

EIA Scoping Direction

DNS CAS-03613-S7Y6S4: Prosiect
Egni Glan Llynfi (Modular Nuclear)

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This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 11 March 2025, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) (“The 2017 Regulations”).

1. Introduction

Planning and Environment Decisions Wales (PEDW) received a request under Regulation 33 of the 2017 Regulations for a Scoping Direction in relation to a proposed development for a micro nuclear power plant comprised of four small modular nuclear reactors by Last Energy UK Ltd.

The request was accompanied by a Scoping Report (SR) [2025-03-11 - EIA Scoping Direction Request - Scoping Report Part 1 and Part 2] that outlines the proposed scope of the Environmental Statement (ES) for the proposed development. The request is available view via the planning casework portal:

<https://planningcasework.service.gov.wales/searchresults?q=03613>

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 that of the former Llynfi Power Station, a 120 MWe coal power plant decommissioned in 1977. The site is in Bridgend, east of the Bridgend paper mill and west of Bettws.

Further information is available in section 2.3.1 of the SR.

3. Proposed Development

The proposal as described in the SR is for:

- Four PWR-20 units. Last Energy’s PWR-20 includes a micro pressurized water reactor (“PWR”) and its balance of plant extension, with nameplate capacity of 20 MW electric. The Nuclear Island includes the reactor, primary coolant loop, and ancillary condensation tanks. The Balance of Plant is a standard Steam Rankine Cycle power plant which converts energy from the Nuclear Island into electricity. The installed generating capacity would be 80 MWe in total;
- Grid Connection and a substation;
- Administrative Facility and Storage Warehouse;

- Parking, gatehouses, and security fencing;
- Access Improvements; and
- Electric Private Wire and Heat Pipe Infrastructure

Further information is available in section 2.3 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 the ES, any maps, drawings and illustrations that are proposed to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections.

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

Section 2.1 of the SR confirms that “the site formerly housed the Llynfi Power Station, a 120 MWe coal power plant decommissioned in 1977. By 2011, all remaining onsite structures associated with the former coal plant were demolished or removed. Since, the site has remained largely vacant, until 2021 when a majority of the site was cleared to store construction and industrial equipment from the expansion of the neighbouring WEPA Bridgend Pulp Mill, until 2022.”

5. Consultation

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

- Bridgend County Council (BCC) – relevant Local Planning Authority
- Natural Resources Wales (NRW)
- Cadw
- Transport Directorate, Welsh Government
- Network Rail
- Transport for Wales
- Mining Remediation Authority (formerly the Coal Authority)
- Health and Safety Executive
- Dŵr Cymru / Welsh Water
- South Wales Fire and Rescue Service

Additional consultation was undertaken with:

- The Office for Nuclear Regulation (ONR)
- Civil Nuclear Police Authority
- Defence Infrastructure Organisation
- South Wales Police

PEDW also received the following additional submissions:

- Gareth Adams

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.

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. 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

In accordance with Schedule 4, Paragraph 5(e) of the 2017 Regulations, the ES should include a description of the likely significant effects of the development on the environment resulting from “the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance to be likely affected or the use of natural resources”.

The Planning Inspectorate’s guidance for Nationally Significant Infrastructure Projects – Advice on 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: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effects-assessment>

The Applicant should ensure that relevant schemes identified are addressed in the ES using the tiered approach set out in the Advice.

There may be other types of development that could have cumulative impacts with the proposal, and it should not be assumed that the consideration of cumulative impacts can be restricted a single type of development.

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 BCC 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:

Decommissioning

Climate change

Air quality

Traffic and Transport

Historic Environment

Noise and Vibration

Major Accidents and Disasters

Radiological Effects

Materials and Waste

Biodiversity

Hydrology

Geology, Hydrogeology & Land Contamination

8. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
General Approach			
ID.1		Reliance on other statutory regimes	PEDW agrees with NRW in that “Although the ES should not duplicate work, if there is a likely significant effect, this must be reported and assessed in the ES. It would be appropriate, however, for those environmental assessments prepared under other regimes to be used in, and to inform, the ES where necessary. This would be consistent with the principles of coordination of assessment procedures under the EIA Directive.” The Applicant’s attention is drawn to the draft National Policy Statement for Nuclear Energy Generation EN-7, available here: https://www.gov.uk/government/consultations/draft-national-policy-statement-for-nuclear-energy-generation-en-7 This is without prejudice to the potential future status of the EN-7 at the time of the determination of this application. The advice in paragraph 2.4.3 of EN-7 indicates that applicants should minimise the likelihood of any variance between the proposals for which planning permission is sought, any conditions and any requirements imposed as part of a relevant permit, licence or other authorisation, by preparing for and progressing through the examination with a view to concluding them concurrently. Therefore, documents which would be necessary for other legislative regimes should be available to support the ES. PEDW’s view is that the ES should include the full assessment of every stage of the lifecycle of the project, including impact of waste and waste storage.

ID	Reference in Scoping Report	Issue	Comment
ID.2	Section 3	Relevant planning policy	Please note that whilst not necessarily directly relevant to the Scope of the ES, there are policies highlighted as relevant in the SR which have no weight in the determination of a DNS planning application. The NPPF and National Policy Statements are not relevant, as has been confirmed in the Ministerial decisions on previous DNS applications. However, as stated above, this is without prejudice to the potential future status of EN-7. Please also note that those preparing the ES should ensure they are referring to the up to date versions of relevant documents. For example, some of the tables in the SR refer to PPW 10, yet PPW 12 has been in place since February 2024.
ID.3	Section 2	Description of Development	The SR confirms that some aspects of the project design are yet to be finalised (e.g. inclusion of Heat Pipe Infrastructure, details regarding proposed back up diesel generators). As a DNS is a full planning permission it will be necessary to be very clear about the final design of the elements of the project that are subject to the DNS application. The ES should clearly assess the potential impacts of the confirmed elements subject to the application and contain proportionate information about any elements of the project subject to other consenting routes which may not yet have been finalised at the time of the DNS planning application. More details on the modular reactor components, their functionality and impact must be included in the ES. In addition to the comments from the LPA and NRW regarding the type and estimated usage of the emergency generators (see Appendix 1), more details of how the closed-loop open-air cooling system operates are required. The SR states at para 2.2.1 that refilling of the water-cooling system by truck is required once a month. No indication is given of potential emissions and wastage. This needs to be explored in the ES. Emergency planning for access to the site for the refilling at times where extreme

ID	Reference in Scoping Report	Issue	Comment
			flooding events occurred should also be explored, possibly in a separate Major Accident chapter. Additionally, but not limited to, more details on the site security are required, in particular addressing the potential for terrorist attacks. It may be that there are embedded design features that are relevant, but this should be clearly described in the ES.
ID.4	2.2	Assessment of Alternatives	PEDW welcomes the statement in the SR that the ES will address this in line with the EIA Regulations. Whilst there is no specific requirement to address site selection in the EIA Regulations, the applicant may wish to consider whether this would be advisable in planning policy terms. If it is necessary to consider alternative sites to satisfy policy requirements for the consent being sought, then these alternative sites must be addressed in the ES. If any site selection documentation is prepared in support of the application, it can be cross referenced with the ES as appropriate.
ID.5	2.3.9	Decommissioning	The ES should be based on a worst-case scenario and as the SR states the proposal will be fully decommissioned when its operational life ends, decommissioning should be explored in a proportionate manner in the ES. At a minimum, the ES should clearly indicate how decommissioning of the site will take place, clearly indicate what will be left on site and what will be removed. The ES should address what the end-of-life cycle will be for the infrastructure on site. In line with ID.1 above, even if much of this will be subject to other statutory regimes, the ES should clearly describe how nuclear waste and other waste will be treated / disposed of. Therefore, decommissioning is scoped into the ES in a proportionate manner.
Applicant's proposed Aspects proposed to be scoped out (as listed in Table 4.3 of the SR)			
ID.6	Section 13	Climate Change	PEDW welcomes the statement that resilience to climate change will be addressed in the ES.

ID	Reference in Scoping Report	Issue	Comment
			The ES should include an assessment of any potential risk to the site by extreme flooding events, clearly establishing any necessary mitigation measures. This matter could be included in a standalone Climate Change chapter, the hydrology chapter or the Major Disaster chapter. The applicant should also include a Carbon Balance Assessment to allow the decision maker to assess the potentially significant benefits in terms of carbon emissions should the project gain consent. Climate change is therefore scoped into the ES. This does not have to take the form of a standalone chapter if it can be proportionately addressed in other sections of the ES.
ID.7	Section 7	Air Quality	The applicant should note the concerns raised by BCC in relation to construction impacts and potential operational impacts of backup diesel generators. NRW also raise concerns regarding backup generators. Also, as it is not clear that potentially sensitive ecological receptors have been identified at this stage, it would be premature to completely scope air quality out. Additionally, construction works are likely to require significant excavation works. With the nearest residential properties located within 350 m of the site, the effect of the construction works (dust and other emissions) should be clearly addressed. See also BCC response in Appendix 1. Air quality is therefore scoped into the ES. The applicant is encouraged to liaise with BCC and NRW to agree a proportionate approach to assessing construction, operational and decommissioning impacts. If no such agreement can be reached, the ES should contain a robust rationale for the approach taken.

ID	Reference in Scoping Report	Issue	Comment
ID.8	Section 5	Traffic and Transport	The applicant should note the comments from BCC and Welsh Government's Transport Directorate. A Transport Assessment is required along with further information regarding Abnormal Indivisible Loads (AILs). Please refer to the draft Procedures and Advice Guidance (PAG) document "Pulling Together" – Best Practice for Transporting Abnormal Loads in Wales included in Appendix 1. A Traffic Management Plan will be required, and a draft should be included as a technical appendix to the ES. Traffic and Transport is therefore scoped into the ES. The applicant should liaise with BCC and the Transport Directorate over this section.
ID.9	Section 8	Landscape and Visual Impacts	PEDW agrees that this can be scoped out of the ES. However, the applicant's attention is drawn to the comments from BCC which highlight that a requirement for a Landscape Impact Assessment to accompany the planning application due to the site's location, in accordance with LDP policy DNP4.
ID.10	Section 9	Historic Environment	Cadw highlight that 'there does not appear to have been a full assessment of the impact of the proposed development on the settings of listed buildings 18637 Ty Isaf and 11218 Cefn-ydfa farmhouse and adjoining ruins'. It is not therefore possible to scope this aspect of the environment out from further assessment. Historic Environment is therefore scoped in to the ES. The ES should include a proportionate section which is supported by an assessment of the potential impacts on the specified assets, carried out in accordance with the methodology outlined in the Setting of Historic Assets in Wales: https://cadw.gov.wales/advice-support/placemaking/heritage-impact-assessment/setting-historic-assets

ID	Reference in Scoping Report	Issue	Comment
ID.11	Section 6	Noise and Vibration	The applicant's attention is drawn to the concerns raised by BCC. Also, it is not yet clear what the baseline is in terms of sensitive ecological receptors, so there may be a need to consider noise and vibration in regards to that aspect of the environment. Noise and Vibration is therefore scoped in at this stage. If it can subsequently be agreed that this can be scoped out of further detailed assessment, this should be confirmed in the ES, both in relation to human and ecological receptors. The applicant should liaise with NRW and BCC regarding potential impacts on ecological receptors.
ID.12	Section 15	Major Accidents and Disasters	PEDW agrees with NRW, this should be addressed in the ES even if it is subject to other regimes. As stated in ID.1 of this Scoping Direction, documents or draft documents that will be required under those other regimes can be included as technical appendices to the ES. Major Accidents and Disasters are therefore scope into the ES. The ES should clearly identify what the potentially likely significant effects would be without relevant mitigation, what the mitigation measures are, and what the residual effects would be after mitigation. Additionally, the ES should assess the likelihood and severity of aircraft and / or spacecraft incidents that could pose a risk to the safety and security of the proposed nuclear infrastructure, in line with advice in paragraph 2.8.6 of EN-7. Proximity to civil aircraft and spacecraft movements is important for the development of nuclear infrastructure because the location of nuclear infrastructure can significantly affect the operation of aircraft and airports, while

ID	Reference in Scoping Report	Issue	Comment
			aircraft, spacecraft and airport activities can similarly pose safety and security risks to nuclear infrastructure. This needs to be clearly addressed in the ES. See also the above comment in this Scoping Direction regarding emergency planning and site security in case of terrorist threat.
ID.13	Section 14	Heat and Radiation, Radiological Effects	PEDW agrees with NRW that this should be addressed in the ES, in line with ID.1 of this Direction. Without prejudice to the potential policy status of the draft EN-7 in the future planning decision making process, the applicant's attention is drawn to the response from ONR regarding paragraph 2.4.3 of the draft EN-7. Radiological Effects are therefore scoped into the ES. In relation to this, and other relevant section of the ES (e.g. Major Accidents and Disasters), the ES should contain information on population density. This should be carried out in accordance with The Semi-Urban Population Density Criterion as set out in Land Use Planning and The Siting of Nuclear Installations, Office for Nuclear Regulation Guidance Document, NS-LUP-GD-001: https://www.onr.org.uk/our-work/what-we-regulate/other-regulationslegislations/land-use-planning/ The ES should also address 'proximity to military facilities' as per paragraph 2.7.15 to 2.7.23 of the draft EN-7.
ID.14	Section 17	Materials and Waste	As with the approach outlined for other aspects above, this cannot be scoped out. Nuclear fuel and waste should be clearly addressed. Non-nuclear waste and material should be proportionately addressed in relevant chapters (e.g. Description of Development or Decommissioning). The ES should clearly describe how spent fuel and the most hazardous radioactive waste arising from the operation of the nuclear infrastructure will be managed and disposed of. The ES must allow the decision maker to satisfy

ID	Reference in Scoping Report	Issue	Comment
			themselves that there will be safe, secure and environmentally acceptable interim storage arrangements until a long term disposal facility can accept the waste. Materials and Waste are therefore scoped into the ES.
ID.15	Section 16	Socio Economic Impact	PEDW agrees that this can be scoped out of the ES and welcomes that a standalone assessment will accompany the DNS application.
ID.16		Forestry	PEDW agrees that no stand alone Forestry chapter is required. However, the applicant's attention is drawn to paragraphs 6.4.37 to 6.4.44 of PPW: https://www.gov.wales/planning-policy-wales
Biodiversity			
ID.17	Section 10	Phase 1 Habitat Survey and Preliminary Ecological Appraisal	PEDW agrees with NRW that the site should be subject to a Phase 1 Habitat Survey undertaken during summer. This should be conducted in line with the Handbook for Phase 1 habitat survey – a technique for environmental audit (2010), JNCC Resource Hub (updated 2016): https://hub.jncc.gov.uk/assets/9578d07b-e018-4c66-9c1b-47110f14df2a (Whilst NRW's consultation response makes reference to the 1990 guidance, they have previously confirmed that the above is the appropriate standard). In line with the response from BCC, an updated Preliminary Ecological Appraisal must also be produced to inform what other further survey work may be required. These assessments should take in the entirety of the site, adjacent areas and any potential areas of highway / access improvements.

