

DNS: EIA Scoping Direction

3255801: Mynydd Fforch Dwm

Contents

1. Introduction.....	3
2. Site Description	3
3. Proposed Development.....	3
4. History	4
5. Consultation.....	4
6. Environmental Impact Assessment Approach.....	5
6.1 Baseline.....	6
6.2 Reasonable Alternatives	6
6.3 Currency of Environmental Information	7
6.4 Cumulative Effects	7
6.5 Mitigation	8
6.6 Population and Human Health	8
6.7 Transboundary Effects	8
6.8 Topics Scoped In but not subject to a standalone chapter.....	8
7. Environmental Impact Assessment Aspects	9
7.1 Aspects Scoped In	9
Landscape, Visual Impact and Biodiversity.....	9
Noise & Vibrations.....	9
Ecology	9
Ornithology.....	9
Hydrology, Hydrogeology, Geology	9
Cultural Heritage & Archaeology.....	9
Traffic & Transport	9
Socio-economic effects	9
Aviation	9
Telecommunications	9
Shadow flicker.....	9
Climate change	9
Major Accidents & Disasters (no standalone chapter)	9
Human Health (no standalone chapter)	9
8. Table 1: Planning and Environment Decisions Wales Comments	10
9. Other Matters.....	20
9.1 Habitats Regulation Assessment	20
9.2 SuDS Consent.....	20

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This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 7 April 2022, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) (as amended) (“The 2017 Regulations”).

1. Introduction

Planning and Environment Decisions Wales (PEDW) received a request under [Regulation 33](#) of the 2017 Regulations for a Scoping Direction in relation to a proposed development for up to 7 wind electricity generating turbines (with a maximum tip height of 200m), a solar photovoltaic array, battery storage facilities, and associated infrastructure with an installed capacity of between 10 to 50 MW by Naturalis Energy Developments Ltd.

The request was accompanied by a Scoping Report (SR) [‘Mynydd Fforch Dwm Wind Farm EIA Scoping Report’, March 2022](#) that outlines the proposed scope of the Environmental Statement (ES) for the proposed development. The SR notes that the name of the proposed development is Mynydd Fforch Dwm Wind Farm, abbreviated to MFD and this Scoping Direction will use now continue to refer to the scheme as such.

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 approximately 6 km to the east of Neath and 4 km to the south of Resolven, approximately 1 km to the north east of the village of Tonmawr, and is circa 290 hectares.

3. Proposed Development

The proposal as described in the SR in paragraph 3.21 is that the MFD Wind Farm Project would comprise of the following main components:

- Up to 7 wind turbines within an indicative height of up to 200 m to tip;
- Up to approximately 20 hectares of solar PV panels, mounted on frames fixed to the ground with associated inverters, security fencing and CCTV system;
- Wind turbine foundations;
- External transformer housing;
- Crane pads / turbine laydown areas;
- Access tracks, entrance and turning points;
- Replacement bridge over Nant Blaen Pellenna;
- Substation and control building;

- Permanent met mast or LioDAR compound for wind monitoring;
- Underground electricity cables between the turbines and solar array and on the onsite sub-station;
- Temporary construction and storage compounds with ancillary infrastructure;
- Temporary borrow pits; and
- Potential energy storage infrastructure, anticipated to be in the form of a containerised battery storage.

It is anticipated that the project will be operational for 35 years after which the scheme would be decommissioned and the site largely cleared.

The scope of the EIA should include all elements of the development as identified in the SR, both permanent and temporary, and this Scoping Direction is written on that basis.

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives considered should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made.

4. History

The site is primarily being used for pasture grazing. No additional information regarding the site's history is included in the Scoping Report.

5. Consultation

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

- Neath Port Talbot County Borough Council (NPTCBC);
- Natural Resources Wales (NRW);
- Cadw;
- Coal Authority;
- Dŵr Cymru / Welsh Water;
- The Welsh Ministers (i.e. Transport Directorate of the Welsh Government); and
- South Wales Fire and Rescue Service

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

Due to an administrative error within PEDW, the Coal Authority was not consulted until later than other consultees. Their response has not been received to date, but it will be placed on file and passed to the applicants to ensure they can incorporate the Coal Authority's comments when preparing the ES.

NRW have confirmed that they wish to provide an updated response. When this is received it will be placed on file and passed to the applicants.

6. Environmental Impact Assessment Approach

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

As the assessments are made, consideration should be given to whether standalone topic chapters would be necessary for topics that are currently proposed to be considered as part of other chapters, particularly if it is apparent that there are significant effects and a large amount of information for a particular topic.

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

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

Rochdale Envelope: Whilst not specifically raised in the SR for this project, PEDW has previously been asked whether the '[Rochdale Envelope](#)' approach is appropriate for a DNS application for wind turbine development. Whilst this approach may be appropriate for the pre-application Environmental Impact Assessment work, it should be noted that a DNS application is an application for full planning permission under the Town and Country Planning Act 1990 (as amended). It is therefore not possible to submit a DNS application with as much uncertainty over what is proposed as is acceptable for an Outline application, or for a Development Consent Order under the Planning Act 2008. At the point of application, the following matters should be clear:

- Number of turbines
- Locations of the turbines (subject to micro-siting considerations)
- Maximum tip height
- Maximum hub height

It is open to the applicant to propose that final hub height and rotor diameter could be left to be dealt with via a written submission to the Local Planning Authority, as a pre-commencement condition (should planning permission be granted) provided the condition specifies that the hub

height must not exceed (x) m and the rotor diameter shall not exceed (y) m. As with other conditions, the applicant should seek to agree a suitable form of wording with the Local Planning Authority, which can be submitted for the appointed Inspector's consideration.

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

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

Micro-siting: The SR notes that micro-siting will be ascertained as part of the EIA assessment itself. Should it be required, the allowance sought will be made clear in the ES and will be assessed under each of the relevant topics. PEDW accepts the principle of micro-siting in applications for wind turbines, and welcomes the SR's stated approach of assessing the possibility through each section in the EIA. The ES should be prepared using a clearly identified worst case scenario and final design should not lead to greater likely significant effects than identified in the ES.

Scoping Flexibility: Further to the stated position on micro-siting and the above comments on how the Rochdale Envelope is not an acceptable approach for the eventual application, PEDW is content with the ES being prepared on the basis of design parameters (e.g. dimensions of turbines and associated infrastructure), but the locations of infrastructure should be fixed (subject to micro-siting) and the ES should assess the relevant worst-case scenario for each aspect chapter. PEDW is content that the scoping is based on a maximum scale of development as a worst-case scenario, and revisions can be made to the scheme prior to submission, but the Applicant is advised to contact PEDW where substantial changes are expected, or where changes would affect the worst-case scenario.

6.1 Baseline

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

6.2 Reasonable Alternatives

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives studied by the Applicant should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made.

It is worth bearing in mind that under the [Conservation of Habitats and Species Regulations 2017](#) ("the Habitats Regulations") unless it can be clearly shown to the Welsh Ministers that the project would have no adverse effect on the integrity of any designated sites, it would have to

be shown that there is no feasible alternative solution (see advice note from [IEMA](#)). Further advice regarding the Habitats Regulations is provided in the final chapter of this Scoping Direction.

6.3 Currency of Environmental Information

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

The ES should include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters. Where professional judgement has been applied this should be clearly stated.

The ES topic chapters should report on any data limitations, key assumptions and difficulties encountered in establishing the baseline environment and undertaking the assessment of environmental effects.

6.4 Cumulative Effects

Paragraph 4.19 of the SR states that an assessment will be made of the likely significant cumulative effects in combination with other developments considering schemes which are subject to a planning application but not yet determined, consented schemes, schemes under construction or that are operational. It is also noted that the Y Bryn Wind Farm (3264571) is considered to be close to the scheme, as well as Upper Ogmere Wind Farm (3213662). It is also important to note that all development forms are assessed, not just wind or solar energy. The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#) sets out a staged process for assessing cumulative impacts which the Applicant should follow when preparing the list of projects for inclusion in the ES; the Applicant should ensure that relevant schemes identified on the DNS Portal are addressed in the ES using the tiered approach set out in Advice Note 17. Best practice is to include proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward.

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

Best practice is to include proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward.

All of the other developments considered should be documented and the reasons for inclusion or exclusion should be clearly stated. Professional judgement should be used to avoid excluding other development that is close to threshold limits but has characteristics likely to give

rise to a significant effect; or could give rise to a cumulative effect by virtue of its proximity to the proposed development. Similarly, professional judgement should be applied to other development that exceeds thresholds but may not give rise to discernible effects. The process of refinement should be undertaken in consultation with the LPA 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:

- Landscape, Visual Impact and Biodiversity
- Noise & Vibrations
- Ecology
- Ornithology
- Hydrology, Hydrogeology, Geology
- Cultural Heritage & Archaeology
- Traffic & Transport
- Socio-economic effects
- Aviation
- Telecommunications
- Shadow flicker
- Climate change
- Major Accidents & Disasters (no standalone chapter)
- Human Health (no standalone chapter)

8. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
	Description of the Development		
ID.1	3.21	Solar arrays	The SR does not contain specific information relating to the solar array aspect of the scheme; for example, location or proposed maximum heights. The ES should expand on the solar elements of the development and assessment should be carried out taking into consideration all the components of the proposal.
ID.2	3.21	Borrow pits	Borrow pits should be clearly identified, including information regarding the expected borrowed material. Restoration proposals and final land contours should be shown alongside appropriate cross-section plans. Relevant aspects of the ES should consider whether construction material is won on site or imported, as appropriate, including the production of waste.
ID.3	3.21	Battery storage	The SR states that battery storage may be added to the scheme, if deemed appropriate. The ES should include a description of any element of the proposal. At this stage it is not clear which type of technology will be proposed. PEDW notes that there is a potential fire risk associated with certain types of batteries such as lithium-ion and that safety measures are required in the design to minimise the risk of fire. This is considered to be part of the EIA process in line with Schedule 4 of the EIA Regulations. If appropriate, the applicant may consider the submission of a Battery Safety Management Plan confirming that the risks are understood, accounted for and mitigated as far as practicable, in agreement with relevant consultees. The applicant is reminded of the responsibilities set by the Regulatory Reform (Fire Safety) Order 2005. The ES should ensure that risks of accidents are accounted for and mitigated in line with Schedule 4. A proportionate section on this aspect should be included in the ES.
ID.4	3.21	Turbine height	PEDW notes that the Scoping Report has assumed a likely height to blade tip of 200 m. The ES should be clear and consistent about the height that has been

