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From: "Thomas, Rhodri"
To: "info@ybryn-windfarm.cymru" <info@ybryn-windfarm.cymru>
Date: 29/06/2023 15:41 BST
Subject: FW: Pre Planning - Y Bryn onshore wind farm, northeast of Port Talbot

Afternoon Bryn Windfarm Planning,

On behalf of Welsh Government,

Pre Planning - Y Bryn onshore wind farm, northeast of Port Talbot

Installation of up to 18 wind turbines with maximum heights ranging between up to 206m, up to 230m, and up to 250m to blade tip, each with foundations, external transformer housings, crane hardstanding's and erection area; together with ancillary infrastructure and construction enabling works including substation, control building and compound; energy storage facility; two permanent wind monitoring locations; upgraded and new access tracks and highway junctions; underground cable runs; site signage; borrow pits; temporary construction and storage compounds and laydown areas."

We refer to your consultation of 1st June 2023 regarding the above pre-planning application. The Welsh Government as highway authority for the M4 motorway requires additional details to support this application as follows;

1. The General Arrangement of the intended junction improvements in accordance with the Design Manual for Roads and Bridges (DMRB)(in particular CD 109 and CD 123), on a suitably scaled drawing, with significant dimensions clearly identified (widths, corner radii, longitudinal gradients etc.). This will allow Welsh Government to review the junctions compliance with the design standards, with any departures from the DMRB clearly identified at this stage. Please note due to the topography of the surrounding land, we require the full footprint of the works, including any embankments or retaining structures etc. as required.
2. Signage strategy – this is outstanding and information should take account of the potential for sign clutter, as well as reduced effectiveness of the existing signs in proximity to Junction 38, particularly the ADS sign.
3. The enforcement strategy – this is required to confirm how the junction will be controlled for use by windfarm component transportation only.
4. A Road Safety Audit Stage 1, in accordance with the Design Manual for Roads and Bridges GG 119. A stage 1 RSA will be critical for determining the feasibility and giving opportunity to close out any significant issues feeding into detailed design. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.

Regards

Rhodri

Rhodri Thomas BSc. (Hons) GMICE

Senior Engineer

Adran yr Economi a'r Seilwaith
Department for Economy and Infrastructure



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

Eich cyf / Your ref CAS-01294-W3D7Y5

Ein cyf / Our ref 23/SW-5981

25 October 2023

Dear Sir/Madam,

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

Y Bryn Wind Farm, Land at Bryn and Penhydd forest

A wind farm of up to 18 turbines with battery energy storage and ancillary infrastructure.

I refer to your consultation of 22nd September 2023 regarding the above application, and advise that the Welsh Government as highway authority for the M4 motorway directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

To ensure a new junction on the M4 motorway can be delivered to an appropriate standard, items which may determine whether a new junction is plausible, will need to be resolved, prior to any determinations.

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

- 1) Detail needs to be provided to prove access for transporting AILs is achievable from the point of entry to the Welsh trunk road network to the point of egress, which minimises any impact on the safety and free flow of trunk road traffic, please supply the likely traveling weights and dimensions of AILs.

Proposals identify the removal of signs to allow clearance for the blades. These signs may be demounted to allow the blades to pass, but must be immediately reinstalled as they are safety critical to the operation of the Strategic Road Network (SRN).

- 2) Enforcement strategy - to confirm how the junction will be controlled for use by windfarm component transportation only, noting the use of cones for the duration of the construction period will not be acceptable and how the access will be stopped up during the operational phase of the project, once AIL deliveries have ceased.



