Park

Caerdydd / Cardiff

Ffôn / Tel: [REDACTED]

Our Ref: SG34243

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company (NERL) has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: [REDACTED]

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

[REDACTED]



NATS Public



Gwasanaeth Tân ac Achub
Canolbarth a Gorllewin Cymru
Mid and West Wales
Fire and Rescue Service

Prif Swyddog Tân | Chief Fire Officer
Roger Thomas BA(Hons), MSc

PEDW
Crown Buildings
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*Gofynner am/
Please ask for:*

Watch Manager G. Morgan

Rhif Est/Extn. No.

E-bost/E-mail:

Fy Nghyf/My Ref:

GM/KDT/00216033

Dyddiad/Date:

01 November 2022

Dear Sir,

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES)
ORDER 2012**

THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016

**DEVELOPMENT PROCEDURE (CONSULTEES) (WALES) (MISCELLANEOUS AMANDMENTS)
ORDER 2021 – FIRE AND RESCUE AUTHORITIES**

RE: Land to the East of Crynant, Neath Port Talbot

APPLICATION NUMBER: DNS 02084

I acknowledge receipt of the notification to the Mid and West Wales Fire and Rescue Authority in relation to the above application.

The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development

- The following concerns are identified, in relation to the proposed developments, together with suggestions as to how these can be addressed.
 1. Please confirm the Proposal meets the requirements of B5 Approved document B (Wales) 2020 in relation to water supplies and vehicle access for firefighting purposes.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the

Y Pencadlys, Heol Llwyn Pisgwydd, Caerfyrddin, Sir Gâr, SA31 1SP
Headquarters, Lime Grove Avenue, Carmarthen, Carmarthenshire, SA31 1SP

attached Appendix and the following links: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

The plan/s has been retained for record purposes.

Yours faithfully



Watch Manager G Morgan
Authorised Fire Safety Inspecting Officer
On behalf of the Mid and West Wales Fire and Rescue Authority

Enc

MID AND WEST WALES FIRE AND RESCUE SERVICE

Advice on Water Supplies

1. WATER SUPPLIES FOR FIREFIGHTING

The existing output of the statutory water supply network may need to be upgraded in certain parts of the local plan area to care for firefighting needs of new developments. It is recommended that this provision be a condition of planning consent.

Reference to the National Guidance Document on the Provision of Water for Fire Fighting 2007.

Access to Open Water Supplies

Where development of water-front sites takes place, the need for permanent and unobstructed access for firefighting appliances to the water should be made a condition of any planning consent.

Consultation must take place with the Fire and Rescue Authority during the earliest planning stages of any development to ensure access for fire pumping appliances is satisfactory.

1.1. HOUSING

Minimum main size 100 millimetres. Housing developments of units of detached or semi-detached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any hydrant on the development.

The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements.

1.2. TRANSPORTATION

Lorry/Coach Parks - Multi-Storey Car Parks-Service Stations

Minimum main size 100 millimetres. All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any hydrant on the development or within a vehicular distance of 90 metres from the complex.

1.3. INDUSTRY

In order that an adequate supply of water is available for use by the Fire and Rescue Authority in case of fire, it is recommended that the water supply infrastructure to any commercial industrial estate is as follows:

Light Industrial/Commercial

Up to one hectare, 20 litres per second - Minimum Main Size 100 millimetres

Up to two hectares, 35 litres per second - Minimum Main Size 150 millimetres

High Risk Industrial

Up to three hectares 50 litres per second - Minimum Main Size 150 millimetres

Over three hectares, 75 litres per second - Minimum Main Size 150 millimetres

In rural areas it may not be possible to provide sufficient mains water. To overcome this, static or river supplies would be considered on site if they are capable of supplying the above flow rates for at least one hour.

The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements, as high-risk premises may require a greater flow.

1.4. SHOPPING, OFFICES, RECREATION AND TOURISM

Commercial developments of this type should have a water supply capable of delivering a minimum of 20 to 75 litres per second to the development site. The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements.

1.5. EDUCATION, HEALTH AND COMMUNITY FACILITIES

Village Halls

Should have a water supply capable of delivering a minimum of 15 litres per second through any hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary Schools and Single Storey Health Centres

Should have a water supply capable of delivering a minimum of 20 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary Schools, Colleges, Large Health and Community Facilities

Should have a water supply capable of delivering a minimum of 35 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

1.6. DISTANCES BETWEEN FIRE HYDRANTS

The distance between fire hydrants should not exceed the following:

Residential areas	-	200 metres
Industrial Estates	-	150 metres
Town Centre Areas	-	90 metres
Commercial (Offices & Shops)	-	100 metres
Residential Hostels	-	Adjacent to access
Hotels	-	Adjacent to access
Institutional (Hospitals & Old Persons Home)	-	Adjacent to access
Old Persons Home	-	Adjacent to access
Educational (Schools & Colleges)	-	Adjacent to access

1.7. CONCLUSION

Developers should hold joint discussions with the relevant Water Authority or the Environmental Agency and the Fire and Rescue Authority to ensure that adequate water supplies are available in case of fire.

The Fire and Rescue Authority reserve the right to ask for static water supplies for firefighting on site, as a condition of planning consent, if the supply infrastructure is inadequate for any given risk.

Mr A Wilcox
DNS
Parc Cathays,
Cardiff
CF10 3NQ

Date: 16/12/2022
Our Ref: PPA0007289

Dear Mr Wilcox

Grid Ref: 281129 205817

Site Address: Hirfynydd Renewable Energy Park, Land east of Crynant, Neath

Development: DNS -Scoping Consulted - Renewable energy park comprising wind generating capacity, solar photovoltaic generating capacity, and battery storage

I refer to your consultation documents received in accordance with Article 9(3) of the Development of National Significance (Procedure) (Wales) Order 2016, which precedes your application for a Development of National Significance for the construction of a solar farm together with all associated works, equipment and necessary infrastructure at Land east of Crynant, Neath

We welcome the opportunity to comment on the proposal and would offer the following standing advice which should be taken into account within any future application:

SEWERAGE / SEWAGE TREATMENT

It appears the application does not propose to connect to the public sewer, and therefore Dwr Cymru Welsh Water has no further comments. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

WATER SUPPLY

We acknowledge a water supply for this proposed development will not be required. However, should circumstances change, please contact our Developer Services Team on [REDACTED].

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on [REDACTED] or via email at [REDACTED]

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Owain George
Planning Liaison Manager
Developer Services

Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.



The Coal
Authority



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: [REDACTED] (Planning Enquiries)

Email: [REDACTED]

Web: [REDACTED]

For the Attention of: Robert Sparey - Planning & Environment Manager
Planning and Environment Decisions Wales
Welsh Government

[By Email: [REDACTED]]

15 February 2023

Dear Robert

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

Potential DNS Application

DNS Name: Hirfynydd Renewable Energy Park

Site Address: Land to the East of Crynant, Neath Port Talbot

Proposed Development: Renewable energy park comprising wind generating capacity, solar photovoltaic generating capacity, and battery storage.

Thank you for your notification of 31 January 2023 seeking the views of the Coal Authority on what relevant matters should be 'Scoped In' to any forthcoming Environmental Statement for the above site.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a

duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Having reviewed the site location, I can confirm that parts of the site falls within the defined Development High Risk Area. We are pleased to note that the applicant is aware of the Coal Authority's Risk Based Approach to Development Management and informs that a Coal Mining Risk Assessment will be commissioned as part of the formal planning application process, in order to identify and assess the specific coal mining features within the site, and how the risk can be mitigated (Chapter 7 of the EIA Scoping Report, October 2022).