ID	Reference in Scoping Report	Issue	Comment
			considered in the various chapters to ensure that the final decision maker has a reliable picture of the worst-case scenario that has been assessed.
ID.5	3.21	Access route	The construction route and access to the site should be identified in the ES and construction traffic volumes and frequency (including Abnormal Indivisible Loads (AIL) should be provided as part of the description of the development. See also NPTCBC and Welsh Government comments at Appendix 1.
ID.6	3.21	Construction material	An outline Construction and Environmental Management Plan (CEMP) is required as part of the ES. The ES should include details of the volumes of materials required during construction, with a distinction between materials won on site and imported. The production of waste during construction should be considered. This information should inform aspects assessment consistently throughout the ES. See also NRW comments at Appendix 1.
ID.7	3.22	Site Clearance at the end of the project life	Paragraph 3.22 states that the proposed development will have an operational life of 35 years at the end of which the Site will be largely cleared. The ES should clarify the meaning of largely in this context i.e., which infrastructures will be left <i>in situ</i> and how the Site will be restored.
ID.8	Figure 1	Public Rights of Way	The site is crossed by a number of Public Rights of Way and Bridleways. The ES should clarify the impact of the proposal on public access, taking into consideration the experience of the users and the importance of the local network. See NPTCBC comments at Appendix 1.
ID.9	3.24	Grid Connection	PEDW has no further comments on the approach to the assessment of the grid connection corridor.
	Landscape and Visual Effects		
ID.10	6.26	Methodology	PEDW agrees with NRW that GN046 should be applied even if the Site is located within a pre-assessed area. The Study area should also be expanded to 26-28 km.
ID.11	6.27	Significant effects	Paragraph 6.27 states that significant effects will only be likely within 5 to 6 km of the Site. This should be demonstrated through the assessment presented in

ID	Reference in Scoping Report	Issue	Comment
			the ES. The applicant's attention is drawn to NRW comment disputing this statement.
ID.12	6.34	Viewpoints	NPTCBC and NRW are requesting additional viewpoints. See Appendix 1. The ES should include the additional viewpoints.
ID.13	6.35	Photomontages	Photomontages should also include the solar arrays where visible.
ID.14	6.38	Cumulative impacts	Cumulative impact assessment should not be limited to other wind farms development as other projects could be relevant. It should be noted that the development also include 20 ha of solar arrays thus solar farms should also be considered. PEDW does not agree that turbines under 50 m in height should only be considered if are located within 5 km of the proposed turbines as this is not in line with any guidance. See also NRW comments on Appendix 1.
ID.15	6.40	Night time visualisations	The Applicant's attention is drawn to NRW's comments at Appendix 1.
ID.16	6.54	Effects Scoped Out	PEDW disagree that turbines below 50 m and groups of 3 turbines or fewer will only be considered within a 5 km radius and therefore cannot be scoped out at this stage.
	Noise and Vibration		
ID.17	7.16	Methodology	The baseline noise data presented in the Pen – y – Cymoedd Wind Farm ES are not up to date as the ES was prepared a few years ago. Additionally, the proposed development is closer to residential developments at Tonmawr than Pen y Cymoedd thus the two developments do not share the same sensitive receptors. PEDW considers that a new baseline survey should be completed to inform the ES. Locations should be discussed with NPTCBC.
ID.18	7.31	Borrow pits	It is noted that borrow pits may be proposed but the location is unknown; construction noise may affect nearby properties. Therefore, the level of assessment included in the future ES should reflect the potential for significant impacts to arise from winning material from borrow pits, if necessary. Additionally, the results of the construction noise assessment should be

ID	Reference in Scoping Report	Issue	Comment
			considered as part of the ecological assessment, where it may potentially affect protected and notable species.
ID.19	7.36	Effects Scoped out	PEDW disagrees that vibration associated with construction traffic can be scoped out PEDW notes that construction techniques are not known at this stage and certain types of turbine foundations may require the import of materials.
	Ecology		
ID.20	8.8	Initial Desk Study	No records of protected species have been provided in the SR. Therefore, it is not possible for PEDW to agree with the scope of the assessment. The Site could be important for notable flora and species such as invertebrates but due to the limited information provided in the SR. Additional information should be provided to exclude invertebrates, notable flora, amphibians, other species from the assessment. Specific surveys may be required but PEDW cannot advise further without additional information.
ID.21	8.15- 8.31	Reptile survey	It is not clear why reptile surveys have not been conducted within the full Site- see also NPTCBC comments at Appendix 1. Additional reptile surveys cannot be scoped out at this stage.
ID.22	8.23- 8.24	Bat activity surveys	The SR is unclear regarding which techniques were employed during the bat activity surveys. It is unclear what “sampling of bat activity” means in this context. No mention is made of the use of static detectors which does not appear in line with the recently published NatureScot guidance “Bats and onshore wind turbines - survey, assessment and mitigation” (August 2021) available at https://www.nature.scot/doc/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation. It is also unclear whether Vantage Point or transect methods were used. Based on the limited information presented in the SR it is not possible to agree with the SR that the proposed development site is considered low/medium site risk for bats. The survey effort should be in line with the most up to date

ID	Reference in Scoping Report	Issue	Comment
			guidance. If not, additional surveys may be required to establish the conservation value of the Site and the risk of collision. Due to the limited information provided in the SR it is not possible at this stage to exclude that additional bat activity surveys will be required.
ID.23	8.30- 8.31	Waterbodies and Ponds	The SR does not mention whether the presence of waterbodies (including ponds) within 500 m of the proposed solar arrays and within 250 m of the grid corridor has been considered. Therefore, the SR does not include enough information to support the statement that Great Crested Newts are unlikely to be present. Amphibians cannot be scoped out at this stage.
ID.24	8.31	Invertebrates	The SR does not appear to consider the whole of the proposed development. Paragraph 8.31 states that <i>“There are some species groups which, providing the implementation of suitable mitigation measures, are unlikely to be subject to significant effects as a result of wind farm developments.”</i> This statement appears unclear and unsubstantiated considering that the proposed development does not only comprise of wind turbines, but also a solar array. PEDW disagrees with the proposed scope of assessment as the solar element has not been considered on invertebrates. See also comments from NRW and NPTCBC.
ID.25		Peat	The Extended Phase 1 Habitat Survey indicates that vegetation supported by peaty soils is present on site. The applicant should note ID.34 and the importance of considering Peat in terms of ecological impacts as well as hydrogeological / geological considerations. The ES should cross reference as necessary and be produced in an integrated fashion.
ID.26	8.46 & 8.62	Risk of Collision	The SR does not include details of how the Collision Risk Modelling will be prepared. PEDW raises concerns as correction factors may need to be applied and the cumulative impacts within this area may be significant. PEDW does not have the expertise to advise on this matter and so it is recommended that the applicant continues to engage with NRW and NPTCBC once the baseline surveys are complete and the model prepared. As this is a highly technical

ID	Reference in Scoping Report	Issue	Comment
			subject, the applicant may want to explore the possibility of engaging the relevant parties in the preparation of Statements of Common Ground.
ID.27	8.48	Cumulative assessment	PEDW is unclear in what paragraph 8.48 is saying. Is the SR stating that it will be limiting the sensitive receptors when assessing the cumulative impacts to the same hydrological catchment(s)? This is not considered appropriate as there are sensitive receptors based outside of the hydrological catchment area that the ES needs to take into account.
ID.28	8.50	Approach to mitigations & Enhancement	The SR indicates that there are opportunities for improving existing habitats on site. The SR states that enhancement measures will be implemented so as to ensure overall net biodiversity benefit. No details are available at this stage, but the ES should include a detailed ecological management plan, including targets and enhancement objectives specific to the habitats and species present on site. The plan should include monitoring, in particular post construction bat monitoring (see Section 8 of the NatureScot guidance "Bats and onshore wind turbines - survey, assessment and mitigation" (August 2021)) and indicate triggers which would prompt changes in the management of the site. Net benefits should be clearly identified. At this stage, PEDW is not in a position to provide further recommendations for the delivery of specific mitigations. It is recommended that relevant consultees are further engaged once a draft mitigation proposal is emerging.
	Ornithology		
ID.29	9.16	Survey limitations	The SR lists a series of surveys conducted between 2019 and 2022 but it is clear part of the Site has only been surveyed between 2021 and 2022 thus data is available for only one year. If the assessment will be conducted using limited data, the ES should include a robust justification as to why this approach is considered appropriate. PEDW recommends that the Applicant should liaise with the relevant consultees to ensure that the survey effort will be appropriate to support the assessment. See also comments from NRW and NPTCBC.

