

Contact Cyswllt Nicola Lake
Your ref Eich cyf 3264571
Our ref Ein cyf P2021/0057

FAO Giulia Bazzoni
Planning & Environment Officer
The Planning & Environment Team
The Planning inspectorate

BY EMAIL ONLY

dns.wales@planninginspectorate.gov.uk

Dear Madam,

Project Name: Y Bryn Wind Farm

Site Address: Land at Bryn and Penhydd forest, located between Port Talbot and Maesteg

Proposed Development: Wind farm of up to 26 turbines (6.6 MW per turbine) with a maximum height of 250m in height and 170m in rotor diameter, transformer housing, battery storage, permanent anemometry masts, access tracks, crane pads and borrow pits.

I write in regards to your letter dated 15th January 2021, which seeks advice on the scope of the EIA for the above mentioned proposed windfarm development. Consideration has been given to the information provided in the EIA Scoping Report and the questions raised therein, together with the relevant regulations and information that the Authority holds. Our advice is set out below in response to the respective chapters, the questions raised by the applicant and with reference to Schedule 4 of the EIA Regulations 2017:

Chapter 1: Introduction

No observations to make.

Chapter 2: The applicant

No observations to make.

Chapter 3: The proposed development

No observations to make, beyond that full details of all aspects of the proposed development should be submitted with any application submitted including full plans and elevations of all structures and building proposed, as well as the identified supporting information.

Environment

Ceri Morris of Planning and Public Protection
The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG
Tel 01639 686868

Yr Amgylchedd

Ceri Morris Pennaeth Cynllunio a Gwarchod y Cyhoedd
Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG
Ffôn 01639 686868

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.
Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.

Similarly, details of a fund or the funding of the decommission strategy should be included, providing information on how such a fund would be provided, secured and ensuring that it is available should it be required prior the end of the project's predicted life expectancy of year 50.

Chapter 4: Consultation

Question 1: Do consultees have any comments in relation to the proposed approach to community consultation?

The information provided has little reference to supplementary measures that may be undertaken if the Covid related restrictions on public interaction are still in place when the consultation exercises are undertaken. It is therefore strongly suggested that consideration is given to contingencies that may be necessary to ensure that all sections of the extensive surrounding communities are reached by the required consultation on the project. This is considered of particular importance given the predicted initial life time of the project of 50 years, during which the development would be located within these communities and impacting upon their day to day lives, as well as during construction and decommissioning.

Chapter 5 Approach to the Environmental Impact Assessment (EIA)

Question 2: Do consultees have any comments in relation to the Approach to the Environmental Impact Assessment and to mitigation, enhancement and monitoring? We intend to focus the EIA on the significant effects and therefore propose to scope out likely non-significant effects.

While in general we have no objection to the principles expressed in relation to the Mitigation, and monitoring, particularly given that this development would be the first on shore windfarm with turbines of this height. However in light of the untested nature of not only on shore turbines of this height, but the proposed number over a wide area and in close proximity to well established settlement areas, it is suggested that such a clear division of significant and non-significant effects may not be possible. For this reason it is suggested that the developers give serious consideration to the application of a more adaptive approach to monitoring and mitigation for the project, as well as the more traditional clear cut significant and non-significant effect approach as identified within the Scoping Report. Such an adaptive approach would allow areas/issues where the full potential effect of 250m high turbines located within development valley areas could be monitored and where necessary additional mitigation implemented to offset unpredicted impacts of the development, over the predicted 50 year life time of the project.

Further comments in relation to this question are contained within the White Consulting Document attached as appendix 1.

Chapter 7: Environmental Statement

Question 3: Do consultees have any comments in relation to the proposed sections to be included in the ES?

Table 7.7.1 does not appear to identify where the assessment of Reasonable Alternatives would be considered in accordance with Regulation 17(3)(d).

It is also a little unclear where the Cumulative Impacts would be assessed within the ES. The developer within para. 5.5 states that Cumulative Impacts will be assessed within the ES and states that each discipline notes the scope of cumulative assessment within the submitted Scoping Report. However, it is suggested that the ES should also bring together any and all identified Cumulative Impacts together within one section of the ES where the sum of these impacts are brought together for assessment and considered as one, rather than left adrift within each chapter of the ES.