ID	Reference in Scoping Report	Issue	Comment
			This would address the concerns raised by Mr Adams (see Appendix 1) that there may be rare habitat on site that has not been identified in the SR. PEDW welcomes the statement in the SR that the ES will be informed by updated surveys in consultation with NRW and BCC, based on relevant best practice guidance. If it is not possible to agree the overall approach to Biodiversity with BCC and NRW, the ES must contain a robust rationale for the approaches / methodologies taken.
ID.18		Protected species	The applicant should consider the advice offered by NRW in relation to the potential need to undertake further survey work for Otter, Bats, Dormice and Great Crested Newt. If required, the results of the surveys must be provided in the ES along with a full assessment of the significant impacts and a stepwise approach to mitigation. The significance of residual impact on protected species and important habitats (if present) must also be addressed.
ID.19		Ornithology	NRW highlight that breeding bird surveys should be undertaken, informed by the habitat on site and desktop survey results. See NRW's advice in Appendix 1 for further details.
ID.20		Biodiversity enhancement	PEDW welcomes the applicant's commitment to providing improvements. However, this must be appropriately tailored to the baseline to ensure that the approach is in line with the approach outlined in Section 6.4 of PPW 12. While not necessarily directly relevant to EIA, it is worth noting that Biodiversity Net Gain (BNG) is a policy requirement in England rather than Wales. Although some developers do use BNG Calculations to support their applications in Wales, the applicant should be sure to address Welsh policy as part of their application (e.g. the requirement for a Green Infrastructure Statement from PPW 12, paragraph 6.2.12).

ID	Reference in Scoping Report	Issue	Comment
ID.21		Interaction with other Chapters	As highlighted above, until the baseline for the site and surrounding areas has been clearly identified it may not be possible to scope out impacts on ecological receptors in terms of air quality, noise and vibration, lighting etc. This should be kept under review and addressed in the ES, with clear justification provided if it is found that no further assessment is required.
Hydrology			
ID.22	Section 11	Flood Risk	PEDW welcomes that the SR recognises there may be flood risk, and that a Flood Consequence Assessment (FCA) and hydraulic modelling will form part of the ES. In line with NRW's comments, the ES should be based on NRW's Flood Map for Planning: https://naturalresources.wales/flooding/flood-map-for-planning/?lang=en And on the updated Technical Advice Note (TAN) 15: development, flooding and coastal erosion: https://www.gov.wales/technical-advice-note-tan-15-development-flooding-and-coastal-erosion PEDW welcomes that a drainage strategy will be included. Provision of a Drainage Strategy with planning application submitted before the SAB application for a development is now a policy requirement. Paragraph 7.6 and Figure 3 of TAN 15 refer. See also comments above on Climate Change and Major Accidents.
ID.23		Project design	NRW also highlight that if aspects of the design change, it may be necessary to revisit the scope of this section of the ES. The final design of the scheme should be clearly reported in the ES, and any necessary amendments to relevant chapters should be clearly described.

ID	Reference in Scoping Report	Issue	Comment
Geology, Hydrogeology & Land Contamination			
ID.24	Section 12	Geotechnical and contamination investigation	PEDW welcomes the statement in the SR that the ES will be informed by such an investigation carried out to the relevant standards. The findings may inform what other assessments may be required, and the applicant should continue to liaise with BCC and NRW on this matter. NRW highlights that a Piling Risk Assessment will be required, and this should be provided as a technical appendix to the ES.
ID.25		Groundwater – Operational Phase and Decommissioning Phase	As highlighted in ID.1 of this Scoping Direction, it is not possible to entirely scope out things that will be covered by other legislative regimes. In line with the comments from ONR and paragraph 2.4.3 of the draft EN-7, the applicant should be seeking to avoid discrepancies between the planning application and other permitting / licensing requirements and should be seeking to conclude such processes concurrently. This is in line with the comments from NRW regarding giving consideration to Environmental Permitting Regulations Core Guidance and the need to consider potential impacts from radionuclides and effects such as waste heat.
ID.26		Documents which contain mitigation measures to avoid likely significant effects	Such documents (e.g. Construction Environmental Management Plan or Site Wide Environmental Safety Case) should be provided as technical appendices to the ES. Where the final version is not available at the time of submission of the DNS application, a draft version should be provided in as much detail as possible.

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>

These changes have now been consolidated into a new edition of PPW (ed. 12), published on 07 February 2024: <https://www.gov.wales/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 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62017CN0323>) 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 on Habitats Regulations Assessments may prove useful when considering what information to

provide to allow the Welsh Ministers to undertake AA: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments>

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.

In accordance with paragraph 7.6 of Technical advice note (TAN) 15: development, flooding and coastal erosion, applications submitted after 31 March 2025 where planning permission is being sought before SAB approval should be accompanied by a Drainage Statement. Figure 3 of TAN 15 sets out the required contents of a Drainage Statement.

Appendix 1: Consultation Responses

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr Bridgend County Borough Council

Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB



PEDW Infrastructure,
Crown Buildings,
Cathays Park,
Cardiff,

fao Tanya Leck
PEDW.Infrastructure@gov.wales

Grwp Datblygu / Development Group

Ebost / Email: planning@bridgend.gov.uk

Deialu uniongyrchol / Direct Line: [REDACTED]

Gofynnwch am / Ask for: **Rhodri Davies**

Ein cyf / Our ref: **P/25/87/DNS**

Eich cyf / Your ref:

Dyddiad / Date: 14 May 2025

Dear Tanya,

Town and Country Planning Act 1990

The Developments of National Significance (Procedure) (Wales) Order 2016 (As Amended)

Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 - Regulation 33(7)

Project Name: DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

I refer to your request for advice on the scope of the EIA and the proposed methodologies outlined in the Scoping Report, in relation to the authority's functions in order to inform your Scoping Direction.

I apologise for the delay in responding to the request.

The purpose of the scoping report is to define the environmental effects which will need to be assessed as part of the EIA, to establish the availability of baseline data, to define a survey and assessment framework for the EIA and to allow the relevant parties to comment on the proposed methodology for each topic to be considered and provide any relevant environmental information relating to the project and the surrounding area.

The submitted Scoping Report (Parts 1 and 2) has been reviewed.

RELEVANT HISTORY

P/21/173/ESO – Scoping Opinion request for an Energy Recovery Facility and Ancillary Infrastructure – 12/4/2021.

P/19/275/RLX - Vary condition 22 of P/11/21/FUL to replace wood chip with RDF (refuse derived fuel) – Invalid Application – 16/07/2019.

P/15/807/FUL - Temporary Delivery & Permanent Storage of Up To 15,000 Tonnes Of Uncovered Clean Wood Chip – Refused – 11/02/2016.

Ffôn/Tel: 01656 643643

Negeseuon SMS/ SMS Messaging: 07581 157014

Facs/Fax: 01656 668126

Twitter@bridgendCBC

Ebost/Email: talktous@bridgend.gov.uk

Gwefan/Website: www.bridgend.gov.uk

Cyfnewid testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

Rydym yn croesawu gohebiaeth yn Gymraeg. Rhowch wybod i ni os mai Cymraeg yw eich dewis iaith

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh

P/11/21/FUL - Biomass Power Station Of 25Mw Electric Output – Approved (with conditions) – 08/05/2015.

P/10/674/ESO - Screening & Scoping Opinion For Proposed Biomass Power Plant – ESO provided – 22/10/2010.

P/05/364/FUL - Biomass Power Regeneration Plant - Approved (with conditions) – 19/10/2009.

P/00/370/FUL – 10MW Embedded Electricity Generating Plant – Approved (with conditions) – 11/07/2000.

P/94/492/OUT – Redevelopment of Former Railway Sidings for Industrial usage Under Class B1, B2 and B8 - Approved (with conditions) – 25/07/1994.

P/93/1116/FUL – Cogeneration scheme comprising 2 gas turbines, 2 fired boilers, 2 stacks of 37m and ancillary plant (0.2ha) - Approved (with conditions) – 19/11/1993.

P/92/0375 – Re-development of former power station for industrial usage under Class B1, B2, B8 – Outline Application – Conditional Consent – 09/07/1992.

PUBLICITY

No publicity is undertaken in connection with requests for a 'Scoping Opinion'. Internal consultations have however been undertaken.

APPRAISAL AND CONCLUSION

The submitted scoping report (Parts 1 and 2) provides a general overview of the project and its location/context.

The proposal is located outside of any settlement boundary as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (RLDP) adopted in 2024 and, therefore, it is classed as being located in the countryside where Policy DNP1 Development in the Countryside of the RLDP sets a presumption against development in the countryside, except where it is for:

- 1) Agriculture and/or forestry purposes;
- 2) The winning and working of minerals;
- 3) Appropriate rural enterprises where a countryside location is necessary for the development;
- 4) The implementation of an appropriate rural enterprise/farm diversification project;
- 5) The expansion of an existing business (subject to other relevant policies in the plan);
- 6) Land reclamation purposes;
- 7) Transportation and/or utilities infrastructure to enable implementation of LDP allocations;
- 8) Renewable energy projects;
- 9) Affordable housing to meet locally identified need in accordance with COM5;
- 10) The suitable conversion of, and limited extension to, existing structurally sound rural buildings where the development is modest in scale and clearly subordinate to the original structure;
- 11) The direct replacement of an existing dwelling;
- 12) Outdoor recreational and sporting activities;

- 13) The provision of Gypsy, Traveller and Showperson sites in accordance with COM8; or
- 14) Education provision where a need has been identified by the Local Education Authority.

Countryside development must be of a sustainable form with prudent management of natural resources and respect for the cultural heritage of the area.

Where development is acceptable in principle in the countryside it must, in the first instance and where possible, utilise existing buildings and previously developed land.

The proposed development comprises of a Micro Nuclear Power Plant Project to include four PWR-20 nuclear power plants that will generate low-carbon electricity and heat. It is intended that the energy produced at the Micro Nuclear Power Plant will be delivered to nearby industrial and commercial consumers through a private wire network, heat pipe infrastructure, and exported to the national grid.

Policy DNP1 of the RLDP seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development.

There is a presumption against development in the countryside, except where it is for one of the uses listed in Policy DNP1 above.

A nuclear energy project is not one of those uses. Ultimately, the proposal would therefore be out of accord with the RLDP and would have to be considered as such.

The site also overlaps with Category 1 Sandstone and Category 2 Sand & Gravel Mineral Safeguarding Zones. Therefore, the project will also need to be assessed against Policy ENT12: Development in Mineral Safeguarding Zones of the RLDP.

The site would also need to be assessed against Policy SP3: Good Design and Sustainable Placemaking.

Policy SP3 Good Design and Sustainable Placemaking of the RLDP states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having regard to the natural, historic and built environment, by:

- 1) Demonstrating alignment with the principles of Good Design; and
- 2) Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

In addition, sections of the site appear to be located within Flood Zones 2 and 3 of the Flood Map for Planning under TAN15.

The proposal is located within a Local Search Area (LCA 1: Llangynwyd Rolling Uplands & Forestry Local Search Area (Suitable for Wind Energy)) as defined by Policy SP13: Renewable and Low Carbon Energy Development (2) of the RLDP. This policy states that proposals for development other than for wind energy within these areas will only be permitted where they can demonstrate that they would not unacceptably prejudice the renewable energy generation potential of the LSA and the Future Wales Pre-assessed Areas for Wind Energy.

The site is within a low risk Coal Mining Referral Area.

It is close to designated sites of importance for nature conservation (SINC) Cwm Cefnydfa and Coed Pentwyn to the south and Tylacoch South to the east) and backs on to an Electricity Overhead Line and Pylons to the north.

The proposed development falls within National Character Area 37 – South Wales Valleys. The landscape of the South Wales Valleys combines the wilder and often inclement upland setting with the heavily industrialised valleys. Active mines and industry are now generally an image of the past however, the legacy remains extensively apparent today and together with the steep topography of the valley sides has a defining influence on landscape character.

More locally, whilst there are no statutory landscape designations in the vicinity of the site, the non-statutory Special Landscape Area DNP4(3) (Western Uplands) is intervisible with, and very close to, the site.

DNP4(3) is characterised by an agricultural landscape between Maesteg and Aberkenfig rising up to 200m AOD. It has a historically and culturally important landscape and comprises a series of north-eastern facing slopes dominated by rough grazing. It includes plantations and small woodlands that contribute to the overall character and quality of the area.

BRIDGEND COUNTY BOROUGH COUNCIL requests that the following observations in respect of the key topic areas be considered in PEDW's review of the Scoping Report: -

The submitted scoping report (Part 1 Table 4.1) includes topics/details of what the developer considers should be included within an Environment Statement (ES) as follows:

- Population – inc. Traffic and Transport, Air Quality, Noise and Vibration, Landscape and Visual
- Human Health – inc. Traffic and Transport Air Quality, Noise and Vibration, Geology, Hydrogeology and Contaminated Land and Hydrology
- Biodiversity
- Land – inc. Geology, Hydrogeology and Contaminated Land
- Soil – inc. Geology, Hydrogeology and Contaminated Land
- Water – inc. Hydrology
- Air – inc. Air Quality
- Climate – inc. Landscape and Visual, Biodiversity, Climate Change, Hydrology
- Material Assets – inc. Historic Environment, Geology, Hydrogeology and Contaminated Land
- Cultural Heritage – inc. Historic Environment, Landscape and Visual
- Landscape – inc. Landscape and Visual

Table 4.3 in Part 1 of the Scoping Report sets out those topics that have been determined by the Developer not to be significant and therefore they are suggested as not to be included in the ES.

