

DNS: EIA Scoping Direction

Waun Maenllwyd Wind Energy Hub

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This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 20 June 2023, 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 the construction and operation of up to six wind turbines, an electrical substation and control building, a battery storage compound, underground power cables, anemometer mast, site access tracks, habitat management, and, where necessary, off-site highway improvements, by Waun Maenllwyd Wind Energy Hub Limited.

The request was accompanied by a Scoping Report (SR) [‘2023-06-20 - EIA Scoping Direction Request - Scoping Report’] that outlines the proposed scope of the Environmental Statement (ES) for the proposed development - go to <https://planningcasework.service.gov.wales/> and search **CAS-02650-B0P0M9**

Planning and Environment Decisions Wales (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 located within the county of Ceredigion, approximately 11 km north-east of Lampeter. The villages of Llanddewi Brefi and Llanfair Clydogau are located approximately 2.5 km north-west and 5 km south-west of the Site, respectively.

Further information is available in section 2.3 of the SR.

3. Proposed Development

The proposal as described in the SR is for:

- up to six wind turbines and associated infrastructure, including; transformers, foundations, crane pads, and laydown/storage areas.
- An on-site electrical substation and control building.

- Battery storage compound.
- Underground power cables linking the wind turbines and on-site substation and control building.
- New site entrances and internal access tracks.
- Permanent anemometer masts for monitoring wind speeds and wind turbine performance.
- Borrow pit(s) where feasible.
- One or more temporary construction and storage compounds.
- Off-site works (where necessary) to facilitate the transport of AIL.

Further information is available in section 2.4 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

No site history is provided in the SR. However, the landcover at the proposed site is predominately commercial forestry, accompanied by a mixture of upland moorland and pasture.

5. Consultation

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

- Ceredigion County Council (Ceredigion CC)
- Cadw
- Natural Resources Wales (NRW)
- Transport Directorate, Welsh Government
- Agricultural Land Use & Soil Policy, Welsh Government (LQAS)
- NATS
- Defence Infrastructure Organisation (DIO)
- Health & Safety Executive (HSE)
- Dŵr Cymru Welsh Water (DCWW)
- Mid and West Wales Fire and Rescue

Additional consultation was undertaken with:

- Carmarthenshire County Council (Carmarthenshire CC)

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

6. Environmental Impact Assessment Approach

The Applicants 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: 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.

Micro-siting: PEDW accepts the principle of micro-siting in applications for wind turbines. The ES should be prepared using a clearly identified worst case scenario and final design should not lead to greater likely significant effects than identified in the ES.

Scoping Flexibility: Further to the stated position on micro-siting and the above comments on how the Rochdale Envelope is not an acceptable approach for the eventual application, PEDW is content with the ES being prepared on the basis of design parameters (e.g. dimensions of turbines 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.

Shadow Flicker: PEDW notes that in '[Review of Light and Shadow Effects from Wind Turbines in Scotland](#)' (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."

The ES should provide a clear rationale as to the methodology adopted, and why it is considered appropriate given the scale of turbines proposed and the requirement for more nuanced assessment suggested by the concerns raised in the above document.

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 that time.

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.

Based on the information set out in the scoping request, the approach to the assessment of cumulative impact is considered largely appropriate. 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.

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.

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, NRW, Cadw 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/ 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.

7.1 Aspects Scoped In

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

Air Quality

Aviation

Major Accidents and Disasters

Waste

Shadow Flicker

Telecommunications

Landscape and visual

Terrestrial ecology (including operational effects on the river Teifi designations, otter, water vole, dormice and great crested newt)

Ornithology

Traffic and transport

Cultural heritage

Noise and vibration

Land, soil and water

Climate

8. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
General			
ID.1	2.4	Description of development	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 outlining their expectations regarding the content of the description of the development in the Environmental Statement (ES).</p> <p>The Applicant's attention is also drawn to comments from LQAS contained at Appendix 1 highlighting further detail will be required on the proposed design specifications for foundations and associated infrastructure (e.g. crane pads) and the design, extent and location of the other infrastructure elements proposed.</p>
ID.2	2.4.30	Grid Connection	PEDW notes that grid connection will not be part of the DNS application and will be subject to a separate consent application. However, consideration should be given to the environmental impact of the grid connection, and this should be addressed in a proportionate manner in the ES.
ID.3		Illustrations	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 stating that 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 ES such as biodiversity.
ID.4	3.1.2 / 3.2	Reasonable alternatives	The Applicant's attention is drawn to comments from LQAS contained at Appendix 1; further detail regarding the site selection process and a description of any other sites considered should be included in the ES. PEDW welcomes

ID	Reference in Scoping Report	Issue	Comment
			that the Scoping Report (SR) states that the ES will include a description of the reasonable alternatives that have been considered.
ID.5	2.4.27 / 2.4.28	Decommissioning	The Applicant's attention is drawn to comments from LQAS contained at Appendix 1, stating the proposals should include a detailed scheme for site decommissioning. They consider that the current statements in the SR do not meet the requirements of Policy 18(11) of Future Wales in terms of acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration. PEDW recommends the Applicant liaises directly with LQAS on this matter to ensure decommissioning is appropriately addressed in the ES.
ID.6	4.7	Approach to Mitigation	PEDW's position is that 'mitigation by design' or 'primary mitigation' is better addressed under the 'Reasonable alternatives considered' in the ES.
ID.7	7	Cumulative effects	Further to PEDW's comments in Section 6.7 of this Scoping Direction, the Applicant's attention is drawn to comments from NRW contained at Appendix 1 highlighting their support of the proposed assessment methodology for cumulative significant effects with other existing and / or approved projects and advising liaison with the relevant Local Planning Authorities to determine which developments should be considered.
Topics proposed to be scoped out by Applicant			
ID.8	5.1	Air Quality	The SR notes that any potential impacts on air quality are only likely to occur during the construction and decommissioning phases. The SR also states that the proposed access route for AIL deliveries will pass through the Air Quality Management Area along a section of the A483 that passes through Llandeilo.

ID	Reference in Scoping Report	Issue	Comment
			<p>The Applicant's attention is drawn to comments from Ceredigion CC highlighting more detail is required on the impact of access routes and HGV movements in relation to emissions. PEDW encourages the Applicant to liaise directly with Environmental Health Officers at Ceredigion and Carmarthenshire LPAs on this matter.</p> <p>Although PEDW welcomes that procedures to control localised dust and traffic emissions would be documented in a Construction Environmental Management Plan (CEMP), with the information currently provided, it is not possible to scope out Air Quality at this stage, and Air Quality must be scoped into the ES in a proportionate manner. Should Air Quality be scoped out, a robust rational for this should be provided in the ES.</p>
ID.9	5.2	Aviation	<p>NATS, in their response contained at Appendix 1, have indicated the proposed development does not conflict with their safeguarding criteria. However, the Applicant's attention is drawn to comments from the DIO contained at Appendix 1, highlighting safeguarding concerns about the proposed development being detectable by MOD radars and the turbines' potential to create a physical obstruction to air traffic movements. To address the impact on low flying, they require that MOD accredited aviation safety lighting be fitted and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. PEDW recommends the Applicant liaises directly with the DIO to discuss their requirements to address these issues.</p> <p>PEDW welcomes that the SR notes further consultation will be undertaken with relevant stakeholders, including NATS and the MOD. However, given DIO's concerns, it is not possible to scope out Aviation at this stage, and Aviation must be scoped into the ES in a proportionate manner. Should Aviation be scoped out, a robust rational for this should be provided in the ES.</p>

ID	Reference in Scoping Report	Issue	Comment
ID.10	5.3	Forestry	PEDW welcomes that the SR states a Forestry Assessment will be undertaken, in consultation with relevant stakeholders, to be submitted as a standalone report in support of the DNS application. The SR also highlights that the effects of the changes to forest design as a result of the proposed development will be considered within relevant chapters of the ES, with opportunities for compensatory planting and / or habitat improvement to be outlined. As such PEDW is content for Forestry to be scoped out as a standalone chapter.
ID.11	5.4	Heat and radiation	PEDW agrees that this topic can be scoped out.
ID.12	5.5	Major accidents and disasters	<p>The SR highlights that the Applicant is considering energy storage facilities as part of the proposed development and that if energy storage facilities are included, the requirement for a Battery Safety Management Plan will be considered. At this stage it is not clear which type of batteries or storage facilities are 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. The proposed development should include adequate measures to ensure that an isolated fire would not become widespread and lead to a major incident. The Applicant's attention is drawn to comments provided by the Fire and Rescue Service at Appendix 1.</p> <p>The ES also notes that there may be a requirement to consider the risk of peat slide if deep peat cannot be avoided, in which case a Peat Slide Risk Assessment will be prepared in support of the DNS application.</p> <p>The ES should ensure that risks of accidents are accounted for and mitigated against and a proportionate section on this aspect should be included in the ES. Therefore, given the information currently available, Major Accidents and Disasters is scoped in to the ES in a proportionate manner. Should Major</p>

ID	Reference in Scoping Report	Issue	Comment
			Accidents and Disasters be scoped out, a robust rational for this should be provided in the ES.
ID.13	5.6	Material assets and waste	PEDW welcomes that a Site Waste Management Plan, Materials Management Plan and CEMP will be produced. However, Waste should be addressed in a proportionate manner in the ES with the above documents forming technical appendices to the ES, as they will most likely contain details of mitigations that are relevant to the finding that there would not be any significant effects. The Applicant's attention is drawn to comments by NRW contained at Appendix 1 regarding the required content of the CEMP. If the final CEMP is not available at the time the ES is finalised then a draft version should be provided. Waste therefore remains in the scope of the ES.
ID.14	5.7	Population and human health	PEDW agrees that this topic should be addressed in appropriate chapters of the ES and a standalone chapter is not required, as indicated in the SR.
ID.15	5.8	Shadow flicker	The Applicant's attention is drawn to comments from Carmarthenshire CC contained at Appendix 1, questioning the scoping out of shadow flicker. PEDW agrees and notes that the SR states a technical assessment of the potential for shadow flicker is due to be undertaken. As outlined in section 6 above, PEDW notes that in Review of Light and Shadow Effects from Wind Turbines in Scotland (climatexchange.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	Reference in Scoping Report	Issue	Comment
			As the technical assessment would determine whether there will be any significant effects, it is not possible to scope out Shadow Flicker at this stage, and Shadow Flicker must be scoped into the ES in a proportionate manner. Further to the outcome of the assessment, should Shadow Flicker be scoped out, a robust rational for this should be provided in the ES.
ID.16	5.9	Telecommunications	PEDW welcomes that a feasibility assessment of terrestrial fixed microwave links and terrestrial radio telemetry links has been completed for the Site. PEDW notes that consultation with relevant link operations will continue until the design of the proposed development has been fixed and that if objections are received, a mitigation strategy will be discussed. However, until agreement has been reached with these stakeholders confirming that there will be no significant effects from the development, it is not possible to scope this topic out of the ES. Telecommunications therefore remains scoped into the ES at this stage. Further to the outcome of the consultation with key stakeholders, should Telecommunications be scoped out, a robust rational for this should be provided in the ES.
Landscape and visual			
ID.17	6.1	Landscape and Visual Impact Assessment (LVIA)	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 stating the LVIA should include a review of any forestry clearance or thinning plans which may be relevant.</p> <p>Carmarthenshire CC in their response contained at Appendix 1 highlight that given the size of the turbines proposed, the landscape and visual impact would be significant on both Ceredigion and Carmarthenshire and therefore a comprehensive assessment of both counties is required.</p>

ID	Reference in Scoping Report	Issue	Comment
ID.18	6.1.2	Study Area	NRW in their comments contained at Appendix 1 confirm that the proposed study area of 35 km is in line with their guidance.
ID.19	6.1.4 / 6.1.11	Viewpoints	<p>PEDW welcomes that consultation will be undertaken with NRW, Ceredigion CC and Carmarthenshire CC to agree the list of representative viewpoints.</p> <p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1, regarding the requirements for viewpoint VP16 located within Bannau Brycheiniog National Park (BBNP). They add that an additional viewpoint is required to represent the more tranquil open upland area of Y Mynydd Du Landscape Character Assessment. NRW also highlight that the cumulative LVIA should be extended to include all BBNP viewpoints. NRW adds that in relation to viewpoints over 20 km likely being provided as wireframe, verified photomontages may be required depending on the results. PEDW recommends the Applicant liaises directly with NRW to ensure these matters are appropriately addressed. The applicant should also liaise with the BBNP Authority over viewpoints.</p>
ID.20	6.1.7	Bannau Brycheiniog National Park (BBNP)	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 relating to the potential impact on the BBNP landscape character, visual amenity, special qualities and visual setting. NRW highlights that the landscape and visual effects on the special qualities of the National Park should be assessed with reference to the BBNP Landscape Character Assessment 2016.