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- 3) Junction spacing / weaving length details - distances between the proposed and existing junctions may contravene current design standards. Should this be observed, updated proposals / justification for its acceptability will be required, for our full deliberation by means of a Departure from Standard application.
- 4) Signing strategy – detail should take account of the potential for sign clutter, as well as reduced effectiveness of the existing signs in proximity to Junction 38, particularly the ADS sign and potential to lead to confusion with drivers, as signage may overlap the junction positions.
- 5) Preliminary embankment or retaining structure details and junction longitudinal gradients. Topography of the mountain side is steep, please see appended google street view screenshots. Therefore, earthworks as shown on previous iterations of the drawings are either incorrect or the slip road is extremely steep (which would not be acceptable) or retaining structures are intended, but no details provided. Updated drawings should show the true footprint of the works accordingly. Please note environmental clearances will be required as part of any planning granted.

Welsh Government need to get an understanding of the footprint, the feasibility of construction in such a steep location and reassurance that the proposal will not impact the SRN.

- 6) A Road Safety Audit Stage 1, in accordance with the Design Manual for Roads and Bridges GG 119. A stage 1 RSA will be critical for determining the feasibility and giving opportunity to close out any significant issues feeding into detailed design. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.

An RSA will be required, with the Welsh Government as Overseeing Organisation (OO), as though the use is temporary in nature the junction will be permanent feature, which will have an impact on road user behaviour and there is the possibility for adverse changes to the outcome of a collision during AIL deliveries.

- 7) It is understood the access will only be used during the construction and decommissioning phases and will be closed off following AIL deliveries, however, departures will be required as appropriate. All new highway features must confirm to the DMRB or have an approved departure from standard - the temporary nature of the junction may be used as mitigation.

At present all design Departures from Standards from the Design Manual for Roads and Bridges (DMRB) shall be identified and justification for their acceptability supplied, for our consideration

- 8) In respect of the Y Bryn ES Chapter 11 - Traffic and Transport document, paragraph 11.3.3, there is no reference to Welsh Government. It would be Welsh Government's decision whether a junction could be created.

Furthermore, the relationship between the South Wales Trunk Road Agency and Welsh Government needs to be clarified as well as the fact that the Welsh Ministers are the Highway Authority.



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In addition to the standard conditions included within the draft version of the Welsh Government pulling together Procedure and Advice Guidance (PAG) document (appended). Large excavation and retaining structures, though not identified on proposals at present are foreseen to be required. These works and structures have the potential to severely impact upon our right of support if not implemented via an appropriate method to the required standard. It is brought to the designers' attention; the Welsh Government would advise the following conditions be added to any permission granted by the authority at the appropriate time. Any failure to comply will likely result in legal action being taken. All conditions and notes apply to both temporary and permanent engineering works:

- 1) Prior to the commencement of any works on site, full details for excavations with associated Risk Assessments / Method Statements (RAMS) in conjunction with full dimensions and calculations for the retaining structures must be provided to the Local Planning Authority (LPA). Details shall be submitted to and approved in writing by the LPA in consultation with the Welsh Government.
- 2) Retaining structures and earthwork excavation shall be laid out, constructed and maintained strictly in accordance with the approved details / RAMS prior to the construction of buildings, car parks or permanent access roads.

General Notes

- 1) The applicant will need to follow the procedures given in the DMRB CD622 Managing Geotechnical Risk. No works shall commence without the express written permission of the Welsh Government SRN Division.
- 2) Any retaining wall structural technical approval must follow the procedures of the DMRB CG 300 Technical Approval of Highway Structures.
- 3) An agreement with the Welsh Ministers would be required under section 278 of the Highways Act 1980 for the creation of the private junction servicing the proposed wind farm in and should be separately sought.

The applicant will also need to satisfy all other statutory and legal requirements, including where appropriate EIA Regulations and the Habitats Regulations.