As one of the coal mining features is the presence of recorded mine entries, the Coal Mining Risk Assessment may need to be informed by intrusive site investigations to locate and establish their exact location and condition. It would be prudent to carry out a positional review of the mine entries prior to any intrusive ground investigations in order that the best plot position can inform the extent of the investigation works required. If any recorded mine entry is not found present within the site we would expect consideration to be given to the risks posed to the development by an off-site mine entry and its zone of influence. The Risk Assessment should also make recommendations for any remedial works necessary to ensure the safety and stability of these features and to define an exclusion zone around each of the mine entries. We consider the location of any structures should avoid being located over or within influencing distance of the mine entry. A site plan should be submitted as part of any formal application to demonstrated how the layout of the development has been designed to take account of the location of the mine entries and their respective zone of influence.

Any proposed treatment works will need to be in line with current UK guidance (CIRIA C758D), respective of the end use and under the terms and condition of a Coal Authority Permit.

It is noted that the applicant is aware that an active mine (Aberpergwm) is present beneath the site and they will review plans and documents in the context of the development proposed at the site.

I have also liaised with our Environment team (comments below) due to the presence of one existing mine water site within the site boundary and 11 existing mine water sites within 500m of the site boundary:

Our monitoring points in the area consist of quarterly visits to the Blaenant Old Level adit to monitor gas, and to an associated discharge (at the base of the valley).

Most of the discharges in the valley are between the 120 and 160m contours, however there is evidence of discharges as high as 275mAOD.

I couldn't see an elevation for the proposed wind turbine, however the water level is something to consider if any works are planned near that depth – however given the max height of the hillside is 358mAOD, I assume they'll be significantly above that height.

Other than that, given the likely height differential between the turbine and any of the workings I don't envisage any issues.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

I hope that this is helpful, however please do not hesitate to contact me if you require further assistance with this matter.

Yours sincerely



Deb Roberts *M.Sc. MRTPI*

Planning & Development Manager

General Information

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of the Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from the Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Sustainable Drainage

Where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The

views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.



Welsh Government Motorway and Trunk Road Network

‘Pulling Together’ Best Practice for Transporting Abnormal Loads in Wales

Instructions for use:

This guidance document is intended for use by hauliers and developers planning to generate abnormal load movements on Trunk Roads and Motorways in Wales.

It outlines the statutory process for planning and conducting safe and effective abnormal load movements in agreement with all relevant authorities and organisations.

This document supersedes any previous advice issued by the Welsh Government regarding this process.

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1 INTRODUCTION

1.1 Document purpose

Our highways are, in the most part, built to accommodate a certain maximum vehicle size and weight. These vehicle limits are defined and upheld by UK law and most daily movements can be completed within them. However, some particular vehicle types and indivisible freight loads fall outside these limits and so are known as 'abnormal loads'. These typically include:

- Vehicle carrying an oversize or overweight load
- Mobile cranes
- Engineering plant
- Road recovery vehicles

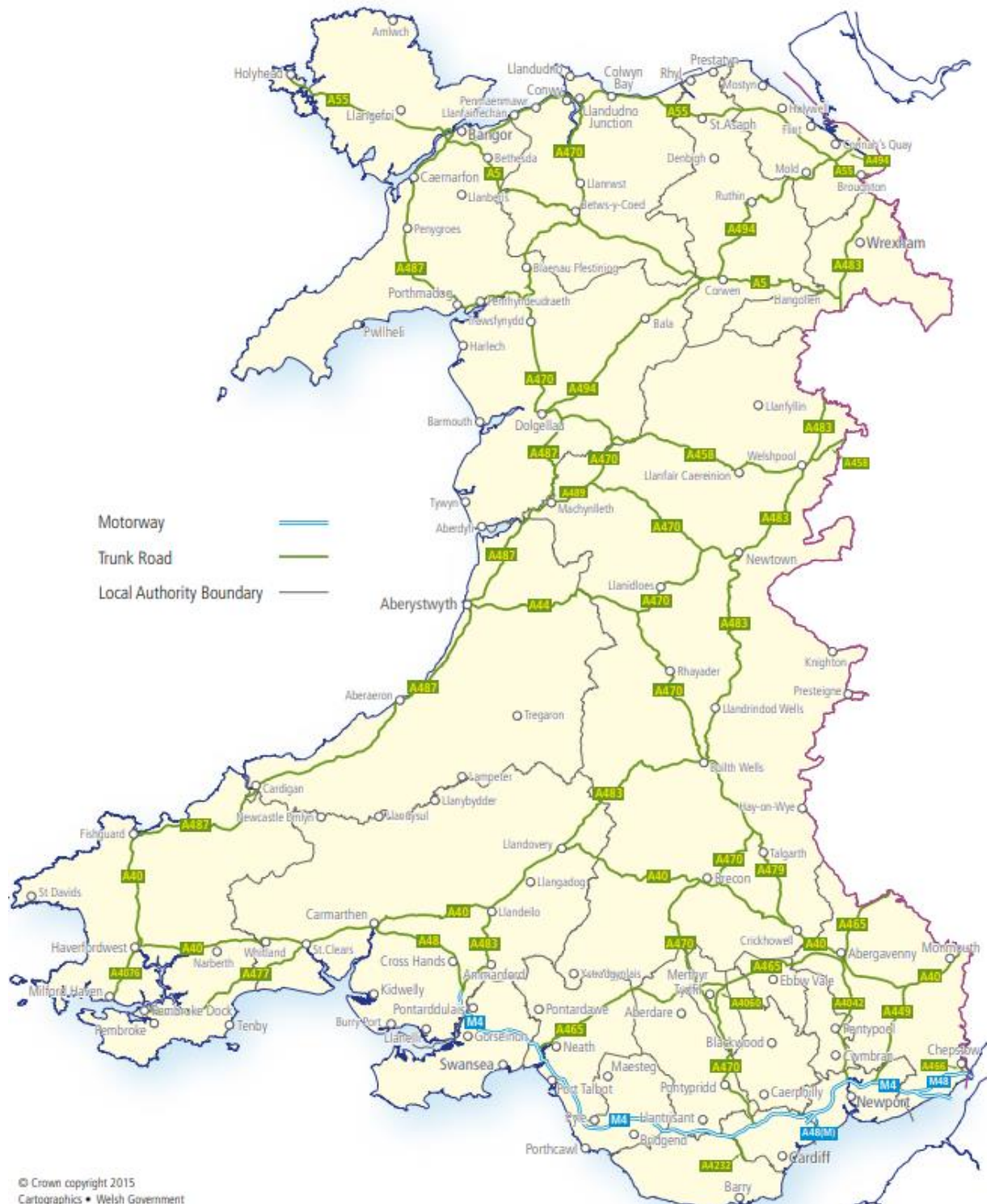


The movement of these types of loads by road is essential for supporting the UK economy, but it is also essential that the movements are carefully planned and executed to ensure they can be safely accommodated by the highway network. Movements of abnormal loads on the Welsh trunk road network (see Figure 1) can include vehicles as large as 8m wide, 55m long and 135te, while many thousand abnormal load movements take place in Wales every year. The consequences of these types of journeys being unplanned or poorly executed can therefore be significant, and include:

- Damage to the network when abnormally wide or heavy loads travel over weak structures or along narrow roads
- Delay to all road users if movement timing or route is poorly planned
- Harm to wider public if mismanaged movement results in an accident

- Delays and cost implications to industry when vehicles unable to complete journey on time

Figure 1 Trunk Road Network Wales (Traffic Wales, 2015)¹



¹ <https://traffic.wales/sites/default/files/2018-10/151021-wales-trunk-roads-map-en.pdf>

To avoid such impacts and their potential legal consequences, those responsible for transporting abnormal loads by road in the UK are required by law to plan and execute each movement in agreement with relevant authorities to ensure the incident-free passage of every load from origin to destination.

Welsh Government is the devolved government for Wales. The Welsh Ministers are the Highway Authority for trunk roads and motorways in Wales under the Highways Act 1980. They are supported by civil servant officials who work across devolved areas that include key areas of public life, including transport and the management of trunk roads and motorways.