ID	Reference in Scoping Report	Issue	Comment
Terrestrial ecology			
ID.21	6.2	Local Biodiversity Interests	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 relating to biodiversity, recommending that the Applicant consults the LPA to ensure that regional and local biodiversity issues are adequately considered and that other relevant stakeholders are contacted for biological information / records relevant to the site and its surrounds.</p> <p>Carmarthenshire CC in their comments contained at Appendix 1 highlight that although the main ecology impact will be on Ceredigion, the access route to the site includes a section within Carmarthenshire and as such reference to habitats and species affected within Carmarthenshire should be included.</p>
ID.22	6.2.4	Surveys	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 regarding the requirements for habitat surveys, which should consider the development in its entirety, including turbine locations, associated infrastructure and access tracks. They note the extent of habitat removal to facilitate the proposed infrastructure has not yet been determined and therefore the impact on protected species cannot yet be assessed. NRW also advise that the site, any other land required for the development (e.g. the grid connection) and where necessary, land adjacent to the site is subject to assessment to determine the likelihood of the presence of and effect on protected species.</p> <p>In their comments NRW highlight that, should protected species be found during the surveys, information must be provided identifying the species-specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed. Where this concerns species which are also notified features of designated sites, they advise the impacts on those species from both perspectives is considered.</p>

ID	Reference in Scoping Report	Issue	Comment
			The Applicant's attention is further drawn to NRW's comments contained at Appendix 1 regarding undertaking targeted species surveys for all species scoped in.
ID.23	6.2.7	Likely significant effects	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 advising the EIA considers significance (both alone and in combination) and where applicable conservation status, referencing current conservation status and favourable conservation status during construction, operation and decommissioning phases.
ID.24	6.2.7 / 6.2.8 / 6.7.9	Statutory Designated Sites – River Teifi SAC / SSSI	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1, regarding the statement in the SR that significant impacts on statutory designated sites in the construction and decommissioning phases will be restricted to 2 km. They disagree, especially for impacts related to the River Teifi SAC and SSSI, as its features may be impacted beyond 2 km. Further to impacts of the operational phase on the River Teifi designations being scoped out, they highlight that if any of the works directly affects peat and upland in areas where forestry drains are present, then surface water run-off may still have the potential to reach the River Teifi from the site and that entrainment of peat from the forestry drains could also impact the River Teifi.</p> <p>PEDW agrees with these comments and recommends the Applicant liaises directly with NRW on this matter. It is therefore not possible to scope out operational effects on the River Teifi designations at this stage. If, further to the outcome of surveys and discussions with NRW, operational effects on the River Teifi designations can be scoped out, a robust rationale for this should be provided in the ES.</p>
ID.25		Phosphorus Sensitive River Catchments	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 noting that the site is within the catchment of the River Teifi and

ID	Reference in Scoping Report	Issue	Comment
			River Tywi SAC and that the ES should include sufficient details regarding any source of phosphorus arising from the proposal, such as from temporary welfare facilities, to inform the Habitats Regulations Assessment (HRA). The Applicant's attention is also drawn to section 9.1 of the Scoping Direction concerning HRA.
ID.26	6.2.8 / 6.2.4	Bats	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 welcoming the survey methodology and advising that an impact assessment is provided for all bat species, not just those that are high risk, and that surveys undertaken accord with NatureScot guidance. NRW note that the extent of habitat removal is currently unknown, but that bat roost surveys will be undertaken.
ID.27	6.2.11	Bat Activity Analysis	<p>The Applicant's attention is drawn to NRW's comments in relation to bat activity analysis contained at Appendix 1, including advice to include a comparison of the abundance of bat activity in relation to wind speed data.</p> <p>NRW also outlines reservations in relation to the Bat Activity Index proposed to be used should the Ecobat tool remain unavailable. They add that any alternative method to Ecobat will need to be described in detail and the assessment and its outputs should be comparable to those produced by Ecobat. NRW advise the Applicant liaises with the creator of Ecobat to ensure that this is the case.</p>
ID.28	4.7.4	Bats – mitigation measures	The Applicant's attention is drawn to NRW's comments contained at Appendix 1 regarding mitigation, advising that the minimum 50 m buffer from blade tip to the nearest habitat feature for bats must apply regardless of any micro-siting allowances agreed. They add that depending on survey results, additional mitigation may be required to reduce the identified impacts to bats.

ID	Reference in Scoping Report	Issue	Comment
			PEDW recommends that following survey results, the Applicant liaises directly with NRW to ensure appropriate mitigation measures are agreed.
ID.29	6.2.4 / 6.2.5 / 6.2.9	Otter and Water Vole	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 regarding potential habitat and records for otter and water vole. They welcome that the SR confirms that based on habitat suitability, targeted searches for otter and water vole will be undertaken in 2023 and therefore advise that otter and water vole are scoped into the ES.</p> <p>The Applicant's attention is also drawn to their comments in relation to the survey requirements and using the survey results to inform proposed mitigation measures, including the potential requirement for larger buffers. NRW welcome that infrastructure and construction buffers will be applied around any identified otter holts or shelters and water vole habitat and burrows. NRW advise clarity is provided on whether the proposed buffers from water courses include all proposed tracks for the development. They note that further consideration will need to be given to underground cabling which may need to run under water courses on site.</p> <p>PEDW agrees that Otter and Water Vole should be scoped in, subject to the outcome of the ecological field surveys to be undertaken. PEDW recommends the Applicant liaises directly with NRW on proposed buffers, the impact on water courses and the requirements for and outcome of the survey, to ensure effects on otter and water vole are appropriately addressed in the ES.</p>
ID.30	6.2.5 / 6.2.9	Dormice	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 advising that if the removal of potential habitat is required, that dormice are scoped into the assessment and survey for the species is undertaken. Attention is also drawn to NRW's comments on the survey

ID	Reference in Scoping Report	Issue	Comment
			<p>requirements. NRW advise that survey results should inform all proposed mitigation and future habitat management for the species.</p> <p>PEDW agrees that Dormice should be scoped in if the removal of potential habitat is required when the development proposals are finalised. PEDW recommends the Applicant liaises directly with NRW on the requirements for and outcome of the survey, to ensure effects on dormice and any required mitigation are appropriately addressed in the ES.</p>
ID.31	6.2.4 / 6.2.8 / 6.2.9	Great Crested Newts (GCN)	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 highlighting that GCN do not appear in the SR tables as a receptor to be scoped in or out, although section 6.2.4 indicates that Habitat Suitability Index and eDNA sampling in relation to GCN will be undertaken.</p> <p>NRW advise that GCN are scoped into further assessment until the results of proposed surveys are known. They add that if the results are negative, it could be agreed GCN are scoped out of further assessment. However, if GCN presence is confirmed, further surveys should be completed.</p> <p>PEDW agrees that at this stage it is not possible to scope out GCN and as such GCN are scoped in, subject to the survey outcome. PEDW recommends the Applicant liaises directly with NRW on the survey outcome, to seek agreement on whether GCN can be scoped out or to discuss the requirements for further surveys.</p>
ID.32	2.4.20	Stone and aggregate	<p>The Applicant's attention is drawn to comments from Ceredigion CC's Senior Ecologist contained at Appendix 1, recommending further detail is included on the sourcing of stone and gravel, including whether it is accessible without disturbance to sensitive species and habitats.</p>

ID	Reference in Scoping Report	Issue	Comment
ID.33		Traffic and Transport	<p>The Applicant's attention is drawn to comments from Ceredigion CC's Senior Ecologist contained at Appendix 1, recommending more detail is included on the impact of the HGV movements, including on disturbance to sensitive species such as red squirrel and on emissions. They further outline detail required on the environmental impacts of the proposed access routes and existing and new access tracks.</p> <p>NRW in their comments contained in Appendix 1 highlight that in terms of the access route any habitat modifications will need to be assessed and the baseline survey area, especially for otter, may need to extend beyond a 100 m buffer from the access route to take account of for example watercourses.</p>
ID.34		Mitigation / Compensation	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 advising that the ES sets out how the long-term site security of any mitigation or compensation will be assured, advocating that where the potential for significant impacts on protected species is identified, a Conservation Plan is prepared as an Annex to the ES.
ID.35	6.2.10	Ecological enhancement measures	The Applicant's attention is drawn to comments from Ceredigion CC's Senior Ecologist contained at Appendix 1, recommending more detailed information about potential and expected ecological enhancement measures as part of the Environmental Statement, prior to prescriptive enhancement measures being detailed post-consent.
Ornithology			
ID.36	6.3	Guidance / data sources	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 stating they consider the most appropriate industry standard guidance has been adopted and the identification of qualifying features of listed

ID	Reference in Scoping Report	Issue	Comment
			statutory designated sites appears to be correct. NRW also agrees that the data sources listed to inform the EIA baseline characterisation are appropriate.
ID.37	6.3	Surveys	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 agreeing that the range of surveys carried out to date and / or proposed is sufficient and appropriate. However, NRW does not agree that the baseline ornithological surveys concluding in August 2023 will remain valid, highlighting that updated surveys may be required beyond 2026 in line with current NatureScot guidance.
ID.38	6.3.8 / 6.3.9	Ornithological receptors	<p>The Applicant's attention is drawn to comments from NRW contained at Appendix 1 stating that it appears reasonable to preclude potentially significant effects upon statutory designates sites (with ecological features of interest), except for potential effects upon red kite as a qualifying feature of the Elenydd – Mallaen Special Protection Area. They also add that based on the available evidence gathered to date, the ornithological receptors that are proposed to be scoped in and out appear reasonable. However, NRW will wish to comment further on both matters once in recipient of the full survey information.</p> <p>NRW also highlight that is not clear how schedule 1 (Wildlife and Countryside Act 1981) or section 7 (Environment Wales Act 2016) species have been considered.</p> <p>PEDW recommends the Applicant liaises directly with NRW on this matter and on the full survey outcome, to ensure ornithological receptors and elements are appropriately addressed in the ES.</p>
ID.39	6.3.7 / 6.3.8	Foraging ranges	The Applicant's attention is drawn to comments from NRW contained at Appendix 1, agreeing with the use of core foraging ranges for the establishment

ID	Reference in Scoping Report	Issue	Comment
			of potential connectivity between the proposed development and identified statutory designated sites.
ID.40	6.3.14	Population estimates	In their comments contained at Appendix 1, NRW answer the question in the SR about up to date population numbers to inform assessment, outlining where these could be found.
Traffic and transport			
ID.41	6.4.1	Consultation	In their response contained at Appendix 1, Carmarthenshire CC acknowledge that the access road is partly within their area and they will therefore have more detailed comments through the DNS process. PEDW welcomes that the SR states consultation on the detail of the transport and access elements will be undertaken with, amongst others Carmarthenshire CC, but notes Ceredigion CC is not listed as a consultee in this respect and advise they are also consulted.
ID.42	6.4	Abnormal Indivisible Loads (AIL)	The Applicant's attention is drawn to comments from Welsh Government Transport Directorate contained at Appendix 1, requesting further detail in relation to transporting AIL to the proposed site and highlighting key points from their attached draft version of the "Pulling Together" – Best Practice for Transporting Abnormal Loads in Wales" Procedures and Advice Guidance document. PEDW recommends the Applicant liaises directly with Welsh Government Transport Directorate on the draft abnormal load notifications.
ID.43	6.4.11	Transport Assessment / Construction Traffic Management Plan	The SR notes that it is not anticipated that a formal Transport Assessment will be required. However, the Applicant's attention is drawn to comments from Ceredigion CC's Highways Section contained at Appendix 1, highlighting the requirement for a full Transport Assessment of the delivery route, to ascertain whether the large components can be delivered along the minor roads to the

ID	Reference in Scoping Report	Issue	Comment
			<p>site. They add that a Construction Site Traffic Management Plan should be prepared. Attention is also drawn to comments from Welsh Government Transport Directorate contained at Appendix 1 outlining the requirements for the Traffic Management Plan.</p> <p>The Applicant's attention is further drawn to Ceredigion CC's Highways Section concerns that the swept-path of the delivery vehicles may require infrastructure improvement works and that evidence of permission from affected landowner(s) to carry out such works will be required.</p> <p>PEDW recommends the Applicant liaises with Highways Departments of both LPAs and with Welsh Government Transport Directorate to ensure the Transport Assessment and Traffic Management Plan meet the necessary requirements.</p>
ID.44		Road Safety Audit	The Applicant's attention is drawn to comments from Welsh Government Transport Directorate contained at Appendix 1, outlining the requirement for a Road Safety Audit to be undertaken.
ID.45		Environmental Impacts	The environmental impacts of traffic and proposed access routes (trunk and county roads and existing or new access tracks) will need to be addressed in a proportionate manner in the ES and the Applicant's attention is drawn to comments in this respect from NRW and Ceredigion CC contained at Appendix 1, as highlighted in the comments under Ecology above.
Cultural heritage			
ID.46	6.5.2	Study Area	The Applicant's attention is drawn to comments from Carmarthenshire CC contained at Appendix 1, who have consulted Dyfed Archaeology. They

ID	Reference in Scoping Report	Issue	Comment
			highlight that the assessment of potential indirect impact on the setting of historic assets should not be restricted to designated sites.
ID.47	6.5.4	Surveys	The Applicant's attention is drawn to comments from Cadw contained at Appendix 1, highlighting that the walkover survey may result in further investigation of the historic assets needing to be carried out, such as geophysical survey and archaeological evaluation. Cadw add that, if required, these will need to be carried out before the completion of the ES, so that the impact of the proposed development on them can be fully assessed.
ID.48	6.5.5 / 6.5.8	Scheduled Monuments	The Applicant's attention is drawn to comments from Cadw contained at Appendix 1, highlighting that although the SR has identified 14 scheduled monuments, Cadw's search results (included in their Annex A) indicate there are 18 scheduled monuments inside 5 km of the boundary of the application area. The initial assessment of designated historic assets provided in section 6.5.8 will therefore need to be extended. Further information regarding the assessment is contained in their response, noting that subsequent studies past stage 1 may be required. Cadw states that the results of the stage 1 assessment should be included as an appendix to the ES.
ID.49	6.5.14	Scoping Questions	The Applicant's attention is drawn to comments from Carmarthenshire CC contained at Appendix 1, who have consulted Dyfed Archaeology and they agree with the scoping questions set out in 6.5.14.
Noise and vibration			
ID.50	6.6	Consultation	PEDW welcomes that the SR states a formal consultation will be undertaken with Ceredigion CC prior to the commencement of the survey work and recommends this includes seeking the LPA's views on the approach to noise assessment and receptors to be scoped out.