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



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For your information please find below our standard planning conditions (taken from the aforementioned PAG document and amended to reflect discussion between Welsh Government and the developer), which Welsh Government would request be applied to any future planning permission granted by the authority:

Structural assessment

No on site development works shall be undertaken until:

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

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

Condition surveys

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

Liability for incidental damage

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

Transport Management Plan

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



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- a) proposals for transporting AILs from their point of entry to the Welsh trunk road network to the site that minimise any impact on the safety and free flow of trunk road traffic
- b) evidence of trial runs that mimic the movement of the worst case AILs along the access route where appropriate, at the discretion of the Highway Authorities
- c) number and size of AILs, including loaded dimensions and weights
- d) number and composition of AIL convoys, including anticipated escort arrangements
- e) methodology for managing trunk road traffic during AIL deliveries, including identification of passing places and holding areas as necessary
- f) convoy contingency plans in the event of incidents or emergencies
- g) estimated convoy journey durations and timings along the route, including release of forecast traffic queues
- h) swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route where appropriate, at the discretion of the Highway Authorities
- i) proposals for the temporary or permanent modification of any affected street furniture along the access route and details of how this would be managed
- j) plans for the reinstatement of any temporary works after completion of the construction phase
- k) land ownership must be clarified on all drawings showing proposed highway modifications where the works extend beyond the limit of road adoption. The developer shall be responsible for the acquisition and reinstatement of all third party land including re instatement of boundary features
- l) proposals to liaise with all relevant stakeholders and members of the public regarding construction traffic and AIL movements
- m) consideration of the cumulative impact of other abnormal load generating schemes proposing to use all or part of the same access route. Details of these schemes are to be provided by the Welsh Government and Neath Port Talbot County Borough Council
- n) the appointment and role of a transport coordinator to administer the abnormal indivisible load delivery strategy
- o) temporary traffic diversions and traffic hold points
- p) details of banksmen and escorts for abnormal loads
- q) management and maintenance of layover areas, junctions, passing places, public rights of way and welfare facilities while AIL deliveries take place
- r) details of temporary signage.



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

Highway works

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

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

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

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

Road Safety Audit

The applicant shall undertake a Road Safety Audit of any new or altered infrastructure on the trunk road network associated with the scheme (Stages 1 –2) in accordance with the Design Manual for Roads and Bridges GG 119 for all temporary works. Permanent works shall also require a Stage 3 Audit and Stage 4 audit upon completion of these works. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.

Section 278 Agreement

The applicant shall enter into an Agreement with the Welsh Ministers under Section 278 of the Highways Act 1980 to enable the Applicant to undertake agreed improvement works on the trunk road. This Agreement will contain details of the improvement works, construction conditions and financial arrangements under which agreed measures can be put in place, including indemnifying the Welsh Ministers against third party claims. Without such an agreement in place, any consent that may be granted cannot be implemented.



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For further information on this matter please refer to Welsh Government Procedure & Advice Guidance PAG 109/18: Section 38, 184 and 278 Agreements under the highways Act 1980

Access onto the trunk road

Full details of the highways works associated with the proposed new access onto the trunk road shall

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

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

All highways works shall achieve full compliance with the DMRB.

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

Yours faithfully

Jason Ingram



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**Welsh Government
Procedure & Advice Guidance
(PAG)**



Llywodraeth Cymru
Welsh Government

Welsh Government Motorway and Trunk Road Network

**'Pulling Together'
Best Practice for Transporting Abnormal Loads in Wales**

Instructions for use:

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

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

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

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1 INTRODUCTION

1.1 Document purpose

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

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



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

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

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

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



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

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

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

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

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

1.2 Document structure

The document is structured as follows:

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

1.3 Intended audience

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

- Consigners/agents
- Hauliers
- Attendants
- Escorting services

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

1.4 List of abbreviations

The following abbreviations are used throughout this document:

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

2 CATEGORIES OF ABNORMAL LOAD

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

2.1 Normal vehicle definition

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

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

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

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

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

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

2.2 Categories of abnormal loads

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

- Vehicle choice, and
- Route choice

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

2.2.1 Abnormal loads and vehicle choice

The size of an abnormal load has implications for the size of the transporting vehicle, with larger loads generally requiring larger vehicles. In addition, heavier loads put greater demands on a vehicle's chassis, suspension, tyres, brakes and engine, so heavier abnormal loads also require a higher specification of vehicle.