The responses to consultations from the statutory consultees have highlighted the issues which should be included and addressed within an ES, and in general, they follow the topics suggested in the developer's scoping report.

However, the statutory consultee's responses have been included in full under each topic heading.

Traffic and Transport

The Council's Principal Highways Development Control Officer has assessed the submitted Scoping Report.

The A4063 is the main inter urban route serving Maesteg and the surrounding villages and suffers from tidal traffic movements in the peak AM and PM resulting in congestion.

The supporting information has had to make significant assumptions which, in some cases, uses outdated information and old traffic assessments. The percentage of impact for a trigger of further assessment in an IEMA (30%) does not align with the material impact of a planning application presented to the Highway Authority, which is 5%.

The applicant's supporting information details that there will be 6% impact which is a material increase and requires a full Transport Assessment to be undertaken. **Therefore, it is not agreed that this can be scoped out.**

It is the collective experience and knowledge of BCBC Highway Officers that, as there are very limited exits off the A4063 and this is the only route along the Llynfi Valley, a single accident can render the whole route unusable for a significant length of time.

In addition, the Highway Structures officer has indicated that a high percentage of culverts to the south of this site on the A4063 are in an unfavourable condition and would require further inspection and assessment before any planning permission is granted, in order to understand if they would be able to take the high loadings over a very short time frame of 10-12 hours.

It is noted that the applicant has indicated a number of access points into the site. The Highway Authority would like to put on record that access 'B' would not be supported due to the likely significant detriment to highway safety. The previous planning consent on this site lapsed without being implemented, which allowed the new signalised junction serving WEPA to be constructed. The new signalised junction has rendered access point 'B' unusable and should be removed from any further assessment or scoping studies.

Noise and Vibration

The developer wishes to scope out the noise due to the predicted noise levels from the fin fans being only 2dB above background.

They have utilised noise levels from a 2011 report as their baseline monitoring. However, they have compared the predicted noise level at Ty Isaf and Gelli Las Fawr to the LAeq levels in that report and not the LA90 level (the requirement of BS4142 is that the predicted rating level is compared with the LA90 background level).

Therefore, if they are using the noise levels based on that report, at Gelli Las Fawr, the LA90 is 42dB at night, 45dB during the day and at Ty Isaf, the LA90 is 34dB at night and 40dB during the day.

Furthermore, in order to prevent significant background creep, as there is another development adjacent to the site which also generates some noise, Shared Regulatory Services would request that the new development aims to be between 5-10dB less than the background level.

In addition, there is no mention of an acoustic penalty to obtain the rating level and it doesn't make it clear how many fin fans there are, if the noise levels quoted are for all the fin fans operating together and whether they operate continuously or intermittently.

Whilst it states that fin fans are the loudest noise source, it also doesn't make it clear if there are other noise sources on site which may operate alongside the fin fans or if there are periods where the fin fans don't operate, if there could be other dominant noise sources that may be operating.

Finally, the scoping report mentions rail deliveries and this will also need to be factored into any noise assessment if that is the case.

For these reasons, I do not agree that the noise can be scoped out of the EIA at this stage.

Air Quality

Operational Impact

As there are no emissions to the air from the process, the operational impact of the facility on air quality can be scoped out of the Environmental Impact Assessment. A technical note within the EIA should be included with this information.

A backup diesel generator is mentioned within the proposal; however, no further information is provided on the backup generator. Therefore, for clarity, the generator size should be identified. Assessment via dispersion modelling included within the EIA may be required dependant on generator size and duration of use.

Construction Impact

Due to the proximity of residential dwellings to the proposed development it is considered best practise to adopt the principles stipulated in IAQM "Guidance on the assessment of dust from demolition and construction."

The guidance provides a risk-based approach based on the potential dust emission magnitude of the site (small, medium or large) and the sensitivity of the area to dust effects.

The importance of professional judgment is noted throughout the guidance. The guidance recommends that once the risk class of the site has identified, the appropriate level of mitigation measures are implemented to ensure that the construction activities have no significant impacts.

In accordance with the guidance, Chapter 6, Step 1, Box 1 highlights certain screening criteria which needs to be considered and if a development qualifies for an assessment. The document states “An assessment will normally be required where there is: a ‘human receptor’ within: - 350 m of the boundary of the site; or- 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s).”

It is apparent that there are residential dwellings located within 350m to the west of the proposed site, therefore, satisfying the ‘human receptor’ criteria stipulated in the cited guidance and the need for a detailed air quality appraisal in the form of a dust assessment to be produced.

Landscape and Visual Amenity

Policy DNP1 of the RLDP seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development.

The site is located within the Special Landscape Area (SLAs) of Western Uplands as defined by Policy DNP4(3) of the RLDP. Development in SLAs will only be permitted where:

- 1) It retains or enhances the character and distinctiveness of the SLA;
- 2) The design of the development reflects the building traditions of the locality in its form, materials and details, and/or assimilates itself in the wider landscape; and
- 3) The proposed development is accompanied by a Landscape Impact Assessment (LIA), which takes into account the impact of the development and sets out proposals to mitigate any adverse effects.

Historic Environment

Policy SP18 states that development proposals must protect, conserve, and, where appropriate, preserve and enhance the significance of historic assets, including their settings.

Development proposals will only be permitted if it preserves or enhances the character of the area. The LPA is generally satisfied that the scheme as highlighted in section 8.3.5 of the report will not be detrimental to the Historic Landscape in line with the proposed methodology.

Biodiversity

The Biodiversity Policy Manager has reviewed the Scoping Report.

The general approach to required surveys seems to be acceptable, but it is recommended that the developer carry out an updated Preliminary Ecological Appraisal before they undertake any of the other surveys that have identified.

Although the headlines may be similar, the survey they are working from is 15 years old and, generally, it is considered a survey over 2 years is out of date. This will allow them to make much more informed and accurate decisions on which surveys are required and will identify

any other constraints or considerations. They will also need to submit an invasive species management plan which should be approved before they undertake any works or treatment.

The general proposal of biodiversity net gain is also welcomed, and they will need to provide further detail and plans for this. The updated PEA should provide appropriate recommendations for the site in respect of this.

Net gain proposals should consider the habitats and species present at and surrounding the site, and how they interact with and support the wider landscape, and how this could be improved.

Geology, Hydrogeology and Contaminated Land

SRS acknowledges the lead regulatory role of NRW in relation to environmental protection, and ONR in relation to safe and secure development, commissioning, operation and decommissioning

The applicant has indicated that desk based geotechnical/geoenvironmental assessments have been undertaken, utilising available information and previous site investigations. They have confirmed their knowledge of potential contamination associated with the site's history and propose that the EIA will be informed by an updated geotechnical and contamination investigation that accords with NRW guidance and relevant British Standards, including BS 5930:2015 and BS 10175:2011+A2:2017; including any mitigation remediation for dealing with the risks to human health and the environment.

Any areas of concern either not considered or identified by those assessments submitted at the application stage can be dealt with by the inclusion of geo-environmental conditions as part of any consent.

I trust this information is of assistance.

Yours sincerely,



Mr. Rhodri Davies BA, BTP, MRTPI
DEVELOPMENT AND BUILDING CONTROL MANAGER

Ein cyf/Our ref: CAS-276588-Q4Y8
Eich cyf/Your ref: CAS-03613-S7Y6S4

Email only: pedw.infrastructure@gov.wales

Dyddiad/Date: 01 May 2025

Annwyl Syr/Madam/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

BWRIAD/PROPOSAL: PROSIECT EJNI GLAN LLYNFI (MODULAR NUCLEAR)

LLEOLIAD/LOCATION: THE OLD POWER STATION, LLANGYNWYD, BRIDGEND, CF32 8UE

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above Scoping Opinion Request which we received on 12 March 2025.

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 Environmental Statement (ES).

We have considered the applicant’s EIA Scoping Report, titled ‘Prosiect Egni Glan Llynfi, Llynfi Clean Energy Project’ by Last Energy UK, reference: UK0100-PLN-RPT-0001.

General scoping advice

We note there are references to technical assessments being carried out as part of other regulatory regimes (for example, for radiological effects and Environmental Permitting Regulations) as well as topics being scoped out of the EIA as they will be addressed elsewhere (for example major accidents and disasters and the Nuclear Site Licence).

The EIA Directive is a standalone iterative framework, for the purposes of assessing projects and informing decision making. Therefore, at this stage we would offer caution over scoping out topics because they are due to be addressed outside of the planning process. Although the ES should not duplicate work, if there is a likely significant effect, this must be reported and assessed in the ES. It would be appropriate, however, for those environmental assessments prepared under other regimes to be used in, and to inform, the ES where necessary. This would be consistent with the principles of coordination of assessment procedures under the EIA Directive.

We also consider it pertinent to highlight that scoping is an iterative process which should continue throughout development design, so that the scope of work can be amended in light of any new issues or new information. This will be critically important if there are changes to the project, including the technology use to operate the power plant.

Therefore, our advice is that the following environmental topics should be scoped in to the ES. We have used the same structure as the applicant's EIA Scoping Report. Where relevant, we have also advised on the topics which should be scoped down.

The advice provided relates to matters which we consider to be within our remit. We refer you to 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 project to affect other interests.

Air quality

We note Chapter 7 – Air Quality states, *'The PWR-20 generates virtually no emissions affecting local air quality during routine operation. As such, air quality impacts from the Proposed Development are expected to be insignificant'*.

At this stage, and based on the information provided by the applicant, we are satisfied that air quality from the nuclear element of the scheme can be scoped out.

However, as referenced in multiple sections of the EIA Scoping Report, aerial emissions are anticipated from the emergency backup generators. It appears from Chapter 7 that this element of the project will be scoped in, it states, *'a narrowed air quality section is suggested to inform the ES of expected emissions from emergency backup generators for each PWR-20 and any associated mitigation'*.

This assessment will need to cross reference and inform the ES assessment for biodiversity to ensure any likely significant effects on any ecological receptors are fully understood and mitigated.

Therefore, we advise Air Quality is included in the ES and scoped down to consider aerial emissions from any associated backup generators.

For awareness, backup generators (or engines) associated with this project may require a Medium Combustion Plant (MCP) permit to operate depending on its capacity. The applicant can find further guidance on our [website](#).

Biodiversity

We note Chapter 10 – Biodiversity states, *'The Project is not expected to significantly impact local biodiversity because (a) the PWR-20 discharges no harmful emissions into the atmosphere or soil and requires no access or discharge to the neighbouring Llynfi River, and (b) there are no statutory designated biodiversity sites in proximity of the Development Site, no non-statutory designated biodiversity sites onsite, and biodiversity net gain opportunities can be pursued onsite'*.

However, this chapter concludes, under 10.4, that the EIA will consider possible impacts identified in Section 10.3 in terms of their potential to cause effects on habitats and species of nature conservation interest.

Our advice is biodiversity is scoped in to the ES at this stage. In the context of our ecology remit, we advise the ES scopes down likely significant effects on the following:

European protected species

The ES should include sufficient information to determine the extent of any likely significant effects arising from the project on legally protected species. The EIA Scoping Report contains a limited description of the project. We would highlight at this stage that the ES should ensure sufficient detail is included on matters relevant to protected species such as:

- maintenance requirements of structures,
- arrangements for the clearance, maintenance and management during operation of any habitats within the site, and
- artificial lighting requirements, including likely intensity and location of light spill on green infrastructure.

The Scoping Report, section 10.2 - Baseline Data and Conditions, refers to a Phase 1 Habitat Survey by Just Ecology undertaken on site in 2010. No additional ecological surveys are referenced. Limited ecological information has been provided regarding the development site.

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

We advise ecological assessment of the site is carried out to determine the likelihood of protected species being present in and adjacent to all areas likely to be affected by the project. The results of the assessment should inform the requirements for subsequent targeted species surveys for all species scoped in, which:

- are undertaken by qualified, experienced and where necessary, licensed ecologist(s) and,
- comply with current best practice guidelines. If the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the ES.

Survey results generally remain valid for two years from the date of survey, and we advise that surveys would need to be updated for applications that are submitted after this time period.

Although we hold no records in the locality, at this stage we do not rule out presence of one or more protected species on or close to the project site. We provide the following limited advice on European protected species, however this is not exhaustive, and may be subject to change following new information from future ecological assessment(s).

Otter

There are records of otter along the Afon Llynfi, directly adjacent to the development boundary development to the north. We therefore advise that survey for this species is undertaken.

The application will need to consider how otter are using the habitat to the north of the project site, and whether there is potential for any breeding or resting sites present. Consideration will need to be given to direct and indirect impacts to otter through loss of riparian associated habitat and development of the site.

The results of survey undertaken should inform an impact assessment for otter and any proposed mitigation measures. Where possible habitat suitable for supporting otter should be retained and protected. At this stage, we advise that a suitably sized riparian buffer is considered to the north of the development, to ensure a resilient and functional riparian corridor is in place for use by otter.

Bats

We advise that any survey undertaken for bats is completed in accordance with best practice guidance 'Bat Surveys for Professional Ecologists. Good Practice Guidelines, 3rd Edition', (Section 6.3.10).

We would note that the following is likely to require assessment in the ES:

- Ground level assessment of trees should they be impacted by the development, to determine roosting potential.
 - Trees with moderate or high potential should be subsequently subject to climbing or activity surveys to determine if roosts are present.
 - Trees with low potential, should be soft felled; where tree limbs are cut, we advise they are left grounded over night to allow any bats present to disperse.
- Walked transect surveys of the site supported by static monitoring throughout the active season to demonstrate patterns of movement across the site.
- Surveys of any structures that may be present on site or immediately adjacent that have the potential for roosting bats.