ID	Reference in Scoping Report	Issue	Comment
ID.30	9.74	Risk of collision	The SR does not include details of how the Collision Risk Modelling will be prepared. This concerns PEDW as correction factors may need to be applied and the cumulative impacts within this area may be significant. PEDW does not have the expertise to advise on this matter and thus it is recommended that the applicant continues to engage with NRW and relevant LPAs once the baseline surveys are complete and the model prepared. As this is a highly technical subject, the applicant may want to explore the possibility of engaging the relevant parties with the preparation of Statements of Common Ground.
ID.31	9.62	Approach to Mitigation & enhancement	It is not possible at this stage for PEDW to make recommendations as to the approach to mitigation. Future Wales: The National Plan 2040 is clear that proposed wind farms should not have an unacceptable adverse impact on the environment and that there is an expectation that proposals should bring a net benefit to the environment.
	Geology, Hydrology and hydrogeology		
ID.32	10.25	Historic mines and mining risk	PEDW noted the assurance that this aspect will be considered in the ES whether as a chapter or as an Appendix. The ES should include a Coal Mining Risk Assessment, including risk of subsidence. Areas at risk should be avoided. Where different types of turbine foundations are required, the Applicant should consider that this may have an impact on other aspects (for example ecology, noise and traffic). The ES should include a detailed description of construction methods and the worst-case scenarios considered as appropriate. The Applicant's attention is drawn to comments made by NPTCBC. Additionally comments from the Coal Authority will be provided in due course.
ID.33	10.28	Aquifer	The potential for the proposed development to impact the underlain aquifers should be addressed in the ES, in particular the risk of pollution during construction. If grouting is required during construction, the significance of the effect should be assessed and mitigation measures proposed.
ID.34	10.44	Peat	It is noted that peat probing is proposed. Peat probing should be conducted taking into account all proposed infrastructures, including the solar arrays and

ID	Reference in Scoping Report	Issue	Comment
			internal roads, are located. Depending on the results of the initial probing based on a 100 m grid, a stage 2 survey may be required. The ES should demonstrate that the Proposed Development infrastructure (including internal roads) and construction areas (including borrow pits) are not located within areas where peat is found to be at a depth higher than 0.5 m. If this will not be possible, mitigation measures and a peat management plan should be included in the ES.
ID.35	10.30	GWDTEs (Groundwater Dependent Terrestrial Ecosystems)	The ES should include an indication of hydrological flows through the peat and whether Groundwater Dependant Terrestrial Ecosystems (GWDTEs) are present within the Site or its Zone of Influence (Zoi). PEDW recommends that the hydrological assessment should clearly define the Zoi of the Proposed Development and the ES should cross reference the ecological and hydrological assessments. The ES should clearly identify the degree of groundwater flow disruption and the relationship between the site hydrological regime and habitats depending on near-surface groundwater
ID.36	10.61	Groundwater monitoring	PEDW notes NRW's potential requirement for groundwater monitoring during construction. PEDW encourages the Applicant to liaise with NRW regarding the need for groundwater monitoring following surveys and further site assessment. Water quality monitoring is therefore not scoped out
	Cultural Heritage and Archaeology		
ID.37	10.1	Approach to the assessment	The Applicant's attention is drawn to NPTCBC and Cadw comments. PEDW has no further comments.
	Transport and Access		
ID.38	Section 12	Overall approach	PEDW is supportive of the approach set out in the SR. The applicant should continue to liaise with the relevant Local Authorities and with the Transport Directorate of the Welsh Government.
	Socio-economic Impact		

ID	Reference in Scoping Report	Issue	Comment
ID.39	Section 13	Overall approach	PEDW is supportive of the approach set out in the SR. The applicant should continue to liaise with the relevant Local Authorities and with the Transport Directorate of the Welsh Government.
	Other issues		
ID.40	14.2	Aviation	It is noted that further consultation will be conducted with NATs – PEDW currently disagree with SR statement that there is no possibility of any NATs radar being affected by the proposed development without further assessment. Thus, it is not possible to currently scope out aviation.
ID.41	14.4	Telecommunications	PEDW does not agree telecommunication can be scope out of the ES on the basis that with the advent of digital television signals no effects are anticipated. Further consultations with relevant stakeholders are required and therefore it is not possible to currently scope out telecommunications.
ID.42	14.6	Shadow Flicker	PEDW is supportive of the approach highlighted in the SR.
ID.43	14.9	Climate Change	Susceptibility to Climate Change should be addressed in other relevant chapter of the ES such as ecology and hydrology. The ES should ensure that a comprehensive picture of such impacts is provided for the decision maker, including the assessment of any peat loss. A carbon calculation assessment should also be provided in the ES.
ID.44	14.10	Major Accident and Disasters	The applicant's attention is drawn to comments that the Coal Authority will make, in relation to the risks that former mine workings have on the location of developments. Following on from these comments, there may be a need to adjust the location of development accordingly. The ES should address this issue as appropriate. Applicant's attention is also drawn to the Fire and Safety Department comments.

ID	Reference in Scoping Report	Issue	Comment
			Vulnerability to risks of major accident or disaster is therefore provisionally scoped into the ES. It may be addressed within other relevant chapters or as a separate chapter.
ID.45	13.3	Human health	PEDW agrees that this matter can be addressed in other relevant ES chapters rather than a standalone chapter.

9. Other Matters

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

9.1 Habitats Regulation Assessment

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

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

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

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

9.2 SuDS Consent

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

Appendix 1:

Contact Cyswllt Steven Jenkins
Your ref Eich cyf 3255801
Our ref Ein cyf P2022/0350

FAO Adeline Wilcox
Planning & Environment Officer
The Planning & Environment Team
Planning and Environment Decisions
Wales

BY EMAIL ONLY

PEDW.Infrastructure@gov.wales

Dear Madam,

Project Name: Fforch Dwm Farm, Tonmawr, Port Talbot SA12 9SS

Site Address: Land at Mynydd Fforch Dwm, and Mynydd Blaenafon, Tonmawr, Port Talbot SA12 9SS

Proposed Development: The construction and operation of up to seven wind turbines, with a maximum tip height of 200m, a solar photovoltaic array, battery storage facilities, together with associated and ancillary development include a control building, electricity transformers and anemometry mast, grid connection, access works, temporary construction compound and associated works.

I write in regards to your letter dated 14th April 2022, 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

It is not clear what the operating capacity of the solar farm would be. Para 1.2 states "*The MFD wind farm project is anticipated to comprise an electricity generating station with an installed capacity of between 10 and 50 MW*" does this include the solar farm? Or is this just the wind turbines, a break down would be beneficial.

It should also be noted that the location of the wind turbines have been provided however there is no indication of where the 20Ha solar array is going to be positioned. In accordance with regulation 33(2) the likely significant effects the solar array would have upon the environment will need to be assessed.

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.

Chapter 2: The Purpose of the report

No observations to make, apart from the need to assess the environmental impact of the entire development; which should include the wind farm, 20Ha solar array, associated works, infrastructure, the grid connection and all access works.

Chapter 3: The proposed development

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 buildings proposed, as well as the identified supporting information.

Chapter 3.5 states *“For the purposes of this EIA Scoping Direction Request, the Proposed Development comprises the MFD Wind Farm project only. Consent for the grid connection will be subject to a separate application.”* it is considered that given the substantial length of the grid connection which is approximately 9km that the Environmental impacts of the grid connection should be assessed as part of this application, in addition to any access works off site (i.e. widening of tracks, roads and bridges to facilitate access to the development)

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 to the end of the project's predicted life expectancy of 35 years.

Chapter 4: Approach to EIA

Question 4.1 – Are there other wind farm proposals or other developments that are candidates for possible consideration in the cumulative assessment?

No it is considered that the wind farms identified within table 4.2 are all that need to be considered and there are no other developments that would need to be considered.

Chapter 5 Legal and Policy Context

Question 5.1 - Is there any other relevant guidance to consider?

No, the only guidance to Note is TAN 15 (2023): Development and Flood Risk is due to come into effect from the 1st of June 2023. As such the submission should have regard to this.

Chapter 6: Landscape and Visual

Question 6.1: Do consultees consider the size of the detailed 15 km radius study area to be appropriate, while recognising that significant effects within this radius is not likely to be beyond an expected 5-6 km?

Agreed, a detailed assessment should be carried out within an inner study area of 15km supported by mapping and information at a more detailed scale such as ZTVs, viewpoints and constraints.

Question 6.2: Are there any other relevant parties who should be included within the post-scoping consultation process for the LVIA?

Cadw and Glamorgan Gwent Archaeological Trust together with NRW should be consulted for comment.

Question 6.3: Is the proposed scope for the assessment of effects on landscape character considered to be proportionate and adequate to consider all potentially significant effects?

Generally agreed, however the grid connection given its substantial distance should be included within the assessments and its impacts considered. In addition to the visual impacts associated with the solar array.

Question 6.4: Is the proposed scope for the assessment of effects on designated landscapes considered proportionate and adequate to consider all potentially significant effects?

Generally agreed, however the grid connection given its substantial distance should be included within the assessments and its impacts considered. In addition to the visual impacts associated with the solar array.

Question 6.5: Do consultees consider that the proposed viewpoints are appropriate to inform the visual assessment, and that the suggested presentation of visualisations is proportionate?

The range of viewpoints have been assessed through desk study and/or site visits. Overall, it is considered that the range of viewpoints are acceptable. However, the Authority has no in house expertise in LVIA.

Para 6.36 states *“Photomontages will be prepared for viewpoints within a 20km radius. Ancillary elements (i.e. substation, tracks, transformers) will only be shown from close viewpoints where needed, as it is considered that from most viewpoints these ancillary elements would only form a minor element of the entire Proposal”* it should be noted that the 20ha solar farm would need to be shown within these visualisations and assessed.

Question 6.6: Is the approach to inclusion of schemes within the cumulative assessment appropriate?

It is considered that the 20km study area is acceptable.

Question 6.7: Is the scope of the assessment of effects on residential visual amenity appropriate?

Agreed

Question 6.8: Is the scope of the night-time, impact assessment proportionate and adequate to consider all potentially significant effects?

Agreed

Question 6.9: Do consultees have any suggestions (taking account of the ZTV study shown in Figure 4) for night-time viewpoints that they consider merit photomontages? These should be locations in which people would be both expected to be during hours of darkness, and sensitive to changes in the lighting environment.

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

Question 6.10: Do consultees have any specific concerns regarding potential landscape and visual impacts that they feel would not be covered by the proposed scope of assessment?