This document therefore comprises a Welsh Government Procedure and Advice Guidance (PAG) document which aims to summarise the legal process which must be followed in the planning and execution of all abnormal load movements on trunk roads within Wales and to clarify the roles and responsibilities of the various parties involved.

By pulling together, we make roads in Wales safer and more effective.

1.2 Document structure

The document is structured as follows:

- The legal definition of an abnormal load is discussed in Section 2
- Guidance on vehicle preparation is provided in Section 3
- Guidance on journey preparation is provided in Section 4
- Planning for abnormal loads through the development control process is outlined in Section 5
- A summary of roles and responsibilities is presented in Section 6, and
- A list of useful contacts is provided in Section 7

1.3 Intended audience

This document is primarily addressed at the party responsible for conducting an abnormal load movement on Welsh trunk roads (most commonly the haulier), but is relevant to all parties involved in its safe planning and execution, as follows:

- Consigners/agents
- Hauliers
- Attendants
- Escorting services

- Police
- DVSA
- Highway Authorities and other bridge owners
- Planning authorities
- Developers / agents or consultants
- Statutory utilities

1.4 List of abbreviations

The following abbreviations are used throughout this document:

- AIL – Abnormal Indivisible Load
- ALO – Abnormal Loads Officer
- AWR – Road Vehicles (Authorised Weight) Regulations 1998
- STGO – The Road Vehicles (Authorisation of Special Types) (General) Order 2003
- C&U – The Road Vehicles (Construction and Use) Regulations 1986
- DBFO – Design, Build, Finance, Operate companies
- DMRB – Design Manual for Roads and Bridges
- HA&BO – Highway Authorities and other Bridge Owners
- NH – National Highways (*previously Highways England*)
- DVSA – Driver and Vehicle Standards Agency
- LA – Local Authority
- NMWTRA – North and Mid Wales Trunk Road Agent
- SWTRA – South Wales Trunk Road Agent
- TAA – Technical Approval Authority
- TMP – Traffic Management Plan
- TTRO – Temporary Traffic Regulation Order
- WG – Welsh Government

2 CATEGORIES OF ABNORMAL LOAD

Abnormal loads, and the obligations of those moving them, are defined in the UK by legislation. This section provides a summary of the different legal categories of abnormal load and their implications.

2.1 Normal vehicle definition

The maximum size and weight of vehicles which can use the UK road network without journey notification having to be provided to relevant authorities is defined by the following regulations:

- The Road Vehicles (Construction and Use) Regulations 1986 – “C&U”
- Road Vehicles (Authorised Weight) Regulations 1998 – “AWR”

These permit a vehicle and its load to use UK roads without notification as long as the combination falls within the following maximum size and weight limits:

- Rigid length: up to 18.65m
- Width: up to 2.9m
- Weight: up to 44,000kg
- Axle load: up to 10,000kg (or 11,500kg for single driving axle)

If a vehicle and its load lie outside any of these limits, it is referred to as an abnormal load.

There is no legal height limit for vehicles but, wherever possible, the overall height of a vehicle and load should not exceed 4.95m so that the maximum use can be made of the motorway and trunk road network. This will ensure that loads are less than 5.03m in height, which is the minimum maintained headroom requirement on UK highways.

2.2 Categories of abnormal loads

Legal categories of abnormal load vary to cover different combinations of vehicle size and weight. This is because different types of abnormal load have implications for both:

- Vehicle choice, and
- Route choice

The implications in each case are considered in the following subsections.

2.2.1 Abnormal loads and vehicle choice

The size of an abnormal load has implications for the size of the transporting vehicle, with larger loads generally requiring larger vehicles.

In addition, heavier loads put greater demands on a vehicle's chassis, suspension, tyres, brakes and engine, so heavier abnormal loads also require a higher specification of vehicle.

These distinctions between the impacts of size and weight result in the following abnormal load vehicle legal categories:

- C&U/AWR compliant vehicles are permitted within that legislation to carry oversized abnormal indivisible loads up to a limit, but not overweight loads
- Overweight loads, and those beyond C&U size limits, can be carried by three categories of higher specification vehicles designed to standards prescribed by The Road Vehicles (Authorisation of Special Types) (General) Order 2003 ("STGO") and are subject to lower speed limits depending on load weight
- Loads heavier and/or larger than those permitted by STGO require Special Order approval by the UK Secretary of State under Section 44 of the UK Road Traffic Act 1988

The application of these categories to abnormal load sizes and weights is summarised in the following table.

Table 1 Abnormal load legal category by size/weight combination

Gross weight	Axle weight	Load Dimensions				
		W ≤2.9m L ≤18.65m	W >2.9m L >18.65m	W >4.3m L >27.4m	W >5m L >27.4m	W >6.1m L >30m
≤44,000kg	≤11,500kg	C&U	C&U	STGO Category 1	STGO Category 1	Special Order
>44,000kg	≤11,500kg	STGO Category 1	STGO Category 1	STGO Category 1	STGO Category 1	Special Order
>50,000kg	>11,500	STGO Category 2	STGO Category 2	STGO Category 2	STGO Category 2	Special Order
>80,000kg	>12,500	STGO Category 3	STGO Category 3	STGO Category 3	STGO Category 3	Special Order
>150,000kg	>16,500kg	Special Order	Special Order	Special Order	Special Order	Special Order

Key:  = Abnormal load legislation

This table highlights that:

- C&U vehicles are limited to carrying abnormal loads which are oversized but not overweight
- STGO categories increase with abnormal load weight up to 150,000kg
- Special Order vehicles are for extra heavy and/or very large abnormal loads

2.2.2 Abnormal loads and route choice

As well as vehicle type implications, abnormal loads also present route choice implications, as follows:

- The wider and longer a load, the greater the potential for conflict with other road users and roadside furniture / structures
- The heavier a load, the greater the potential for damage to underlying infrastructure and for delays to other road users due to slower speeds

The transporting of abnormal loads therefore presents increased road safety, infrastructure damage and traffic management risks to the network which need careful management and mitigation in liaison with relevant authorities. This is required by legislation covering abnormal load movements and the following table summarises:

- The organisations requiring pre-trip notification of the abnormal load journey details, and
- The minimum notification period in each case, where 'd' refers to working days (excluding Sundays and Bank Holidays) and 'w' refers to weeks

Table 2 Pre-journey notification requirements by abnormal load category

Gross weight	Axle weight	Load Dimensions				
		W ≤2.9m L ≤18.65m	W >2.9m L >18.65m	W >4.3m L >27.4m	W >5m L >27.4m	W >6.1m L >30m
≤44,000kg	≤11,500kg	N/A	Police – 2d			
>44,000kg	≤11,500kg	HA&BO – 2d	Police – 2d HA&BO – 2d		Police – 2d HA&BO – 2d NH – 2w	
>50,000kg	>11,500					
>80,000kg	>12,500		Police – 2d HA&BO – 5d		Police – 2d HA&BO – 5d NH – 2w	
>150,000kg	>16,500kg					Police – 5d HA&BO – 5d NH – 10w

Key:  = Abnormal Load legislation  = VR1 form notice  = C&U
 = STGO C1  = STGO C2  = STGO C3  = Special Order

HA&BO = Highway Authority and other Bridge Owners NH = National Highways

This table highlights that:

- Where just load size increases, only the Police require notification, until the size reaches such that HA&BOs and National Highways require notifying also
- Conversely, where just load weight increases, HA&BOs require notification, until the weight reaches such that the Police and National Highways require notifying also
- For combinations of size and weight increases, both the Police and HA&BOs need notifying, together with National Highways for the largest/heaviest loads
- In all cases, the minimum notification period increases with load size and weight
- For loads over 5m wide, UK Secretary of State approval must be sought through submission of a VR1 form²

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/471962/VR1_form.pdf

- For loads over 6.1m wide, UK Secretary of State approval must be sought through submission of a Special Order form³

The approval of VR1 and Special Order forms has not been devolved by the UK Government to Welsh Government and so currently remains the responsibility of National Highways. However, for Special Order movements which will result in trips on the Welsh trunk road network, and for any other abnormal load movement deemed applicable, Welsh Government may require a Traffic Management Plan (TMP) to be submitted for approval before the proposed journey date. TMP requirements are defined in Section 4.1 below.