ID	Reference in Scoping Report	Issue	Comment
ID.51		CEMP	The Applicant's attention is drawn to comments from NRW contained at Appendix 1, stating the CEMP should detail measures to minimise noise and vibration from piling activities, for example acoustic barriers.
Land, soil and water			
ID.52	6.7.3	Baseline information	LQAS in their response in Appendix 1 highlight sources that may aid identification of peaty areas.
ID.53	6.7.2 / 6.7.4	Surveys	<p>The Applicant's attention is drawn to comments from LQAS contained at Appendix 1, welcoming further detailed peat surveys will be undertaken and highlighting this should include any shallow peat soils supporting the hydrological functioning of peat habitats. They further outline information required to allow the assessment of potential impacts and inform decisions on all proposed infrastructure locations and borrow pits, including the restoration and beneficial after-use.</p> <p>NRW in their comments contained at Appendix 1 add that the proposed walkover hydrological survey should also include boreholes and wells. The Applicant's attention is further drawn to NRW's comments regarding the requirements for the water feature survey and the resulting assessment of the likely impacts from the development on both quantity and quality of the surface water and groundwater. NRW add they may require identified groundwater features to be monitored during the proposed workings.</p> <p>The Applicant's attention is also drawn to NRW's advice regarding information on private water supplies and licenced abstraction for surface water and groundwater.</p>

ID	Reference in Scoping Report	Issue	Comment
			PEDW recommends the Applicant liaises directly with LQAS and NRW on survey requirements and outcomes, to ensure this is appropriately addressed in the ES.
ID.54	6.7.11	Peat – Assessment of impacts	<p>The Applicant's attention is drawn to comments from LQAS contained at Appendix 1, stating that the SR is unclear on the proposed assessment approach to peat impacts, appearing to suggest an acceptance of peat impacts before assessment and final proposals are made, which is not in line with the step-wise approach.</p> <p>NRW highlight that their peat specialists were not available to provide comments at this stage. PEDW recommends the Applicant liaises directly with NRW and LQAS on the proposed assessment of peat impacts as well as any proposed mitigation, to ensure the protection of peat resource is adequately assessed in the ES.</p>
ID.55	4.7.4 / 6.7.4	Peat – Mitigation Measures	<p>The Applicant's attention is drawn to comments from LQAS contained at Appendix one regarding the aim to avoid peat over 30cm depth. LQAS states that it will need to be acknowledged that peatlands act as an ecosystem and arbitrary depth thresholds do not recognise shallow peaty soils integral to the hydrological functioning of peat bodies.</p> <p>NRW in their response contained at Appendix 1 advise that the findings of the peat surveys are utilised to demonstrate that the best locations for the proposed turbines have been selected to avoid areas of deep peat.</p>
ID.56	4.8.2 / 6.7.4	Peat - Micro-siting	The Applicant's attention is drawn to comments from LQAS contained at Appendix 1, stating it does not accept a broad micro-siting allowance for turbines or any other infrastructure, due to the sensitive nature of peatland bodies and associated hydrology. Micro-siting allowances should be restricted

ID	Reference in Scoping Report	Issue	Comment
			<p>where there may be a sensitive directional restriction such as peatland bodies or hydrological impacts.</p> <p>NRW in their response contained at Appendix 1 highlight that it is not clear whether the Phase 1 Peat survey results were utilised to identify the most suitable locations for the installation of the six turbines. They note the intention to carry out further high-density peat depth surveys across the footprint of proposed infrastructure to inform micro-siting to seek avoidance of deep peat where possible.</p>
ID.57	6.7.10 / 6.7.11	Peat Management Plan	<p>The Applicant's attention is drawn to comments from LQAS contained at Appendix 1 about the proposed Peat Management Plan. The Applicant is encouraged to engage with the National Peatland Action Programme through NRW for advice and guidance on proposals, methodology and data collection.</p> <p>NRW in their comments at Appendix 1 welcome the intention to provide a Peat Management Plan in support of the application and restoration where necessary.</p>
ID.58		Agricultural Land Classification (ALC)	LQAS note that they do not consider BMV land to be present at the proposed site and a detailed ALC field survey is not recommended.
ID.59		Soil Management Scheme	The Applicant's attention is drawn to comments from LQAS contained at Appendix 1 setting out the requirements for a Soil Management Scheme to be prepared.
ID.60		Contaminated land	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 highlighting their records show known metal mine discharges within the local area. Any development within 500 m of these discharges needs to consider the construction risk to these metal mine discharges. PEDW

ID	Reference in Scoping Report	Issue	Comment
			recommends the Applicant liaises directly with NRW to ensure this issue is appropriate addressed in the ES.
ID.61	2.4.20	Borrow pits	<p>The Applicant's attention is drawn to comments from LQAS contained at Appendix 1 in relation to borrow pits, highlighting more detailed information is required on the size, extent, location and after-use of the borrow pits. PEDW recommends the Applicant liaises directly with LQAS to ensure the required detail is provided in the ES.</p> <p>Attention is also drawn to comments from NRW at Appendix 1 stating that the location of the borrow pits needs to consider the local water table, including consideration of the impact of any excavation below the water table and dewatering requirements.</p> <p>The Applicant's attention is also drawn to comments from Ceredigion CC highlighted in the Ecology section above, regarding disturbance to sensitive species and habitat when sourcing stone and gravel.</p>
ID.62	2.4.13	Underground cables	The SR notes it is anticipated that electric cabling connecting the wind turbines and the control building will be laid in underground trenches running alongside the access tracks. NRW in their response at Appendix 1 note that it is not clear whether fluid filled cables will be used and highlight that for any fluid filled cables position statement C5 - Pipelines and high voltage fluid filled cables of the Approach to Groundwater Protection will need to be considered. PEDW recommends the Applicant liaises directly with NRW on this matter, to ensure the appropriate detail is provided in the ES.
ID.63		Water quality	The Applicant's attention is drawn to comments from NRW contained at Appendix 1 regarding risks to water quality, including the potential for silt contaminated surface water run-off, cabling routes acting as watercourses

ID	Reference in Scoping Report	Issue	Comment
			<p>during periods of heavy rainfall if sections are left open, and the poaching of vegetation due to the number of vehicle and machinery movements during the construction phase. PEDW recommends the Applicant liaises directly with NRW to agree appropriate mitigation measures to address these concerns.</p> <p>The Applicant's attention is also drawn to comments from DCWW contained at Appendix 1 highlighting the site falls within a Drinking Water Protected Area. DCWW requires further information to assess the impact of the proposed development on drinking water quality. PEDW recommends the Applicant liaises directly with DCWW, ensuring the effects on drinking water are appropriately assessed and mitigated if required.</p>
ID.64		CEMP	<p>PEDW and NRW welcome that a CEMP will be provided to set out the key measures to control and minimise the impacts on the environment during construction. The CEMP should form a technical appendix to the ES. If the final version is not available, then a draft should be included.</p> <p>The Applicant's attention is drawn to NRW's comments contained in Appendix 1 regarding pollution prevention of the water environment and the required content of the CEMP.</p>
Climate			
ID.65	6.8.9	Climate Change Risk	PEDW agrees that climate change risk can be scoped out as a separate receptor / element as this should be addressed in appropriate chapters of the ES.
Other Considerations			
ID.66		Topple distance	The SR notes that an unnamed minor road passes through the centre of the site. Upon determining the final size and location of the turbines, the Applicant

ID	Reference in Scoping Report	Issue	Comment
			should review the topple distance to the road. PEDW recommends the Applicant liaises directly with the Local Highway authority on this matter.

9. Other Matters

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

9.1 Changes to PPW

On 11 October 2023 the Welsh Government introduced changes to Chapter 6 of PPW relating to:

- Green Infrastructure,
- Net Benefit for Biodiversity and the Step-wise Approach,
- Protection for Sites of Special Scientific Interest, and
- Trees and Woodlands.

Details are available in the relevant 'Dear Chief Planning Officer' letter:

<https://www.gov.wales/addressing-nature-emergency-through-planning-system-update-chapter-6-planning-policy-wales>

9.2 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.

9.3 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: Consultation Responses



Cyngor Sir
CEREDIGION
County Council

Russell Hughes-Pickering
Swyddog Arweiniol Corfforaethol : Economi ac Adfywio
Corporate Lead Officer : Economy and Regeneration

Canolfan Rheidol, Rhodfa Padarn,
Llanbadarn Fawr, Aberystwyth. SY23 3UE

PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dyddiad Date	16/08/2023
Gofynnwch am Please ask for	Jonathan Eirug
Llinell uniongyrchol Direct line	[REDACTED]
Fy nghyf My ref	Q230110
Eich cyf Your ref	DNS CAS-02650-B0P0M9
Ebost Email	[REDACTED]

Dear Sir / Madam,

Town and Country Planning Act 1990
The Developments of National Significance (Procedure) (Wales) Order 2016
Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Request for Scoping Direction – Potential DNS Application – Consultation with Ceredigion County Council

Site Address: Waun Maenllwyd Wind Energy Hub

Proposed Development: Construction and operation of up to six wind turbines, with a maximum tip height of up to 230 m, together with associated and ancillary development to include a control building, electricity transformers and anemometry mast, access works, temporary construction compound, Battery Energy Storage Systems (BESS), and associated works.

Ceredigion County Council Ref Q230110.

I refer to the above mentioned request for a Scoping Direction dated 22/06/2023.

It is considered that the LPA broadly agrees with the scope and content of the Scoping Report as outlined within the submission and would welcome the submission of the proposed methodologies as outlined in the report. It is understood that the Local Authority's Ecological Section have already issued a response on ecological matters on behalf of the Council which has been submitted to PEDW.

The LPA however provide the following advice in relation to the Ceredigion Local Development Plan (LDP) 2007 – 2022 and also advice received from the Authority's Highways Section on the proposal.

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

Prif Weithredwr / Chief Executive :
Cyfarwyddwyr Corfforaethol / Corporate Directors :

Eifion Evans
Barry Rees
James Starbuck

Ceredigion Local Development Plan (LDP) 2007 – 2022

The following policies would be applicable to any application and would be required to be addressed as part of any proposal:-

DM06 High Quality Design and Placemaking
DM10 Design and Landscaping
DM14 Nature Conservation and Ecological Connectivity
DM15 Local Biodiversity Conservation
DM17 General Landscape
DM18 Special Landscape Areas
DM19 Historic and Cultural Landscape
DM20 Protection of Trees, Hedgerows and Woodlands
DM22 General Environmental Protection and Enhancement
LU25 Renewable Energy Generation
LU26 Large and Medium Sized Wind Farms

A link to the relevant policies is provided as follows:-

<https://www.ceredigion.gov.uk/media/6223/ceredigion-local-development-plan-ldp-volume-1-strategy-and-policies-english.pdf>

The following Supplementary Planning Guidance is also relevant

<https://www.ceredigion.gov.uk/media/6266/renewable-energy-spg-eng.pdf>
<https://www.ceredigion.gov.uk/media/6267/renewable-spg-help-sheet-noise-eng.pdf>

Ceredigion Highways Response

The following response was received from the Authority's Highways Section and should be taken into account.

From the submitted details, it appears that ALL turbine component deliveries will only travel along 2-3km (approx.) of Ceredigion public highway from the Pumsaint/Ffarmers direction – travelling along deep rural, minor public highways which may have very restricted horizontal/vertical alignments, restricted carriageway width(s), limited passing places and restricted forward visibility.

The applicant is required to undertake a full Transport Assessment (TA) of the delivery route travelled, to ascertain whether the very large components can be delivered along these minor roads. Additionally, a Construction Site Traffic Management Plan should be prepared for consideration.

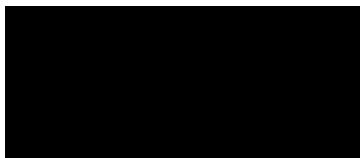
The submitted document does not appear to make reference as to whether it is proposed to undertake a trial run “mock-up” of the widest and longest loads? Such an undertaking would seem essential as part of the TA process.

From a Local Highway Authority point of view, there are outstanding concerns that the swept-path of the delivery vehicles may require infrastructure improvement works to facilitate the AIL's; if such improvements are required on third-party owned land – evidence must be supplied that the applicant will have the necessary permissions to carry out these works from the affected landowner(s).

In the absence of such details, it is difficult for the LHA to fully advise on the acceptability of the development at this preliminary study stage.