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

Chapter 7: Noise and Vibrations

Question 7.1 Do the relevant Local Authorities agree with the suggested methodology for the noise assessment?

The Local Authority agrees with the methodology as proposed in section 7.

Question 7.2: Do the relevant Local Authorities agree with the noise topics proposed to be scoped out of the EIA?

The Local Authority agrees with the overall topics as proposed in section 7, however have concerns regarding the impact of this development on residential receptors in Tonmawr. Three of the proposed turbines are much closer to Tonmawr than the Pen-y-Cymoedd development. Specific consideration should be given to the noise impact on residential receptors in and around Tonmawr.

Question 7.3: Are there any other relevant consultees who should be consulted about the noise assessment?

The Local Authority considers that the impact of this development will be limited to receptors within Neath Port Talbot.

Chapter 8: Ecology

Question 8.1: Do Consultees agree that the scope of ecological desk study and field surveys undertaken is sufficient and appropriate to inform an assessment?

No, there is not enough justification as to why the reptile surveys have not been updated and why the MB section has not been subjected to any reptile surveys. It makes reference to the fact that with appropriate mitigation, effects on reptiles can be removed, however there is no assessment

of population or habitat quality to justify that the adjacent habitat is a suitable site for reptiles to be moved to (habitat manipulation) or that it is able to support the extra reptiles that are proposed to be moved from the development footprint. Will enhancements be needed on this adjacent habitat – if so, how can you gauge the amount of enhancement suitable to improve the carrying capacity without the required supporting information.

The scope is not sufficient as it does not mention the 20ha solar farm array that is going to be part of this development, without knowing where it is to be located and what habitats it will be affecting the Authority is unable to give a scoping opinion of what surveys are needed to appropriately assess the impacts.

Insufficient information is provided to enable us to develop an informed view.

Question 8.2: Do consultees agree with the approach to field surveys and desk study proposed?

No, the scope has failed to assess any impact of the solar array (this will need to be addressed), further reptile surveys have been ruled out without adequate justification as to the reasoning, we will not have enough information to be able to assess whether the mitigation that is proposed will be appropriate.

Question 8.3: Are there any other relevant consultees/key sources who should be contacted with respect to updated baseline ecological information gathering and assessment?

No, the consultees we suggested at pre-app have been consulted.

Question 8.4: Can NPTCBC provide bat monitoring data from the Pen y Cymoedd wind farm development so as to further inform the assessment?

No, details have been provided of the contacts in Vattenfall (operators of Pen Y Cymoedd Wind Farm) who can provide the applicant with this data.

Question 8.5: Do consultees agree with the proposed assessment of the potential effects as a result of the Proposed Development, including the approach to cumulative assessment?

It is important that the grid connection, access corridor, 20ha solar farm array and the wind farm (as well as associated infrastructure), are considered as a whole to assess the cumulative impact of the proposed development.

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 9: Ornithology

Question 9.1: Do Consultees agree that the scope of ornithological desk study and field surveys undertaken is sufficient and appropriate to inform an assessment?

No, the South East Wales Biodiversity Record Centre (SEWBRc) has not been listed as a consultee. Without this data we do not consider that the desk study has adequate records.

The scope is not sufficient as it does not mention the 20ha solar farm array that is going to be part of this development, without knowing where it is to be located and what habitats it will be affecting there is no way to give a scoping opinion of what surveys are needed to appropriately assess the impact.

Justification is needed as to why only one years' worth of data is available for the MB section – no justification has been made in the scoping document as to why this is the case (for developments of this scale we normally ask for at least 2yrs worth of survey data).

Question 9.2: Do consultees agree with the approach to additional field surveys and desk study proposed?

No, the South East Wales Biodiversity Record Centre (SEWBRc) has not been listed as a consultee, without this data we do not consider that the desk study has adequate records.

It is mentioned that there will be planting of conifer plantation on the MB section (9.37) and that this will result in a reduction of habitat quality – establishing conifer plantation is suitable for protected species such as nightjar. Has this been considered?

Question 9.3: Are there any other relevant consultees/key sources who should be contacted with respect to updated baseline ornithological information gathering and assessment?

Yes, SEWBRc needs to be consulted to gather the baseline ornithological data.

Question 9.4: Can NPTCBC provide bird monitoring data from the Pen y Cymoedd wind farm development so as to further inform the assessment?

No, details have been provided multiple times of the contacts in Vattenfall (operators of Pen Y Cymoedd) who can provide the applicant with this data – we are unable to give this data out.

Question 9.5: Do consultees agree with the proposed assessment of the potential effects as a result of the Proposed Development, including the approach to cumulative assessment?

It is important that the grid connection, access corridor, 20ha solar farm array and the wind farm (as well as associated infrastructure), are considered as a whole to assess the cumulative impact of the proposed development.

Chapter 10: Hydrology, Geology and Hydrogeology.

The Local Authority's Drainage and Land Contamination (Human Health) Section have responded to the questions set out below in relation to their remits, however NRW should also be consulted on these topic matters. However Questions 10.1 to 10.3 are outside of the remit of human health and as such these question have been answered by NPT Drainage Section only.

Question 10.1: Do you agree that the data sources identified (Section 10.16) are sufficient to inform the hydrology, hydrogeology and geology baseline for the Mynydd Fforch Dwm Wind Farm ES?

The Local Authority's Drainage Section agree, however NRW should also be consulted.

Question 10.2: Have all potential impacts resulting from Mynydd Fforch Dwm Wind Farm been identified for water environment and geological receptors?

The Local Authority's Drainage section agree that potential impacts have been identified, however NRW should also be consulted.

Question 10.3: Do you agree that the impacts described in Section 10.61 can be scoped out?

The Local Authority's Drainage Section agree, however NRW should also be consulted

Question 10.4: For those impacts scoped in (Section 10.56 to 10.60), do you agree that the methods described are sufficient to inform a robust impact assessment?

The Local Authority's Drainage Section agree, however NRW should also be consulted. However the Authority's Land Contamination Section have advised the proposal could potentially have a human health impact on site construction workers, future site users and adjacent site users. The ES Report will need to look at potential impacts during construction, but will also needs to consider the human health impacts of future site users and adjacent site users.

The Local Authority's Drainage Section also draws attention 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>.

The Local Authority's Biodiversity Section have advised in relation to Peat para 10.46 – states that *“the assessment will assist in the micro-siting of turbines and tracks in areas of no peat or shallow peat”*. Siting turbines in areas of shallow peat is not acceptable and should be avoided totally.

Chapter 11: Archaeology and Cultural heritage

Question 11.1 Do you agree that the data sources identified are sufficient to inform the archaeology and heritage baseline?

See below

Question 11.2 Do you agree with the search areas identified?

See below

Question 11.3 Do you agree that the 'matters scoped out' can be scoped out?

See below

Question 11.4 Do you agree that the methods described are sufficient to inform a robust impact assessment?

See below

Question 11.5 Do you have any specific requirements for the archaeology and heritage methodology in excess of those described?

See below

Question 11.6 Do you have any specific comments regarding the use of the access track currently present at Cwm Pelenna Colliery Ventilation Furnace?

See below

Question 11.7 Do you have any specific requirements regarding photo views/ photomontages?

See below

Question 11.8 Are there any designated historic assets beyond the 5km search area which should be considered as part of the assessment?

See below

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

GGAT have studied the supporting documentation via your website. The Historic Environment Record (HER) shows the area has many features related to mining and quarrying, including statutorily designated features. The supporting scoping report details that an Environmental Statement (ES) will be produced, and that the Archaeology and Cultural Heritage Section (Chapter 12) states that a desk-based assessment is in preparation in order to determine the archaeological potential of the site, as well as any possible impacts of the proposed development on any archaeologically significant remains. The desk based assessment will be included in the ES as part of the archive.

There is an error in the compilation of sources which states that Archwilio will be consulted as part of the interrogation of sources. It is contrary to Archwilio's Terms and Conditions for the data

to be used in a development or planning matters. Full searches of the relevant sources must be undertaken. Archwilio is a low level public access to the HER.

The production of a desk-based assessment is appropriate and should be compiled in accordance with the Chartered Institute for Archaeologists *Standards and Guidance for historic environment desk-based assessment* (2020). It should also be noted that, depending on the results of the assessment, additional predetermination archaeological work, such as the indicated geophysical survey, may be required. Furthermore, it is our policy to recommend that all archaeological work is carried out by a Registered Organisation (RO) with the Chartered Institute for Archaeologists, or by a full Member (MCIfA) of the Chartered Institute for Archaeologists. Prior to the undertaking of the assessment, a methodology must be agreed between GGAT and the person undertaking the assessment, to comply with the ClfA Standard and guidance paragraph 3.2.1. This will include agreeing appropriate sources, content, an appropriate study area for both statutorily protected historic assets and non-statutorily protected historic assets. It will also ensure the assessment complies with the Guidance for the Submission of Data to the Welsh Historic Environment Records (HERs) 2018, including bilingual content.

GGAT have advised that in relation to questions 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and 11.7 which refer to data sources, search areas, scoping, methodology, requirements, use of access track, and photomontage requirements, can be specifically addressed in the WSI on its agreement between GGAT as advisors for NPTC and the applicant's archaeologist.

Chapter 12: Traffic and Transport

Question 12.1: That the proposed methodology is acceptable?

Yes, the proposed methodology is considered acceptable

Question 12.2: That the methods proposed for obtaining traffic flow data are acceptable?

Yes, the methods used for obtaining traffic flows are considered to be acceptable

Question 12.3: That the use of Low National Road Traffic Forecasts (NRTF) is acceptable for the whole of the study?

Yes, this is considered to be acceptable

Question 12.4: What developments should be included as committed developments within the baseline traffic flows in the assessment, noting that these should have planning consent at the time of scoping? The nearest wind farm development that should be considered as it would utilise some of the same road networks would be Foel Trawsant.