If bats are identified on site, we advise that information is 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. We advise that where possible important features for bats are retained and their function for bats protected within the development.

Dormice

There are records of Dormice at around 3km from the northeast and west of the development boundary. The scoping report confirms that <1ha of vegetation is expected to be cleared to facilitate the development. We therefore advise that the ES considers the suitability of habitat both on site and adjacent to the site, for dormice. Given the reference to scrub on site, we advise that a dormouse survey is undertaken.

Great crested newt

There are records of great crested newt within 1.4km of the development site to the south. We advise that all water bodies within 250m of the site are identified, and that eDNA surveys are undertaken of all appropriate waterbodies within this buffer zone, regardless of the HSI score awarded. NRW's advice on the use of eDNA can be found on our website. Please note that we would advise that eDNA samples are taken prior to the end of May.

EPS Licence

Where a European protected species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW. The ES should 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'.

Ornithology

We recommend that surveys for breeding birds are undertaken. These surveys should be in line with industry best practice (see Bird Survey Guidelines). Additional species-specific surveys may also be required and should be informed by the habitat on site as well as the results of any desktop surveys. The methods can be species specific and may require different timings (both during the day/night and seasonally).

Surveys for birds during the non-breeding season may also be required; this will be informed by more robust desktop surveys.

Determining the importance of species and populations identified from surveys should refer to Wales specific resources and publications where practical. Relevant population estimates can be found in, but not limited to, Hughes et al. 2020 (Wales) and Woodward et al. 2020 (UK/Britain). County Bird Reports, the Welsh Bird Reports, as well as Birds of Wales/Adar Cymru (Pritchard et al. 2021) may also contain relevant information.

Reference should be made to Birds of Conservation Concern Wales 4 (BoCCW4) as well as listing on Section 7 of the Environment Act (Wales) 2016, and Schedule 1 of the Wildlife & Countryside Act 1981 (as amended).

Details of appropriate mitigation (following the step-wise approach set out in PPW) for any likely significant effects identified should be provided along with appropriate enhancements. Where buffer distances are required or need to be considered then reference should be made to Goodship & Furness 2022 or alternative published references for species not listed within Goodship & Furness 2022.

Statutory Designated Sites

Chapter 10 – Biodiversity states *‘There are no statutory designated sites overlapping with, or within 2 kilometres of, the Development Site’ and ‘the Project does not access or discharge into the Llynfi River’ and ‘it is proposed that the Study Area and Zone of Influence for the EIA are limited to the Development Site boundary.’*

Based on the information available at this stage and the distance from the project to statutory designated sites, we are satisfied that the applicant intends to scope out this.

Hydrology

We note that Chapter 11 – Hydrology states that, *‘as the PWR-20 is air-cooled and does not require any access or discharge to surface water sources, and potential impacts are largely limited to increased runoff and diversion of flood water, the Project is expected to have no significant impacts on existing surface water sources such as the Llynfi River’.*

Therefore, it appears from the report that most elements of hydrology will be scoped out, with the EIA scoping in and down the impacts of flooding to the project. Noting at this point the applicant does not consider there will be a need for cooling water consumption, if this changes we would expect this to be assessed in the ES. If so, it should evaluate thermal pollution impacts on aquatic ecosystems (this should then be cross referenced and used to inform the biodiversity chapter).

Flood risk

The Flood Map for Planning identifies the project site to be at risk of flooding and falls into Flood Zones 2 and 3 (Rivers).

We highlight at this stage that the planning application will be assessed against the recently published Technical Advice Note (TAN) 15: Development, flooding and coastal erosion.

We note section 11.4 of the hydrology chapter states, *'the EIA will be informed by a Flood Consequence Assessment (FCA) and hydraulic modelling, including relevant related assessments such as a drainage strategy'* and that *'mitigation solutions will be assessed to commercially safeguard the Project from flooding while ensuring the risk of flooding will not be increased off-site due to the proposed development'*.

At this stage we consider the risks and consequences of flooding to and from the project must be fully understood and assessed within the ES. This should be informed by an appropriate hydraulic model. Further technical advice on developing hydraulic models can be found on our [website](#).

We note references to *'existing flood defences to the south of the riverbank, closest to the Development Site'* which a previous flood risk study defined as inadequate. For information, our records do not show any formal flood defences (managed by a Risk Management Authority) serving the site. As such, the land does not fall within a TAN15 Defended Zone.

Groundwater and surface water flooding may also be a risk to the project. The applicant (and eventually decision maker) should liaise with the Lead Local Flood Authority on these matters.

Depending on the findings of the modelling exercise and FCA, the impact of flooding may also need to be included and assessed under major accidents and disasters (see below).

Water Framework Directive (WFD)

We note reference to WFD in section 11.4 of the hydrology chapter. This states, *'Opportunities to maximise biodiversity benefits will be incorporated within any flood mitigation scheme, Relevant guidance including CIRIA C635 and C753 will inform the EIA alongside close consultation with National Resource Wales [sic]. The assessment will take into account the requirements of the Water Framework Directive (2000/60/EC) (WFD).'*

We agree that WFD implications should be considered at this point and referenced in the ES.

Geology, Hydrogeology & Land Contamination

We note Chapter 12 – Geology, Hydrogeology & Land Contamination states that at this stage, *'the PWR-20 is expected to have negligible impacts during operation and decommissioning to local hydrogeology and geology'*. It then continues to state that updated *'site geotechnical and contamination investigations will inform the EIA, including any relevant mitigation'*.

We advise that the likely significant effects from the project on the local geology and hydrogeology, particularly groundwaters, is fully assessed and reported in the ES. The PWR-20s will be constructed, operated and decommissioned in groundwater and therefore introduces a significant risk to the environment. As such the ES should identify and demonstrate that there is appropriate and feasible mitigation available to reduce this risk to acceptable levels. We note from the Scoping Report that at this stage the mitigation is essentially engineered encapsulation. We advise the ES scopes down and considers the following:

Baseline and construction phase

It is important that the environmental baseline of the proposed project site is fully understood to inform mitigation, any monitoring and the decommissioning phase. The chemical baseline as well as the hydrogeological baseline must be determined before construction takes place.

It will be important to gain a good understanding of how groundwater levels vary at the site, notably under sustained periods of rainfall. High groundwater may result in ground surface emergence, and this may not only act as a contamination pathway but also exacerbate surface water/fluvial flooding risks.

The referenced Golder's 1989 site investigation while useful, will need to be added to through additional site investigation.

A comprehensive intrusive site investigation is required to inform the EIA (as suggested within the Scoping Report). Such an investigation will focus on characterising the geological and hydrogeological conditions, the nature and extent of any legacy contamination and determining geotechnical parameters. This site investigation is important because of:

- Made Ground and some historic contamination is reported within the Golder's 1989 report,
- The age of the Golder's 1989 report and the focus of that site investigation may not align with the site knowledge that is now required for the construction and operation of the project,
- The elevated groundwater table, close to surface and the presence of a proximal water course (Llynfi) that borders the site,
- The potential need for dewatering in order to construct the PWR-20 installations and clay barrier. Details of these infrastructure elements require knowledge of (but are not limited to):
 - the spatial characteristics of any excavations, the construction methods that will be employed (for example, will dewatering be required to keep the excavations open), the materials that will be used, notably the bentonite and QA/QC of the low permeability seal around the PWR-20 reactors. At this stage, we would expect the ES to demonstrate with a high degree of certainty that the bentonite seal for each of the four reactors is complete with no gaps/bridging.

The findings of the site investigation will also indicate if any remediation of existing contamination is required for the current site condition.

It is noted from the Scoping Report that the proposed nuclear facility will be founded on piles. A Piling Risk Assessment will be required because of the presence of Made Ground, a high groundwater table and the potential that piling can enhance the connectivity between near surface materials and the underlying groundwater by acting as preferential pathways.

Operational phase

We advise it is critical for the applicant to consider Environmental Permitting Regulations Core Guidance. Operational groundwater monitoring is likely required to assess if the operating infrastructure is impacting the local environment, notably from radionuclides but consideration from other potential likely effects such as waste heat should also be considered. Typical monitoring (the nature and scope must be agreed with the regulator) must include regular testing for radionuclides such as Cs-137, Co-60, Sr-90, and I-131 as this is essential to detect and address any reactor leaks expeditiously. This is important

because the site possesses a notable source-pathway-receptor linkage consisting of elevated groundwater that likely connects through baseflow to the River Llynfi. Essentially any leakage from any one of the 4 reactors would have a direct pathway to the River Llynfi.

A Site Wide Environmental Safety Case (SWESC) will be required as part of the operating permit. Operational groundwater monitoring as well as decommissioning monitoring will be required. The ES should reference this.

The Scoping Report states, *'The project may include the infrastructure necessary to install and maintain piping that will circulate hot water from a PWR-20 unit up to a nearby industrial consumer.'* At this point, we would expect the EIA to include the likely significant effects on this element of the scheme.

Radiological Effects

We note Chapter 14 - Radiological Effects summarises this pathway to have a negligible effect on plant workers, the surrounding public, and the environment. However, the applicant intends to prepare several assessments of the radiological impact to those receptors as part of the Nuclear Site License process with the Office for Nuclear Regulation (ONR).

It also states, *'as part of the applicant's environmental permit application to NRW, it will characterise the amount of radiological waste used and its plans for handling waste both during the operations and decommissioning phases of the project. The results of these assessments will be made available to relevant parties both during the application process and on award of any licenses or permits.'*

The Scoping Report (table 4.3) states, *'To focus the ES, the Heat and Radiation, and Radiological Effects are scoped-out of the EIA'*. We advise that radiation and radiological effects are scoped in.

We would expect the ES to include or reference assessments which models radiation exposure pathways (air, water, soil) and any potential health impacts on nearby communities and the environment. It may be that the information is taken from other regimes, however at this stage, we advise this is included and reported in the ES. The ES may then need to propose or reference any mitigation measures (such as containment structures and monitoring plans).

Major Accidents and Disasters

We note Chapter 15 – Major Accidents and Disasters states that this issue will be addressed in depth by the ONR and therefore will be scoped out of the EIA. While we note the suggestion from the applicant that the design of the project must prove its ability to withstand a high degree of disasters and threats, we advise that this is reported in the ES as a likely significant effect.

Any mitigation measures to ensure the project can withstand disasters and threats may have indirect impacts on other receptors which should be fully assessed. In addition, we would expect the ES to propose (using information from other regimes or authorisations, if relevant) emergency response plans, evacuation procedures, and containment strategies for severe accidents (for example, reactor meltdowns). Therefore we would advise this is scoped in to the ES.

Materials and Waste

We note Chapter 17 – Materials and Waste states, *'Given the scale of the project, materials and waste from the Proposed Development are not expected to cause significant impacts, and, as such, are suggested to be scoped out of the EIA'*. It goes on to state that *'Any radioactive waste or materials from the Proposed Project are subject to ONR (Office of Nuclear Regulation) regulation, and as such will be assessed by the ONR and scoped-out of the EIA'*.

We also note that the Scoping Report (2.3.6) states, *'The PWR-20 operates for 42 years across seven six-year fuel cycles. At the end of a fuel cycle, control rods are inserted into the reactor core, to render it subcritical (stopping the fission chain reaction). For each new fuel cycle, a new Nuclear Island module is installed on-site'* and (2.39) states, *'the disposal of nuclear waste from the plant is governed by a comprehensive regulatory framework designed to protect human health and the environment'*.

Similar to our advice on radiation/radiological effects and major accidents and disasters, we would advise the ES to scope in this topic. Again, any assessment outside of the EIA regime can be used to report likely significant effects and inform mitigation measures, where necessary, in the ES.

At this stage, we would expect the ES to include an assessment of radioactive waste management, storage and, or disposal.

Decommissioning

Decommissioning of the project will require adherence to other regulations at that time. However, we advise that the ES should provide details of decommissioning, as nuclear site licensees subject to the environmental permitting regulations must develop and maintain arrangements and programmes for decommissioning. For example, this should include but not be limited to a Site Wide Environmental Safety Case and a Waste Management Plan. The Scoping Report states, *'Prior to commissioning, a Decommissioning Fund will be established, funded throughout the Project's operational lifespan, and deployed in undertaking the above decommissioning actions. The fund is expected to be larger than conservative cost estimates for complete decommissioning.'*

An Initial Decommissioning Plan with key activities, phasing, duration and estimated costings should be developed. Such a plan will require refinement during the operational phase. Any Decommissioning will need to be undertaken against a monitoring protocol. The following outlines the UK Policy Document on the topic of nuclear facility decommissioning.

The UK Policy document on [Managing Radioactive Substances and Nuclear Decommissioning \(2004\)](#) details U.K Policy expectations for decommissioning in Section 9, *Nuclear Decommissioning* and aims to provide a high-level framework within which operators, the Nuclear Decommissioning Authority and the Ministry of Defence can take decisions that would drive better, earlier, and more cost-effective solutions to decommissioning and clean-up of the UK's nuclear facilities.

Relevant current policy includes the need for the following:

- Decommissioning strategies
- Decommissioning plans
- Review of decommissioning strategies and plans
- Funding of decommissioning and clean-up activities

Matters to be scoped out

We note that chapter 17 relating to 'Materials and Waste' makes reference to the ES containing an Outline Construction Environmental Management Plan (OCEMP).

We support the inclusion of an OCEMP within the planning application which should be referred to in ES where necessary. We would remind the applicant that a detailed CEMP will likely need to cover wider issues beyond materials and waste, particularly around impacts to the local water environment during construction.

Other matters for the applicant

We note reference to an environmental permit application to NRW in the Scoping Report. We advise early advice is sought from NRW in this regard to try to ensure that there is no conflict between any planning permission that may be granted and or permit which may be issued. It is important to note that a grant of planning permission does not guarantee that a permit will be granted. A proposal may be deemed unacceptable either because of environmental risk. Please refer to our [website](#) for further details.

A bespoke Flood Risk Activity Permit under the Environmental Permitting Regulations (2016) would be required for any works or structures located in, under, over or within 8 metres of the bank top of the River Llynfi, a designated "main river". Further advice and guidance on this permit is also available on our [website](#).