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

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

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

Table 1 Abnormal load legal category by size/weight combination

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

Key:  = Abnormal load legislation

This table highlights that:

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

2.2.2 Abnormal loads and route choice

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

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

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

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

Table 2 Pre-journey notification requirements by abnormal load category

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

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

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

This table highlights that:

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

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

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

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

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

2.3 **Summary**

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

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

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

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

3 VEHICLE PREPARATION

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

3.1 Vehicle choice

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

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

3.2 Signage, markings and lighting

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

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

3.3 Attendants

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

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

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

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

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

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

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

3.4 Documentation

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



4 JOURNEY PREPARATION

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

4.1 Notification requirements

4.1.1 Authorities to be notified

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

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

In Wales, highway authorities comprise:

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

Bridge authorities/owners most commonly comprise:

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

4.1.2 Notice periods

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

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

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

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

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

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

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

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

4.1.3 Information required

4.1.3.1 Statutory notification requirements

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

Table 3 Information required by notification type

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

4.1.3.2 Traffic Management Plan requirements

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

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

4.1.4 Notification submission

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

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



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

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

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

4.1.5 Notification dispensations

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

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

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

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

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

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

4.2 Route planning guidance

4.2.1 General principles

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

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

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



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

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

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

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

4.2.2 Other considerations

4.2.2.1 Travel timing

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

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

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

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

Table 4 STGO speed limits by category and road type

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

Source: Special Types Enforcement Guide

4.2.2.2 Escort considerations

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

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

Table 5 National Highways guidelines on escort requirements

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

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

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

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

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

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

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

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

4.3 Notification processing

4.3.1 Police notification assessment process

4.3.1.1 Public Safety Risk Assessment

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

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

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

4.3.1.2 Escort requirements

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

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



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

4.3.1.3 Temporary Traffic Regulation Order

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

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

4.3.2 HA&BO notification assessment process

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

4.3.2.1 Check for height and width restrictions

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

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

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

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

4.3.2.2 Check for structural capacity

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

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

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

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



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

4.4 Post-notification considerations

4.4.1 Roadworks and disruptions

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



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

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

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

4.4.2 Enforcement considerations

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

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

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

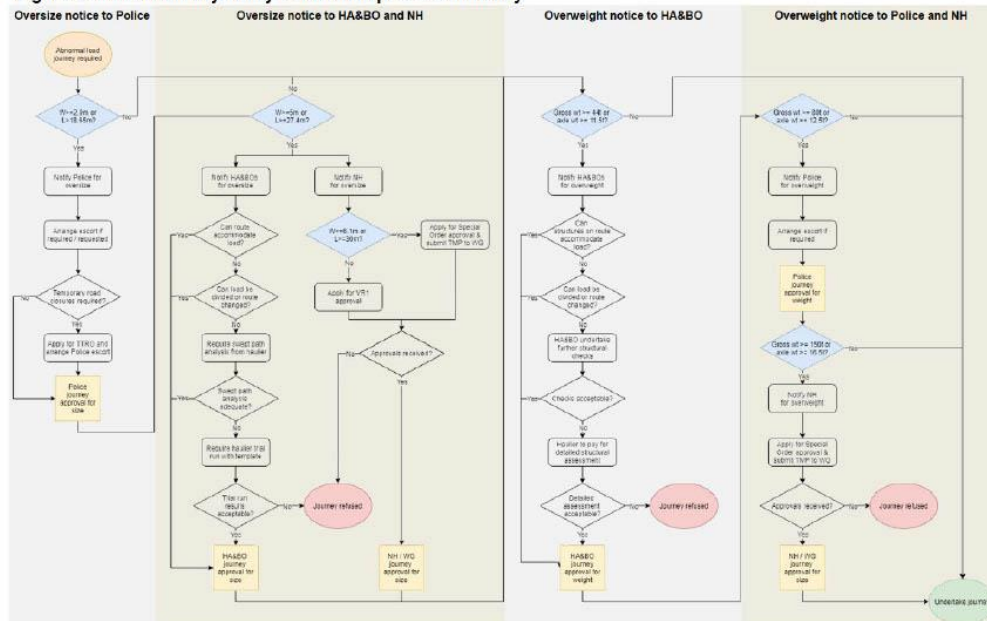
Where non-compliance is evident, the driver and operator are liable to prosecution under C&U regulations. Penalties for non-compliance can range from a fine¹⁵ to the temporary restriction or suspension of the haulier's operating licence by the Traffic Commissioner for Wales¹⁶. Officers might also prevent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