Outline Planning Permission for a P2018/0493 for an adventure holiday resort including up to 600 lodges, 100 bed hotel and facilities. Located at Land at Pen Y Bryn, Croeserw, Cymmer.

Question 12.5: Details of any upgrades or network changes that may be undertaken to the study area network within the next five years?

Two future schemes have been identified within the study area, within the next 5 years. These are as follows:

1. At TA centre Eastland Rd and Cimla Rd junction Neath town centre. *This scheme is an improvement scheme to increase traffic capacity in relation to the B4434 Eastland Road / B4287 Cimla Road Junction. This scheme is planned to be carried out within five years subject to funding*
2. Between B4287 Efail fach and Tonmwar Rd Tonmwar: *This relates to a retaining wall strengthening scheme to reconstruct the existing wall. This scheme is planned to be carried out within the next 18 months.*

SWTRA/WG will need to advise on the trunk roads which is a substantial element of the turbine delivery route.

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.

Any substantial construction works or highway alterations (temporary or permanent) required along the public highway will be subject to a Road Safety Audit. Stages 1 to 4 in accordance with HD/19/03 or the Design Manual for Roads and Bridges.

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, solar panels; 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 (for construction traffic and abnormal 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. **Condition survey** of the existing highway network along the proposed access route for the deliveries shall be undertaken and include the condition of the existing carriageway and footway, (on completion of the works on the wind farm. Any damage to the public highway identified as a result of the increased volume of construction vehicles shall be repaired to the satisfaction of the local planning authority.)
10. **Reinstatement Management Plan** for any landscaping and earth reinstatement
11. **Management and Maintenance Plan** which will provide details of any ongoing maintenance post construction together with any security measures.
12. **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 trail run is not required.
13. **Public Awareness** - proposals for consultation with and notification to the travelling public and local communities
14. **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.
15. **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
16. **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.

Chapter 13: Socio-Economic impacts

Question 13.1: Are the consultees in agreement with the proposals for the assessment of effects on socio economic impacts and tourism?

Yes the Local Authority agree with assessment on socio economic impacts

Question 13.2: Can consultees confirm the methodology outlined above is appropriate to inform the socioeconomic assessment given the scope of the scheme?

Yes the methodology is considered appropriate.

Question 13.3: Do consultees agree that the proposed geographic study areas (10km radius, NPT, Wales and the UK) are appropriate for reviewing socio-economic impact?

Yes a 10km area is considered to be acceptable.

Question 13.4: Do consultees agree that tourism impact effects can be removed from subsequent socioeconomic impact analysis given the evidence provided?

No, there is a well-established accommodation provider (Bryn Bettws Lodge) and activity provider (Campbell Coaching) located within close proximity of the proposed development. The accommodation provider in particular will be adversely affected as a key selling point of its location is the view out over the valley where the wind farm will be located. The wind farm developments that have taken place in the Afan Valley to date have not directly impacted upon the sight lines of accommodation providers due to the valley's topography (narrow/ steep sided) and the locations of the windfarms developed to date, however this proposed location appears to directly intervene with the views from Bryn Bettws Lodge which has a wider ranging view over the landscape, the proposals could therefore impact on their business.

Question 13.5: Can the consultee identify any relevant stakeholders who should be included in our consultation exercise regarding the development of the socio-economic impact assessment?

Afan Forest Park Tourism Stakeholders, including Bryn Bettws Lodge. Wildfox Resorts (Afan Valley adventure resort)

Chapter 14: Other issues: Aviation, telecoms, Shadow Flicker and Safety

Question 14.1 Are the consultees in agreement with the proposals for the assessment of effects on aviation, telecommunications and utilities, shadow flicker, climate change, human health and major accidents and disasters?

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

Similarly in relation to **telecommunications and utilities**, consultees such as Ofcom, and the BBC research Department etc. would have been consulted and advice taken from their representations, as such, a similar approach is recommended. Without further information and responses from external consultees we would be unable to comment in relation to the impact upon TV and microwave fixed links, gas, water and power lines. However the statutory and other bodies responsible for these issues should be able to provide further information.

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

In relation to **climate change**, the Local Authority agree with your strategy.

In relation to **Human Health**, it is noted that Footpaths 12,13,14 Michaelstone Higher, 1,5& 6 Baglan Higher and an unnumbered dedicated footpath and Bridleways 6 and 14 Michaelstone Higher and Byway 20 Baglan Higher affect the site (see appendix 1 and 2). The Local Authority generally require wind turbines to be a minimum tip height plus 30m away from a Bridleway or Byway to avoid users in case of collapse. If this is not possible the developer should enter discussions with the Authority's Rights of Way Officers.

There is also a potential impact upon human health during the construction phase of development associated with the historic coal mining within the development areas has also been identified. It is noted that the application site falls within areas where there is Historic coal mining with various 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 recommend that a Preliminary Risk Assessment and desk study is carried out to assess these risks. These potential impacts must be fully assessed and addressed within any ES submitted in support of the development proposal. This was also raised earlier by The Local Authority's Environmental Health officer in Chapter 10.

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

Yours sincerely

Steven Jenkins.
Senior Planning Officer
Neath Port Talbot Council



COUNTRYSIDE AND WILDLIFE

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

www.npt.gov.uk

Drawing Title: P2022/0350 (Map 1)

Plot Ref: Fforch Dwm Windfarm
Fforch Dwm Farm
Pontrhydyfen
Port Talbot
SA12 9SS.

Date: 12th May 2022

Key

- Footpath
- Byway
- Bridleway
- Planning App Area

0 250 m



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Drawing Title: P2022/0350 (Map 2)

Plot Ref: Fforch Dwm Windfarm
Fforch Dwm Farm
Pontrhydyfen
Port Talbot
SA12 9SS.

Date: 12th May 2022

Key

- Footpath
- Byway
- Bridleway
- Planning App Area

0 250 m

Maes Newydd
Llandarcy
Neath Port Talbot
SA10 6JQ

Adeline Wilcox
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20 May 2022

Annwyl / Dear Ms Wilcox,

**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: THE CONSTRUCTION AND OPERATION OF UP TO SEVEN
WIND TURBINES, WITH A MAXIMUM TIP HEIGHT OF 200M, A SOLAR
PHOTOVOLTAIC ARRAY, BATTERY STORAGE FACILITIES, TOGETHER WITH
ASSOCIATED AND ANCILLARY DEVELOPMENT INCLUDE A CONTROL BUILDING,
ELECTRICITY TRANSFORMERS AND ANEMOMETRY MAST, GRID CONNECTION,
ACCESS WORKS, TEMPORARY CONSTRUCTION COMPOUND AND ASSOCIATED
WORKS**

**LLEOLIAD / LOCATION: FFORCH DWM FARM, TONMAWR, PORT TALBOT SA12
9SS**

Thank you for consulting us on the scoping opinion request for the above application which we received on the 14 April 2022.

The Environmental Statement (ES) for this development should include sufficient information to enable you to determine the extent of any environmental impacts arising from the proposed scheme. Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short, medium and long term; permanent and temporary; positive and negative, and construction, operation and decommissioning phase.

We welcome the submission of the following report:

- *'Mynydd Forch Dwm wind Farm. Environmental Impact Assessment Scoping Request'* by Naturalis Energy Development Ltd, dated February 2022.

Protected Species

Sites Surveys

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

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

Up to date survey information should be included in the ES. Whilst the 2015 and 2019 data within the scoping report is useful background information about the site, we advise that the full details are provided as an appendix to the ES.

Whilst we largely agree with the scoping report regarding the protected species to be scoped in/out, we offer the following comments regarding bats. We would also look to the extended Phase 1 surveys to guide the need for further, more specific protected species surveys.

Bats

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

Impact Assessment

Should protected species be found during the surveys, information must be provided identifying the species-specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified. We advise consideration be given to current conservation status (CCS), and demonstration of no likely detriment to maintenance of favourable conservation status (FCS) during construction operation and decommissioning phases of the scheme.

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

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 Natural Resources Wales (NRW). The ES must include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

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

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

These requirements are also translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009).

Ecology

Protected Sites

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

Description of Biodiversity

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

Key Habitats

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

Local Biodiversity Interests

We recommend that the developer discusses the proposals with the Local Authority Planning Ecologist on the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan and are that are considered important for the conservation of biological diversity in Wales.

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

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

Securing Biodiversity Enhancement

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

Ornithology

[Throughout the ornithological section of the scoping report there has been redactions that have reduced our ability to assess the information. Therefore, we may have further comments to make in relation to the survey effort once the ES is submitted].

Site Surveys

Our provisional view is that the scope of the ornithological field surveys appears appropriate to inform the assessment for the 'MFD' section of the site as two years of data will be available. We note that only one year of data will be available for the 'MB' section of the site. Whilst we agree in part with the rationale the scoping report provides as to why this is the case (the area is being planted with conifers), we will expect the evaluation of this section to include an assessment of impacts in relation to the changing base line (e.g. consideration of new species that may be attracted to the area as a result of changing habitat). Species listed on Section 7 of the Environment (Wales) Act 2016 should also be included within the target species surveys.

The applicant can find additional guidance within the Welsh Bird Reports, and the Welsh Scare and Rare Bird Report (both published by the Welsh Ornithological Society) to assist in the submission of information.

Specific ornithological comments on the scoping report

Section 9.12 (page 48) relates to surveys undertaken in 2015 and 2016, one of which has been redacted. This information needs to be available when reviewing the ES.

Section 9.14 (page 49) makes references are made to 'an unnamed Schedule 1 breeding raptor'. Clarification should be made on the species of the raptor.

Section 9.17 (page 49) relates to surveys being undertaken now but the last one has been redacted. Confirmation of the survey should be included within the ES.

Section 9.18 (page 49/50), Species listed on Section 7 of the Environment (Wales) Act 2016 should also be included within the target species.