Chapter 8: Embedded mitigations and further layout mitigations

No direct observations to make other than any comments identified elsewhere within this response.

Chapter 9: Purpose of this scoping report

Question 4: Do the consultees have any comments about the proposed approach to scoping and the purpose of the scoping report?

Under para. 9.1.2 the developer identifies that consideration will be given to “Experiences from existing windfarms”, while it is accepted that some consideration should be given to such sources of information, it should also be noted that such developments have turbines with a maximum height of under 150m. It is therefore suggested that such information should be used in a cautionary way to avoid the assumptions that what may result from a development with masts of 150m in height will similarly result from a development of masts of 250m in height. Similarly information in relation to off shore developments where turbines of such heights are more usual should similarly be caveated with a degree of caution given their remote nature, lack of topography, different ecology and different weather patterns. There is concern that the use of such information to eliminate potential impacts is somewhat flawed and perhaps a little short sighted.

Similarly under para. 9.1.3 the developers talk about using this ‘larger’ scoping report to result in a more ‘Streamlined’ ES than previous ES submissions. This approach may be welcomed in relation to a development scheme for 26 proposed masts with maximum heights of 150m, but it is difficult to see how such an approach could be taken on a development which appears to be the first of its type. Surely in relation to such a project the scope should be broader than what would be expected on a development that has been tried and tested numerous times before. The Authority finds such an approach extremely concerning in relation to a development that will be the first of its type in such a location. It is also noted that the submitted Scoping Report does not appear to include any significant information beyond that which would normally be expected in relation to Regulation 13 and Schedule 4 of the EIA Regulations 2017. There is little technical information that would support the potential ruling out of possible ‘non-significant’ impacts, beyond those that would obviously not apply.

Chapter 10: Ecology

Question 5: Do consultees agree with the approach used for scoping in/out statutory and non-statutory designated sites? Not entirely, please see comments below.

Question 6: Do consultees consider the proposed baseline survey methodologies appropriate? Not entirely, please see comments below.

Question 7: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional species or habitats, whether referred to above or otherwise?

The mitigation needed will be dependent upon the outcome of the surveys and assessment of impacts and similarly enhancement measures will be informed by the final survey results. However, the following provides some initial ideas: measures to protect and translocate important plants and bryophytes along the access track, such as clubmosses; restoration of any deep peat soils to bog habitat; restoration of heath habitats that may support reptiles and invertebrates; specific monitoring and measures for bats and birds.

- The scoping report refers a number of times to a PEA undertaken in 2018; this has not been provided.
- The list of SINC's in the area is incomplete, woodland and watercourse SINC's appear to be missing. This should be updated accordingly and should be included in the assessment.
- It is noted that the habitat survey was undertaken quite late in the season and early flowering species such as woodland ground flora may have been missed. As further surveys are being undertaken in 2021 it is recommended that the opportunity to add to the existing data recorded be undertaken.
- In relation to records and data in the area, particularly in relation to key species it is also recommended that NPTC and the Local Nature Partnership be contacted for further information.
- It is confusing why Bryn Tip LNR has been scoped out of the EIA assessment but Bryn Tip SINC is scoped in – this is the same site and is immediately adjacent to the site boundary as such both designations should be considered in the assessment.
- It is noted that 10.5.10 mentions surveys within 250m of infrastructure, it is not clear what is considered infrastructure in this context. We would wish to ensure appropriate surveys were included for all works associated with the development including turbines and associated hardstandings, built development, access track widening, grid connection and site compound etc.
- In the reference to the NVC survey proposed it is noted that this is to be limited to habitats considered of high conservation value. This may result in some rare or S7 species being missed. There are various plants and bryophytes (such as clubmosses) found within forestry areas that are associated with track edges and are not necessarily restricted to traditional S7 habitats for example. Surveys for such species should be undertaken along all track edges likely to be impacted by widening and other infrastructure works. Further discussion and liaison with local experts in the Local Nature Partnership would be helpful to inform such surveys.
- In line with the NatureScot guidance we would expect walked transect/vantage point surveys to be undertaken for bats in addition to those methods set out. These should particularly be undertaken in areas where roosts are discovered and areas of high activity

discovered during the other surveys. This is imperative to identify any important flightlines and to establish an understanding of bat behaviour at such locations. We would also expect transect surveys to be undertaken to particularly consider impacts upon the bats populations of Margam Park, especially in relation to turbines and other infrastructure (T22, T26 and T25) close to the valleys connecting to the Park (Cwm Phillip, Cwm Beddau, Cwm Maelwg and Cwm Caetreham). An understanding of important flightlines from the Park's roosts would be expected to be a key consideration of the EIA. As Margam Park supports numerous bat roosts of numerous species (14 confirmed species, possible the most diverse site in South Wales if not all of Wales) it is important to fully understand any potential impacts that the development will have on Park populations.