4.5 Process summary

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

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

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

Figure 2 Abnormal load journey notification process summary

Pulling Together

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5 ABNORMAL LOADS AND DEVELOPMENT CONTROL

5.1 Planning applications

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

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

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



5.2 Planning conditions

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

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

5.2.1 Structural assessment

No on-site development works shall be undertaken until:

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

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

5.2.2 Condition surveys

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

5.2.3 Liability for incidental damage

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

5.2.4 Traffic Management Plan

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

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

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

5.2.5 Highway works

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

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

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

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

5.2.6 Road Safety Audit

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

5.2.7 Section 278 Agreement

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

¹⁸ <http://bailey.persona-pi.com/Public-Inquiries/M4-Newport/C%20-%20Core%20Documents/6.%20Transport%20and%20Engineering/DMRB/vol5/section2/hd1815.pdf>

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

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

5.2.8 Access onto the trunk road

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

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

All highways works shall achieve full compliance with DMRB.



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

6 SUMMARY OF ROLES AND RESPONSIBILITIES

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

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

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

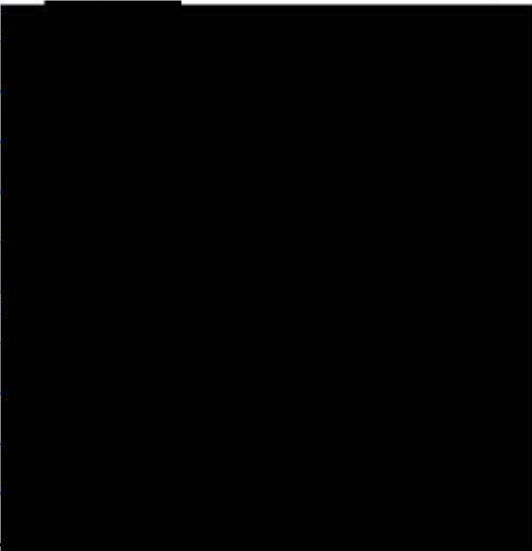
7 USEFUL CONTACTS

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

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

Table 7 Useful contacts for abnormal load related queries

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

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

13.3. Appendix B.3 - Response from Neath Port Talbot County Borough Council (Highways)

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

The Town and Country Planning (Development Management Procedure)

(Wales) Order 2015 (as amended)

HEAD OF ENGINEERING & TRANSPORT

OBSERVATIONS

PAC APPLICATION NO: N/4/23/0007/00

APPLICANT: TREVOR HUNTER - CORIOLIS ENERGY

LOCATION: Y BRYN WIND FARM, NORTHEAST OF PORT TALBOT

PROPOSAL: INSTALLATION OF UP TO 18 WIND TURBINES WITH MAXIMUM HEIGHTS RANGING BETWEEN UP TO 206M, UP TO 230M, & UP TO 250M TO BLADE TIP, EACH WITH FOUNDATIONS, EXTERNAL TRANSFORMER HOUSINGS, CRANE HARDSTANDINGS & ERECTION AREA; TOGETHER WITH ANCILLARY INFRASTRUCTURE & CONSTRUCTION ENABLING WORKS INCLUDING SUBSTATION, CONTROL BUILDING & COMPOUND; ENERGY STORAGE FACILITY; TWO PERMANENT WIND MONITORING LOCATIONS; UPGRADED & NEW ACCESS TRACKS & HIGHWAY JUNCTIONS; UNDERGROUND CABLE RUNS; SITE SIGNAGE; BORROW PITS; TEMPORARY CONSTRUCTION & STORAGE COMPOUNDS & LAYDOWN AREAS.