Section 9.28, clarity is required that 'directly comparable results' means the same results.

Groundwater

We note and welcome that the scoping report confirms that a private water supplies and a water features survey will be included within the ES.

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

- Identification of all water features both surface and groundwater (ponds, springs, ditches, culverts etc.) within a 300 metres radius of the site.
- Use made of any of these water features. This should include the construction details of wells and boreholes and details of the lithology into which they are installed.
- An indication of the flow regime in the spring or surface water feature, for example whether the water feature flows throughout the year or dries up during summer months.
- Accessibility to the spring/well.
- This information should identify on a suitably scaled map (i.e. 1:10,000) and tabulated. It would be useful for the developer to photograph each of the identified water features during the survey.

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

Identified groundwater features to be monitored during the proposed workings may also need to be carried out. We would therefore recommend that the survey is undertaken as soon as possible to enable the developer to carry out suitable baseline monitoring prior to the commencement of workings at the site. These water features should be assessed to identify any mitigation measures required to prevent pollution and to safeguard water resources.

Abstraction Licence

Dewatering may lower groundwater levels locally and may derogate nearby domestic and licensed groundwater sources. If dewatering is proposed as part of these works an abstraction licence from NRW may be required.

Additionally, if an on-site concrete batching plant is to be deployed for the development, the applicant is encouraged to carefully consider how water will be sourced for concrete production.

Please note, the granting of planning permission does not guarantee an abstraction licence under the Water Resources Act 1991.

Environmental Permit

A permit under the Environmental Permitting (England and Wales) Regulations 2016 may be required from NRW if the works involve the use of drilling fluids, foams, or grouts.

Cable Connection to Grid

We wish to draw the applicants attention to the Groundwater Position Statements as listed below, in relation to the cable connection to the grid.

Tunnels, pipelines, and piling

- Tunnels: [Groundwater Protection Position Statements](#) A8, C and N,
- Pipelines: C5, D2, D2, G8,

Tunnels, pipelines, and piling can result in risks to groundwater and surface water from, for example, pollution / turbidity, risk of mobilising historic contamination and drilling through different aquifers creating preferential pathways. It should be ensured that any proposed works will not result in contamination or affect water resources.

Grid Connection

No details of the grid connection have been made and these may encounter historical land contamination.

We recommend that developers should:

1. Follow the risk management framework provided in [Land contamination risk management \(LCRM\)](#)
2. Refer to '[Land Contamination: a guide for developers](#) (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the [Environment Agency's \(2017\) 'Approach to Groundwater Protection'](#)

Pollution prevention

Surface water and groundwater

A surface and groundwater management plan should be produced to address pollution prevention and control measures, to be deployed across the whole project area.

The following activities should be considered (but not limited to): turbine foundation construction, de-watering of excavations, procedure for handling and producing cement based products such as concrete and grout, storage and use of polluting substances such as fuels, oils and chemicals, soil and peat storage methods to include soil handling methods during site restoration, culverting works including improvements/upgrading, construction of electrical substation and battery storage, mineral borrow pits, crane hard standings, construction/equipment lay down areas including welfare facilities, the risk of soil erosion/deterioration of the existing vegetation when constructing the solar array and the associated surface water pollution risks.

Construction Environment Management Plan (CEMP)

A CEMP should be undertaken and included within the ES. We would encourage the developer to commit a dedicated resource to the installation and ongoing maintenance of the pollution prevention mitigation deployed across the development. For example, the measures deployed along the access tracks should be inspected daily, the effectiveness of water treatment methods should also be subject to regular review. Furthermore, the frequency of inspection and maintenance should be increased during and following periods of rain. The type of stone used to surface the access tracks is critical, mudstone and gritstone tend to breakdown easily and produce a slurry which places additional pressures on the surface water drainage treatment system. We would expect that the pollution prevention measures would be deployed in advance of the commencement of construction activities with deployment along: access tracks, construction compound and around turbine locations being prioritised to safeguard watercourses.

A Contingency Plan should be included in the CEMP and developed in relation to potential environmental incidents which may occur.

Monitoring

A monitoring/inspection strategy/plan covering watercourses and discharges from treatment areas will need to form part of the ES. This will be especially relevant during rainfall events.

Welfare Provision

Pollution prevention in regard to welfare provision on the site has not been considered in the scoping document and further details on the provision on foul sewerage, bunding of transformers on site and road maintenance and drainage is necessary.

Soil

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

Vehicles and traffic management

Use of articulated dump trucks (ADT's) on access tracks has proven to be extremely destructive to road surface quality which has resulted in server pressure being borne on the road surface water drainage and treatment system. Due to the pressures which ADT's exert on such road systems, we would encourage alternative and less damaging means on transportation be used. Furthermore, we advise the access tracks are not used during certain weather conditions, such as during prolonged or intensive periods of rainfall.

Construction activities such as access track widening, reinforcement of culverts over watercourses, reducing the severity of track bends by increasing the length and width of the existing track, reducing gradients of certain sections of track are all likely to be required in order to facilitate the transportation of the turbine components to their chosen locations. The developer may wish to consider adoption of a one-way traffic management

system during the construction phase of the development which may help reduce the physical impact which the above activities may have on the water environment.

Fisheries

Fish habitat improvements should be incorporated into the designs for the reinforcement of existing access track culverts or any new culverts proposed.

Cable routes

Excavating long sections of cable trenches without backfilling promptly, can create pathways which may enable contaminated run off to enter local watercourses. Such pollution risks may be compounded by the type of aggregate used to surround and protect the cable. The developer may wish to consider installing water stops within the trench sectional design, particularly in areas where ground conditions are poor or where steep and long gradients are encountered. We would recommend that pollution prevention controls mitigating against the effects of soil erosion be deployed during the surface restoration of the cable route.

Buffer zones

We would encourage the incorporation of buffer zones around all mapped and unmapped watercourses following site surveys.

Water Framework Directive

Due consideration must be given to the Water Framework Directive (WFD) and we recommend this should be incorporated within the ES. The document should reference the waterbodies hydrologically linked to the development, their current status, how this development is likely to effect WFD classification and provide appropriate mitigation if required. The current status of hydrologically linked waterbodies is available from:- Water Watch Wales - [Cyfoeth Naturiol Cymru \(naturalresourceswales.gov.uk\)](http://CyfoethNaturiolCymru.naturalresourceswales.gov.uk).

Peat

The scoping report acknowledges that further field survey work is required to aid the understanding of peat reserves at the development site. Contingency plans should be made in the event that greater peat reserves be uncovered during the construction phase than were originally anticipated. The Local Planning Authority will lead on matters in relation to peat and they may advise that a peat management plan and associated mitigation options are included within the ES, as peat deposits of varying depths are widespread in this area.

Flood Risk

As stated in the scoping report, it appears that the sites are situated largely in Zone A on the development advice maps (DAM) in accordance with TAN15 although the scale and detail of drawings provided at this stage do not allow for a definitive assessment. It should be noted that there are areas of Zone C2 on the DAM, as well as Zone 3 on the Flood Map for Planning (FMfP) which is our most up-to-date information, associated with the watercourses in the vicinity of the sites. Therefore, a flood consequence assessment (FCA) should be included in the ES and contain detail of whether any part of the sites or

access roads lie in mapped flood risk areas. If any part does lie within a mapped flood zone, then the FCA will need to assess any impact this may have.

The main risk in terms of flood risk is however, likely to be from any increased run-off from the sites, either during construction or upon completion. This will be a matter for the applicant to agree with the Sustainable Drainage Approval Body (SAB) within the Local Planning Authority to ensure no increased flood risk downstream.

The applicant may wish to consider if there are any opportunities for Natural Flood Management (NFM) projects within the footprint of the development as part of a mitigation strategy by taking a holistic approach to catchment management, comprising interventions in the headwaters to slow the flow of water and reduce flooding.

Bridge Replacement

The proposed replacement bridge appears to be over the Nant Blaen Pelenna, an ordinary watercourse, and therefore any separate Ordinary Watercourse Consent required will be dealt with by the Lead Local Flood Authority.

Flood Risk Activity Permit

It does not appear that any part of the main river Pelenna or its flood plain will be affected by the proposal but if information detailed within the ES confirms it will be then a separate Flood Risk Activity Permit may be required from NRW for certain activities.

Landscape

The proposal is located on upland between the Vale of Neath and the Afan Valley and lies approximately 14km from the Brecon Beacons National Park and approximately 20km from the Gower Area of Outstanding Natural Beauty (AONB).

The proposal lies within a pre-assessed area for wind energy (PAWE area 9), as defined in Policy 17 of Future Wales 2040: The National Plan. In these areas there is a presumption in favour of large-scale wind farms subject to the criteria in Policy 18. All proposals should demonstrate no unacceptable impact on the environment. The only relevant criteria in policy 18 is stated to be visual impacts on nearby communities and individual dwellings. It should be noted that policy 18 also requires that cumulative impacts should be considered.

The scoping report refers to Scottish Natural Heritage (SNH) guidance 'Visual Representation of Wind Farms (2017) and NRW GN-46 Using LANDMAP in Landscape and Visual Impact Assessment. Landscape Institute TGN 06/19 Visualisation of development proposals is also relevant, although there is some overlap with the SNH guidance. The National Park and AONB Management Plan, Special Qualities and landscape and seascape SPG should be referenced within the ES.

Section 6.26 of the scoping report states that LANDMAP will be used to inform considerations of sensitivity but that the GN46 filtering approach will not be used because the development is within a pre-assessed area. We consider that GN46 should be used to inform the Landscape Visual Impact Assessment (LVIA) which is to be submitted within

the ES as landscape and visual aspects still require assessment, both within and outside the PAWE.

A 35km search area has been defined, in line with GN46 and it is stated that a detailed study area is likely to be 15km. GN46 identifies a study area of 26-28km for turbines in this height category. This is particularly important for highly sensitive receptors, such as those in National Parks and AONBs. The detailed study area should include the viewpoints within these areas, which are within or close to 20km distant. Maesgwyn Windfarm and extension should be included in the cumulative assessment as relevant to views from the National Park.