- 10.5.16- in relation to Great Crested Newts we would recommend that other methods are used to survey GCN as well as eDNA. False positives and negatives have been encountered in the county (including in Port Talbot) and therefore we have concerns about the reliance of this single method. As the number of ponds are limited it is suggested that additional standard methods are also applied to accompany the eDNA results.

- 10.6.1 suggests that all SINC's have been avoided, however the SINC list is incomplete. This should be revisited. In addition, all sites that meet SINC criteria are considered a SINC and therefore should also be included in this avoidance mitigation, it is not clear whether this is the case.

- Reptiles are protected species as such will be expected to be included in the EIA. They should not be scoped out of the assessment, although by assuming presence it is agreed that they can be scoped out of the survey work.

- Similarly, invertebrates should also not be scoped out of the assessment, there are numerous records for S7 species within the site boundary including Small Pearl Bordered Fritillary and Small Heath. As such invertebrate surveys should be undertaken and they should be considered as part of the assessment. Details of methods for such surveys should be agreed with NPTC prior to any surveys taking place.

- In relation to assessment of habitats this should include the identification of the presence of S7 Environment (Wales) Act (S42 NERC Act 2006)/ LBAP habitats and species, sites that meet SINC criteria, in addition to protected species. A balance of S7/LBAP/SINC habitat loss/gain to the scheme should be included.

- An assessment of the impacts upon areas identified as sites of importance for nature conservation (SINC) and all areas that would meet the criteria of a SINC. NB details of identified SINC's are available from SEWBRc and the criteria are available from the Wales Biodiversity Partnership website.

- An assessment of ecosystem resilience (Section 2 Environment (Wales) Act 2016) should be included in the EIA; this shall particularly consider:

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems (including their structure and functioning);
- (e) the adaptability of ecosystems.

- Mitigation/compensation will be expected to be provided for all impacts and enhancement will also be required to comply with the Environment Wales Act 2016 biodiversity duty, however please note that in Wales the principle of 'net benefit' should be applied rather than 'net gain'.
- No detail is provided on how cumulative effects will be assessed. Considering the number of adjacent windfarms in similar upland locations, cumulative effects could be significant. Further clarification if therefore needed.

Ornithology.

Question 8: Are consultees satisfied with the coverage provided by the vantage point locations?

Yes, all turbine areas appear to be covered.

Question 9: Are consultees satisfied with the ornithology surveys proposed for a second year of baseline recording (i.e. a full year of VP surveys at standard effort (36hrs per season: September to February and March to August), raptor surveys (February to August) nightjar surveys (June and July) and with no repeat of the breeding bird survey)?

No, the breeding bird survey should be repeated and territory mapping included. See below comments.

Question 10 Do consultees agree with those ornithological features that have been highlighted for assessment within EIA and those that have been 'scoped out'? No, see comments below.

Question 11: Are there any other key ornithological features that consultees believe should be considered that have not been discussed above? We are unaware of any further features.

Question 12: Do consultees consider any Natura 2000 not discussed above as requiring consideration as part of screening for AA? No

Question 13: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional species, whether referred to above or otherwise?

Mitigation needed will be dependent upon the outcome of the surveys and assessment of impacts and similarly enhancement measures will be informed by the final survey results. However, the following provides some initial ideas: bird habitat losses will need to be offset potentially by created new habitat within the site, nightjar appear to be a key feature so permanent habitat creation for this species would be beneficial; monitoring of bird strikes would also be recommended.

- In relation to bird records and data in the area, particularly in relation to key species it is also recommended that local bird groups Gower Ornithological Society and Glamorgan Bird Club be contacted for further information.
- It is noted that the VP survey non-breeding season does not meet the guidance in relation to minimum hours. It is therefore absolutely essential that the second year survey does cover the required survey hours.