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

Yours faithfully,



Jonathan Eirug

For the Corporate Lead Officer: Economy and Regeneration



Cyngor Sir
CEREDIGION
County Council

Russell Hughes-Pickering
Swyddog Arweiniol Corfforaethol : Economi ac Adfywio
Corporate Lead Officer : Economy and Regeneration

Canolfan Rheidol, Rhodfa Padarn,
Llanbadarn Fawr, Aberystwyth. SY23 3UE

PEDW
Adeilad y Goron,
Parc Cathays,
Caerdydd, CF10 3NQ

Dyddiad
Date

25/07/2023

Gofynnwch am
Please ask for

Alison Heal

Llinell uniongyrchol
Direct line

Fy nghyf
My ref

Eich cyf
Your ref

DNS CAS-02650-B0P0M9

Ebost
Email

Annwyl Robert,

Re: EIA Scoping Waun Maenllwyd proposed wind farm

Diolch am yr ymgynghoriad.

I have studied the supporting documentation. The proposed scope of the EIA looks appropriate.

I would recommend more detail on the following:

- Sourcing of stone and gravel – is it available “on site” and in sufficient quantities? And is it accessible without disturbance to sensitive species and habitats? More detail on the alternatives and the impact of the HGV movements on the physical quality of the roads, on disturbance to sensitive species eg red squirrel and on emissions.
- The environmental impacts of the proposed access routes, on trunk and county roads and on existing and new access tracks – including and not restricted to hedgerow removal, tree pruning, nesting birds, other habitat impacts from straightening and / or widening, culverting, water flow, emissions.
- Detailed information about potential and expected ecological enhancement measures as part of the Environmental Statement, prior to there being prescribed enhancement measures conditioned for detail post-consent, within a Habitat Management Plan (or similar)

I hope this is helpful
Yn gywir

Alison G. Heal
Senior Ecologist, Ceredigion County Council

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.
We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

Prif Weithredwr / Chief Executive :
Cyfarwyddwyr Corfforaethol / Corporate Directors :

Eifion Evans
Barry Rees
James Starbuck

From: Gary Glenister
Sent: Friday, July 28, 2023 4:47 PM
To: PEDW – Gwaith Achos / Casework <PEDW.Casework@gov.wales>
Subject: EIA Scoping DNS CAS-02650-B0P0M9

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 – Scoping Consultation

Dear PEDW,

Thank you for consulting Carmarthenshire County Council on the above scoping opinion. The site of the main wind farm is in Ceredigion but would be visible from and have an impact on Carmarthenshire so we are looking at it in this context. In addition, the access road is partly within Carmarthenshire and therefore we will have more detailed comments through the DNS process.

From a Carmarthenshire perspective the scope of the EIA as set out seems reasonable, however noise and shadow flicker being scoped out is questionable in terms of the impact on properties in Ceredigion. The main ecology impact will be on Ceredigion, however the EIA should include a specific assessment of the access route to the site from the public highway which includes a section within Carmarthenshire. The CCC ecologist has made the following comments:

The scoping report identifies elements that are to be scoped into the EIA process based on the predicted potential effects, as well as those elements not considered necessary for further assessment. Reference to habitats and species affected within Carmarthenshire by the access track must be included within this report. Should these additions be made to the EIA we concur with the conclusions of the Scoping Report and refer to our Pre-application advice (PRE/01658).

We are engaging with the developers in this respect through the statutory Pre-App process.

Given the size of the turbines proposed, the landscape and visual impact would be significant on both Ceredigion and Carmarthenshire as shown on the ZTVs submitted, so the EIA needs to include a comprehensive assessment of both Counties.

In respect of the historical/cultural heritage, Dyfed Archaeology has been consulted at this stage and have the following comments.

The report sets out methodology for such an assessment and we agree with all the Scoping Questions set out in section 6.5.14.

We just have one comment, with reference to section 6.5.2: assessment of potential indirect impact on the setting of historic assets should not be restricted to designated sites, as outlined in PPW 6.1.23, which states that The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning applications, whether those remains are a scheduled monument or not.

If you require further information please do not hesitate to contact me.

Regards,

Gary Glenister BSc (Hons) Dip TP MRTPI

Uwch Swyddog Gorfodi a Monitro / Senior Enforcement and Monitoring Officer
Gwasanaethau Cynllunio / Planning Services

Rhif ffon / Tel No:
e-bost / email:

Croeso I chi gysylltu gyda Chyngor Sir Gâr yn Gymraeg neu yn Saesneg.
You are welcome to contact Carmarthenshire Council in Welsh or English.

Robert Sparey
Planning & Environment Manager
Planning and Environment Decisions Wales
PEDW.Infrastructure@gov.wales

Eich cyfeirnod
Your reference

CAS-02650-B0P0M9

Ein cyfeirnod
Our reference

Dyddiad
Date

26 July 2023

Llinell uniongyrchol
Direct line

Ebost
Email:

Cadwplanning@gov.wales

Dear Robert

Waun Maenllwyd Wind Energy Hub - Scoping Opinion Request

Thank you for your letter of 22 June asking for Cadw's view on the on the scope of the Environmental Impact Assessment (EIA) and the proposed methodologies outlined in the Scoping Report 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.

Assessment

The scoping request is accompanied by a scoping report prepared by RSK with section 6.5 relating to Cultural Heritage. In general, we agree with the contents of this section of the scoping report apart from the following issues.

1. Section 6.54 of the scoping report states that a walkover survey of the application area will be carried out to identify unidentified historic assets within the site boundary. However, this walkover should include the historic assets already identified inside the application area to be carried out in order to determine their importance. This determination may also require further

investigation of the historic assets to be carried out. These investigations may require geophysical survey and archaeological evaluation to be undertaken and if these are required, they will need to be carried out before the completion of the environmental statement, so that the impact of the proposed development on them can be fully assessed.

2. Section 6.55 of the scoping report has identified 14 scheduled monuments inside 5km of the application. However, the results of our search (Annex A) indicates that there are 18 scheduled monuments inside 5km of the boundary of the application area and included in the ZTV. Whilst we note that an initial assessment of designated historic assets has been provided in section 6.5.8 of the scoping report this will need to be extended to include all 18 scheduled monuments identified in Annex A following the guidance given in stage 1 of the Welsh Government in the document "The Setting of Historic Assets in Wales". This process will determine the need for stages 2 to 4 to be carried out for specific heritage assets. The results of the stage 1 assessment should be included as an appendix of the environmental statement.

Yours sincerely

Jenna Arnold
Historic Environment Branch

Annex A

Within a 5km developer ZTV to blade tip:

Scheduled Monuments

CD022 Tomen Llanio
CD047 Four Inscribed Stones in Church
CD120 Roman Roads and Vicus W of Llanio Roman Fort
CD129 Llanio Roman Fort and Bathhouse
CD137 Cairns and Ring Works S of Bryn Rhudd
CD182 Burnt Mound North of Glanrhocca
CD185 Blaen Brefi Longhouses
CD199 Cynau Long Hut
CD200 Cors Blaen Cothi Deserted Rural Settlement
CD210 Round Cairns c. 400m SE of Lan Fawr
CD223 Crug Round Cairn
CD240 Penrhiwllwydog Round Cairn
CM168 Esgair Ffraith Round Cairns
CM169 Carn Fawr Round Cairn
CM218 Cairns & Stone Circle S of Pen-y-Raglan-Wynt
CM224 Cairn Groups on Garn Fawr
CM363 Craig Twrch round cairn
CM364 Carn Nant-yr-ast round cairn

Listed Buildings:

1920	Church of Saint David	II*
10714	Telephone Call-box W of Foelallt Arms (01974 298200) No 1 Penuwch Street,,Llanddewi Brefi,Llanddewi	II
15652	Brefi,DYFED,SY25 6RZ	II
18483	Trecefel	II
18484	Outbuilding to N of Trecefel farmhouse	II
18942	Capel Bethesda	II
18948	Pentre Brain No 2 Penuwch Street,,Llanddewi Brefi,Llanddewi	II
18951	Brefi,,SY25 6RZ	II
18952	3 Penuwch Street	II

Ein cyf/Our Ref: CAS-220872-S1D2
Eich cyf/Your Ref: CAS-02650-B0P0M9

PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dyddiad/Date: 28th July 2023

Annwyl/Dear Mr Sparey,

TOWN AND COUNTRY PLANNING ACT 1990

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

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT
(WALES) REGULATIONS 2017**

BWRIAD/PROPOSAL: Waun Maenllwyd Wind Energy Hub. Construction and operation of up to six wind turbines, with a maximum tip height of up to 230 m, together with associated and ancillary development to include a control building, electricity transformers and anemometry mast, access works, temporary construction compound, Battery Energy Storage Systems (BESS), and associated works

LLEOLIAD/LOCATION: Commercial forestry in southeast Ceredigion adjacent to the northern Carmarthenshire border, and 13 km northeast of Lampeter and 3 km to the east of Llanddewi Brefi.

Thank you for consulting us on the scoping opinion request for the above which we received on the 21/06/2023.

We have reviewed the '*Information to Support a Scoping Opinion Request*' document 663844 dated June 2023 by RSK Environment Ltd and associated appendices provided on your website.

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, the submission of more detailed information or an Environmental Statement (ES).

We are commenting because we consider that the proposals are likely to give rise to significant effects. We advise that the likely significant effects are assessed by the Applicant, and we consider that they should be 'scoped in' to any future ES.

Our comments are set out below following the chapter order in the Scoping Report and we have provided advice where relevant to matters that fall under our remit.

General Advice

The ES for this development should include sufficient information to enable the relevant 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 ES, 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 ES

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 ES such as biodiversity.

Cumulative effects

We are supportive of the proposed assessment methodology for cumulative significant effects with other existing and / or approved projects (Chapter 7 of the report). We advise the Applicant to liaise with the relevant local planning authority to determine which development should be considered within the EIA.

1. Chapter 6.1 – Landscape and Visual Impacts Assessment (LVIA)

Our landscape planning advice relates to the development's potential impact on the Brecon Beacons National Park (BBNP) landscape character, visual amenity, special qualities and visual setting, and its accordance with national policy.

The proposal is for up to six turbines with associated infrastructure up to 230m height, all located in Future Wales Pre-Assessed Area 6, within an upland forested area at the western edge of the Cambrian Mountains.

The BBNP lies 19km to the south-east. The Scoping Report indicates there is likely to be *'limited potential for significant effects on its special qualities'*.

For structures of 225m+ height, NRW GN046 (Using LANDMAP in Landscape and Visual Impact Assessments) recommends a search area of 34km+ and study area of 32km. The proposed study area of 35km is in line with NRW GN046.

Aviation lights will be required. Assessment of night-time impacts will be limited to 15km which will exclude the BBNP. The BBNP's Dark Sky Discovery Sites have been reviewed and the nearest lies at 27km and would be outside the Zone of Theoretical Visibility (ZTV).

The Cumulative Landscape and Visual Impact Assessment (CLVIA) will have an initial search area of 25km but will focus on 20km and scope out turbines under 50m. This should be extended to include all BBNP viewpoints.

Paragraph 6.1.1 states it is likely that viewpoints over 20km will be provided as wireframe only. NRW may require verified photomontages depending on the wireframe results.

The LVIA should include a review of any forestry clearance or thinning plans which may be relevant.

The only proposed viewpoint (VP) within the BBNP is VP16 at 25.5km. This would be on the open upland Mynydd Myddfai ridgeline, most of the ridge is within the ZTV where visibility of 5-6 turbines is expected. The viewpoint is to show the impacts on users of Open Access Land on or close to the long-distance Cistercian Way. This viewpoint should incorporate the CLVIA findings beyond 20km and be located for example at a trig point to make the findings repeatable.

The landscape and visual effects on the Special Qualities of the National Park should be assessed with reference to the BBNP Landscape Character Assessment 2016.

The ZTV extends across the 'Towy Valley Foothills' Landscape Character Assessment (LCA) which will be represented by VP16, but also extends across the 'Y Mynydd Du' (The Black Mountain) LCA which lies at 30-35km. An additional viewpoint is required to represent this more tranquil open upland area, again this viewpoint should incorporate the CLVIA findings beyond 20km and use of a trig point or promoted viewpoint would make the findings repeatable.

The LVIA will be based on current guidelines, and we have no other comments on the proposed LVIA method.

2. Chapter 6.2 – Terrestrial Ecology

2.1 Description of Biodiversity

The ES 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.

2.2 Significance and Favourable Conservation Status

We advise the EIA considers significance (both alone and in combination) and where applicable conservation status. In respect of conservation status, we advise consideration to 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. Reference to CCS and FCS in accordance with [EC Guidance](#)¹ is advocated.

2.3 Key Habitats

We note that a Phase 1 habitat survey and a National Vegetation Classification (NVC) Survey have been undertaken in Autumn of 2022. Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough) and the NVC Users' Handbook (2006) Rodwell, J. S. (JNCC).

Results of the survey should be included and should consider in detail the potential presence of protected species.

Please note that the development in its entirety should be considered, both turbine locations and all associated infrastructure including access tracks

2.4 Protected Species

2.4.1 Site Surveys

We welcome that 'Terrestrial Ecology' is being scoped into the EIA. We note that the extent of habitat removal in order to facilitate the developments infrastructure (including cabling, and access tracks) has not yet been determined and therefore the impact to protected species cannot yet be assessed.