Section 6.27 of the scoping report states that significant effects would only be likely within 5-6km of the proposal and therefore the effects on the National Park and AONB would not be significant and that designated areas should be scoped out. Nevertheless, the scoping report includes viewpoints from these areas. We consider that significant effects are likely to occur beyond 5-6km and potential effects on highly sensitive areas such as the National Park and AONB should be included in the assessment. Cumulative effects are also likely to occur beyond this range.

The three viewpoints proposed in the Designated Landscapes (13 and 14 in the National Park and Mumbles Hill in the AONB) appear acceptable, although a more open location on Comin y Rhos may be found to the south of viewpoint 13.

Section 6.40 of the scoping report proposes the night-time assessment study area to be 15km but includes viewpoints 13 and 14 in the National Park. We advise it should include at least one of these viewpoints and there may be a requirement for more than 2-3 receptors to be illustrated with a photomontage.

Other Matters

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

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

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

Yn gywir / Yours faithfully

Ashley Bosomworth

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

Adeline Wilcox
Planning Officer
PEDW

Eich cyfeirnod
Your reference

DNS 3255801

Ein cyfeirnod
Our reference

Dyddiad
Date

23 May 2022

Llinell uniongyrchol
Direct line

Ebost
Email:

Cadwplanning@gov.wales

Dear Adeline,

PROPOSED DEVELOPMENT: Mynydd Fforch Dwm Wind Farm

LOCATION: Fforch dwm Farm, Tonmawr, Port Talbot SA12 9SS

Thank you for your letter of 14 April asking for Cadw's view on the scope of the Environmental Impact Assessment (EIA) and the proposed methodologies outlined in the Scoping Report in relation to 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.

Annex A contains the designated historic assets within the developer 5km ZTV incorporating the screening effect of woodland and settlement.

Advice

A scoping report has been produced by Naturalis Energy Developments, which includes the proposed contents of the Archaeology and Cultural Heritage Section of the proposed EIA.

The scoping report poses eight questions about these proposed contents, shown below along with our responses.

• Question 11.1 Do you agree that the data sources identified are sufficient to inform the archaeology and heritage baseline? Yes

• **Question 11.2 Do you agree with the search areas identified?** Yes

• **Question 11.3 Do you agree that the ‘matters scoped out’ can be scoped out?**

Yes. Regarding the impact of the proposed windfarm on the setting of the registered Margam Mountain landscape of special historic interest an ASIDOHL assessment will not be required, but this issue will still be a material consideration in the determination of the application and should be considered using the guidance given in “The Setting of Historic Assets in Wales”.

• **Question 11.4 Do you agree that the methods described are sufficient to inform a robust impact assessment?** Yes.

• **Question 11.5 Do you have any specific requirements for the archaeology and heritage methodology in excess of those described?** The designated historic assets identified above are located inside 5km of the proposed windfarm and in the ZTV prepared by the developer. In accordance with the guidance given in “The Setting of Historic Assets in Wales” a stage 1 assessment for all of these designated historic assets should be carried out and the results should be included in the EIA, possibly as an appendix. Where listed buildings are located inside a settlement a stage 1 assessment for them as a group would be appropriate.

• **Question 11.6 Do you have any specific comments regarding the use of the access track currently present at Cwm Pelenna Colliery Ventilation Furnace?** Not at this stage – it may be useful to have a meeting with the Inspector of Ancient Monuments to discuss the use of the track when details of any changes to it have been produced.

• **Question 11.7 Do you have any specific requirements regarding photoviews/photomontages? Mynydd Fforch Dwm Wind farm?**

Photoviews/photomontages would be useful for any designated historic assets where the initial assessment suggest that there will be a moderate or greater effect.

• **Question 11.8 Are there any designated historic assets beyond the 5km search area which should be considered as part of the assessment?** No.

Yours sincerely

Jenna Arnold

Diogelu a Pholisi/ Protection and Policy

Scheduled Monuments

GM039 Neath Castle
GM054 Buarth y Gaer, Mynydd y Gaer
GM055 Mynydd y Gaer (Lower) Camp
GM098 Pen-y-Castell
GM245 Cefn yr Argoed Camp
GM258 Blaen-Cwmbach Camp
GM264 Cefn Morfydd Dyke & Earthwork
GM277 Blaen-Cwmbach Earthwork
GM366 Camp 280m S of Melin Court Brook
GM367 Roman Marching Camp South West of Melin Court Brook
GM385 Three Round Cairns on Carn Caca
GM447 Glyncorwg Mineral Railway (Parsons Folly) Section on Cefn Morfudd
GM458 Cwm Pelenna Colliery Ventilation Furnace
GM489 Ynysmaerdy Railway Incline
GM538 Bryn Llydan Round Barrow
GM551 Deserted Rural Settlement North of Foel Fynyddau
GM577 Carn Caglau cairn
GM581 Cefn Mawr cairn

Registered Historic Landscape

HLW (WGI/MGI) 2 Margam Mountain

Listed Buildings

11767 Church of Saint Cattwg II*
11768 Ivy Tower II
11772 Great Western Chambers II
11774 Moose Hall II
11775 Neath Castle II*
11776 Old Town Church of St Thomas II*
11777 Gates, Gatepiers & Churchyard Wall of St Thomas' Church II
11778 Old Town Hall II
11779 Mechanics Institute II
11780 Hugh Vaughan & Co Ltd II
11788 Friends Meeting House II
11799 Bethania Baptist Chapel II
11803 NO.6 NEW STREET,,,,,WEST GLAMORGAN, II
11804 NO.7 NEW STREET,,,,,WEST GLAMORGAN, II
11805 NO.1 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11806 NO.2 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11807 NO.3 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11808 NO.6 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11809 NO.7 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11810 NO.7A OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11811 The St Ives Public House II
11812 NO.24 CHURCH STREET,,,,,WEST GLAMORGAN, II
11813 Adrian Hicks & Son II
11814 NO.15 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11815 NO.16 OLD MARKET STREET,,,,,WEST GLAMORGAN, II
11817 Constitutional Club II
11819 Barclay's Bank II
11825 Midland Bank II
11826 Lloyd's Bank II
11828 NO.52 WINDSOR ROAD,,,,,WEST GLAMORGAN, II
11829 Gwyn Hall II
11852 Farmer's Arms aqueduct over the Neath Canal II
22888 Cwm Pelenna ventilation stack II
23018 Church of St Michael II
23020 Penuel Chapel II
23079 Seion Fforest Calvinistic Methodist Chapel II
23089 Railings at Seion Fforest Calvinistic Methodist Chapel II

23848	Old longhouse at Nantymedw	II
23849	Stable at Nantymedw	II
82078	Bridge over Tennant Canal SE of the Church of Saint Cattwg	II
82085	Gates, gate piers, walls and railings at Church of Saint Cattwg	II
82086	Goose rearing shelters and mounting block at Tan-y-rhiw	II
82087	Limekiln near Neath Golf Course	II
82088	Milestone on A4230	II
82089	Monument in churchyard of St Cattwg	II
82268	Bridge over Neath Canal at Abergarwed Lock	II
82269	Bridge over Neath Canal at Farmer's Arms Lock	II
82272	Milestone NE of Abergarwed on B4242	II
82273	Bridge over Neath Canal at Ynysarwed	II
87818	Neath Mission Hall	II

From: [REDACTED] behalf of [PEDW – Seilwaith / Infrastructure](#)
To: [Wilcox, Adeline \(ENSR - PEDW\)](#)
Subject: FW: DNS 3255801 - Mynydd Fforch Dwm Wind Farm- EIA Scoping Consultation
Date: 20 May 2022 15:54:38

From: Jones, Richard (EST - Transport) [REDACTED]
Sent: 20 May 2022 15:29
To: PEDW – Seilwaith / Infrastructure <PEDW.Infrastructure@gov.wales>
Cc: LGC Development Control (South) <LGC_Development_Control-South@gov.wales>
Subject: RE: DNS 3255801 - Mynydd Fforch Dwm Wind Farm- EIA Scoping Consultation

FAO PEDW,

Thank you for the consultation. We are in agreement with the scoping report. I attach our standard windfarm condition for the information of the applicant.

In terms of the development site, this includes the whole component transportation route. We are therefore interested in a CTMP that includes port/point of entry and exit to the road network as well as travelling weights and dimensions.

Yours faithfully,

Richard Jones
Peiriannydd Ffyrdd / Route Engineer

[Is-adran Rheoli'r Rhwydwaith](#) - Network Management Division
[Trafnidiaeth](#) / Transport
[Llywodraeth Cymru](#) / Welsh Government
[Parc Cathays](#) / Cathays Park
[Caerdydd](#) / Cardiff

[REDACTED]

'No development other than felling shall commence until a Construction Traffic Management Plan (TMP) has been submitted to and approved by both the Local Planning Authority in consultation with Welsh Government (Transport), as highway authority for the Trunk Road Network (TRN) in Wales. The TMP shall detail the proposals for the movement of construction traffic and Abnormal Indivisible Loads (AIL) associated with wind farm development and shall include the following:

(a) Construction vehicle routeing plans at 1:2,500 scale for all traffic including AIL showing swept path analysis from the point of entry onto the highway network to the site; and in reverse for decommissioning.

(b) Construction vehicle routeing plans at 1: 2,500 scale for all traffic including AIL showing highway mitigation required and land ownership boundaries including identified holding areas, passing areas and layover areas. Any highway mitigation shall include supporting GG119 Safety Audit documentation.

(c) No development shall commence until the land required for highway mitigation and holding areas has been acquired or made available for use.

(d) Site access highway design plans at 1: 2,500 scale that shall include supporting GG119 Safety Audit documentation.