- The approach to breeding birds, particularly passerines, is not considered adequate. It is noted that the breeding bird survey was started late in the season (May) and will therefore have potentially missed early nester such as Crossbills. This is not considered adequate and should be repeated in 2021. No territory mapping for passerines has been undertaken, which will also make any assessment of wild bird habitat loss/impact difficult. The assessment of impacts upon wild bird habitat is a requirement of the Conservation of Habitats and Species Regulations 2017 (as amended). Without appropriate survey to inform this assessment a precautionary approach would need to be applied. This would likely result in the requirement of significant mitigation. It is therefore recommended that a repeat and adequate breeding bird survey is undertaken, particularly of areas where infrastructure will impact bird habitat. This should include territory mapping. Non-breeding season surveys are also recommended to be undertaken to inform this requirement.
- Very little detail is provided in relation to the methodologies employed for the breeding raptor survey, especially for Honey Buzzard. Standard methods for Honey Buzzard normally require significant vantage point watches but only 'short VP watches' are mentioned. Further detail on methods employed should be provided to allow comment on suitability.
- 11.5.11 - it should be noted that additional Golden Plover habitat is incorporated into the habitat management plan for Brombil Wind farm, immediately adjacent. This may increase numbers over time, this should be considered as part of the EIA.
- 11.5.17 in relation to Black-headed Gull, a little more detail on the length of time of the flights within PCH would be helpful to inform our comments on whether this species should be scoped in or out.
- 11.5.39 Kestrel should not be scoped out. If there is a risk of collision for this species this could be significant at a population level. With severe local declines in population levels of this species we would recommended that impacts upon this species are fully assessed.
- 11.5.4 Passerines, disturbance/displacement, should not be scoped out. As S7 species assessment of impacts is required under our LDP policies and the Environment Wales Act 2016. It is also necessary to assess wild bird habitat impacts under the Conversations of Habitat and Species Regulations. An assessment of impacts upon bird habitat should be included in the EIA; this should ideally be based on up to date survey information (including breeding, foraging and wintering requirements).
- No detail is provided on how cumulative effects will be assessed. Considering the number of adjacent windfarms in similar upland locations, cumulative effects could be significant. Further clarification if therefore needed.

General Comment on Ecological and Ornithological Surveys:

- Most ecological surveys are considered out of date once they are older than about 18 months. It is therefore recommended that the applicant ensure that surveys are repeated/checked for applicability when necessary to ensure all surveys are in date on submission.
- Concern that cumulative effects are not discussed. Further clarification if therefore needed.

Hydrology, Geology and Hydrogeology.

Question 20: Are consultees in agreement with the methodologies proposed and the topics to be scoped out? Largely yes but please see below comments relating to the assessments on peat.

Question 21: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional receptors, whether referred to above or otherwise? Restoration of all deep peat resources on site to functioning peat bog habitat is recommended to be undertaken.

- In relation to peat soils it is recommended that the Unified Peat Map of Wales also be interrogated and used to inform the assessment.
- Assessment of the hydrological connectivity and function of peat soils, especially deep peat resources should also be undertaken.
- All deep peat resources should be avoided as part of the design and siting of infrastructure. Infrastructure should also avoid impacts upon hydrological connectivity of peat bodies.
- In relation to mitigation it is recommended that reliance on Scottish guidance should be avoided. Experience at Pen y Cymoedd has proven that South Wales peat bodies are not comparable with the deeper peat resources found in Scotland. Floating roads for example have been shown to not work in the South Wales context and particularly where peat is in a degraded state due to afforestation.
- It is recommended that a deep peat resources are restored to functioning bog habitats throughout the site.
- No detail is provided on how cumulative effects will be assessed. Considering the number of adjacent windfarms in similar upland locations, cumulative effects could be significant. Further clarification if therefore needed.

Forestry.

Question 28: Are consultees in agreement that this provides sufficient guidance for the forestry elements of this wind farm proposal? Largely, but see below comments.

Question 29: Are consultees in agreement with the proposed methodology and approach for forestry? Largely, but see below comments.

- Consideration of current standards and research relating to afforestation on deep peat should also be considered in the assessments along with the aspirations of the Welsh Peatland Action Programme. Current research on felling best practice should also be considered where it relates to trees on deep peat, ensuring that the soils are conserved by felling methods with the aim to facilitate restoration.