The Highway/Drainage Authority, in responding to the above application, provides the following substantive response:

No comment	☐
No objection (subject to any specified conditions below)	☐
Concerns have been identified (see below for how those concerns can be addressed by the applicant)	☒
Objection – on the grounds set out below	☐
SAB (SAB approval is required)	☒

MY OBSERVATIONS ON THIS PAC ARE AS FOLLOWS:-

We have no highway or drainage objection subject to the following observations.

HIGHWAYS/TRANSPORT (ES Chapter 11: Traffic & Transport)

Whilst Chapter 11 deals with Traffic flow and Transport within the ES there is no Transport Statement provided in accordance with TAN 18.

Item 11.4.12, 11.4.13 & 11.4.14– agree with the possible mitigation methods proposed. However further details is required showing how the mitigation measures are implemented.

Item 11.4.22 quotes *"In the absence of Department for Transport (DfT) data at Goytre Road, NPTCBC results of a speed survey undertaken in 2016, this has been considered in the assessment"* Using this data may not provide an accurate baseline of traffic flows due to the data being nearly 7 years old. Even though there may be evidence of a number of traffic vehicles the survey is used for speed survey data collection not traffic trips – can we suggest a real-time traffic survey be undertaken within a neutral month?

Item 11.5.8 it is noted that no vehicles are proposed to exit the site via the proposed M4 diverge – we support this proposal.

Item "Baseline Traffic Data" refers to 2016 NPTCBC speed survey data, and DfT data from 2019. Whilst this exercise would have been useful to give an in principle idea of flows, I would like to see baseline based figures in real time post pandemic. This will provide a more accurate assessment.

It is unclear how many vehicle (HGV's and LGV's) will be used at either junction of access point 2 (B4282) and point 3 Goytre Road. The data show a general combination of deliveries but not specific to each junction.

Predicted data of vehicle movements are noted, however as previously stated I think fresh and current data would be required for the baseline figures.

Item 11.6.23 percentage assessment increase show >5% average during the course of construction. Whilst this is only a temporary activity estimated over 24 months, In terms of delay can it be quantified how long traffic is likely to be delayed on adopted highways leading to and from the site – timings of deliveries may assist you with mitigation.

Table 11.17 - Within Goytre Road it flags up sensitivity risk "Driver Delay", Pedestrian Fear & intimidation and Safety to be HIGH. Whilst the Construction Phase Effects (Item 11.7.5) highlights High Risk to be "Not Significant" We have concerns that this will result in a serious or significant impact upon highway and pedestrian safety. We need to safeguard the community of Goytre.

Access from goytre to site (if agreed) should be tarmaced for the first 10 metres length and full width, to allow a bound surface and prevent overspill of loose material on to the public highway.

References were made within the ES to Volume 3: Appendices - The HGV Traffic Management Plan was accessible and refers to further details awaiting the appointment of principle contractor therefore not much to respond on in terms of detailed information at this point.

The AIL TMP refers to mitigation proposals to ensure safe delivery of AIL, however no details of site setup, parking, operational vehicles, whether or not additional support is required for widening of access tracks off the trunk road, together with security of access road and proposed preventative

measures required to not allow other vehicles to enter off the slip road or park once development is completed. SWTRA to comment on deliveries/delays and structures of ministerial roads.

No details of the proposed access slip road and associated highway tie-in to exiting private land (cut and fill), lighting and additional street furniture/signage etc has been submitted for assessment. This information may very well be available within the four documents listed within item 11 above. However it was not accessible to me when undertaking the assessment.