We advise the site, any other land required for the development (e.g., grid connection) and where necessary, land adjacent to 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

¹ [EUR-Lex - C\(2021\)7301 - EN - EUR-Lex \(europa.eu\)](#). See section 3.2.3.b) re conservation status

- 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 ES.

We welcome that bats are scoped into the EIA; however, we note that the following species have not been scoped in, dormice, otters, water voles. We advise that in the absence of additional survey for the aforementioned species, that they are scoped into the EIA and further, more detailed assessment is undertaken. We provide advice on each species below.

2.4.2 Bats

We welcome that bats will be scoped into the assessment and that bat activity surveys are proposed. We advise that an impact assessment is provided for all bat species (not just those that are high risk) and that surveys undertaken accord with the following guidance:

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

Section 6.2.3 of the scoping report includes the proposed survey methodology. We welcome that survey will employ ground level static surveys, capture 10 suitable monitoring nights across spring, summer and autumn and that bat detectors will be placed at all turbine locations and include a sample of bat activity across open areas.

Bat Activity Analysis

Section 6.2.11 of the report identifies that the Ecobat system is offline, and therefore cannot be used at present to assess the impacts to each bat species per turbine. The Ecobat tool provides a useful comparative analysis of impacts with similar sites, creating a level playing field for the fair assessment of all schemes. We advise that it is used wherever possible and work is ongoing to make it available again.

As an alternative, we note the proposal intends to use a Bat Activity Index (utilising defined risk bands for the level of collision risk posed to bats). There is presently no published data on what might comprise different risk bands (low, medium and high) and this is likely to vary depending on the habitat, altitude and location concerned. We are therefore unable to provide or agree to any risk bands using this method. In our experience, there is considerable variation in what comprises low, medium and high risk to bats based on professional experience and opinion using this method.

If using an alternative method to Ecobat, this will need to be described in detail, and the assessment and its outputs should be comparable to those produced by Ecobat. We therefore advise that the applicant liaises with the creator of Ecobat to ensure that this is the case.

We also advise that the ES includes comparison of the abundance of bat activity in relation to wind speed data and presents analysis in the context of cut in speed of the proposed turbines.

Mitigation

We advise that the ES sets out all of the measures that the scheme will put in place to reduce the identified impacts. We welcome the proposed mitigation and the minimum 50m buffer (from blade tip) applied to the nearest habitat feature for bats. We advise that this buffer

must apply regardless of any micro- siting allowances agreed as part of the consenting process.

We welcome that turbine feathering is proposed and will be applied using the candidate turbines SCADA (Supervisory Control And Data Acquisition) data system. Please note depending on the results of surveys additional mitigation may be required to reduce the identified impacts to bats.

Trees and Roosting

We note that wind turbine locations and associated various infrastructure (including tracks) has not been finalised, and therefore the extent of habitat removal at present is unknown.

Section 6.2.4 refers to bat roost surveys and confirms that ground level inspection of trees to be felled or pruned to accommodate the development, will be undertaken in order to inform the requirement for more detailed survey (climbing / emergence survey) in accordance with published best practice survey guidelines Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition (Bat Conservation Trust, 2016).

2.4.3 Otter and Water Voles

Whilst no indicative signs of otter or water vole were recorded during the Phase 1 habitat survey in 2022, the scoping report identifies that a number of habitat features with the potential to support both species were identified.

We hold record for otter (<500m) and water vole (<1.6km) within upland Molinia habitats in the vicinity of the development and the Afon Teifi Special Area of Conservation (SAC), of which otter is a designated feature, and is located within 200m of the site.

The scoping report confirms that on the basis of habitat suitability, targeted searches for otter and water vole will be undertaken in 2023. This is welcomed and therefore we advise that otter and water vole are scoped into the EIA.

We advise that survey considers the water courses, the surrounding suitable habitat and in the specific case of water voles surveys extend beyond the immediate water environment and consider that water voles may exhibit a fossorial lifestyle.

We welcome that survey for protected terrestrial mammals will extend beyond the site by 250m and we advise that the survey results are used to inform the proposed mitigation measures and consider the potential requirement for larger buffers than those currently proposed.

In terms of the access route any habitat modifications will need to be assessed and the baseline survey area especially for otter may need to extend beyond a 100m buffer from the access route to take account of watercourses etc.

Mitigation

We welcome that buffers from water courses are proposed, and we advise that clarity is provided as to whether this includes all proposed tracks for the development. We note that

further consideration will need to be given to underground cabling which may need to run under water courses on site.

We further welcome that infrastructure and construction buffers will be applied around any identified otter holts or shelters and water vole habitat and burrows.

2.4.4 Dormice

The EIA scoping report has scoped out dormice and no survey for the species is proposed. We note that the development proposals are not finalised, however we advise if the removal of potential habitat is required that dormice are scoped into the assessment, and survey for the species is undertaken.

Section 6.2.5 of the scoping report states that *'the presence of dormouse in proximity to the Site is considered highly unlikely ... the species is considered rare, with restricted populations in Wales. Habitats within the site, predominantly comprising commercially managed coniferous plantation woodland.'*

Contrastingly, we are aware that dormice have been found in coniferous plantation woodland on other windfarm sites in Wales (e.g., Clocaenog and Brechfa). We therefore advise that it would be inappropriate to scope out dormice and survey for the species on that basis.

We also note that areas of potentially higher value habitat are present on site, and off site in the near vicinity, including broadleaved woodland and scrub. We therefore advise that dormouse surveys should be carried out in accordance with the survey guidance in the Dormouse Conservation Handbook (2nd Edition, English Nature).

Please note surveys should include areas of habitat removal for all infrastructure associated with the development including access tracks, cabling, substation, battery storage etc. We advise that results of the survey should inform all proposed mitigation and future habitat management for the species.

2.4.5 Great Crested Newts

Great Crested Newt (GCN) appear neither as a receptor/element to be scoped in (table 6.2.8) or scoped out (table 6.2.9). However, section 6.2.4 of the report indicates that Habitat Suitability Index and eDNA sampling will be undertaken to detect the presence/absence of GCN within suitable waterbodies in accordance with current guidance.

We advise that GCN are scoped into further assessment until the results of proposed survey in 2023 are known. If comprehensive surveys in accordance with published best practice guidance yield negative results, then we could agree that they are scoped out of further assessment.

If GCN presence is confirmed, these should be followed up with the suite of traditional surveys to determine the population concerned as per the guidance set out in Great Crested Newt Mitigation Guidelines (English Nature, 2001).

2.4.6 Impact Assessment

Should protected species be found during the surveys, information must be provided identifying the species-specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified.

Where proposals concern protected species which are also notified features of designated sites (e.g., SAC, Sites of Special Scientific Interest (SSSI)), we advise that the ES considers the impacts on those species from both perspectives.

We advise that the ES 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 ES.

2.4.7 European Protected Species (EPS) Licence

Where an EPS is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW. The ES 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).

One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'.

These requirements are also translated into planning policy through Planning Policy Wales (February 2011), section 6.4.22 and 6.4.23 and Technical Advice Note 5, Nature Conservation and Planning (September 2009).

2.5 Local Biodiversity Interests

We recommend that the Applicant consults the local planning authority on the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan, and that are considered important for the conservation of biological diversity in Wales.

NRW would expect the developer to contact other relevant people/organisations for biological information/records relevant to the site and its surrounds. These include the relevant Local Records Centre and any local ecological interest groups (E.g., bat groups, mammal groups).

2.6 Protected Sites

River Teifi Special Conservation Area (SAC) and SSSI

Section 6.2.7 which describes any likely significant effects, states significant impacts on statutory designated sites in the construction and decommissioning phases will be restricted

to **2km**. We cannot currently agree with this statement, especially for impacts related to the River Teifi SAC and SSSI as its features may be impacted beyond 2km.

As stated in Section 6.2.8, the decision on what will need to be scoped in or out of the EIA will need to be informed by the baseline surveys results. Whilst this section considers the potential impacts on the River Teifi designations associated with the construction and decommissioning phase; impacts associated with the operational phase of the development have been scoped out in section 6.7.9. on the basis that all infrastructure would be more than 50m from a watercourse. However, if any of the works directly affects peat and upland in areas where forestry drains are present, then surface water run-off may still have the potential to reach the River Teifi from the site. Entrainment of peat from the forestry drains could also impact the River Teifi.

Phosphorus Sensitive Catchment – River Teifi and River Tywi SAC

The site is within the catchment of the River Teifi and River Tywi SAC. As you are aware, on the 21st of January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments.

From the information submitted as part of the scoping report, there does not appear to be a permanent source of phosphorous as part of the proposed development. The ES should include sufficient details regarding any source of phosphorus arising from the proposal, such as from temporary welfare facilities, to inform your Habitats Regulations Assessment (HRA).

2.7 HRA

Due to the potential hydrological links between the development site and the River Teifi SSSI and SAC, we advise that as the Competent Authority, you will need to consider the proposal under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

PEDW should satisfy itself that there are no likely significant effects, either alone or in combination with other plans and projects, and if necessary, undertake an appropriate assessment of the implications of the proposed scheme for the protected sites in view of their conservation objectives, before granting planning permission.

We also advise you satisfy yourselves that a viable option for routing this asset to the grid connection point, is available in a location whereby it would not have an impact on any protected sites.

3. Chapter 6.3 – Ornithology

NRW considers the most appropriate industry standard guidance has been adopted and referred to. The identification of qualifying features of listed statutory designated sites appears to be correct. It is not clear how Section 7 (Environment (Wales) Act 2016) bird species have been considered. They will need to be considered within the EIA.

NRW agrees that the range of surveys carried out to date and/or proposed is sufficient and appropriate to inform the design and assessment of the Proposed Development.

In reference to current NatureScot guidance (2017), we do not agree that the baseline ornithological surveys concluding in August 2023 will remain valid as the guidance states “*collected within the last 5 years or within 3 years if the populations of key species are known to be changing rapidly*”. The first year of surveys were undertaken in 2020/21 – they would therefore remain valid until 2026. Updated surveys may therefore be required beyond 2026.

NRW agrees that the data sources listed to inform the EIA baseline characterisation are appropriate.

In relation to the ornithological receptors that are proposed to be scoped in (and out), given the available evidence gathered to date; based on the information provided, and without prejudice to further comments we may make, they appear reasonable. However, we will comment further on this once in receipt of the full survey information. It is not clear how schedule 1 (Wildlife and Countryside Act 1981) or section 7 (Environment Wales Act 2016) species have been considered in the selection process (e.g., crossbill).

NRW agrees with the use of core foraging ranges in this instance, for the establishment of potential connectivity between the Site and identified statutory designated sites.

Based on the information provided, and without prejudice to further comments we may make, it appears reasonable that potentially significant effects upon statutory designated sites for nature conservation (with ecological features of interest), can be precluded with the exception of potential effects upon red kite as a qualifying feature of the Elenydd – Mallaen Special Protection Area. However, we will comment further on this matter once in receipt of the full survey information.

County estimates may be contained within the relevant County Bird Reports and Regional/National population estimates may be contained within:

- Austin, G.E., Calbrade, N.A., Birtles, G.A., Peck, K., Shaw, J.M. Wotton, S.R., Balmer, D.E. and Frost, T.M. 2023. Waterbirds in the UK 2021/22: The Wetland Bird Survey and Goose & Swan Monitoring Programme. BTO/RSPB/JNCC/NatureScot. Thetford.
- Hughes, J., Spence, I.M. and Gillings, S., 2020. Estimating the sizes of breeding populations of birds in Wales. *Milvus: The Journal of the Welsh Ornithological Society*, 17(1), pp.56-67.
- Pritchard et al. 2020 *Birds of Wales/Adar Cymru*, Liverpool University Press.
- Woodward, I.D., Aebischer, N.J., Burnell, D., Eaton, M.A., Frost, T., Hall, C., Stroud, D.A., & Noble, D.G. (2020). Population estimates of birds in Great Britain and the United Kingdom. *British Birds*, 113: 69-104.

Population estimates may also be found in the Welsh Bird Report

4. Chapter 6.7 – Land, soil, and water

4.1 Study Area

The scoping opinion includes details of the proposed walkover hydrological survey to acquire baseline data at the development site and the identified 2km buffer zone around the site boundary. We note this will include water features to include watercourses and springs, this should also include boreholes and wells.

4.2 Details for water feature survey

The developer must undertake a preliminary site assessment, which should include the following:

- Identification of all water features both surface and groundwater (ponds, springs, well, boreholes, ditches, culverts etc.) within a 300 metres radius of the site boundary and inside the site boundary.
- 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 included in the ES. 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.

NRW 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 workings at the site.

As regards to databases on private waters supplies (normally sources of supply less than 20 m³/day) we would direct the developer to the local authority. They hold a list of all registered private water supplies. It may also be appropriate to carry out a door knocking exercise as part of the water feature survey to find out if dwellings within the study area have private water supply as some may not be registered with the local authority.

We hold information on licenced abstraction (abstractions greater than 20m³/day) for both surface waters and groundwater, our [Data Distribution Team](#) can be contacted for this data.

4.3 Peat

We note peat probing surveys have been completed to obtain an initial understanding of

peat depth and distribution on site (Section 6.7.4). It is not clear whether the results of the Phase 1 Peat survey were utilised to identify the most suitable locations for the installation of the six turbines. We welcome that peat; peat soil and peatland have been scoped in and note the intention to carry out further high-density peat depth surveys across the footprint of proposed infrastructure to inform micro-siting of the layout to seek avoidance of deep peat where possible.