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

Yn gywir / Yours faithfully

James Davies

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

E-bost/E-mail: southeastplanning@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.

Planning and Environment Decisions Wales

Eich cyfeirnod
Your reference

CAS-03613-S7Y654

Sent by email:

Ein cyfeirnod
Our referencePEDW.Infrastructure@gov.walesDyddiad
Date

9 April 2025

Llinell uniongyrchol
Direct line

03000 256007

Ebost
Email:Cadwplanning@gov.wales

Dear Sir / Madam,

**Prosiect Egni Glan Llynfi, The Old Power Station, Llangynwyd, Bridgend, CF32
8UE REF: CAS-03613-S7Y654**

Thank you for your letter of 12 March 2025 asking for Cadw's view on 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.

Designated Historic Assets are listed on Annex A.

Advice

The request for a scoping opinion is accompanied by a scoping report produced by Last Energy UK. Chapter 9 of this report considers the existing information on the historic environment including a previous assessment of the site that was carried out for the proposed Llynfi Biomass Power Plant. It concludes that the "as no historic features or heritage assets are located within the Development Site, and no Scheduled Monuments are located nearby, the Project is expected to have a negligible impact on these features for all phases". However, there does not appear to have been a full assessment of the impact of the proposed development on the settings of listed buildings 18637 Ty Isaf and 11218 Cefn-ydfa farmhouse and adjoining ruins .

These listed building are located less than 650m from the proposed development in elevated locations, so may have views of it, which could have an adverse impact on their settings. Section 314A of the Town and Country Planning Act 1990 requires determining authorities to have special regard to the desirability of preserving a listed building and its setting and currently insufficient information on this issue is available.

Consequently, we do not agree with the scoping report that the Historic Environment in its totality can be “scoped out” of the EIA but that it can be reduced to just an assessment of the impact of the proposed development on the settings of listed buildings 18637 and 11218. This assessment should be carried out in accordance with the methodology outlined in the Welsh Government’s best-practice guidance Setting of Historic Assets in Wales (2017).

Yours sincerely

Nichola Smith
Historic Environment Branch

Ref: CAS-03613-S7Y654

Scheduled Monuments

GM058 Roman Camp
 GM059Y Bwlwarcau
 GM085 Llangynwyd Castle
 GM086 British Fortified Residence
 GM092 Mynydd Ty Talwyn Ancient Farms
 GM093 Mynydd Ty Talwyn Ancient Farms
 GM238 Cairn Lwyd
 GM241 Cefn Cross Standing Stone
 GM249 Round Cairn 567m East of Bryn Defaid
 GM250 Croes y Bwlchgwyn Round Cairn
 GM340 Earthwork & Platform Houses N of Nant Fadog
 GM417 Cefn Cribwr Ironworks
 GM433 Remains of Tondu Ironworks
 GM491 Three Pillow Mounds on Cefn Hirgoed
 GM552 Garth Hill Platform House
 GM589 Plas-y-Betws relict garden

Registered Parks and Gardens

PGW(Gm)5(BRI) Bryngarw
 PGW(Gm)7(BRI) Court Colman
 PGW(Gm)10(BRI) Glanrhyd Hospital
 PGW(Gm)65(BRI) Coytrahen House

Registered Historic Landscape:

HLW (WGI/MGI) 2 Margam Mountain

Listed Buildings:

11218	Cefn-ydfa farmhouse and adjoining ruins.	II
11224	Church of St Ffraid aka St Bride, Llansantffraid	II
11228	Glan Rhyd Railway Viaduct	II*
11243	Church of St Cynwyd	II*
11256	Llwydarth farmhouse	II*
11327	Maendy	II*
11329	Gelli-siriol farmhouse	II
	Former Truck Shop Tondu Ironworks now Foxtroy	
11335	Residential Home	II
11351	Former Tramroad Bridge	II
11352	The Old House Inn PH	II
11353	Telephone call box in front of the Old House PH	II
11366	Tynton	II
11367	Tabor Eglwys Presbyteriadd Cymru	II
11373	Pentre Farmhouse, with attached farm range.	II
11375	Gilfach-ganol farmhouse	II
14559	Tyle-coch	II

16839	Former Bridgend Tramroad bridge over Nant Cynffig	II
18493	Bethania Capel y Bedyddwyr Neillduol	II*
18603	Paran Capel y Bedyddwr	II
18605	Fox and Hounds PH	II
18606	Blackmill War Memorial	II
18607	Jenkins monument in the graveyard, Paran Chapel	II
18608	Evans chest tomb in graveyard of Paran Chapel	II
18609	Edwards monument in the graveyard of Paran Chapel	II
18626	Church of St David, Bettws	I
18628	United Reformed Church including vestry wing Tabernacl Capel yr Annibynwyr (Welsh Independent)	II
18629	including vestry wing	II
18630	Former Cooperative Bakery	II
18631	Ffaldau Workmen's Institute and attached Billiard Hall	II
18632	Mortuary Chapel Monument to Benjamin and Elizabeth Noyle, Pontycymmer	II
18633	Cemetery	II
18634	Pontycymer Cemetery Entrance	II
18635	Church of St Cein	II*
18636	Hooped Grave Cover in Llangeinor churchyard	II
18637	Ty Isaf	II
18638	Small Tramroad bridge over Nant Cedfyw, Shwt	II
18955	Cefn Cribwr ironworks, the furnace and charging house	II*
18957	Cast house at Cefn Cribwr Ironworks	II*
18958	Blast Engine house at Cefn Cribwr Ironworks	II
18959	Calcining kilns at Cefn Cribwr ironworks	II
19052	Tynygarn Mile marker	II
19053	Mile marker	II
19057	Court Colman	II
19058	Bridge over Incline Plane Tondu	II
20178	Monument to Morgan Morgan in Llansantffraid churchyard Glan Rhyd Railway Viaduct (partly in Newcastle Higher	II
20179	community)	II*
20180	Bowen/Roberts Monuments in Llansantffraid churchyard	II
20181	Churchyard cross socket in Llansantffraid churchyard Williams monument and railings in Llansantffraid	II
20182	churchyard	II
20429	The Hopcyn Cross	II
20430	Two chest tombs on S side of the Church of St Cynwyd Group of five tombs S of the tower of the Church of St	II
20431	Cynwyd	II
20432	Bee boles and stile in garden wall at Gilfach-uchaf farm	II
20433	Ty'n-y-waun farmhouse Group of 4 Hopkin and Jenkins tombs within iron railings on	II
20434	the W side of the path to the S porch Group of nine memorials on the W side of the path to the S	II
20435	porch, Church of St Cynwyd	II
20436	Jenkins Monument in the churchyard, Church of St Cynwyd Churchyard walls around the graveyard, Church of St	II
20437	Cynwyd	II

20742	Cildeudy tunnel	II
20743	Pont-y-rhyd-ddu (partly in Garw Valley community)	II
20744	Walls flanking the inclined plane joining the Bettws tramway to the DLP Railway.	II
20745	Nicholls Arms PH	II
20746	Abutments to overbridge/ loading bay on the former Duffryn Llynvi and Porthcawl Railway	II
20747	North portal and wings of the Rock-fawr Bridge on Sir Robert Price's private tramway.	II
20758	Bridge over Incline Plane Tondy	II
20760	Park House	II
20761	Park Cottage	II
20762	,23,Derllwyn Road,Tondy,,,CF32 9HD	II
20763	Former Blast Engine Houses at Tondy Ironworks	II*
20764	1-26 Park Terrace (consec)	II
20765	1-26 Park Terrace (consec)	II
20766	1-26 Park Terrace (consec)	II
20767	1-26 Park Terrace (consec)	II
20768	1-26 Park Terrace (consec)	II
20769	1-26 Park Terrace (consec)	II
20770	1-26 Park Terrace (consec)	II
20771	1-26 Park Terrace (consec)	II
20772	1-26 Park Terrace (consec)	II
20773	1-26 Park Terrace (consec)	II
20774	1-26 Park Terrace (consec)	II
20775	1-26 Park Terrace (consec)	II
20776	1-26 Park Terrace (consec)	II
20777	1-26 Park Terrace (consec)	II
20778	1-26 Park Terrace (consec)	II
20779	1-26 Park Terrace (consec)	II
20780	1-26 Park Terrace (consec)	II
20781	1-26 Park Terrace (consec)	II
20782	1-26 Park Terrace (consec)	II
20783	1-26 Park Terrace (consec)	II
20784	1-26 Park Terrace (consec)	II
20785	1-26 Park Terrace (consec)	II
20786	1-26 Park Terrace (consec)	II
20787	1-26 Park Terrace (consec)	II
20788	1-26 Park Terrace (consec)	II
20789	1-26 Park Terrace (consec)	II
20790	27-52 Park Terrace (consec)	II
20791	27-52 Park Terrace (consec)	II
20792	27-52 Park Terrace (consec)	II
20793	27-52 Park Terrace (consec)	II
20794	27-52 Park Terrace (consec)	II
20795	27-52 Park Terrace (consec)	II
20796	27-52 Park Terrace (consec)	II
20797	27-52 Park Terrace (consec)	II
20798	27-52 Park Terrace (consec)	II
20799	27-52 Park Terrace (consec)	II

20800	27-52 Park Terrace (consec)	II
20801	27-52 Park Terrace (consec)	II
20802	27-52 Park Terrace (consec)	II
20803	27-52 Park Terrace (consec)	II
20804	27-52 Park Terrace (consec)	II
20805	27-52 Park Terrace (consec)	II
20806	27-52 Park Terrace (consec)	II
20807	27-52 Park Terrace (consec)	II
20808	27-52 Park Terrace (consec)	II
20809	27-52 Park Terrace (consec)	II
20810	27-52 Park Terrace (consec)	II
20811	27-52 Park Terrace (consec)	II
20812	27-52 Park Terrace (consec)	II
20813	27-52 Park Terrace (consec)	II
20814	27-52 Park Terrace (consec)	II
20815	27-52 Park Terrace (consec)	II
20816	Calcining Kilns and attached abutment at Tondur Ironworks	II*
20817	Lift Tower at Tondur Ironworks	II*
23261	Aberbaiden	II
87889	Catholic Church of Our Lady and St Patrick	II

From: [ONR Land Use Planning](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Subject: ONR Land Use Planning - Application EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Modular Nuclear
Date: 30 April 2025 11:45:25
Attachments: [2025-03-12 - DNS EIA Scoping Request - Consultation letter.pdf](#)

Dear Sir/Madam

Apologies for the delay in sending ONR's response on application EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Modular Nuclear.

This planning application concerns one or more nuclear reactors intended for energy (and heat) generation and the developers should be cognisant of Welsh and British government policy on such facilities. In particular, the EIA should consider the relevance of the draft National Policy Statement EN-7. Although not yet designated, draft National Policy Statement EN-7 may be a material consideration in preparing plans and making decisions on planning applications, especially those that fall within the scope of the Planning Act 2008, Infrastructure (Wales) Act 2024, or the Town and Country Planning regime.

We highlight paragraph 2.4.3 of EN-7 and we encourage the applicant to run their planning system engagements and their regulatory system engagements (permitting and licensing) such that these processes conclude concurrently.

[Land Use Planning](#)
[Office for Nuclear Regulation](#)
ONR-Land.Use-planning@onr.gov.uk

-----Original Message-----

From: PEDW.Infrastructure@gov.wales <PEDW.Infrastructure@gov.wales >

To:

Cc:

Sent: 12/03/2025 12:07

Subject: EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

You don't often get email from pedw.infrastructure@gov.wales. [Learn why this is important](#)

Dear Consultees,

I attach an EIA Scoping consultation letter in relation to a potential DNS application. The applicant should have sent a copy of the submission to the Local Planning Authority for information.

Please let me know if you have any queries, or if you are unable to respond by **Wednesday 16th April 2025**.



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: [REDACTED] (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Planning and Environment Decisions Wales (PEDW)

Development of National Significance

[By email: PEDW.Infrastructure@gov.wales]

13 March 2025

Dear Planning and Environment Decisions Wales (PEDW)

Re: DNS CAS-03613-S7Y6S4 Prosiect Egni Glan Llynfi

4 PWR-20 Modular Nuclear Reactor units, which will provide clean, carbon-free baseload electricity and heat to local industrial users. There will also be Grid, as well as private electricity & steam connections. There will be no air or water emissions from the plant. A single PWR-20 can provide either 20 megawatts of electricity (MWe) or 83 megawatts of heat (MWt). If approved, Llynfi could generate up to 80 MWe or 332 MWt of clean, reliable energy.; The Old Power Station, Llangynwyd, Bridgend, CF32 8UE

Thank you for your notification of 12 March 2025 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.

However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.

Yours

The Coal Authority Planning Team



Making a **better future** for people
and the environment **in mining areas**



Llywodraeth Cymru
Welsh Government

Development Control Manager
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Eich cyf / Your ref CAS-03613-S7Y6S4

Ein cyf / Our ref 25/SW-7192

11 April 2025

Dear Sir/Madam,

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

Prosiect Egni Glan Llynfi, The Old Power Station, Llangynwyd, Bridgend

The project will include 4 PWR-20 Modular Nuclear Reactor units, which will provide clean, carbon-free baseload electricity and heat to local industrial users. There will also be Grid, as well as private electricity & steam connections. There will be no air or water emissions from the plant. A single PWR-20 can provide either 20 megawatts of electricity ("MWe") or 83 megawatts of heat ("MWt"). If approved, Llynfi could generate up to 80 MWe or 332 MWt of clean, reliable energy. The site for the PWR-20 units, including mitigation and enhancement measures, equates to approximately 14 acres of land at Llynfi Power Station

I refer to your consultation of 12th March 2025 regarding the above application, and advise that the Welsh Government as highway authority for the M4 trunk road directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

The applicant must provide the following information to support this application or resubmit the application with the following details;

I refer to your consultation of 12th March 2025 regarding the above application, and advise that the Welsh Government as highway authority for the M4 Motorway would require further details;

The Welsh Government would require detail 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. This information will be required prior to any determination. The developer will need to supply the likely AIL route to site, their traveling weights and dimensions and swept path analysis for all junctions on the Trunk Road Strategic network. The TMP would then be covered by condition (please see the relevant section in our standard conditions below / the attached PAG document).