VR1 and Special Order load movements should also be planned with due cognisance of Highway England's 'Water preferred policy guidelines'⁴ which require such journeys to be completed as far as possible by either inland or coastal waters wherever it is practical, economic and environmentally desirable to do so.

2.3 Summary

UK law defines abnormal load categories based on the degree of vehicle and route preparation required in each case to ensure a smooth and safe movement, with preparation requirements increasing with load size and weight.

Further guidance on vehicle and route preparation is provided in the following two sections.

³https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/503102/BE16_form_revised_Sept_15.pdf

⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/799833/WPP_guidelines_2019_DfT_consultation_revision.pdf

3 VEHICLE PREPARATION

Ensuring that an abnormal load vehicle meets legal requirements and is fit-for-purpose is essential for ensuring safe and reliable journeys. This short section is not intended to cover all legal matters relating to abnormal load vehicle preparation but summarises key requirements that contribute to safe movements through Wales.

3.1 Vehicle choice

Where the carrying of a load causes the vehicle and load to lie outside of normal C&U/AWR size and/or weight limits, the party responsible for its transportation is legally required to divide the load into smaller components wherever possible, except where this would involve undue expense or risk of damage.

Assuming the load cannot be further subdivided and so is considered an abnormal indivisible load, the selected vehicle must comply with the legislation applicable to the dimensions and weight of the combination, as set out in Table 1 above.

3.2 Signage, markings and lighting

It is both a legal requirement and best practice to clearly sign, mark and light an abnormal load vehicle to ensure the visibility of vehicle size and extremities for other road users. For a summary of requirements and best practice, refer to the following documents:

- 'Special types enforcement guide', by Gov.UK⁵
- 'Lighting and marking for abnormal loads vehicles code of practice', by National Highways⁶

3.3 Attendants

Both C&U and STGO legislation require that an attendant travel with the vehicle where:

- The overall width of the vehicle together with the width of any lateral projection or projections of any load carried on it is 3m or less but the length of any lateral projection of a load carried on it exceeds 305mm.

⁵ <https://www.gov.uk/government/publications/lighting-and-marking-for-abnormal-loads-vehicles-code-of-practice>

⁶ <https://www.gov.uk/government/publications/special-types-enforcement-guide/special-types-enforcement-guide#abnormal-loads>

- The overall width of the vehicle together with the width of any lateral projection or projections of any load carried on it exceeds 3.5m where a rigid unit and any projection of the load exceeds 18.75m in length.
- Special types combination exceeds 25.9m, the length of any forward projection of the load exceeds 2m, the length of any rearward projection of the load exceeds 3.05m.

Where attendants are required on special types vehicles and three or more vehicles are involved travelling in convoy, attendants need only be carried in the first and last vehicles of that convoy.

The attendant's duty is to warn the driver or any other person of any danger likely to be caused by the presence of the vehicle or vehicles on the road and to ensure road signs and notices are complied with.

3.4 Documentation

If UK Secretary of State approval is required and obtained for the journey via either a VR1 or Special Order form, the approval documents must be carried in the vehicle during the approved journey as the means of demonstrating authorised exemption from C&U/AWR regulations.



4 JOURNEY PREPARATION

The key to an effective and safe abnormal load journey is good preparation in liaison with relevant authorities, as required by legislation and by this document. This section provides guidance on the journey planning and notification process.

4.1 Notification requirements

4.1.1 Authorities to be notified

As summarised in Table 2 above, the relevant authorities who require notification of abnormal load movements may include:

- Police
- Highway authorities and other bridge owners
- National Highways

In Wales, highway authorities comprise:

- Local authorities for non-trunk roads, and
- Welsh Government for trunk roads (with functions delegated to NMWTRA/SWTRA and DBFO companies)

Bridge authorities/owners most commonly comprise:

- Local authorities for non-trunk road structures
- Welsh Government for trunk road structures (with functions delegated to NMWTRA/SWTRA and DBFO companies)
- Network Rail for rail bridges
- Canal and River Trust for canal bridges

4.1.2 Notice periods

Notification to relevant authorities must be provided before any abnormal load journeys take place. The minimum notification periods for each authority are summarised by abnormal load category in Table 2 above. Depending on the type of abnormal load, this shows that:

- Each Police force area traversed by the route must be given at least 2 to 5 days' notice

- Each HA&BO area traversed by the route must be given at least 2 to 5 days' notice
- If VR1 form approval is required, National Highways must be given at least 2 weeks' notice
- If Special Order approval is required, National Highways must be given at least 10 weeks' notice

Where a Temporary Traffic Regulation Order is required, it should be noted that this can also take up to 12 weeks to process (see Section 4.3.1.3 below for more information).

The reason for requiring minimum notification periods is to allow due time for notified authorities to assess the proposed journey and for applicants to satisfactorily address any issues raised before the journey takes place. More information on the notification assessment process is provided in Section 4.3 below, but it should be noted that notified journeys can only legally take place:

- If all relevant authorities are notified with sufficient notice period and either no response is received before the journey date or any response received before the journey date is addressed by the applicant to the satisfaction of the responding authority, and
- In the case of VR1 or Special Order movements, explicit written approval is received

In addition, where a TMP has been requested by Welsh Government, Welsh Police forces can request evidence of TMP approval before providing escort support services.

It is important to note that notifications which do not satisfy the legal minimum notice periods will generally not be accepted by authorities unless a movement is required as part of a genuine emergency and the notification is accompanied by a telephone call. Equally, notifications can be submitted earlier than the minimum notice period, while pre-notifications and consultations with authorities are also encouraged where there is uncertainty about whether a journey notification would be accepted.

4.1.3 Information required

4.1.3.1 Statutory notification requirements

The level of notification information required depends on the category of abnormal load being moved, with information requirements increasing with movement size and/or weight. A summary of requirements per movement category is provided in the following table.

Table 3 Information required by notification type

Information	C&U	STGO	VR1	Special Order
List of authorities notified	☒	☒	☒	☒
Operator details	☒	☒	☒	☒
Movement route, time and date	☒	☒	☒	☒
Description of load	☒	☒	☒	☒
Vehicle type and registration	☒	☒	☒	☒
Vehicle dimensions and laden weight	☒	☒	☒	☒
Axle weights and spacing		☒		☒
Proof of current indemnity to HW&BO		☒		
More detailed journey information			☒	
More detailed vehicle and load information				☒

4.1.3.2 Traffic Management Plan requirements

Where a TMP is required to be submitted to Welsh Government (see sections 2.2.2 and 4.1.2), the following journey details should be provided:

1. Proposals for transporting AILs from their point of entry to the Welsh trunk road network to the site that minimise any impact on the safety and free flow of trunk road traffic
2. Loaded dimension and weight of AIL
3. Anticipated escort arrangements
4. Methodology for managing trunk road traffic during journey, including identification of passing places and holding areas as necessary
5. Journey contingency plans in the event of incidents or emergencies
6. Estimated journey duration and timings along the route
7. Evidence of trial run that mimics the movement of the AIL along the access route where appropriate, at the discretion of the Highway Authority
8. Swept path analysis modelling at all potential horizontal and vertical constraints along the access route where appropriate, at the discretion of the Highway Authority
9. Proposals for the temporary or permanent modification of any affected street furniture along the access route and details of how this would be managed and reinstated

4.1.4 Notification submission

All relevant notification and indemnity forms can be found on the Gov.UK website⁷ which can be emailed, faxed or posted to relevant authorities.