(e) Detailed schedules of the management of junctions to and crossings of the public highway and other public rights of way during delivery of AIL, construction materials and other operating equipment.

(f) The provision of delivery schedules detailing the time and date of movements, nature of delivery vehicles: particularly details of AIL detailing vehicle parameters, gross vehicle weight, number of vehicles in convoy size, dimensions (width, length, height) and weight (total vehicle with load and axel loading).

(g) Details of AIL escorts highlighting where and when along the route private vehicles, banksman and Police vehicles escorts will be used.

(h) Provision of plan drawings and associated traffic signs schedule highlighting locations along the route where temporary traffic management (cones, temporary signs, etc.) needs to be deployed.

(i) An agreed impact assessment of AIL on all highway structures on the affected route, including bridges, culverts, retaining walls, embankments, drainage features, and third party buildings and structures shall be included in the TMP.

(j) The making good of any incidental damage done by construction traffic associated with the proposed development to the trunk road and county road network including street furniture, structures, drainage features, highway verges and carriageway surfaces.

(k) Documented trial runs with supporting videoed evidence shall be included in the TMP demonstrating the suitability of the entire transport route from point of entry onto the highway network to the site for all AIL and in reverse for the decommissioning of the windfarm.

(l) The development shall be carried out in accordance with the approved TMP.

The applicant should consult with the Trunk Road Agent so that constraints on vehicle movements such as, embargo periods, route traffic sensitivity, temporary roadworks and

other highway restrictions are included in the TMP.

If deemed necessary by the Police or relevant Welsh Government, Temporary Traffic Regulation Orders (TTRO) shall be required to facilitate the movement of AIL. The Welsh Government for County Roads is the local Authority and for the TRN the Welsh Government is the Welsh Government. TTRO approval of applications on TRN take up to 12 weeks.

A Road Space Booking application shall be completed in advance of any TRN movements, forms are available from the relevant Trunk Road Agent and shall be completed by the applicant.

Definitions

1. Swept path analysis – the calculation and analysis of the movement and path of different parts of a vehicle when that vehicle is undertaking a turning manoeuvre. At a basic level this includes calculating the path taken by each wheel during the turn and also calculating the space needed by the vehicle body during the turn.
2. GG119 Highways Directive for the mandatory requirement for Road Safety Audits on all trunk roads. It is contained within the Design Manual for Roads and Bridges Volume 5 Section 2 Part 2.

The developer shall be liable for the cost of making good any incidental damage to the trunk road network including street furniture, structures, highway verge and carriageway surfaces.

From: Wilcox, Adeline (ENSR - PEDW) <Adeline.Wilcox847@gov.wales> **On Behalf Of** PEDW – Seilwaith / Infrastructure

Sent: 14 April 2022 14:54

Subject: DNS 3255801 - Mynydd Fforch Dwm Wind Farm- EIA Scoping Consultation

Hello,

Please find attached a consultation letter in relation to the Scoping Direction for this proposed DNS.

If you are unable to respond by Monday 23rd May 2022 please let us know as soon as possible.

If you have any queries please contact us.

Thank you

Addy

Adeline Wilcox

[hi | she / her]

Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales

Llywodraeth Cymru | Welsh Government

Ffôn | Tel: 0300 025 2484

E-bost | E-mail: Adeline.Wilcox847@gov.wales



<https://llyw.cymru/penderfyniadau-cynllunio-ac-amgylchedd-cymru> |

<https://gov.wales/planning-and-environment-decisions-wales>

Crown Buildings,
Cathays Park,
Cardiff,
CF10 3NQ

Gofynner am/
Please ask for:

Watch Manager A Hall

Rhif Est/Extn. No.

6611

E-bost/E-mail:

Fy Nghyf/My Ref:

AJH/JS/00167228

Eich Cyf/Your Ref:

DNS 3255801

Dyddiad/Date:

19th April 2022



Gwasanaeth Tân ac Achub
Canolbarth a Gorllewin Cymru

Mid and West Wales
Fire and Rescue Service

Dear Sir/Madam

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

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

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

RE: MYNYDD FFORCH DWM WIND FARM

APPLICATION NUMBER: DNS 3255801

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

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

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

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

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

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

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues

Prif Swyddog Tân
Chief Fire Officer
Chris Davies QFSM MBA

Y Pencadlys,
Heol Llwyn Pisgwydd,
Caerfyrddin,
Sir Gâr,
SA31 1SP
post@tancgc.gov.uk

Headquarters,
Lime Grove Avenue,
Carmarthen,
Carmarthenshire,
SA31 1SP
mail@mawwfire.gov.uk

Facs | Fax:

01267 220562

Ffôn | Tel:

HOFFI DILYN RHANNU
You Tube f t i
LIKE FOLLOW SHARE
Ein Negeseuon
Diogelwch
Our Safety
Messages

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.

Rydym yn croesawu galwadau yn y Gymraeg a'r Saesneg.

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

We welcome calls in Welsh and English.

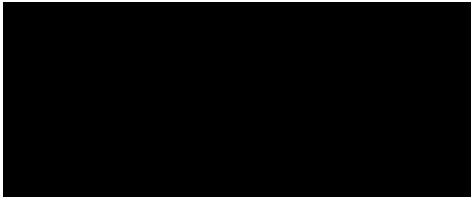


www.tancgc.gov.uk
www.mawwfire.gov.uk

concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

The plan/s has been retained for record purposes.

Yours faithfully



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

Enc.

MID AND WEST WALES FIRE AND RESCUE SERVICE

Advice on Water Supplies

1. WATER SUPPLIES FOR FIREFIGHTING

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

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

Access to Open Water Supplies

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

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

1.1. HOUSING

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

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

1.2. TRANSPORTATION

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

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

1.3. INDUSTRY

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

Light Industrial/Commercial

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

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

High Risk Industrial

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

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

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

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

1.4. SHOPPING, OFFICES, RECREATION AND TOURISM

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

1.5. EDUCATION, HEALTH AND COMMUNITY FACILITIES

Village Halls

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

Primary Schools and Single Storey Health Centres

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

Secondary Schools, Colleges, Large Health and Community Facilities

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

1.6. DISTANCES BETWEEN FIRE HYDRANTS

The distance between fire hydrants should not exceed the following:

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

1.7. CONCLUSION

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

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

2.

Planning and Environment Decisions Wales
(via e-mail)

Date: 20/05/2022
Our Ref: PLA0065045
Your Ref: DNS 3255801

Dear Sir/Madam,

Grid Ref: SS797963 281527 197409
Site: Mynydd Fforch Dwm, Tonmawr, Port Talbot
Development: Scoping Consultation - Wind Farm

We refer to your consultation on a scoping direction in accordance with regulation 13(6) and Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 which relates to a Development of National Significance (Procedure) (Wales) Order 2016. We note that the consultation relates to Mynydd Fforch Dwm Wind Farm which refers to the "construction and operation of up to seven wind turbines (>10MW) with a maximum tip height of 200m" on land at Fforch dwm Farm, Tonmawr, Port Talbot.

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

SEWERAGE

It appears the application does not propose to connect to the public sewerage system, and therefore wr Cymru Welsh Water has no objections in principle. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application. In addition, we would advise that the site is crossed by combined public sewers along the main highway, in the south-west corner of the site per attached Statutory Public Sewer Record, and we request the applicants contact us to discuss further.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Neath Port Talbot County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

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

WATER SUPPLY

Firstly, whilst it appears the application does not propose to connect to the public watermain system, we would advise that the proposed development is crossed by various distribution watermain, in the south-west corner of the site, with their approximate positions being shown on the Statutory Public Watermain Record. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We enclose our Conditions for Development near Watermain(s). It may be possible for these watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site. In addition, we advise that there is a former abandoned DCWW asset in the form of Tonmawr SRV, located at NGR SS8017596837, and we request the applicants contact us to discuss further.

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

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Sion Jones
Development Control Officer
Developer Services



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

We welcome correspondence in
Welsh and English

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

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

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



Dŵr Cymru
Welsh Water

PLA0065045



LEGEND

Clean network:

- Sluice valve
- Pressure reducing valve
- Meter
- Bulk meter
- Hydrant
- Cap end
- Air valve

- Stop tap
- Water Treatment Works
- Water Pumping Station
- Existing main
- Non-operational main
- Raw Water

NB: Water main symbol colour indicates the type.

- LIGHT BLUE - Trunk
- DARK BLUE - Distribution
- YELLOW - Raw Water

Notes:

Whilst every reasonable effort has been taken to correctly record the pipe material of DCWW assets, there is a possibility that in some cases pipe material (other than Asbestos Cement or Pitch Fibre) may be found to be asbestos cement (AC) or Pitch Fibre (PF). It is therefore advisable that the possible presence of AC or PF pipes be anticipated and considered as part of any risk assessment prior to excavation

Dŵr Cymru Cyfyngedig ('the Company') gives this information as to the position of its underground apparatus by way of general guidance only and on the strict understanding that it is based on the best information available and no warranty as to its correctness is relied upon in the event of excavations or other works made in the vicinity of the company's apparatus. The onus of locating apparatus before carrying out any excavations rests entirely on you. The information which is supplied by the Company, is done so in accordance with statutory requirements of sections 198 and 199 of the Water Industry Act 1991 which is based upon the best information available and, in particular, but without prejudice to the generality of the foregoing, it should be noted that the records that are available to the Company may not disclose the existence of a water main, service pipe, sewer, lateral drain or disposal main and any associated apparatus laid before 1 September 1989, or, if they do, the particulars thereof including their position underground may not be accurate. It must be understood that the furnishing of this information is entirely without prejudice to the provision of the New Roads and Street Works Act 1991 and the Company's right to be compensated for any damage to its apparatus.

Service pipes are not generally shown but their presence should be anticipated.

EXACT LOCATIONS OF ALL APPARATUS
TO BE DETERMINED ON SITE.

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Map Ref: 280385,196507
Map scale: 1:1750
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