- The ecology chapter should also inform the felling proposals, ensuring biodiversity is appropriately protected and mitigated during such works. It is noted that the forestry chapter suggests that the ecology chapters will assess the effects of the forest felling and restocking, this is welcomed, however this doesn't appear to be reflected in the Ecology chapter.

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

Chapter 12 Landscape and Visual Impact Assessment (LVIA)

The comments in relation to this section are contained within a separate report (Appendix 1) produced by the Council's appointed LVIA Consultant Simon White of White Consultants and contains information in relation to the following questions.

Question 14: Do consultees agree that assessing the maximum hub height available for the tip height in question is appropriate?

Question 15: Do you agree with the proposed size of the study area?

Question 16: Do consultees agree with the number, location and receptor types that have been selected as the representative viewpoints in order to assess the effects on visual amenity within the study area?

Question 17: Do consultees agree with the methodology used to determine which wind farms are to be included within the cumulative assessment and also agree with the list provided in Table 12.8?

To clarify in relation to the response within the Simon White Report to this question, the P2014/0825 – Foel Trawsant application for the Installation of 11 wind turbines with a maximum tip height of 145m to generate up to 33 MW, together with ancillary development including substation and control building, on site underground electrical cables, stone site access tracks, temporary construction compounds, turbine foundations and temporary crane pads was determined by the Planning Committee on the 24 September 2019 to grant conditional planning permission subject to the signing of S106 agreement. However to date the S106 Agreement has not been completed and as such the decision has not been issued. However in November 2020 the applicants stated that they were still seeking the signatures of people who had an interest in the land in order to complete the agreement.

The report also refers to an existing wind turbine located within the Margam coast plane. The planning permission for the wind turbines is P2013/0300.

Question 18: Do the consultees agree with the proposed approach to assess the effects on landscape character and visual amenity?

Question 19: Do consultees see value to any particular enhancement measures?

In addition to those comments within the White Consulting Report (Appendix 1), it is noted that within the UK there are only two buildings with a height in excess of 250m – The Shard (310m) and The Helter-Skelter, Twentytwo, The Pinnacle (278m). There are a further 7 buildings within the Greater London and Tower Hamlets areas that have heights ranging from 236m to 205m. While it is acknowledged that the current proposal is for wind turbines and not buildings, it is seeking consideration for the erection of 26 turbines that would each have a height of 250m located within a semi-rural area surrounded by small scale settlements, historic features, registered historic landscapes and Historic Parks and Gardens. The scale of the proposed development would mean that it is difficult to see how it would not wholly and completely dominate the surrounding environment, to what could only be considered an unacceptable degree and to the detriment of the amenity of that environment, communities and the residents who live there. For these reasons any assessment of the visual impacts associated with the proposed development must be extensive and comprehensive, rather than the streamlined approach suggested by the applicants.

Chapter 13: Hydrology, Geology and Hydrogeology

Question 20: Are consultees in agreement with the methodologies proposed and the topics to be scoped out?

Please see the comments stated within the Ecological Section in response to the Biodiversity comments in relation to these questions.

Question 21: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional receptors, whether referred to above or otherwise?

Please see the comments stated within the Ecological Section in response to the Biodiversity comments in relation to these questions.

The Drainage Authority's comments in relation to the submitted Scoping Report are that while the content of item 13 of the scoping report are noted and the references made to the various documents, attention is also drawn to the requirements for reference to Welsh Governments Statutory Standards for Sustainable Drainage Systems 2018, as well as the requirement for a separate SAB application. Advice on the appropriate submission of such an application and the Council's pre-application advice services are available on the Council's website at <https://www.npt.gov.uk/17534>.

Chapter 14: Cultural Heritage

Please see attached as Appendix 1 the comments from the Council's appointed LVIA Consultant Simon White from White Consultants in relation to Culture Heritage, where he addresses questions 22 and 23.

Question 22: Do consultees agree with the approach and scope of the Heritage assessment?

Question 23: Do consultees see value to any particular mitigation and/or enhancement measures for any local or regional heritage features, whether referred to above or otherwise?

In addition to those comments contained with the White Consulting Report, it is noted that Talbot Memorial Park, Talbot Road, Port Talbot – a Grade II registered Historic Park and Garden appears to be missing from all the Designated Historical Assets Plans.