However, it is recommended that an online notification portal is used to submit C&U and STGO abnormal load notifications. The standard UK system is ESDAL⁸, maintained by National Highways, which allows users to:



- Plan an appropriate route according to vehicle size and weight
- Notify all relevant Police, highway authorities and other bridge owners of the planned journey
- Get advance notice of any possible route problems
- Save vehicle details and routes for future use

Subject to the preferences of individual authorities and Police forces, other online notification portals can also be used, but the applicant should satisfy themselves that any system employed satisfies all legal requirements for making abnormal load journey notifications.

The TMP, if required, should be submitted to the Welsh Government ALO, as detailed in Table 7 below.

4.1.5 Notification dispensations

Dispensations may be issued by Police to hauliers to move abnormal loads through their area without prior notification if they satisfy the following requirements:

- Abnormal loads no wider than 3.5m
- Multiple loads of a like nature on a regular basis
- Routes limited to motorways and selected A roads only

The granting of a dispensation has the potential to significantly reduce the number of notifications hauliers will have to submit. However, the dispensation should reference specific vehicles in the fleet and so are not transferable without prior notice to the Police. Drivers should also carry a copy of the dispensation and present it to an officer on request. Dispensations must be renewed annually on application and are not automatically renewed.

⁷ <https://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms>

⁸ <https://www.gov.uk/esdal-abnormal-load-notification>

Any dispensation granted will not take account of any roadworks commencing during the dispensation period or ongoing at the point of issue and hauliers will still be expected to check their route.

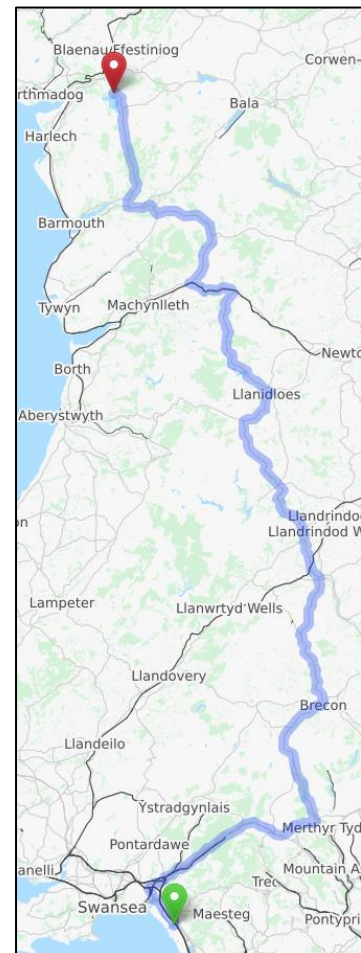
4.2 **Route planning guidance**

4.2.1 **General principles**

It is ultimately the haulier's responsibility to identify a route and execute a journey which ensures the legal, safe and least disruptive passage of an abnormal load from trip origin to trip destination. Relevant authorities will provide guidance and, where necessary, require journey amendments, but the legal responsibility and liability for the safe completion of each journey lies with the haulier.

In selecting an appropriate route for inclusion in an abnormal load journey notification, the following general principles should be followed:

- Routing preference should always be given to using the highest classification roads, with as much of the journey as possible being routed along motorways, trunk roads and A-roads. These routes are best equipped to carry large and heavy loads, and are least likely to present size and weight restrictions (the busiest abnormal load routes on the Welsh trunk road network typically include the A55, A494 dual carriageway, A483 dual carriageway and the A5 near Chirk)
- Routes should also avoid passing through population centres wherever possible to minimise conflict with both infrastructure constraints and other road users
- Routes must avoid roads presenting size and/or weight restrictions which fall within the parameters of the vehicle/load combination being transported
- One key advantage of using online journey notification systems like ESDAL is that it allows users to plot a route based on vehicle size and weight based on mapping which contains information on network size and weight restrictions.



Potential applicants should also be aware of Ordnance Survey 'Mastermap Highways Network' products which allow point-to-point route planning and contains a comprehensive and continuously updated national database of:

- Road classification and name
- Height, weight, width and length restrictions
- Turn restrictions
- Access restrictions
- Locations of bollards and traffic calming
- Narrow roads and pinch points
- Maintenance responsibility

In addition, it is recommended that applicants consider potential planned roadworks at the route planning stage using the online resources detailed in Section 4.4.1 below.

In combination with online notification portals, hauliers therefore now have access to route planning tools which maximise the chances of both successful abnormal load notifications and successful abnormal load journeys.

4.2.2 Other considerations

4.2.2.1 Travel timing

In planning an abnormal load route, the following timing related factors should also be considered:

- Journey times which exceed statutory driver working time limits will require a stopping place to be identified along the route which can accommodate abnormal load vehicles
- Journey distances which require vehicle refuelling will require a fuel station to be identified along the route which can accommodate abnormal load vehicles
- During hours of darkness, most Police forces only allow abnormal load movements to take place on motorways and on some lit dual carriageways. Journeys on all other road types which cannot be completed during daylight hours will therefore need to be routed via an abnormal load layby where layover can take place
- Some authorities will not allow abnormal load movements through their area or parts of their area during peak traffic hours. This can affect both route choice and journey timing

For planning stops and/or refuelling, National Highways publish on the Gov.uk website a list⁹ and map¹⁰ of laybys and motorway service stations which can accommodate abnormal loads.

In calculating journey times, typical congestion on the planned day of travel should be taken into account, as well as the speed limit applicable to the abnormal load vehicle type. STGO loads are speed limited by category and road type. The most common categories are limited as follows:

Table 4 STGO speed limits by category and road type

STGO category	Speed limit		
	Motorway	Dual carriageway	Other roads
Category 1 (width ≤ 4.3m)	60mph	50mph	40mph
Category 1 (width > 4.3m) & Categories 2 & 3	40mph	35mph	30mph
Special Order ¹¹	20mph	20mph	20mph

Source: Special Types Enforcement Guide

4.2.2.2 Escort considerations

Consideration should also be given during route planning as to whether either a private or Police escort is required to accompany the abnormal load movement.

There is no legal requirement for a vehicle moving under STGO or a Special Order to be accompanied by an escort vehicle, but National Highways advises that the following dimensions may be applied to decide if the movement of an abnormal load requires an escort:

Table 5 National Highways guidelines on escort requirements

Abnormal load measurement	Motorway	Other
Width	>4.6m	>4.1m
Length	-	>30.5m
Weight	130t	100t

Source: Lighting and marking COP for abnormal load self escorting vehicles, National Highways

The above measures are for guidance and may differ between individual Police forces who may wish to vary these requirements. The final decision rests with the Police (see Section 4.3.1.2 below).

See the full National Highways Code of Practice¹² for further details on escorting abnormal load movements.

⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/494606/Location_of_Abnor_mal_Load_Laybys_-_1143.pdf

¹⁰https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/494607/Lay-by_and_MSA_Map_-_1143.pdf

¹¹For girder frame trailers over 150 tonnes and draw-bar trailers over 250 tonnes, the limit is 12mph

¹²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/503105/Lighting_and_marking_COP_for_abnormal_load_self_escorting_vehicles_HE_rebranding_v1.pdf

4.3 Notification processing

4.3.1 Police notification assessment process

4.3.1.1 Public Safety Risk Assessment

In processing an abnormal load journey notification, the primary concern of the Police is to assess the potential impact of the journey on public safety. The relevant duty officer within the Police will therefore check the notification and carry out a risk assessment based on the agreed 'risk category' levels set out below:

- Low risk notifications – no necessity for further action. General advice provided to the haulier and information on control measures if necessary.
- Medium risk notifications – the Police will check the movement complies with relevant legislation and inform the haulier if the notification is rejected. A decision on the necessity of a Police escort or further traffic management measures will be considered for all notifications considered medium risk.
- High risk notifications – the Police will check the movement complies with relevant legislation and inform the haulier if the notification is rejected. A decision on the necessity of a Police escort or further traffic management measures will be considered for all notifications considered high risk.