A suggestion to undertake a survey of all relevant estate roads (Goytre Rd) will be required pre commencement of construction traffic and post construction traffic where any damage occurred resulting in these additional delivery movements shall be rectified and made good by the applicant. It is also important to engage with residents before construction deliveries occur and specify timings agreed as part of the Traffic Management Plan, with the intention to review periodically when necessary and further mitigation required if needed.

Any gates required on private land fronting onto the highway shall be of a type which open inwards only, can be seen through and maintained as such thereafter.

Additional works required on the existing publicly maintained highway will require an adoption agreement.

No development shall take place to construct any infrastructure or buildings until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- scheme for the erection of temporary/semi temporary signage warning drivers of the presence of children and speed restrictions.

The Construction Method Statement shall be signed by a competent person(s).

The approved Statement shall be adhered to throughout the construction period.

Detailed signage shall be submitted to and approved in writing by the LPA, the approved sign shall be erected at the entrance of the access road on private land not publically maintained highway stating the following in English and Welsh '*PRIVATE ROAD with no intention to dedicate under S37 of the Highways Act 1980*' the signage as approved shall be constructed on site prior to the occupation of the first dwelling.

No Road Safety Audit required for access road off the M4 (Abnormal Indivisible Loads) because the access road is purely for operational traffic not public use.

HIGHWAY NOTE TO APPLICANT

In order to ensure the road works you are required to undertake are carried out to the satisfaction of the Local Planning Authority and subsequently adopted if you so wish you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mr Justin Griffiths, telephone number (01639) 686397 or e-mail j.griffiths4@npt.gov.uk) to agree the specification, enter an adoption agreement and arrange onsite inspection of your works.

Any agreement to adopt the roads relating to this development should be entered into with the Council prior to the commencement of development. Such an agreement will be under Section 38 of the Highways Act 1980 relating to the specification, timescale and subsequent adoption of the roads and a Bond to ensure that the Authority can complete the works if the Developer defaults on the roadworks.

Prior to commencing any works on site the applicant will be required to enter into an agreement with the Authority under Section 278 of the Highway Act 1980 to carry out the works upon the existing public highway. You are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mr Justin Griffiths, telephone number (01639) 686397 or e-mail j.griffiths4@npt.gov.uk) to agree the specification, enter the agreement and arrange on site inspection of your works.

Developers' attention is drawn to the provisions of Section 278 of the Highways Act, 1980 in cases where a development would require access or other works to be carried out within the existing highway. Where highway works to benefit a development require land adjacent to an existing highway to be constructed upon together with works on the existing public maintained highway, a hybrid S38/278 shall be used. Works that are to be undertaken within the existing public maintained highway only will require a S278 agreement. No Work shall be undertaken on the existing public maintained highway until the appropriate legal agreement has been entered into.

Any works undertaken on the public highway without the appropriate legal agreement with the Highway Authority, the Highway Authority has the right to request the developer to remove and/or reinstate that part of the highway back to its original condition to the satisfaction of the Highway Authority.

A plan detailing the differences between the existing and proposed highway shall be submitted to form part of the legal agreement, this should be made up of two colours, green for the proposed area to be adopted and brown for the existing highway.

Developers are reminded that consent under the Town and Country Planning Act, 1990/91, conveys no approval for works to be undertaken affecting any part of the public highway, including verges and footways. The Developer must:-

Obtain the approval of Neath Port Talbot County Borough Council as Highway Authority for the details of any works to be undertaken in the Public Highway.

(ii) Indemnify the Authority against all claims arising from such works, including claims under the Land Compensation Act.

(iii) Give not less than 1 calendar months' notice in writing of the date of commencement of the works.

As part of this process you are advised that any principle contractors and/or subcontractors that are on the Local Authority's framework approved list are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section on request.