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

They have assessed the documents on the NPT website, and also on the DNS website, but have been unable to see a copy of the Cultural Heritage Assessment on either, only the figures. The scoping report states it is by Headland Archaeology, but they have been unable to view any correspondence relating to this site.

To meet the current professional standards, there should have been a methodology agreed between GGAT as the Council's advisors and Headland Archaeology prior to the assessment being undertaken (ClfA Standard and Guidance for desk based assessment, paragraph 3.2.1)

They are unable to comment further without access to this document as well as a copy of the methodology.

Chapter 15: Traffic and Transport

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

A TMP should be based on documented trial runs that mimic the movement of the longest, widest and highest anticipated loads as agreed with the Highway Authority. The extent of the load envelope in terms of width and height should be clearly visible using a collapsible template at a minimum of three locations along an extendible trailer bed. The trial run(s) must be escorted by the police, witnessed by the relevant officers of the Highway Authority and recorded with full video coverage. Unless a pre-meeting has taken place with all relevant bodies, and agreed in writing that a trial run is not required.

Before a trial run can be scheduled, a brief Trial Traffic Management Plan (TTMP) is required to enable the police to agree the details and to decide how it will be managed. The main purpose of a TTMP is to identify constraints where the trial vehicle is unlikely to pass without alterations to the highway infrastructure, a reduction in length and/or modification of the load envelope, and locations where oncoming traffic could be held and following traffic released to avoid queues. The

Highway Authority must approve the TTMP in consultation with the police before the trial run can take place.

In addition, the applicant must apply for Temporary Traffic Regulation Orders (TTROs) for each section of the route where the police may need to stop or hold traffic to allow the trial run vehicle to pass. This may involve applying to multiple highway authorities for TTROs, as some routes might go beyond the boundary of the Authority and the process can take several months.

The TMP should contain the information set out below and be read as a standalone document. This may mean that aspects of the TMP may be repeated from other documents associated with a planning submission, such as the Environmental Statement.

The scope of the TMP should include the following:

1. Introduction - background; number of turbines; scope of TMP

2. Context - relevant policy framework; legislative context for abnormal load movements; relevant studies relating to TMP proposals; other proposed wind farm developments that may be using a similar access route

3. Description of Route - detailed description of the access route from the port of entry to the site, identifying road types and characteristics; anticipated background traffic flows on the network, including other proposed developments such as other wind farms; plans showing the extent of the route; consideration of alternative modes of transport

4. Convoy Size - number and sizes/details of loads; possible convoy composition including private and police escort (to be agreed with the police)

5. Traffic Management - methodology for moving convoys whilst minimising delay to other traffic; outline design and location of holding areas, including passing places and overnight/longer term layover areas; plans showing points where the police may need to hold other traffic to enable the convoys to pass, such as at junctions or bends; contingency plans in the event of incidents or emergencies

6. Delivery Times - estimated journey durations based on assumed convoy speeds, including timings for traffic sensitive locations, delays to negotiate constraints and assumed arrival/departure times at residential communities; forecast queues of other traffic in both directions along the route, based on background traffic flow data; consideration of turbine deliveries to other wind farms proposing to use similar routes

7. Highway Works - location, nature and details of all potential horizontal and vertical constraints such as junctions, bends and steep gradients; swept path analysis of horizontal constraints, based on topographical survey data at bridges and critical constraints; outline design of proposed permanent improvement works to address the constraints, such as bend widening, junction modification or changes to vertical alignment, ideally to enable movement of the convoys without the use of manual rear wheel steer; plans showing all improvement works in relation to the highway boundary; cross sections and long sections of any works beyond the highway boundary

8. Structures - carriageway width at all highway structures; headroom at all over bridges, supplemented by vertical swept path analysis and topographical survey where required; indication of assumed axle/vehicle loading; proposals for assessing the impact on highway structures, non-highway structures and buildings, and any embankment slopes possibly affected by loads; identification of listed structures

9. Trial Runs - documented trial run information, mimicking the movement of the longest and widest anticipated loads, witnessed/observed by the relevant highway authorities and police and recorded with full video coverage. Unless a pre-meeting has taken place with all relevant bodies, and agreed in writing that a trial run is not required.