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE

Trafnidiaeth
Llywodraeth Cymru
Parc Cathays
Caerdydd

Transport
Welsh Government
Cathays Park
Cardiff

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 out as much as possible. There may be many unknowns at this 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 would 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 the applicants information below are our standard planning conditions (taken from the aforementioned PAG document attached), 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



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Parc Cathays
Caerdydd

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Welsh Government
Cathays Park
Cardiff

- 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

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.

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

Yours faithfully

Jason Ingram



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

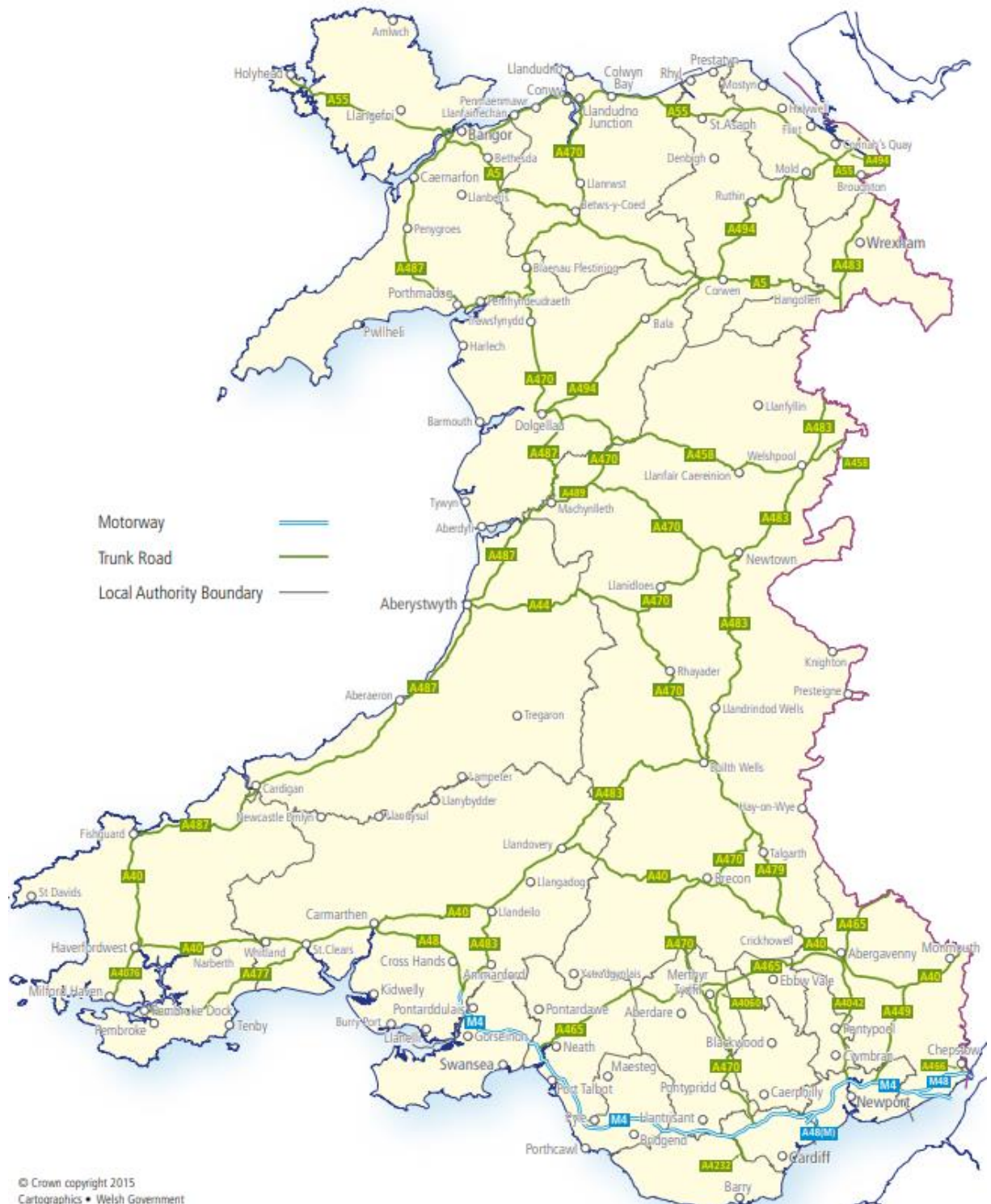


The movement of these types of loads by road is essential for supporting the UK economy, but it is also essential that the movements are carefully planned and executed to ensure they can be safely accommodated by the highway network. Movements of abnormal loads on the Welsh trunk road network (see Figure 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					

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

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

This table highlights that:

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

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

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

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

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

2.3 Summary

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

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

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

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

3 VEHICLE PREPARATION

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

3.1 Vehicle choice

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

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

3.2 Signage, markings and lighting

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

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

3.3 Attendants

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

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

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

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

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

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

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

3.4 Documentation

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



4 JOURNEY PREPARATION

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

4.1 Notification requirements

4.1.1 Authorities to be notified

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

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

In Wales, highway authorities comprise:

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

Bridge authorities/owners most commonly comprise:

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

4.1.2 Notice periods

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

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

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

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

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

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

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

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

4.1.3 Information required

4.1.3.1 Statutory notification requirements

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

Table 3 Information required by notification type

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

4.1.3.2 Traffic Management Plan requirements

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

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

4.1.4 Notification submission

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

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



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

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

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

4.1.5 Notification dispensations

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

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

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

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

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

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

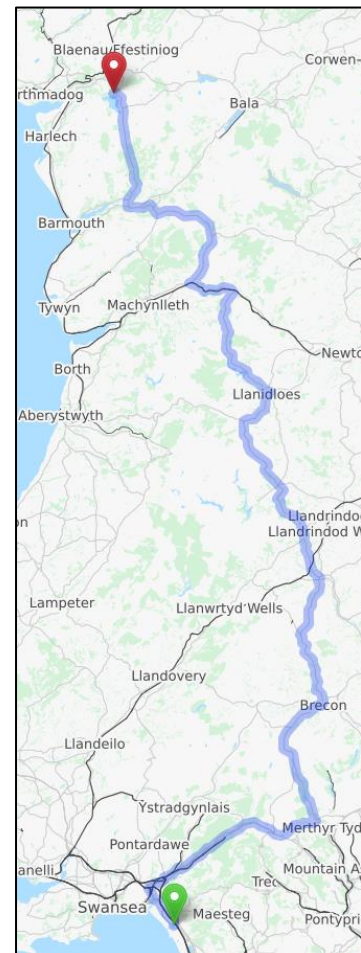
4.2 **Route planning guidance**

4.2.1 **General principles**

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

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

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



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

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

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

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

4.2.2 Other considerations

4.2.2.1 Travel timing

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

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

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

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

Table 4 STGO speed limits by category and road type

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

Source: Special Types Enforcement Guide

4.2.2.2 Escort considerations

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

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

Table 5 National Highways guidelines on escort requirements

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

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

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

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

⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/494606/Location_of_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.



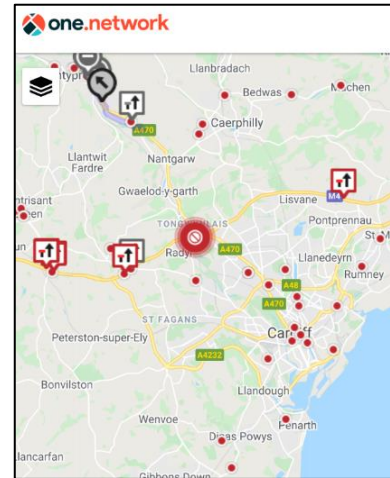
¹⁴ <https://www.croftse.co.uk/wp-content/uploads/2018/04/BD2-12-Highways-Structures-Approval.pdf>

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.

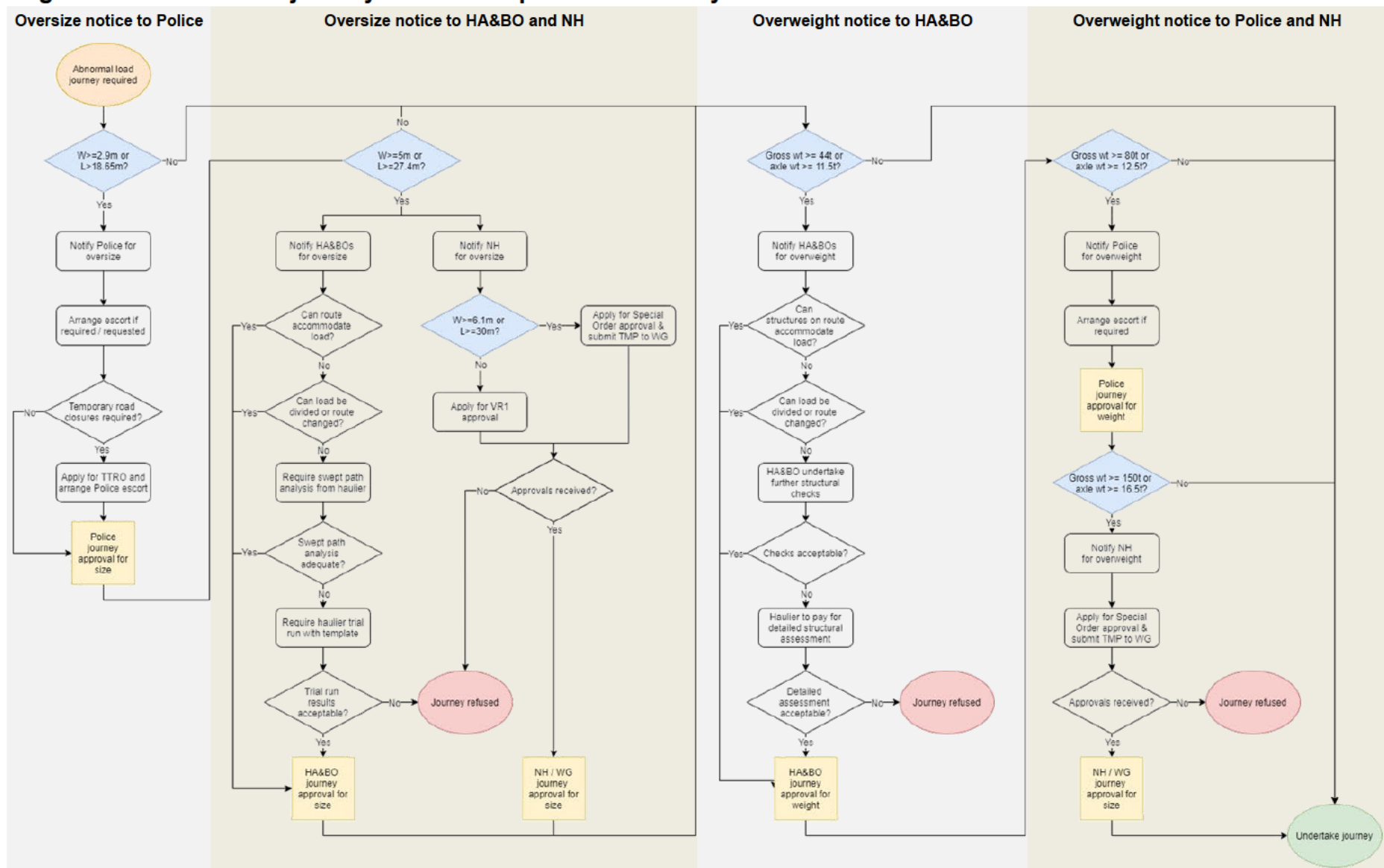
4.5 Process summary

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

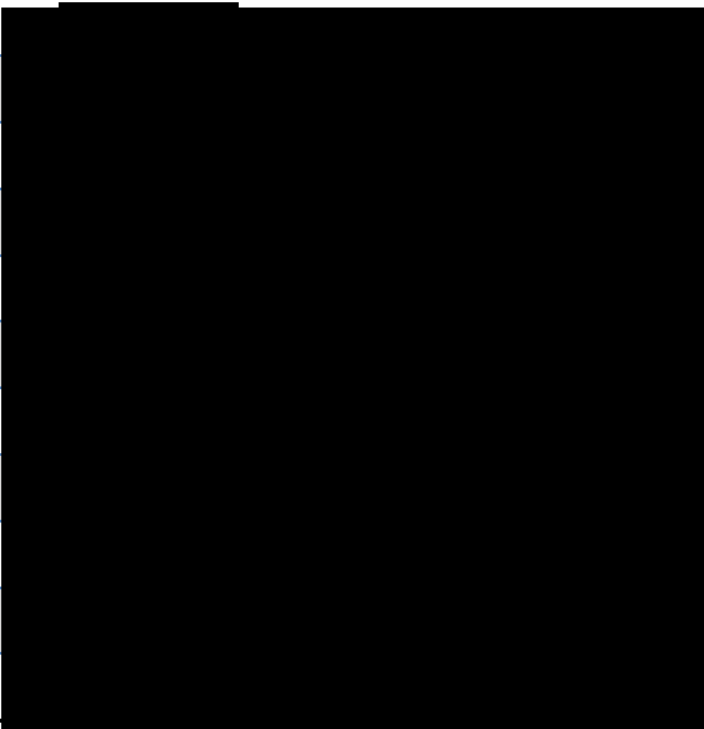
7 USEFUL CONTACTS

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

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

Table 7 Useful contacts for abnormal load related queries

Organisation	Contact details
Welsh Government ALO	[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 Tea	[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	

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

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 	Max. Height*	m
Overall/total length of vehicle*	m	Reducible Height	m
Rigid Length*	m	Gross Weight*	kg
Projection Front*	m	No. Of Axles	
Projection Rear*	m	No. Of Wheels	
Overall Width*	m	Max Axle Weight	kg
Projection Left*	m	No. Of Vehicle Components* <i>(Including Tractor and Trailers)</i>	
Projection Right*	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]

[REDACTED]

From: Grace Lewis [REDACTED]

Sent: 15 April 2025 15:11

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

Subject: CAS-03613-S7Y6S4 - The Old Power Station, Llangynwyd, Bridgend, CF32 8UE

OFFICIAL



Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

My Ref: P/TP25/51
Your Ref: CAS-03613-S7Y6S4

Date: 15 April 2025

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

APPLICATION NO: CAS-03613-S7Y6S4

PROPOSAL: The project will include 4 PWR-20 Modular Nuclear Reactor units, which will provide clean, carbon-free baseload electricity and heat to local industrial users. There will also be Grid, as well as private electricity & steam connections. There will be no air or water emissions from the plant. A single PWR-20 can provide either 20 megawatts of electricity ("MWe") or 83 megawatts of heat ("MWt"). If approved, Llynfi could generate up to 80 MWe or 332 MWt of clean, reliable energy. The site for the PWR-20 units, including mitigation and enhancement measures, equates to approximately 14 acres of land at Llynfi Power Station.