We also welcome the intention to provide a Peat Management Plan in support of the application and restoration where necessary.

We support the intention to design infrastructure to avoid peat where possible as defined by the detailed probing and coring across the infrastructure footprint, however we advise that avoidance should be the first option to mitigate against loss of peat. Therefore, we advise that the findings of the peat surveys are utilised to demonstrate that the best locations for the proposed turbines have been selected to avoid areas of deep peat.

Please be mindful that our peat specialists were not available to provide comments at this stage of the consultation and we may have further comments to add once the application is submitted.

4.5 Contaminated Land

According to our records there are known metal mine discharges within the local area. Any development within 500m of these discharges needs to consider the construction risk to these metal mine discharges.

4.6 Pollution Prevention

We understand cabling will be required on site, but it is not clear at this stage whether fluid filled cables will be used. NRW have adopted the "[Approach to groundwater protection](#)" (EA, 2018) which has position statement C5 – Pipelines and high voltage fluid filled cables. Any fluid filled cables needs to consider position statement C5 with a risk assessment.

The principal concerns and risks from a water quality perspective from such developments are the potential for silt contaminated surface water run-off, cabling routes acting as watercourses during periods of heavy rainfall if sections are left open and are not backfilled swiftly, and the poaching of vegetation due to the number of vehicle and machinery movements during the construction phase.

We note the potential use of borrow pits for stone. The location of the borrow pits needs to consider the local water table. Any excavation below the water table will need a risk assessment to consider the impact this excavation will have on the water table. If dewatering is required to work the borrow pit an abstraction licence may be required if abstraction is greater than 20 m³/day. Please consult our [website](#) on details for dewatering.

We welcome that a Construction Environmental Management Plan (CEMP) will be provided, and the developer should plan the works carefully, so that contaminated water cannot run uncontrolled into any watercourses (including ditches) or waterbodies. The [Guidance for](#)

Pollution Prevention documents should be followed, particularly GPP5 '*Works and maintenance in or near water*' in terms of protecting the water environment.

The CEMP should be site-specific, with identified pollution pathways and measures implemented to avoid pollution, taking into account groundwater and diversion of surface water streams beneath the site. The ES must demonstrate that the design and construction of the site ensures that all potential pollution pathways are protected.

The CEMP should identify the following:

- Construction methods: details of materials, how waste generated will be managed.
- 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, full details of how any watercourses will be crossed or confirmation that this is not applicable.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- 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 fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use, details of the nature, type and quantity of materials to be imported on to the site
- 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, any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

5. 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.

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

Yn diffuant / Yours sincerely

Cinzia Sertorio

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

Ffôn/Tel:



E-bost/E-mail:

MidPlanning@cyfoethnaturiolcymru.gov.uk

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi. / Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.



Ref: DNS CAS-02650-B0P0M9

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

Via Email: PEDW.Infrastructure@gov.wales

1st August 2023.

Dear Mr Robert Sparey,

Re: Scoping Direction Consultation Response – DNS CAS-02650-B0P0M9, Waun Maenllwyd Wind Energy Hub, Ceredigion.

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 with regard to the use of soil and peat resources.

For the Department, the main 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. Policy Context:

The Department has examined the Scoping Direction Request Report and consider the policies and guidance below are also applicable to this development: -

- Policy 9 of the National Development Framework (NDF) – Future Wales¹ 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.

¹ <https://gov.wales/future-wales-national-plan-2040-0>

- 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 need 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 Note² (MTAN) 1 – Chapter D sets out detailed advice on the mechanisms for delivering a high standard of restoration, aftercare and provide for a beneficial after-use.
- Paragraph 6.4.3 (bullet 4) of Planning Policy Wales³
- Paragraph 5.14.34 of PPW 11 - "Borrow pits must be restored to the high standard expected of other forms of mineral development."
- Natural Resources Policy (NRP)⁴

2. Context and Background:

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. Mineral, organo-mineral and peat soils are fragile, finite and provide crucial ecosystem services and functions. These services and functions include carbon and water storage, biodiversity and important contributions to climate regulation.

As per the step-wise approach (PPW, paragraph 6.4.21), the first priority must be to **avoid** impacts to soils, peatland bodies and their functioning. The Department expect proposals not to impact peatland bodies or hydrological function and this should be clearly demonstrated in the assessment, proposals and design.

The scoping report is unclear on the proposed assessment approach of the applicant to peat impacts, as it notes in Section 6.7.11 to '*...minimise or mitigate for peat impacts*' and '*With respect to peat, mitigation of impacts through sensitive layout design will provide the best opportunity to limit the potential for significant effects.*' This appears to suggest an acceptance of peat impacts before assessment and final proposals are made, this is not in line with the step-wise approach. The Department is aware of DNS wind farm applications that have designed peat impacts out of the proposals.

3. Peatland Definition:

The report notes that the proposals aim to avoid peat over 30cm depth. The Department considers the definition of peatland to be used for assessment is as published in the National

² <https://gov.wales/sites/default/files/publications/2018-09/mtan1-aggregates.pdf>

³ <https://gov.wales/planning-policy-wales>

⁴ <https://www.gov.wales/natural-resources-policy>

Peatland Action Programme (NPAP)⁵ (see below). **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’.*

The 30cm cut-off goes some way to recognising areas of transitioning shallow peaty soils. However, the application will need to acknowledge that peatlands act as an ecosystem and arbitrary depth thresholds do not recognise shallow peaty soils integral to the hydrological functioning of peat bodies.

4. Baseline information:

The Department wishes to note that the Peatlands of Wales (PWM) map⁶ now supersedes the Unified Peat Map (UPM). The PWM also includes an evidence layer to help identify unmapped peaty areas. The 1:250,000 Soil Association Map (Cranfield University – Soils of England & Wales, Sheet 2) may also aid identification.

A 100m peat probing survey has been undertaken for the site and is evidenced in Appendix C. This initial survey notes a significant extent of peatland within the application site in excess of 30cm depth. The applicants propose further detailed peat survey are undertaken. This is welcome and required to fully assess the extent, depth and distribution of the peatland resource (within the red-line boundary) as part of the ES. As defined above, this should include any shallow peat soils supporting the hydrological functioning of peat habitats (on site or adjoining).

This information will allow the assessment of potential impacts and should inform decisions on all proposed infrastructure locations and borrow pits, including the restoration and beneficial afteruse. As per the step-wise approach (PPW, paragraph 6.4.21), the first priority must be to avoid impacts to peatland bodies and their functioning.

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.

⁵ <https://cdn.cyfoethnaturiol.cymru/media/692545/national-peatlands-action-programme.pdf>

⁶ <https://smnr-nrw.hub.arcgis.com/apps/d18ef8c74ecc4dc4a0cbf71ab6935ba0/explore>

5. Site Selection:

Section 3.2 notes that the applicant has a well-established process for site selection. However, no information on alternative sites has been provided in the scoping report. This should be covered in the Environmental Statement.

6. Agricultural Land Classification (ALC): Information and advice:

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

A detailed ALC field survey is not recommended for the site. The Department does not consider BMV land to be present at this site and therefore Planning Policy Wales (PPW) 11, paragraphs 3.58 and 3.59 would not apply.

7. Infrastructure Details and Siting:

There is a significant amount of infrastructure proposed as part of the development as detailed in Section 2.4.1. Detail is provided on the proposed locations of the 6 turbines but not of the proposed design specifications for foundations and associated infrastructure (e.g. crane pads). No detail is provided on the design, extent and location of the other infrastructure elements proposed. This information is required to inform the EIA assessment process.

8. Micro-siting:

Due to the sensitive nature of peatland bodies and associated hydrology, the Department does not accept a broad micro-siting allowance for turbines or any other infrastructure. Micro-siting allowances should be restricted where there may be a sensitive directional restriction such as peatland bodies or hydrological impacts.

9. Borrow pits:

The proposals note the intention to source stone from on-site borrow pits. No information is provided on the size, extent and location of the borrow pits, again this detail is required to inform the EIA assessment process for the development.

For the borrow pits, the proposals will need to specify the afteruse in accordance with Schedule 5, paragraph 2(1) of the 1990 Act. The agreed afteruse will inform the standard of restoration, the scheme and aftercare proposals.

The proposal must demonstrate that the site can be reclaimed to an acceptable standard and after-use through a detailed scheme that is achievable and to be able to condition against. The scheme should be presented at application in sufficient detail for the determining authority and statutory consultees to form a judgement as to its feasibility (MTAN1, paragraph 106). If there is significant doubt as to whether satisfactory reclamation can be achieved at the site, and as such, planning permission should be refused. (MTAN1, paragraph 97).

The proposal must address Paragraph 5.14.34 of Planning Policy Wales; *“Borrow pits must be restored to the high standard expected of other forms of mineral development.”*

10. Peat Management Plan:

Section 6.7.10 notes an intention to undertake forest-to-bog restoration on site. The Department would encourage the developer to engage with the National Peatland Action Programme (NPAP) through NRW for advice and guidance on proposals, methodology and data collection.

Section 6.7.11 notes that the Peat Management Plan will detail the *'...volumes of peat excavated the methodologies for extraction and management to minimise impact on peat, and the strategy for storage and restoration or reuse.'* This again suggests an acceptance of the need for extraction of peat before the assessment and final proposals are submitted.

Peat is significantly more fragile than mineral soils which severely limits its resilience to disturbance. Peat is part of an ecosystem, hence why it is referred to as a peat body and why it is to be taken account of as a 'national natural resource' under Policy 9 of Future Wales.

11. Decommissioning:

The proposals should include a detailed scheme for site decommissioning that can be confidently conditioned against. There are a few broad statements in Section 2.4.27 and 2.4.28 confirming that all above ground infrastructure would be removed and all below ground infrastructure would remain. The department consider that this does not meet the requirements of Policy 18(11) of Future Wales in terms of acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.

12. Soil Management Scheme

For all proposed infrastructure, a soil management scheme should be prepared by the applicant, 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: -

- 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
Soil, Peatland & Agricultural Land Use Planning
Welsh Government
Department for Climate Change
Landscapes, Nature & Forestry Division
LQAS@gov.wales

From: Thomas, Rhodri
Sent: Monday, July 17, 2023 1:44 PM
To: Sparey, Robert (COOG - Planning & Environment Decisions Wales)
Cc: Jones, Richard (CCRA - Transport and Digital Connectivity); LGC Development Control (South) <LGC_Development_Control-South@gov.wales>

Subject: FW: CAS-02650-B0P0M9 - Waun Maenllwyd Wind Energy Hub

Afternoon Robert

On behalf of the Welsh Government,

CAS-02650-B0P0M9 - Waun Maenllwyd Wind Energy Hub

Construction and operation of up to six wind turbines, with a maximum tip height of up to 230 m, together with associated and ancillary development to include a control building, electricity transformers and anemometry mast, access works, temporary construction compound, Battery Energy Storage Systems (BESS), and associated works.

Detail needs to be provided to prove access for transporting AILs is achievable from the point of entry to the Welsh trunk road network to the point of egress, that minimises any impact on the safety and free flow of trunk road traffic, please supply the likely traveling weights and dimensions of AILs and swept path analysis for all junctions on the Trunk Road Strategic network.

Please note, to screen the proposals, the draft abnormal load notifications would be particularly helpful to the Welsh Government as highway authority. For our review to be meaningful we need the attached to be filled in as much as is possible. There may be many unknowns at the time, but the closer we get to a completed form the more meaningful feedback we will be able to provide.

As an absolute minimum we need best estimates for:

- Full route details.
- Vehicle weight
- Vehicle length
- Vehicle width
- Vehicle height

Attached for reference, is the draft version of our "Pulling Together" – Best Practice for Transporting Abnormal Loads in Wales - Procedures and Advice Guidance (PAG) document.

For your information please find below our standard planning conditions (taken from the aforementioned PAG document), which would be included as part of any future planning application;

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

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.

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.

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
- n. the appointment and role of a transport coordinator to administer the abnormal indivisible load delivery strategy
- o. means of control of timing of delivery of AIL movements

- p. temporary traffic diversions and traffic hold points
- q. details of banksmen and escorts for abnormal loads
- r. management and maintenance of layover areas, junctions, passing places, public rights of way and welfare facilities while AIL deliveries take place
- s. details of temporary signage.
- t. details of any alterations to any works that are carried out to enable AIL movements

ALLs 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.

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.

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 119. 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.

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 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 1980.

If you have any further queries, please forward to the following Welsh Government Mailbox Lgc_development_control-south@Gov.Wales

Regards

Rhodri

Rhodri Thomas BSc. (Hons) GMICE
Senior Engineer

I am now on secondment, and will have intermittent access to emails.

1 Capital Quarter, Tyndall Street
Cardiff
CF10 4BZ

wsp.com

DfT regulations - Form of Notice to Police (Construction and Use Regulations (C & U) 1986 & the Road Vehicles (Authorisation of Special Types) (General) Order (STGO), 2003 Schedule 5 or Schedule 9 Part 1) and to Highway and Bridge Authorities (STGO)

(Subject to the prior agreement of each of the authorities to which this notice is sent, it may be used to give notice of additional journeys, different vehicles, routes and destinations.)