10. Public Awareness - proposals for consultation with and notification to the travelling public and local communities

11. Environmental Impact - all physical works and operation along the extent of the transport route to be considered as part of the environmental assessment of the development even if temporary.

12. General Construction Traffic - details of all non-abnormal loads forecast to travel to and from the site; route choice for different types of load throughout the construction programme; anticipated times of movement through traffic sensitive and/or residential areas; cumulative impact associated with other proposed developments such as wind farms using the same access route

13. Consultees for TMP - list to include all affected highway authorities and police forces.

Base mapping for swept path analysis and outline designs to be based on topographical survey where possible, but 1:2500 scale Ordnance Survey (OS) mapping would be acceptable provided all critical dimensions are confirmed by site measurement and shown on plans.

The Highway Authority's reasonable costs in assessing the TMP and the impact on the highway network shall be met by the developer

Chapter 16: Noise

The following comments have been provided by the Authority's Environmental Health Section.

Question 24: Do consultees agree with the proposed approach to cumulative noise and the list of other wind developments that are planned to be included in the cumulative noise assessment?

They have seen the response provided by the Bridgend CBC - Environmental Health Officer and are in agreement with these comments.

Question 25: Do consultees agree it is appropriate to assess noise from the development, individually and cumulatively, against a daytime limit of 40 dB LA90 / Background + 5 dB and 45 dB LA90 for financially involved properties?

They have again viewed the Bridgend CBC - Environmental Health Officer's response and are in agreement with these comments. They would also like to add that this application infills an area surrounded by operational or consented smaller windfarms. For those windfarms located within the NPT boundary, the noise limits have predominantly followed the lower fixed daytime noise limit of 35dB LA90, 10mins or background + 5dB, whichever is greater. The night time limits at these receptors shall be 43dB LA90, 10mins or background + 5dB, whichever is greater. We would agree with Bridgend CBC that simply being bigger than 50MW is not sufficient grounds to overcome the balanced criteria for departing from the lower fixed daytime limit, especially as the number of turbines in proximity to village locations are increasing.

Question 26: Do consultees agree with the areas proposed for background noise monitoring?

They are again in agreement with the response from the Bridgend CBC - Environmental Health Officer. They would also like to add that the Foel Trawsnant data has been recently reviewed in connection with the revised scheme and is acceptable. The background data for Mynydd Brombil however is quite old (Measurements undertaken between 12th Dec 2011 and 3rd Jan 2012), and there is therefore an argument for an additional background monitoring area to the south of the proposed development to ensure that background measurement data for receptors in this area is relevant to the current soundscape and not that which existed almost a decade ago.

We would want to agree any new monitoring locations within the background monitoring areas prior to those works taking place and suggest that officers from both Local Authorities should be given the opportunity to be present at the actual siting of the sound level meters to ensure that the locations are truly representative of the receptor locations and they are not affected by extraneous noise sources.

Question 27 Do consultees agree with the proposed approach to assessing construction related noise from the proposed development?

They continue to agree with the response provided by the Bridgend CBC - Environmental Health Officer.

Chapter 17: Forestry

Comments in relation to Questions 28 and 29 in regard to Biodiversity are set out within the Chapter 10 – Ecology response above. While issues of Forestry Management are also addressed within the Simon White Consultancy Report (Appendix 1).

Question 28: Are consultees in agreement that this provides sufficient guidance for the forestry elements of this wind farm proposal?

Question 29: Are consultees in agreement with the proposed methodology and approach for forestry?

Chapter 18: Socio-Economics

Question 30: Are consultees in agreement with the proposed methodology for socio-economic and that tourism is scoped out?

There is concern in relation to the rather general and sweeping statements made within para 18.1.2 in relation to all tourism in the whole of Wales. The Authority is concerned about the impact of the proposed development upon the existing and future growth of tourism within the coastal plane and valley areas. There are limited employment opportunities within the valley areas, but one area of growth has been the development of small scale tourism facilities. Many of these are located within the communities that surround the proposed development areas. Such as a variety of overnight accommodation as well as companies which support the growing walking and particularly cycle related activities. In recent years there have also been tentative moves to large scale tourism projects such as the Afan Adventure Park and the Rheola House Projects, as well as the Council's own initiatives based around Margam Country Park, Afan Forest Park and Glyncoed Mountain Bile Centre, and the Aberavon Seafront. While the Authority does not disagree with the statement that people are generally in support of Green Energy, this does not necessarily confirm that people would be happy to holiday or carry out tourism activities in close proximity to such green energy facilities. It is difficult to see how the proposed development would have a beneficial impact upon this industry and it is essential that any and all potential negative impacts upon the socio-economic environment including tourism must be fully and comprehensively assessed, monitored and where possible systematically mitigated.