Based on this risk assessment, the Police forces may reject or amend any time, date or route that they consider may have an impact on public safety. If a route is deemed unsuitable, the haulier will be notified and will then be responsible for identifying an alternative route or additional traffic management measures sought from local authorities, National Highways or the Police.

4.3.1.2 Escort requirements

If the risk assessment determines that the safety of road users may be compromised to an unacceptable extent, an escort may be specified regardless of the vehicle dimensions specified in Table 5 above. The haulier will therefore be responsible for provision of an escort vehicle which conforms to the type specified by National Highways.

As per ACPO guidance, Police escorts will only be provided if specifically requested by a haulier or if the risk assessment identifies the need for temporary road closures to ensure safe passage of the load through restricted sections of the route. A minimum of 8 days notice will be required for a Police escort. If necessary, charges for Police escorts will be incurred by the haulier at 'Special Policing



Services' rates. For journeys where a TMP has been requested by Welsh Government, Welsh Police forces can request evidence of TMP approval before providing escort support services.

4.3.1.3 Temporary Traffic Regulation Order

If the risk assessment identifies the need for a temporary road closure on any section of the route, the haulier will be required to apply for a Temporary Traffic Regulation Order (TTRO) under the Road Traffic Regulation Act 1984 to allow officers and other Accredited Persons¹³ to stop and direct moving traffic or to suspend on-street parking. Applications for TTROs on the non-trunk road network should be made through the relevant local authority, and through NMWTRA/SWTRA for trunk road applications.

Hauliers should be advised that TTROs can take up to 12 weeks to process.

4.3.2 HA&BO notification assessment process

In processing an abnormal load journey notifications, the primary concern of highway authorities and other bridge owners is to assess the potential impact of the journey on highway structures.

4.3.2.1 Check for height and width restrictions

On receipt of a notification or notification enquiry, the Abnormal Loads Officer (ALO) for each of the affected HA&BOs will use details of the vehicle configuration to undertake audit checks of known height and width restrictions at structures along the route, and any other known structural constraints (temporary or permanent). Alternative routes or configurations may be suggested to avoid any identified structural constraints.

The ALO may request the haulier or enquiring party provides horizontal and/or vertical swept path analysis as necessary, based on topographical survey data. If the submitted swept path analysis is considered inadequate, the ALO may request the haulier or enquiring party undertakes a trial run to mimic the movement of the abnormal load vehicle through the constraint. The trial run vehicle should demonstrate the extent of the load envelope in terms of width and height in a clearly visible manner using a collapsible template. It should be noted that this may require a Police escort.

If the ALO is not satisfied that the constraint can be negotiated by the load, the HA&BO shall inform the haulier or enquiring party, as well as other relevant authorities as appropriate, that the load cannot be moved. WG can also implement Permanent or Temporary Traffic Regulation Orders under the Road Traffic Regulation Act 1984 to limit the maximum gross vehicle weight on a structure if required.

¹³ The Police Reform Act allows DVSA and other agencies to use Policing Powers to be able to replace officers at planned events, under the provisions of the Community Safety Accreditation Scheme (CSAS), as long as they are "employed" by the Accredited Agency to do so.

4.3.2.2 Check for structural capacity

On receipt of a notification or notification enquiry, the ALO will undertake checks referring to existing structural certification along the notified route, in consultation with the HA&BO's structures team if necessary, based on the loading and vehicle configuration.

If checks identify structures which may not be able to carry the load, the haulier may suggest an alternative route which will then need to be submitted to the relevant HA&BO for approval.

Further checks will be undertaken if an alternative route cannot be found. This will be undertaken by the ALO or a structural engineer. If these checks identify structures which would not be able to carry the load, the haulier may propose alternative vehicle configurations until a suitable configuration is found.

If neither a suitable route nor suitable vehicle configuration can be found and the HA&BO rejects the proposal to move on this basis, then the haulier may commission the assessment of route structures by a suitably qualified and experienced consultant at their own expense. All load assessments require Technical Approval according to BD2, 'Technical Approval Of Highway Structures'¹⁴. WG are the Technical Approval Authority (TAA) for Trunk Roads in Wales.



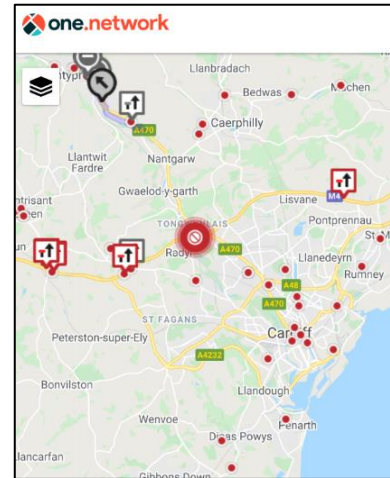
¹⁴ <https://www.croftse.co.uk/wp-content/uploads/2018/04/BD2-12-Highways-Structures-Approval.pdf>

4.4 Post-notification considerations

4.4.1 Roadworks and disruptions

The haulier should check for roadworks and disruptions along the route on the day of travel before commencing an agreed journey. Roadworks can particularly affect the passage of wide loads, and national details of live roadworks can be checked at <https://one.network/> or at <https://traffic.wales/> (also see Section 7 for Traffic Wales' contact details).

The haulier should consult in advance with the relevant ALO and the party responsible for the works if there is any doubt about whether the works affect the agreed route for the journey.



In the event where roadworks make the agreed route impassable, an agreement should be reached with the party responsible for the works to make passage possible at an agreed time, if feasible.

If not feasible, or if an unforeseen disruption makes a section of the agreed route impassable, the haulier is expected to assess where it is most appropriate and safe to park up and to contact the Police. If there are no safe areas then traffic management may be required to safely control traffic around the abnormal load vehicle. In addition to Police contact details, all hauliers are also recommended to carry contact details of the relevant local highway authorities and national traffic management firms to aid swift action in case of such an event.

4.4.2 Enforcement considerations

Once in transit, abnormal load vehicles can be subject to enforcement checks by either Police or DVSA officers. The vehicle may be escorted to a safe stopping place if any of the following conditions are met:

- Police have not received notification of movement
- Notification of movement is invalid due to inaccuracies
- Movement is not taking place in accordance with approved notification or authorised amendments
- Abnormal Indivisible Load vehicle or load is incorrectly marked or lit
- Abnormal Indivisible Load vehicle does not have the required attendant

- Abnormal Indivisible Load vehicle does not have the escort vehicle required by Police
- Driver is currently committing a 'driving hours' offence under tachograph regulations or will have committed an offence before reaching next stopping point
- Driver is currently committing an 'insufficient rest' offence under tachograph regulations
- Any C&U offences not exempted by STGO 2003 are evident

Where non-compliance is evident, the driver and operator are liable to prosecution under C&U regulations. Penalties for non-compliance can range from a fine¹⁵ to the temporary restriction or suspension of the haulier's operating licence by the Traffic Commissioner for Wales¹⁶. Officers might also prevent onward travel of the vehicle until any areas of non-compliance are adequately addressed.