LOCATION: The Old Power Station, Llangynwyd, Bridgend, CF32 8UE

Dear Sir/Madam,

Thank you for your email dated **12 March 2025** together with the opportunity to comment on this proposal.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is

important in relation to the protection and enhancement of Network Rail's infrastructure.

It is noted from the EIA Scoping Report section 5.2.2. that the project is investigating the potential for utilisation of rail delivery. Network Rail seeks to promote opportunities for rail freight access in support of major development proposals. As such, we will be keen to work with the applicants to explore options for rail freight to support both the construction and operational phases of this scheme. While there is no existing rail access to the site, options could include a loading/offloading on the line solution, overnight when the Maesteg to Bridgend passenger services are not running; and/or reinstating the nearby Llynfi goods loop to enable flexibility in operations.

Notwithstanding the above, I have included NR standards for development adjacent to the railway that the applicant should consider.

Due to the size and nature of the development we would expect works on this land to be undertaken following engagement with Network Rail Asset Protection. This is to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk.

DRAINAGE

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

FENCING

Because of the nature of the proposed development we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

GROUND LEVELS

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

LANDSCAPING

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebрина"

Not Permitted:

Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

Yours Sincerely,

Grace Lewis MRTPI

Town Planning Technician Wales and Western
Network Rail

Temple Point, Redcliffe Way, Bristol, BS1 6NL

www.networkrail.co.uk/property

The content of this email (and any attachment) is confidential. It may also be legally privileged or otherwise protected from disclosure.

This email should not be used by anyone who is not an original intended recipient, nor may it be

From: [REDACTED] on behalf of [NSIP Applications](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Cc: [NSIP Applications](#)
Subject: DNS - Egni Glan Llynfi (Modular Nuclear) Project - EIA Scoping Request Consultation - HSE Response dated 31 March 2025
Date: 31 March 2025 09:26:10
Attachments: [image002.png](#)

Dear Tanya Leck

Thank you for your email dated 12 March 2025 consulting HSE on the Proposed Egni Glan Llynfi project - Development of National Significance (DNS).

Please find HSE's advice below.

HSE's land use planning advice

CEMHD5 Contribution to Consultation

1. With reference to the proposed redlined **Purchase Area** shown on **GEO - BAU - Llynfi Site Boundary (Drawing Number: 24004946 PLN_PU_1.2, First Issue 23.09.2024.)** [<https://planningcasework.service.gov.wales/case> **Reference: DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear) - 2025-02-19 - NOTIFF002 - Red Line Boundry Plan**] the proposed project does not fall within the consultation distances of any Major Hazard Installation(s) or Major Accident Hazard Pipeline(s).
2. Please note if at any time a new Major Accident Hazard Pipeline is introduced or existing Pipeline modified prior to the determination of a future application, then the HSE reserves the right to revise its advice.
3. Likewise, if prior to the determination of a future application, a Hazardous Substances Consent is granted for a new Major Hazard Installation or a Hazardous Substances Consent is varied for an existing Major Hazard Installation in the vicinity of the proposed development, again the HSE reserves the right to revise its advice.

Would Hazardous Substances Consent be needed?

4. 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) Regulations 2015.
5. Hazardous Substances Consent would be required if the proposed development 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.
6. Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

Explosives Inspectorate has no comment to make as there are no HSE licenced explosives sites in the vicinity of the proposed development.

Regards

NSIP Consultation Team



PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ
PEDW.Infrastructure@gov.wales

Our Ref: RL/08A-15005 (BR13)
Your Ref: DNS CAS-03613 S7Y6S4

Date: 01 April 2025
Contact: Watch Manager R. Luker
Tel: [REDACTED]

E-mail: firesafety@southwales-fire.gov.uk

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: 4 PWR-20 MODULAR NUCLEAR REACTOR UNITS, WHICH WILL PROVIDE CLEAN, CARBON-FREE BASELOAD ELECTRICITY AND HEAT TO LOCAL INDUSTRIAL USERS.

LOCATION: THE OLD POWER STATION, LLANGYNWYD, BRIDGEND, CF32 8UE

I acknowledge receipt of the notification to the South Wales Fire and Rescue Authority ("The Authority") in relation to the above application.

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

Changes to our climate and weather patterns will have a significant impact on the well-being of both current and future generations. In line with the **Well-being of Future Generations (Wales) Act 2015** and the **Future Wales – the national plan 2040** framework document, the following areas should be considered early in the planning process:

The climate emergency is likely to increase the risk of flooding as a result of sea-level rises, more frequent severe weather systems and more intense rainfall. Planning authorities should adopt a precautionary approach of positive avoidance of building developments in areas of flooding from the sea or from rivers. Surface water flooding will affect the choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating any development proposals.

Wildfires are a significant potential threat particularly in populated areas adjoining green spaces such as mountains or forestry. Therefore, it is critical that new developments are designed with this in mind. Where a new development is proposed in an area which is at risk of a wildfire, consideration should be given on how to mitigate the spread of wildfires. For example, sustainable land management could assist with prevention measures.

Pencadlys Gwasanaeth Tân ac Achub De Cymru,
Parc Busnes Forest View, Llantrisant, Ffôn-y-clun, CF72 8LX.

Ffôn 01443 232000 • Ffacs 01443 232180
www.decymru-tan.gov.uk

Rydym yn croesawu gohebiaeth yn y gymraeg a'r saesneg - byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi.

CODI YMWHYBYDDIAETH - LLEIHAU PERYGL

South Wales Fire and Rescue Service Headquarters,
Forest View Business Park, Llantrisant, Pontyclun, CF72 8LX.

Telephone 01443 232000 • Fax 01443 232180
www.southwales-fire.gov.uk

We welcome correspondence in Welsh and English - we will respond equally to both and will reply in your language of choice without delay.

RAISING AWARENESS - REDUCING RISK

Large Commercial Solar Arrays, Battery Energy storage Facilities, Electric Vehicle Parking/Charging Facilities:

Fires involving the installations detailed above can be very difficult to extinguish. Conditions can cause a thermal runaway within battery cells, which is a highly exothermic reaction creating toxic, flammable, and/or explosive chemical atmospheres.

The developer of such sites should ensure they have suitable safety measures to contain and restrict the spread of fire, using fire-resistant materials and adequate separation between locations where energy systems may be stored.

Active fire safety systems should be incorporated into the design if necessary and may include, automatic fire detection systems, automatic fire suppression and smoke control systems.

The Authority recognises that the charging of electric vehicles and the use of batteries (including lithium-ion) as Energy Storage Systems (ESS) is a new and emerging practice in the global renewable energy sector. As with all new and emerging practices within UK industry, developers should consider the risks associated with such systems early in the design stage of the project.

The developer should also consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances

Should the applicant require further information in relation to these matters they should contact the above named fire safety officer.

Yours faithfully,

Duly signed and authorised by



for Assistant Chief Fire Officer

cc: 

Enc: BR13 Appendix

Appendix

1.0 Access For Fire Appliances

Typical vehicle access route requirements:

Appliance Type	Min Width Road	Min Width Gate	Min Turning Circle between Kerb
Pump	3.7m	3.1m	16.8m
Aerial Appliance	3.7m	3.1m	26.9m

Min Turning between Wall	Min Height Clearance	Min Capacity Tonnes
19.2	3.7m	14
29.0	4.0m	23

Pedestrian Priority

Pedestrian schemes must take into account the need for permanent and unobstructed access for firefighting appliances. The siting of ornamental structures such as flower beds, must take account, not only of the access requirements of the fire appliances but the need to be able to site them in strategic positions; in particular, account must be taken of the working space requirements for aerial appliances. Consultation must take place with the Fire and Rescue Authority during the earliest planning stages of any development to ensure adequate access for fire appliances, their siting and use.

2.0 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 cater for firefighting needs of new developments. It is recommended that this provision be a condition of planning consent.

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.

2.1 Housing

Minimum main size 100mm. Housing developments with 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.

Housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any hydrant on the development.

2.2 Transportation

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

Minimum main size 100mm. 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.

2.3 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 Industrial estate is as follows:

Light Industrial

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

Commercial/Industrial

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

High Risk Industrial

Two to three hectares 50 litres per second - Minimum Main Size 150mm.
Over three hectares, 75 litres per second.

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 at 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 units may require a greater flow.

2.4 Shopping, 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.

2.6 Distances Between Fire Hydrants

The distance between fire hydrants should not exceed the following:

Residential areas	-	200 metres
Industrial Estates (Subject to operational needs)	-	150 metres
Town centre areas	-	90 metres
Commercial (Offices & Shops)	-	100 metres
Residential Hotels	-	Adjacent to access
Hotels	-	Adjacent to access
Institutional (Hospitals & Old Persons Homes)	-	Adjacent to access
Old Persons Homes	-	Adjacent to access
Educational (Schools & Colleges)	-	Adjacent to access

2.7 Conclusion

Developers should hold joint discussion with Dwr Cymru - Welsh Water or the National Rivers Authority 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.



Defence Infrastructure Organisation

Alice Jones
Ministry of Defence
Safeguarding Department
DIO Head Office
St George's House
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your reference: CAS-03613-S7Y6S4
Our reference: 10066709

Email: DIO-Safeguarding-Statutory@mod.gov.uk

Tanya Leck
Planning & Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

15th April 2025

Dear Tanya,

MOD Safeguarding – Low Flying Area 07 (LFA 07)

Proposal: Installation of 4 PWR-20 Modular Nuclear Reactor units, which will provide clean, carbon-free baseload electricity and heat to local industrial users.

Location: The Old Power Station Llangynwyd, Bridgend, CF32 8UE

Grid Refs: E: 288452, N: 186969

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on the 12/03/2025

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (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 UK Military Low Flying System. Future Wales, the National Plan 2040 makes clear that military sites and assets in Wales are important to the UK strategic defence systems and emphasises that these sites and assets should be protected from the impacts of development. MOD may be involved in the planning system both as a statutory and non-statutory consultee. Statutory consultation occurs as a result of the provisions of the Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 and the location data and criteria set out on safeguarding maps issued by the Welsh Government in accordance with the provisions of this direction.

The applicant is seeking a scoping opinion on the scope of the EIA and the proposed methodologies outlined in the Scoping Report for the proposed installation of 4 PWR-20 Modular Nuclear Reactor units.

Military Low Flying

In this case the development falls within Low Flying Area 07 (LFA 07), an area within which military aircraft may conduct low level flight training. The addition of a development with aviation constraints and/or tall or narrow profile structures in this locality has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address this impact and given the nature, location and scale of the development within LFA 07, the MOD would require, as a minimum, that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction.

The potential impact of the development on military low flying activities undertaken in the vicinity should therefore be scoped into any impact assessments, or any future stage application for this development.

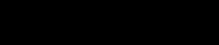
The MOD should be consulted on any future application stage to allow a detailed safeguarding assessment to be completed. As a result of those assessments, the MOD may object to proposals or may seek to apply conditions designed to mitigate potential impacts on the operation or capability of defence sites and assets.

The MOD must emphasise that the advice provided within this letter is in response to the documents and supporting information provided via email on 12th March 2025 by Planning & Environment Decisions Wales.

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 trust this adequately explains our position on this matter, however, should you have any questions please do not hesitate to contact me

Yours sincerely,


Mrs Alice Jones
Safeguarding Officer

From: [REDACTED]
To: PEDW-Infrastructure@gov.wales
Subject: FW: EIA Scoping Request Consultation - DNS CAS-03613-57Y654 - Prosiect Egni Glan Llynfi (Modular Nuclear)
Date: 14 March 2025 13:43:09
Attachments: [image003.png](#)
[image005.png](#)
[image005.png](#)
[image006.png](#)
[image009.png](#)
[2025-03-12 - DNS EIA Scoping Request - Consultation letter.pdf](#)

Good afternoon Tanya,

On behalf of SWP I can confirm "No objection to scope and methodologies proposed" to the attached proposal.

(NB: The carbon free clean energy and lack of use of water to cool the plant is very appealing however my only objection to nuclear power is the waste production or radioactive material that then gets buried for future generations to deal with. From the proposal I note all UK regulations and procedures for waste disposal will be adhered to, but I'd be interested to hear a little bit more about that area of knowledge if possible please?

Many thanks and kind regards,
Tris



Tristan Davies B.Sc (Hons)

Rheolwr Amgylcheddol y Tri Llu | Tri-Force Environmental Manager
Adran Ystadau | Estates Department
Pencadlys Heddlu De Cymru | South Wales Police Headquarters
Ffôn/Phone: [REDACTED]



From: PEDW.Infrastructure@gov.wales <PEDW.Infrastructure@gov.wales>
Sent: 12 March 2025 12:07
Subject: EIA Scoping Request Consultation - DNS CAS-03613-57Y654 - Prosiect Egni Glan Llynfi (Modular Nuclear)

Dear Consultees,

I attach an EIA Scoping consultation letter in relation to a potential DNS application. The applicant should have sent a copy of the submission to the Local Planning Authority for information.

Please let me know if you have any queries, or if you are unable to respond by **Wednesday 16th April 2025**.