1. General Details:

List of all Police Forces, Highways and Bridge Authorities to which this form is being sent.

Select and copy the list of Police Forces, Highways and Bridge Authorities by [clicking here](#). Then, paste the list generated into the box below*.

'paste' Police Forces, Highways and Bridge Authorities to which this form is sent here

Once this form is complete send to notifications@esdal2.com

Fields marked with an '*' are mandatory

Company/Organisation Name*: Your company/organisation name		Company/Organisation Address*: Your company/organisation address	
Contact Name*: Person to be contacted in case of queries			
Other contact details.: Other contact details (optional)			
Email Address*: Email address of named contact			
Operator Licence No.*: Operator Licence No.		Telephone No.*:	
Operator Reference No.: Operator reference no. (optional)			
On Behalf Of (Name of haulier for whom the notification is being submitted) If being completed by an agent on behalf of a haulier (optional)			
Load Description*: Description of the load			
No. Of Loads*:			
Notes: Add notes for the Police, Highways and Bridge Authorities (optional)			

2. Route Details:

Movement Start Date and Time*: <input type="text"/>	Movement End Date and Time*: <input type="text"/>
Movement From Address*: name/number, street name, town/city, country <input type="text"/>	Movement To Address*: name/number, street name, town/city, country <input type="text"/>
From Address Postcode: <input type="text"/> E.g. CF12 3AB	To Address Postcode: <input type="text"/> E.g. CF12 3AB
Route Description: Describe the proposed route <input type="text"/>	
Tick to confirm you have an indemnity: <input type="checkbox"/>	Include Return Leg: <input type="checkbox"/>
Return Leg Description (If different to the outward route) (optional): Describe the proposed return leg route <input type="text"/>	

Note: To provide additional detailed route information complete section '4. Additional Information'.

3. Vehicle Details: Movement Classification*: Select movement classification

Vehicle Type*: Select vehicle type

Configuration*: Select configuration

All dimensions are to be entered in metres/kilograms (where applicable).

VR1 No. (Applicable for VR1)	Applicable for VR1 notifications only	Special Order No. (Applicable for Special Order)	Applicable for Special Order notifications only
Registration no. of motor vehicle or substitute(s)* <i>(Multiple registration numbers to be separated with comma (,))</i>	Registration number/s of vehicle/s or substitute/s <input type="text"/>	Max. Height*	<input type="text"/> m
Overall/total length of vehicle*	<input type="text"/> m	Reducible Height	<input type="text"/> m
Rigid Length*	<input type="text"/> m	Gross Weight*	<input type="text"/> kg
Projection Front*	<input type="text"/> m	No. Of Axles	<input type="text"/>
Projection Rear*	<input type="text"/> m	No. Of Wheels	<input type="text"/>
Overall Width*	<input type="text"/> m	Max Axle Weight	<input type="text"/> kg
Projection Left*	<input type="text"/> m	No. Of Vehicle Components* <i>(Including Tractor and Trailers)</i>	<input type="text"/>
Projection Right*	<input type="text"/> m		

3.1 Vehicle Axle Details (not required for C&U vehicles)

Tractor/ Trailer	Select....	Select....	Select....	Select....	Select....	Select....	Select....	Select....
No. Of Wheels								
Max. Axle Weight (in Kilograms)								
Dist. To Next Axle (Axle spacing in Metres)								

Note: To provide additional 'Vehicle Axle Details' complete the section below.

3.2 Additional Vehicle Axle Details (not required for C&U vehicles)

Tractor/ Trailer	Select....	Select....	Select....	Select....	Select....	Select....	Select....	Select....
No. Of Wheels								
Max. Axle Weight (in Kilograms)								
Dist. To Next Axle (Axle spacing in Metres)								

Tractor/ Trailer	Select....	Select....	Select....	Select....	Select....	Select....	Select....	Select....
No. Of Wheels								
Max. Axle Weight (in Kilograms)								
Dist. To Next Axle (Axle spacing in Metres)								

Tractor/ Trailer	Select....	Select....	Select....	Select....	Select....	Select....	Select....	Select....
No. Of Wheels								
Max. Axle Weight (in Kilograms)								
Dist. To Next Axle (Axle spacing in Metres)								

4. Additional Information – Please provide any additional information to assist the Police Force, Highways and Bridge Authorities to which this form is sent below;

Points through which the route travels.

Address: Address should be in the format <Address>, <PostCode>

E.g.: BANBURY ROAD, CV35 0AA

Or

Highways England, Quinton Business Park, 3 Ridgeway, Quinton, Birmingham, B32 1AF

Co-ordinates: This should be British National Grid(BNG) Easting and Northing co-ordinate to refer a point on the map. The BNG co-ordinate value can be retrieved from <https://gridreferencefinder.com> E.g.: 455090,228177

Either address or co-ordinates must be present. Giving co-ordinates is always the most accurate information for a route.

[illegible]



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

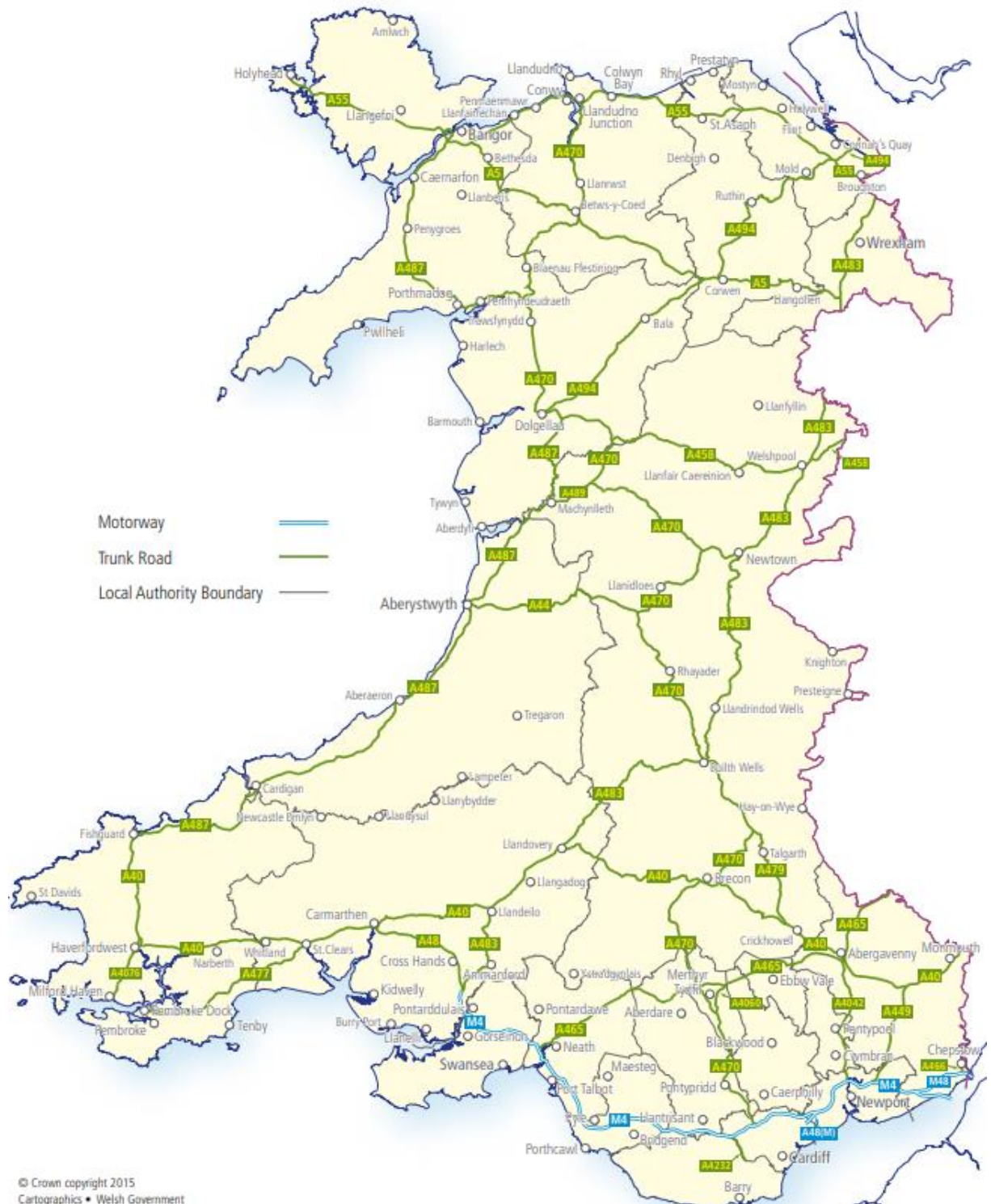


The movement of these types of loads by road is essential for supporting the UK economy, but it is also essential that the movements are carefully planned and executed to ensure they can be safely accommodated by the highway network. Movements of abnormal loads on the Welsh trunk road network (see Figure 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Operator details	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Movement route, time and date	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Description of load	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle type and registration	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle dimensions and laden weight	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Axle weights and spacing		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Proof of current indemnity to HW&BO		<input checked="" type="checkbox"/>		
More detailed journey information			<input checked="" type="checkbox"/>	
More detailed vehicle and load information				<input checked="" type="checkbox"/>

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.

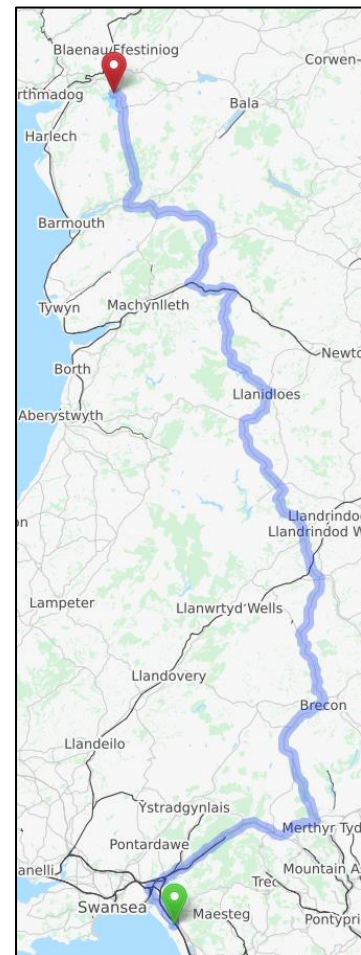
4.2 **Route planning guidance**

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_Abnormal_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.



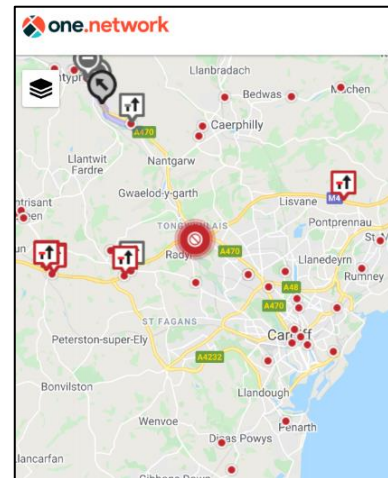
¹⁴ <https://www.croftse.co.uk/wp-content/uploads/2018/04/BD2-12-Highways-Structures-Approval.pdf>

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.

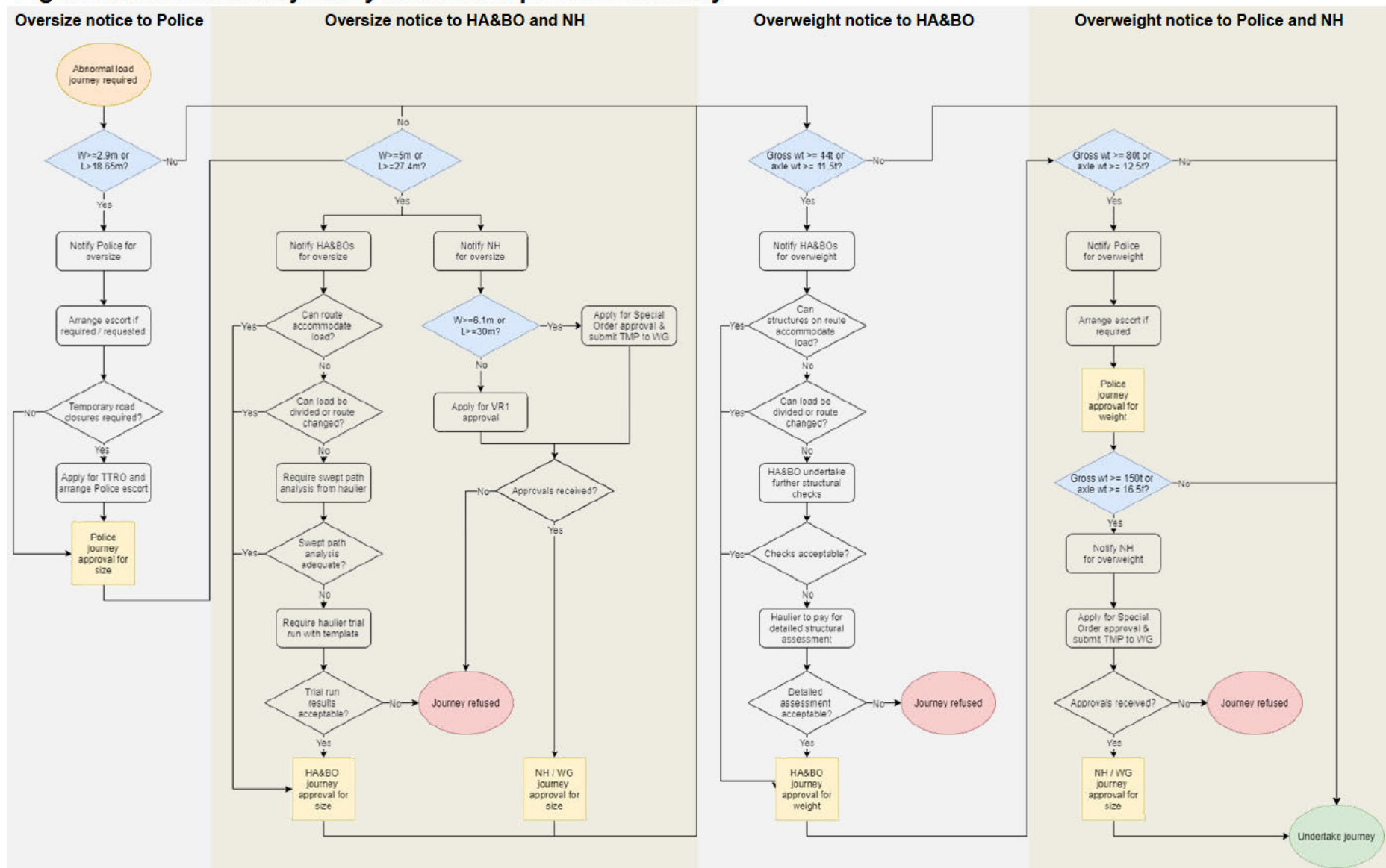
4.5 Process summary

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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Enforce abnormal load regulations in transit for public safety (see Section 4.4.2)
HB&BOs	Assessing infrastructure impacts of abnormal load notifications	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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)