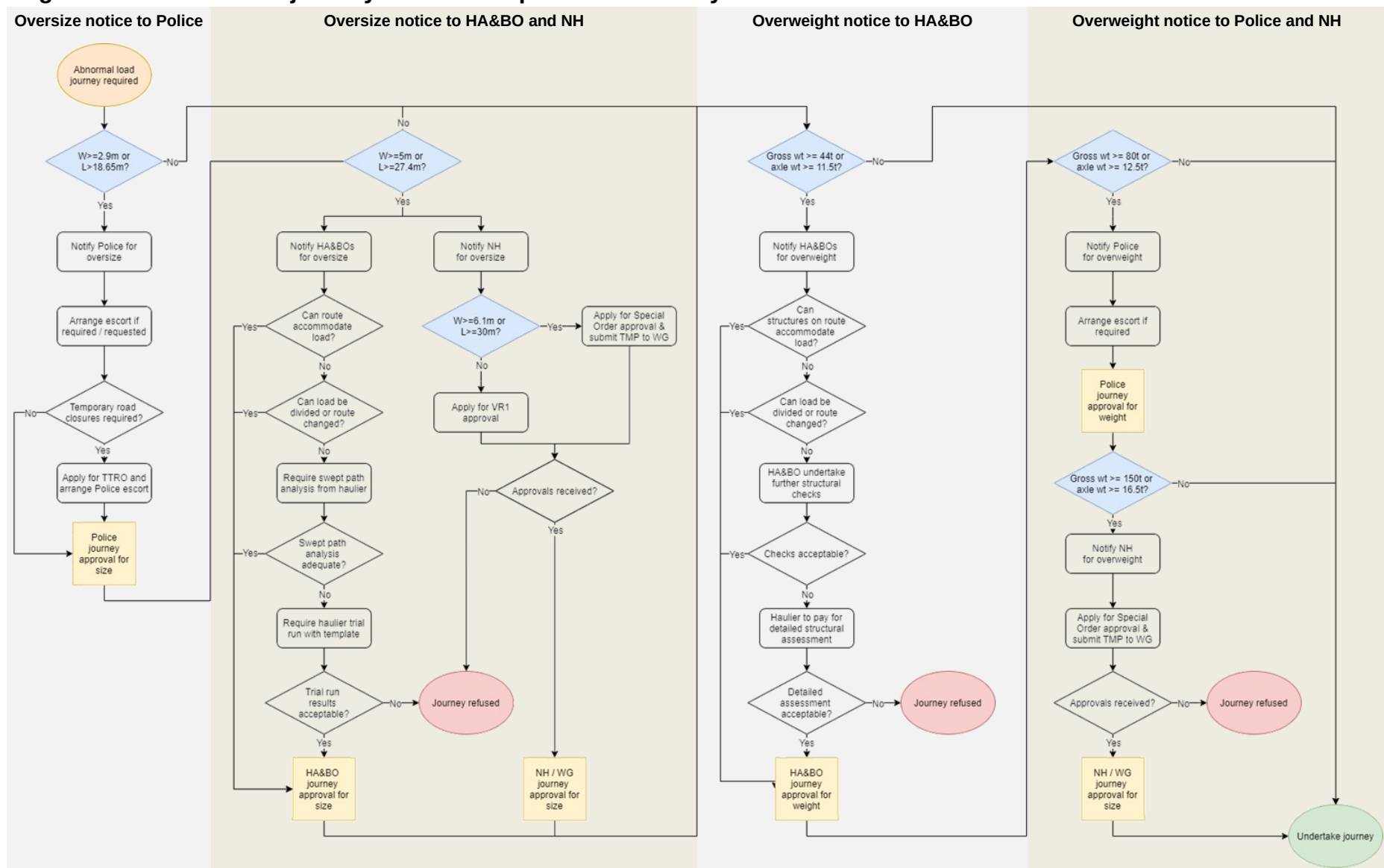
4.5 Process summary

A summary of the main steps in the legally required notification process is shown in the following figure.

¹⁵ <https://www.gov.uk/government/publications/guide-to-graduated-fixed-penalties-financial-deposits/dvsa-roadside-checks-fines-and-financial-deposits>

¹⁶ <https://www.gov.uk/traffic-commissioner/decision-and-penalties>

Figure 2 Abnormal load journey notification process summary



5 ABNORMAL LOADS AND DEVELOPMENT CONTROL

5.1 Planning applications

Planning applications for developments which are likely to generate abnormal load movements, either during construction or operation, may be required to be submitted with a Transport Assessment in accordance with Welsh Government Planning Policy Technical Advice Note 18: Transport¹⁷ Regarding abnormal load movements, the Transport Assessment should identify:

- Estimated movement volumes of abnormal loads to and from the site
- The most appropriate abnormal load routes to and from the site
- Mitigation proposals where necessary for route to safely accommodate load

Failure to demonstrate that the site can be safely accessed by the loads it will generate can be grounds for refusal of planning permission.



5.2 Planning conditions

Where planning permission is granted for a development which will generate abnormal load movements on the Welsh trunk road network, the following planning conditions will be attached.

¹⁷ <https://gov.wales/sites/default/files/publications/2018-09/tan18-transport.pdf>

5.2.1 Structural assessment

No on-site development works shall be undertaken until:

- a. an assessment of the capacity and impact on all structures along those parts of the highway network which shall be utilised during the construction of the development including bridges, culverts, retaining walls, embankments, and
- b. details of any improvement works required to such structures as a result of construction of the development

have been submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The required improvement works identified in the assessment shall be completed prior to the commencement of any Abnormal Indivisible Load (AIL) deliveries to the development site.

5.2.2 Condition surveys

Condition surveys of all highway features along those parts of the highway network which shall be utilised during the construction of the development shall be undertaken prior to, during and on completion of the construction phase of the development. The survey reports shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) within 28 days of the surveys.

5.2.3 Liability for incidental damage

Prior to the commencement of development works, a scheme to provide for the remediation of any incidental damage directly attributable to the development to the parts of the highway network which will be utilised during the construction of the development including street furniture, structures, highway verge and carriageway surfaces shall be submitted to and approved by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The scheme shall be implemented as approved throughout the construction phase of the development.

5.2.4 Traffic Management Plan

AILs associated with the development shall be delivered strictly in accordance with a Traffic Management Plan (TMP) as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any works. The TMP shall include:

- a. proposals for transporting AILs from their point of entry to the Welsh trunk road network to the site that minimise any impact on the safety and free flow of trunk road traffic
- b. evidence of trial runs that mimic the movement of the worst case AILs along the access route where appropriate, at the discretion of the Highway Authority
- c. number and size of AILs, including loaded dimensions and weights
- d. number and composition of AIL convoys, including anticipated escort arrangements
- e. methodology for managing trunk road traffic during AIL deliveries, including identification of passing places and holding areas as necessary
- f. convoy contingency plans in the event of incidents or emergencies
- g. estimated convoy journey durations and timings along the route, including release of forecast traffic queues
- h. swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route where appropriate, at the discretion of the Highway Authority
- i. proposals for the temporary or permanent modification of any affected street furniture along the access route and details of how this would be managed
- j. plans for the reinstatement of any temporary works after completion of the construction phase
- k. land ownership must be clarified on all drawings showing proposed highway modifications. The developer shall be responsible for the acquisition and reinstatement of all third party land including re-instatement of boundary features
- l. proposals to liaise with all relevant stakeholders and members of the public regarding construction traffic and AIL movements
- m. consideration of the cumulative impact of other abnormal load generating schemes proposing to use all or part of the same access route

AILs associated with the maintenance and decommissioning of the development shall leave the site strictly in accordance with a TMP as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any removal, replacement of decommissioning works.

5.2.5 Highway works

No development works shall be undertaken until full details of any highway works associated with the construction of layover areas, passing places and highway improvements as agreed with each relevant highway authority including:

- a. the detailed design of any works
- b. geometric layout
- c. construction methods
- d. drainage, and
- e. street lighting

have been submitted to and approved in writing by the local planning authority following consultation with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate). The highway works shall be completed in accordance with the approved details prior to the commencement of any AIL deliveries to the development site.

No development works shall be undertaken until the developer demonstrates rights of access to all proposed works that are not part of the highway network to the satisfaction of the local planning authority.

5.2.6 Road Safety Audit

The applicant shall undertake a Road Safety Audit of the scheme (Stages 1 – 4) in accordance with the Design Manual for Roads and Bridges GG 119¹⁸. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.

5.2.7 Section 278 Agreement

The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an

¹⁸ <http://bailey.persona-pi.com/Public-Inquiries/M4-Newport/C%20-%20Core%20Documents/6.%20Transport%20and%20Engineering/DMRB/vol5/section2/hd1915.pdf>

agreement in place, any consent that may be granted cannot be implemented.