Kind regards
Tanya

Tanya Leck
[hi | she / her]
Swyddog Cynllunio | Planning Officer
Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment Decisions Wales
Llywodraeth Cymru | Welsh Government
Llinell Uniongyrchol | Direct Line: 0300 025 0456
PCAC Ymholiadau Cyffredinol Ffôn | PEDW General Enquiries Tel: 0300 123 1590



<https://llyw.cymru/penderfyniadau-cynllunio-ac-amgylchedd-cymru> | <https://gov.wales/planning-and-environment-decisions-wales>

Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Llywodraeth Cymru. Mae Llywodraeth Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data. Os cysylltwch â Llywodraeth Cymru, mae ein [hysbysiad preifatwydd](#) yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatwydd. Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn anfon ateb yn Gymraeg i ohebiaeth a dderbynnir yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. ----- On leaving the Welsh Government this email was scanned for all known viruses. The Welsh Government takes the protection of your data seriously. If you contact the Welsh Government then our [Privacy Notice](#) explains how we use your information and the ways in which we protect your privacy. We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Ymateb nad yw'n Argyfwng\ Non-Emergency Response

Oes angen i chi siarad â'r heddlu ond nid oes angen ymateb brys amoch? Gallwch roi gwybod am fater drwy ein gwefan <https://www.heddlu-de-cymru.police.uk>, neu ffonio 101. Gallwch ddefnyddio 101 i roi gwybod am achosion nad ydynt yn rhai brys i unrhyw heddlu yng Nghymru a Lloegr. Mewn argyfwng, ffoniwch 999 bob amser.

Do you need to speak to the police but don't require an emergency response? You can make a report via our website <https://www.south-wales.police.uk>, or call 101. 101 can be used to report a non-emergency to any force in Wales and England. In an emergency always dial 999.

Cymorth Iaith Gymraeg\Welsh Language Support

Mae Heddlu De Cymru yn croesawu derbyn gohebiaeth yn Gymraeg a Saesneg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

South Wales Police welcomes receiving correspondence in Welsh and English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Ymwadiad Heddlu De Cymru\South Wales Police Disclaimer

Gallai defnyddio neu ddatgelu'r neges e-bost hon heb awdurdod fod yn anghyfreithlon. Gallwch weld ein datganiad cyfrinachedd yn: <https://www.heddlu-de-cymru.police.uk/cy-gb/heddlu-de-cymru/police/ardal-oeddi-amdanom-ni/amdanom-ni/datganiad-cyfrinachedd-e-bost/>.

Unauthorised use or disclosure of this email may be unlawful. View our confidentiality statement at <https://www.south-wales.police.uk/police-forces/south-wales-police/areas/about-us/about-us/email-confidentiality-statement/>.

[REDACTED]

From: Planningsouth [REDACTED]

Sent: 18 March 2025 10:39

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

Subject: RE: EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

Hi

Thanks for sending the below consultation. As this site is outside the SP Energy Networks SP Manweb licenced area no comments will be submitted.

Thanks
Steve

Internal Use

From: PEDW.Infrastructure@gov.wales <PEDW.Infrastructure@gov.wales>

Sent: 12 March 2025 12:07

Subject: EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

EXTERNAL SENDER: Be cautious, especially with links and attachments. Report phishing if suspicious.

Dear Consultees,

I attach an EIA Scoping consultation letter in relation to a potential DNS application. The applicant should have sent a copy of the submission to the Local Planning Authority for information.

Please let me know if you have any queries, or if you are unable to respond by **Wednesday 16th April 2025.**

Kind regards
Tanya

Tanya Leck

[hi | she / her]

Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales

Llywodraeth Cymru | Welsh Government

From: ORC <ORC@dwrcymru.com>

Sent: 23 April 2025 08:58

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

Subject: FW: EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

Hi Tanya

Please see the below reply.

Thanks

Regards,

Katie Perman

TechOps Support

TechOps Service Team

Operations Services

Mobile: [REDACTED]



Please click [here](#) for the most up to date versions of our company **PT IMS forms**

From: Paul Bell

Sent: 23 April 2025 08:56

To: ORC

Subject: RE: EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

Hi Katie,

I cant see this impacting on our Telemetry services in the area. thanks

Regards,

Paul

Paul Bell | Regional O&M Manager

Operational Technology Operations

[REDACTED]

For OT support – contact the [ORC](#) on 0303 313 0103

For OT news – visit our [OT Shop Window Yammer Community](#)



From: ORC <ORC@dwrcymru.com>

Sent: 23 April 2025 08:50

To: Paul Bell [REDACTED]

Subject: FW: EIA Scoping Request Consultation - DNS CAS-03613-S7Y6S4 - Prosiect Egni Glan Llynfi (Modular Nuclear)

Hi Paul

Are you able to advise on the attached and below?

Regards,

Katie Perman

TechOps Support

TechOps Service Team

Operations Services

Mobile: [REDACTED]



Please click [here](#) for the most up to date versions of our company **PT IMS forms**

From: Gareth Adams

Sent: 21 May 2025 10:50

To:

Cc:

Subject: Urgent Concern Regarding Potential Rare Open Mosaic Habitats on Previously Developed Land at the Former Llynfi Power Station Site, Bridgend County Borough

Importance: High

Dear Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs,

After our discussion on March 8th in Coytrahen with you, Chris Elmore, and Gary Jenkins during a constituency surgery, I am writing to express my urgent concern about a potential area of rare **Open Mosaic Habitats on Previously Developed Land (OMH)** being developed at the former Llynfi Power Station site in Bridgend County Borough.

I understand that this site is privately owned and that a planning application for redevelopment by Last Energy UK Ltd for their Llynfi Clean Energy Project is anticipated later this year or early 2026.

I have observed features on the site that strongly suggest the presence of OMH as defined by

Criterion

- 1. The area of open mosaic habitat is at least 0.25ha in size.*
- 2. Known history of disturbance at the site or evidence that soil has been removed or severely modified by previous use(s) of the site. Extraneous materials/substrates such as industrial spoil may have been added.*
- 3. The site contains some vegetation. This will comprise early successional communities consisting mainly of stress-tolerant species (e.g. indicative of low nutrient status or drought). Early successional communities are composed of (a) annuals, or (b) mosses/liverworts, or (c) lichens, or (d) ruderals, or (e) inundation species, or (f) open grassland, or (g) flower-rich grassland, or (h) heathland.*
- 4. The site contains unvegetated, loose, bare substrate, and signs of pools may be present.*
- 5. The site shows spatial variation, forming a mosaic of one or more of the early successional communities plus bare substrate, within 0.25ha.*

OMH describes areas on previously developed land that feature a mix of bare ground and various habitat types, such as flower-rich meadows, grasslands, scrub, and wet areas typical of many churned-up brownfield sites. Notably, around 12% to 15% of all nationally rare or scarce insects are recorded on these sites, and so they carry a vitally important biodiversity value for those species. Indeed, some of these sites are so important for insects that they have been designated as protected sites in their own right.

UK, devolved government and retained EU legislation recognise the ecological value and importance of OMH. Indeed, OMH are explicitly recognised as a priority habitat in Wales (**Section 7 of the Environment (Wales) Act**) and are also defined as such in the Bridgend Local Biodiversity Action Plan, as outlined in Local Priority Habitats and Species (Section 42 of the **NERC Act 2006**).

In summary, the main reasons that OMH is recognised and protected so extensively through Environmental and Ecological legislation are as follows:

Rarity: These habitats are often scarce and vulnerable to threats from development and natural succession.

Biodiversity Hotspots: They can support a surprisingly high diversity of plant and invertebrate species, including rare and specialised ones that may not thrive in more uniform environments.

Refugia: They can act as important refuges for species that have declined in more traditional habitats like grasslands and heathlands.

Unique Conditions: The mosaic of bare ground, sparse vegetation, and varied substrates creates unique microclimates and niches that support specialised ecological communities.

Last Energy UK Ltd have held two public meetings in Coytrahen to date. In both meetings, they made statements that cause me great concern.

Firstly, they have consistently asserted that the site is lacking in wildlife and natural habitats. They plan to enhance biodiversity by reintroducing species and habitats already native to the Llynfi Valley. While this initiative may boost bio-abundance, the elimination of a possible rare habitat will reduce biodiversity.

Secondly, they have stated that they will endeavour to clear and 'make good' the site, regardless of whether they are successful with planning. This may be a prelude to removing a known, critically important habitat before any official ecological surveys are conducted as part of the planning application or any other application relevant to this being a potential nuclear site.

Both these statements deeply concern me as a potentially valuable habitat could be inadvertently or deliberately destroyed before a thorough ecological assessment can be undertaken.

Wales operates under a framework that mandates a "net benefit for biodiversity" from new developments, underpinned by the Environment (Wales) Act 2016 and detailed in Planning Policy Wales. While not as prescriptive as England's BNG with a percentage target, the direction of travel is towards increasingly robust requirements for demonstrable and long-term enhancement of biodiversity.

The foundational planning policy document in Wales requires that every development delivers a "net benefit for biodiversity." This means development should not cause any significant loss of habitats or species and must provide a net benefit for biodiversity, ideally on-site.

Early identification of such habitats is crucial to ensure that their ecological value is understood and appropriately considered within the planning process.

The primary risk at the Llynfi Power Station site is that the potential OMH and any associated species could be **destroyed or significantly damaged before a formal planning application is submitted and comprehensive ecological survey work is carried out.**

Here's why this is a significant concern:

- **"Brownfield" Misconception:** While brownfield land is generally prioritised for development, there's a critical caveat: it should **not be of high environmental value**. OMH is precisely a high-value brownfield habitat. The risk is that the site is seen merely as "derelict" industrial land, leading to clearance activities without proper ecological assessment. Last Energy UK Ltd, in their recently published **EIA Scoping Report**, describe the site as *'The majority of the site can be classified as derelict hard standing, not a known habitat for most protected species in the UK.'*
- **Demolition and Clearance History:** The Llynfi Power Station site has already seen significant clearance in the past, including the demolition of structures and land clearing in recent years (e.g., for equipment storage). This history indicates a potential for further, unsurveyed clearance.
- **Lack of Early Ecological Survey:** For developments of this nature, robust ecological assessments, including Phase 1 habitat surveys and potentially more detailed protected species surveys, are crucial. These surveys need to be conducted *before* any ground-breaking or demolition work to identify and assess the value of the habitats present. The baseline habitat surveys and data that Last Energy UK Ltd have used in their EIA Scoping Report were conducted in 2004 (bat survey), and a Phase One habitat survey was conducted in 2010. Both are now considerably out of date, especially considering the site has been cleared previously.
- **"Material Consideration" Before Permission:** The presence of protected species or priority habitats like OMH is a "material consideration" in planning

decisions. This means their presence and the potential impact of development must be established *before* planning permission is granted. Premature demolition circumvents this.

- **Loss of Data and Mitigation Opportunities:** If the habitat is destroyed before surveys, it becomes impossible to accurately assess its biodiversity value, quantify the "net loss," or design effective mitigation and enhancement strategies to achieve the required "net benefit." This undermines the core principle of Welsh planning policy.
- **Legal and Reputational Consequences:** Destruction of protected habitats or species without proper planning and licensing can lead to legal penalties and significant reputational damage for developers.

To mitigate this risk, the following safeguarding measures should occur:

1. **Early Ecological Assessment:** Before **undertaking** any further site clearance or significant works, a thorough ecological assessment should be conducted, ideally starting with a Phase 1 habitat survey and OMH assessment. This will identify the presence and quality of any OMH and flag the need for further surveys of protected species.
2. **Engagement with PEDW, LPA, NRW:** Developers should engage early with Bridgend County Borough Council (as the Local Planning Authority), PEDW (as it is a Development of National Significance) and Natural Resources Wales (NRW) to discuss the potential for high-value habitats on site and agree on appropriate survey methodologies and mitigation strategies.
3. **Green Infrastructure Strategy:** Any development proposals should integrate a comprehensive green infrastructure strategy from the outset, demonstrating how biodiversity will be maintained and enhanced.
4. **Adherence to the Step-Wise Approach:** Developers must follow the mitigation hierarchy, which involves avoiding, mitigating, and, as a last resort, compensating for biodiversity loss. Premature destruction bypasses the "avoid" and "mitigate" steps.
5. **Section 106 Agreements:** If development proceeds, legal agreements (e.g., Section 106) will be critical to secure the long-term management and monitoring of any created or enhanced biodiversity areas, ensuring the "net benefit" is sustained.

In essence, the unique ecological value of brownfield sites like Llynfi Power Station, particularly for OMH, means they cannot be treated as a blank slate for development. Robust ecological survey work ***is paramount before*** any demolition or ground disturbance, ensuring compliance with Welsh planning policy and preventing irreversible biodiversity loss.

I would appreciate your advice on the following.

1. Please acknowledge receipt of this letter and my concerns.
2. Investigate whether there are any legislative actions, either centrally or locally, that can be leveraged at the site to prevent any further damage or clearance until such time that an accurate ecological assessment can be made.
3. Arrange for a preliminary phase 1 ecological and habitat assessment of the former Llynfi Power Station site to specifically investigate the potential presence and extent of open mosaic habitat. This assessment should be conducted as soon as possible, before any site clearance or preparatory works for development.
4. Please advise on the appropriate procedures to ensure the protection and potential mitigation of this habitat should it be confirmed to be OMH, or indeed any habitat of important ecological standing.

In addition to yourself, this letter is also copied to the following organisations and individuals for their awareness and/or contribution.

Rebecca Evans MS - Cabinet Secretary for Economy, Energy and Planning (FYI/CC)

Chris Elmore - MP (FYI/CC)

Gary Haines - BCBC Councillor

Bridgend Planning Department (FYI/CC)

Natural Resources Wales - Planning (FYI/CC)

PEDW - Dept DNS and Chief Planning Inspector (FYI/CC)

Wildlife Trust South and West Wales (FYI/CC)

Bug Life (FYI/CC)

South East Wales Biodiversity Records Centre (FYI/CC)

WWF Cymru (FYI/CC)

A coordinated effort is essential to ensure the ecological value of this site is considered correctly.

Thank you for your time and attention to this critical matter. I look forward to your prompt response and confirmation of the steps you will be taking.

Yours sincerely,

Gareth Adams