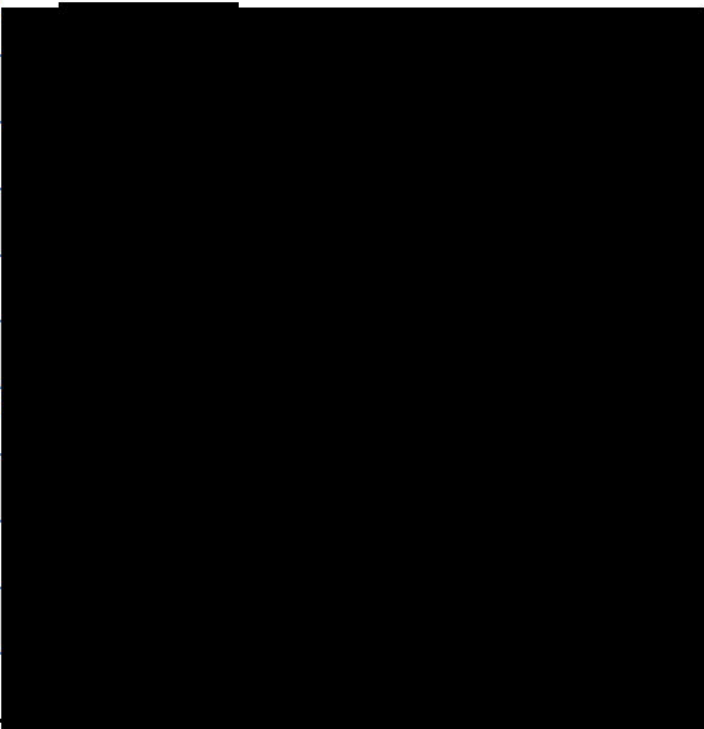
7 USEFUL CONTACTS

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	[REDACTED]
Dyfed-Powys Police	[REDACTED]
Gwent Police	[REDACTED]
North Wales Police	[REDACTED]
South Wales Police	[REDACTED]
NMWTRA	[REDACTED]
SWTRA	[REDACTED]
Traffic Wales	[REDACTED]
National Highways Abnormal Loads Team	[REDACTED]
Network Rail Abnormal Loads Team	[REDACTED]
Blaenau Gwent County Borough Council	[REDACTED]
Bridgend County Borough Council	[REDACTED]
Caerphilly County Borough Council	[REDACTED]
Cardiff City & County Council	[REDACTED]
Carmarthenshire County Council	[REDACTED]
Ceredigion County Council	[REDACTED]
Conwy County Borough Council	[REDACTED]
Denbighshire County Council	[REDACTED]
Flintshire County Council	[REDACTED]
Gwynedd County Council	[REDACTED]
Isle of Anglesey County Council	[REDACTED]

Organisation	Contact details
Merthyr Tydfil County and Borough Council	
Monmouthshire Council	
Neath Port Talbot County Borough Council	
Newport City Council	
Pembrokeshire County Council	
Powys County Council	
Rhondda Cynon Taf County Borough Council	
Swansea Council	
Torfaen County and Borough Council	
Vale of Glamorgan Council	
Wrexham County Borough Council	

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

Date: 25/07/2023
Our Ref: PPA0008052

Dear Mr Sparey.

Grid Ref: 268539 252666

Site Address: 13km northeast of Lampeter Llanddewi-Brefi

Development: DNS CAS-02650-B0P0M9 - Waun Maenllwyd Wind Energy Hub - EIA Scoping Consultation

The Planning (Wales) Act 2015 and the Developments of National Significance (Wales) Regulations 2016 (as amended) and subsequent regulations, provide the statutory basis for a Development of National Significance (DNS). Any proposal to construct or operate an onshore wind development with a capacity over 10 mega watts (MW) falls under the DNS system and requires Welsh Ministers' consent

The Proposed Development will comprise the construction and operation of up to six (6) wind turbines, an electrical substation and control building, a battery storage compound, underground power cables, anemometer mast, site access tracks, habitat management, and, where necessary, off-site highway improvements. The Proposed Development will be classed as a DNS as the combined installed capacity of the power generating elements will be greater than 10MW.

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

It appears the application does not propose to connect any foul water flows to the public sewerage system, and therefore Dwr Cymru Welsh Water has no objections in principle. 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.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'.

It is therefore recommended that the developer engage in consultation with Ceredigion Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features.

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 & RESOURCES

It appears the application does not propose to connect to the public watermain system, and therefore Dwr Cymru Welsh Water has no objections in principle.

Furthermore, having reviewed the site location and information available to us, we would also advise that there are no concerns from a water resources perspective.

In relation to water catchment, this site falls within a Drinking Water Protected Area under article 7 of the Water Framework Directive. This article requires the UK to take action to protect drinking water sources. Section 7.3 states that the aim is 'to avoid deterioration in water quality where this may lead to additional purification treatment being required'.

The proposed development falls within the DCWW Drinking Water Catchment known as Afon Teifi. The site is approximately 0.1km from the nearest water course and approximately 65km from the point of abstraction.

DCWW would like to request further information from the applicant to assess the impact of the proposed development on drinking water quality:

- We will require a copy of the full Environmental Impact Assessment and mitigation plans to review.



Welsh Water is owned by Glas Cymru – a not-for-profit company.
Mae Dwr Cymru yn eiddo i Glas Cymru – cwmni nid-er-elw.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

- We will also require further detail around any natural buffer zones, and what distance these would be allocated from the watercourse?

We trust that you'll find our comments of assistance for the purposes of this pre-application consultation, and we respectfully reserve the right to comment further on any matters and issues arising from ongoing and future consultation. We look forward to continuing our engagement on the project prior to and during the submission of an application to the Planning Inspectorate.

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 0800 917 2652 or via email at developer.services@dwrcymru.com

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.



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

tancgc.gov.uk
mawwfire.gov.uk

PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

FAO: Robert Sparey

*Gofynner am/
Please ask for:*

*Rhif Est/Extn.
No.*

E-bost/E-mail:

*Fy Nghyf/My
Ref:*

Dyddiad/Date:

Watch Manager A. Hall

[REDACTED]

[REDACTED]

AJH/KDT/00345614

22 June 2023

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: Waun Maenllwyd Wind Energy Hub

APPLICATION NUMBER: DNS CAS-02650-B0P0M9

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 Fire Authority has no comment to make on access for fire appliances or water supplies.
- the Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

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 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>

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

post@tancgc.gov.uk
mail@mawwfire.gov.uk

0370 60 60 699

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 A Hall
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.

From: NATS Safeguarding
Sent: Monday, June 26, 2023 9:48 AM
To: PEDW – Seilwaith / Infrastructure
Subject: RE: DNS CAS-02650-B0P0M9 - Waun Maenllwyd Wind Energy Hub - EIA Scoping Consultation [SG35605]

Our Ref: SG35605

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
www.nats.co.uk





Defence Infrastructure Organisation

Teena Oulaghan
Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference: CAS-02650-B0P0M9

Telephone [MOD]: [REDACTED]

Our Reference: DIO10059238

E-mail: [REDACTED]

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

By email only

28 July 2023

Dear Robert,

Application reference: CAS-02650-B0P0M9
Site Name: Waun Maenllwyd Wind Energy Hub
Proposal: Construction and operation of up to six wind turbines, with a maximum tip height of up to 230m, together with associated and ancillary development to include a control building, electricity transformers and anemometry mast, access works, temporary construction compound, Battery Energy Storage Systems (BESS), and associated works.
Site address: Commercial forestry in southeast Ceredigion adjacent to the northern Carmarthenshire border, and 13 km northeast of Lampeter and 3 km to the east of Llanddewi-Brefi.

Thank you for consulting the Ministry of Defence (MOD) in relation to the Scoping for the Waun Maenllwyd Wind Energy Hub development through your communication dated 22 June 2023.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I am writing to advise you that the MOD has concerns with the proposal.

The proposal concerns a development of 6 turbines with maximum blade tip heights of 230.00 metres above ground level, and ancillary development to include a control building, electricity transformers and anemometry mast, access works, temporary construction compound, Battery Energy Storage Systems (BESS), and associated works. The proposed development has been assessed using the location data (Grid References) below provided in email received from PEDW dated 26 June 2023.

Turbine no.	Easting	Northing
1	268683	252903
2	269318	252500
3	268132	252783
4	268475	252362
5	267924	252242
6	268607	251870

The principal safeguarding concerns of the MOD with respect to this development of wind turbines relates to the development being detectable by one or more MOD radars as specified and their potential to create a physical obstruction to air traffic movements.

Range Control Radar

The turbines will be 44.8 km from, detectable by, and will cause unacceptable interference to the Range Control radar used by MOD Aberforth.

Wind turbines have been shown to have detrimental effects on the performance of MOD Range Control radars. These effects include the desensitisation of radar in the vicinity of the turbines, and the creation of "unwanted" aircraft returns which air traffic controllers must treat as aircraft returns. The desensitisation of radar could result in aircraft not being detected by the radar and therefore not presented to controllers. The creation of "unwanted" returns displayed on the radar could result in testing operations being suspended unnecessarily. Furthermore, real aircraft returns can be obscured by the turbine's radar returns, making the detection of unauthorised traffic much more difficult.

Physical Obstruction

In this case the development falls within Tactical Training Area 7 (TTA 7), an area within which fixed wing aircraft may operate as low as 100 feet or 30.5 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

If the developer is able to overcome the issues stated above, to address the impact up on low flying given the location and scale of the development, the MOD would require that conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction.

As a minimum the MOD would require that the development be fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016.

Summary

The MOD has concerns with this proposal for the following reasons:

- development being detectable by one or more MOD radars as specified; and
- the turbines potential to create a physical obstruction to air traffic movements.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled 'Information to support a scoping opinion request' Project Number 663844 dated June 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and


cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours sincerely



Teena Oulaghan
Safeguarding Manager

From: Shirley Rance **On Behalf Of** NSIP Applications

Sent: Wednesday, June 28, 2023 1:19 PM

To: PEDW – Seilwaith / Infrastructure <PEDW.Infrastructure@gov.wales>

Cc: NSIP Applications <NSIP.Applications@hse.gov.uk>

Subject: DNS CAS-02650-B0P0M9 - Waun Maenllwyd Wind Energy Hub - EIA Scoping Consultation - HSE Response 28.6.23

Dear Mr Sparey,

Thank you for your email dated 22 June 2023 consulting HSE on the Proposed Waun Maenllwyd Wind Energy Hub - Development of National Significance (DNS).

Please find HSE's advice below.

HSE's Land Use Planning Advice (CEM HD5 Contribution)

Will the proposed development fall within any of HSE's consultation distances?

With reference to the proposed development redlined Site Boundary, shown **on Appendix A – Site Boundary Plan [Reference: 2023-06-20 - EIA Scoping Direction Request - Scoping Report - Appendix A to D]**, the proposed project/development does not currently fall within the consultation distances of any Major Hazard Installation(s) or Major Accident Hazard Pipeline(s).

Please note if prior to the granting of a development consent order for this proposed development, Hazardous Substances Consent is granted for a Major Hazard Installation or there is notification of a Major Accident Hazard Pipeline within or in the vicinity of the development, HSE reserves the right to revise its advice.

Would Hazardous Substances Consent be needed?

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) (Wales) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

There are no licensed explosive sites in the vicinity so HSE has no comment to make in this regard.

Kind Regards

Shirley
NSIP Consultation Team
Health and Safety Executive