Chapter 19: Health and Public Safety

Question 31: Do you agree that ice throw and lighting is scoped out of the ES and potentially shadow flicker if no properties lie within 10 rotor diameter of turbines?

It is understood that the development areas are crossed extensively by Public Rights of Way, cycle paths and tracks. As such, it is considered that at this stage it cannot be agreed that the above issues can be scoped out of the ES. Particularly given the tourism uses of these tracks and in particular their use of the cycle network within these areas.

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

It is also understood that the proposed development would intend bringing the turbines to site using the M4 motorway. The area adjacent to the motorway as shown on the attached plan (Appendix 2) shows the extent of the Air Quality Management Area (AQMA). The Council's progress in attempting to bring about improvements in the air quality within this area are detailed within the 2019 Air Quality Progress Report (September 2019) which is available on the Council's website at <https://www.npt.gov.uk/1566>. As such consideration should be given to the increase in traffic congestion on the M4 during the AIL deliveries to the development sites during the construction process and the resultant impact upon air quality.

Chapter 20: Aviation and Existing Infrastructure

Question 32: Are consultees in agreement with the proposed methodology and approach for aviation?

There is a very small airfield located at Old Park Farm Airfield at E281022 N184510.

Question 33: Do consultees agree with the proposal to scope in aviation, Public Rights of Way and scope out impacts on impact on TV and microwave fixed links, gas, water and power lines?

In relation to Public Rights of Way, the authority generally require wind turbines to be a minimum tip height (250m in this case) plus 30m away from a Bridleway or Byway to avoid users in case of collapse – although with only one of each present on these sites this should be very achievable on this development. If this is not possible the developer should enter discussions with the Authority's Rights of Way Officers. Details of the network of Rights of Ways located around the development areas are shown on two plans attached as appendix 3.

TAN 8 currently states the following in terms of wind turbines and their proximity to footpaths, bridleways and byways:

“2.25 It is advisable to set back all wind turbines a minimum distance, equivalent to the height of the blade tip, from the edge of any public highway (road or other public right of way) or railway line.

2.26 There is no evidence that motor vehicle accidents have been caused as a result of drivers being distracted by the movement of wind turbine blades. Wind turbines should not be treated any differently from other distractions faced by a driver.

*2.27 The British Horse Society, following internal consultations, has suggested a **200m exclusion zone either side of public bridle ways** in order to avoid wind turbines frightening horses. This is not a statutory requirement and the circumstances pertaining at any particular site should be taken into account.”*

It is also noted that that **Open Access** forests probably have an ‘Equestrian permit scheme’ in operation (that is managed by NRW) which may need further consideration.

In determined applications for wind farms in the past the Authority would normally consult the Ministry of Defence; The Civil Aviation Authority; The BBC Research Department; Ofcom and Swansea Airport. Without further information and responses from external consultees we would be unable to comment in relation to the impact upon TV and microwave fixed links, gas, water and power lines. However the statutory and other bodies responsible for these issues should be able to provide further information.

Other Comments Not Addressed Above.

It is understood that the guidance with TAN 8 is now dated and was probably produced based on wind turbine schemes with significantly lower heights and turbine numbers that currently proposed as part of this development.

It is understood that Welsh Government will be publishing the new Future Wales – The National Plan 2040 on the 24th February 2021 and that the latest version of Planning Policy Wales (Edition 11) will also be released at the same time. It is expected that these new policy documents will result in the revocation of the current TAN8 document.

Within para. 3.3 The applicants state that the grid connection works fall outside the scope of the EIA. It is considered that if the proposed development is able to make connection through the existing grid connection network then the above statement is considered acceptable, however if this is not the case and that additional infrastructure would be required to make a grid connection, then these works should at least be detailed within any application, to allow the full assessment of all development necessary as part of the proposed development scheme.

Yours sincerely

Nicola Lake.
Team Leader – Development Management (East Team).
Neath Port Talbot Council