For further information on this matter please refer to Welsh Government Procedure & Advice Guidance PAG 109/18: Section 38,184, and 278 Agreements under the Highways Act 1980¹⁹.

5.2.8 Access onto the trunk road

Full details of the highway works associated with the proposed new access onto the trunk road shall be submitted by the applicant to WG, as the Welsh trunk road highway authority, prior to the commencement of any works on the development site. Details of proposed highway works should be as indicated on the submitted plans including the detailed design, geometric layout, construction and drainage.

The visibility splays shown on the submitted plans of the proposed new access onto the trunk shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 1.05m above the adjoining carriageway.

All highways works shall achieve full compliance with DMRB.



¹⁹ <https://gov.wales/sites/default/files/publications/2018-04/109-18-section-38-184-and-278-agreements-under-the-highways-act-1980.pdf>

6 SUMMARY OF ROLES AND RESPONSIBILITIES

The roles and responsibilities for each party set out in this document are summarised in the following table.

Table 6 Summary of roles and responsibilities of parties involved in abnormal load movements

Party	Role	Responsibilities
Consigners/agents	Generating/commissioning abnormal load movement	Commissioning of fully compliant haulier for planning and executing abnormal load movements. Preference should be given to hauliers with FORS accreditation (see https://www.fors-online.org.uk/cms/)
Haulier	Preparing and executing abnormal load movement	- Planning subdivision of loads wherever possible to avoid need for abnormal load movements (see Section 3.1) - Ensuring selected vehicle complies with the legislation applicable to the dimensions and weight of the combination (see Table 1) - Ensure vehicle and load is clearly signed, marked and lit according to regulations (see Section 3.2) - Ensure attendants accompany vehicle if required (see Section 3.3) - Carry VR1 or Special Order documents in vehicle where applicable (see Section 3.4) - Notify relevant authorities of abnormal load journey with sufficient notice period, including a Traffic Management Plan if required (see Section 4.1.2) - Address and, if necessary, pay for any requirements emerging from notification assessment process (see Section 4.3) - Undertake/procure structural assessment if required (see Section 4.3.2.2) - Accommodate for roadworks and disruptions on day of travel (see Section 4.4.1) - Execute journey according to approved notification (see Section 4.4.2) and, where applicable, to approved Traffic Management Plan (see Section 2.2.2)
Abnormal load attendant	Accompanying abnormal load on journey where required	- Accompany abnormal load vehicle for full journey where legislation requires - Warn the driver or any other person of any danger likely to be caused by the presence of the vehicle or vehicles on the road (see Section 3.3)
Abnormal load escort	Escorting abnormal load on journey where required	- Comply with National Highways guidance in vehicle preparation and abnormal load escort protocol (see Section 4.2.2.2) - Comply with any specific instructions provided by Police (see Section 4.3.1.2)
Police	Assessing public safety impacts of abnormal load notifications, escorting where required and enforcing regulations in transit	- Undertake public safety risk assessment for all abnormal load notifications (see Section 4.3.1.1) - Advise haulier with sufficient notice if any amendments required to notified journey or if notification refused (see Section 4.3.1.1) - Advise haulier with sufficient notice if private or Police escort required and if TTRO required (see Section 4.3.1.2 and 4.3.1.3) - Resource the Police escort, as required (see Section 4.3.1.2) - Enforce abnormal load regulations in transit for public safety (see Section 4.4.2)
DVSA	Vehicle standards, licencing and enforcement	Enforce abnormal load regulations in transit for public safety (see Section 4.4.2)
HB&BOs	Assessing infrastructure impacts of abnormal load notifications	- Assess relevant journey notifications in terms of capacity of route infrastructure to accommodate proposed abnormal load dimensions and weight (see Section 4.3.2) - Advise haulier if journey notification is rejected or approved (see Section 4.3.2 Error! Reference source not found.).
Planning authorities	Determining planning applications for abnormal load generating developments	- Ensure planning applications consider abnormal load trip generation and demonstrate suitable routeing and, where necessary, mitigation (see Section 5.1) - Apply planning conditions where necessary to ensure abnormal load routes are fully planned and approved and that all journeys are undertaken according to an approved Traffic Management Plan (see Section 5.2)
Developers	Seeking planning consent for abnormal load generating developments	- Submit Transport Assessment with planning application to identify abnormal load trip generation, suitable routeing and, where necessary, mitigation (see Section 5.1) - Discharge planning conditions, where applicable, by ensuring abnormal load routes are fully planned and approved and by committing to all journeys being undertaken according to an approved Traffic Management Plan (see Section 5.2)

7 USEFUL CONTACTS

The process outlined in the above sections requires input from and contact with a number of organisations in order to ensure all relevant authorities are notified, and that abnormal load movements occur safely and without causing disruption to the network.

The following table provides a list of key contacts and contact details for queries associated with the movement of abnormal loads in Wales.

Table 7 Useful contacts for abnormal load related queries

Organisation	Contact details
Welsh Government ALO	Tel: 02920 629465 Email: AbnormalLoads@gov.wales
Dyfed-Powys Police	Tel: 01267 226011 Email: AbnormalLoads@dyfed-powys.pnn.Police.uk
Gwent Police	Tel: 01633 642470 Email: abnormal-loads@gwent.pnn.Police.uk
North Wales Police	Tel: 01492 805407 Email: abloadnotify@nthwales.pnn.Police.uk
South Wales Police	Tel: 01656 655555 Email: Special-Movements@south-wales.pnn.Police.uk
NMWTRA	Tel: 01545 571960 Email: abnormalloads@nmwtra.org.uk
SWTRA	Tel: 01792325965 Email: abnormalloads@southwales-tra.gov.uk
Traffic Wales	Tel: 0300 123 1213
National Highways Abnormal Loads Team	Tel: 0300 4703004 Email: abnormal.loads@highwaysengland.co.uk
Network Rail Abnormal Loads Team	Tel: 01908 783 140 Email: abnormalloads enquiries@networkrail.co.uk
Blaenau Gwent County Borough Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Bridgend County Borough Council	Tel: 01656 642857 Email: abloads@bridgend.gov.uk
Caerphilly County Borough Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Cardiff City & County Council	Tel: 02922 330966 Email: abnormal.loads@cardiff.gov.uk
Carmarthenshire County Council	Tel: 01267 228307 Email: abnormalloads@carmarthenshire.gov.uk
Ceredigion County Council	Tel: 0154 5572430 Email: technical.services@ceredigion.gov.uk
Conwy County Borough Council	Tel: 01492 575365 Email: abnormalloads@conwy.gov.uk
Denbighshire County Council	Tel: 01824 706884 Email: abnormal.loads@denbighshire.gov.uk
Flintshire County Council	Tel: 01352 704810 Email: abnormalloads@flintshire.gov.uk
Gwynedd County Council	Tel: 01286 679306 Email: LlwythAbnormal@gwynedd.llyw.cymru
Isle of Anglesey County Council	Tel: 01248 752312

Organisation	Contact details
Merthyr Tydfil County and Borough Council	Tel: 01685 726241 Email: [REDACTED]
Monmouthshire Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Neath Port Talbot County Borough Council	Tel: 01639 686492 Email: abloads@npt.gov.uk
Newport City Council	Tel: 02920 803500 Email: Loads.Abnormal@capita.co.uk
Pembrokeshire County Council	Tel: 01437 776153 Email: abloads@pembrokeshire.gov.uk
Powys County Council	Tel: 01597 826619 Email: highways.management@powys.gov.uk
Rhondda Cynon Taf County Borough Council	Tel: 01443494706 Email: highwaysabnormalloads@rctcbc.gov.uk
Swansea Council	Tel: 01792 636182 Email: Abnormal.Loads@swansea.gov.uk
Torfaen County and Borough Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Vale of Glamorgan Council	Tel: 02920 673106
Wrexham County Borough Council	Tel: 01978 729723 Email: abnormal_loads@wrexham.gov.uk