DRAINAGE

Details of any surface water drainage mitigation/alterations resulting in the access of the new purpose built diverge slip road off the M4 for AIL deliveries. How this ties-in to the existing drainage network and possibility of implementing SuDS components where practicable.

Should any springs or ground water seepage be encountered the on site works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall ever be discharged into the proposed drainage scheme.

There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Authority.

Unless otherwise agreed in writing by the Local Planning Authority, foul water and surface water discharges shall be drained separately from the site.

No surface water or Land drainage run-off shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the lifetime of construction.

Prior to any works commencing on site SAB approval will be required. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on <https://www.npt.gov.uk/sab>

DRAINAGE NOTE TO APPLICANT

Please note that from 7th January 2019, all new developments of more than 1 house, or where a construction area is of 100m² or more, plus if the SAB authority believe that any redevelopment of land has significant surface water drainage implications. This will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in **Schedule 3 of the Flood & Water Management Act 2010**.

These systems must be approved by the Council's Highway Development Control service acting in its SuDS Approving Body (SAB) role before construction work begins. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved.

If you have not done so already, and your development would not fall into any of the relevant exceptions, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDS design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. There is an additional charge of £250 for this service. This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at www.npt.gov.uk/sab.

Prior to commencement of any works within a watercourse, hereby approved permanent and temporary under Section 23 of the Land Drainage Act 1991 must be obtained from the Authority. You are therefore advised to contact the Development Management Engineer, Mr Justin Griffiths at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (Tel.No.01639 686397 e-mail j.griffiths4@npt.gov.uk). Please note such consents can take up to 8 weeks to be processed after registration and early application is advised.

Notwithstanding the necessary consent required under section 23 of the Land Drainage Act 1991. The applicant must note that any culverts/ditches/open watercourses that conveys water through their land are to remain free from obstruction at all times. All tributary watercourses (culverted or not) located within the applicants land would be riparian responsibilities whereby the responsibility to sustain the flow of watercourse would remain with the land owner and subsequently passed on to the respective landowners thereafter should the land be sold. For further information on riparian responsibilities please contact Mr Justin W. Griffiths SAB & Highway Development Control Manager (Tel: 01639 686397 or email j.griffiths4@npt.gov.uk), alternatively you could access the riparian booklet online using the following web-link <https://www.npt.gov.uk/2867>

NOTES TO APPLICANT

Development proposals must seek to maximise walking and cycling accessibility by prioritising the provision of appropriate on-site infrastructure and where necessary off-site infrastructure. Walking and cycling infrastructure and services should be prioritised and put in place from the outset, before people have moved in and travel patterns have been established, as per Planning Policy Wales, Edition 11 and Future Wales – the National Plan 2040. All new walking and cycling infrastructure should be built to standards set out in Welsh Government's Active Travel Guidance and off-site infrastructure should link to (where possible) routes on Neath Port Talbot Council's Active Travel Network Map. This shows where walking and cycling routes already exist (Existing Routes) and where upgrades or brand new routes are anticipated for the next 15 years (Future Routes) in built up areas. Further information on the Active Travel Guidance and Neath Port Talbot's Active Travel Network Map can be found here: www.npt.gov.uk/activetravel.

These above observations are provide without prejudice and are based upon the information submitted at the preliminary stage. However, should further amendments or any additional information be submitted thereafter, our observations may change to reflect these amendments and/or additional details.



SIGNED:

DATE: 0/0/2023.....

pp HEAD OF ENGINEERING & TRANSPORT

PAC Ref: N423000700 – Y BRYN WIND FARM

13.4. Appendix B.4 - Response from Neath Port Talbot County Borough Council (Planning) PAC Response



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Date Dyddiad	17th July 2023
Direct line Rhif ffôn	01639 686776
Email Ebost	m.griffiths5@npt.gov.uk
Contact Cyswilt	Matthew Griffiths
Your ref Eich cyf	
Our ref Ein cyf	P2023/0444

Trevor Hunter -Y Bryn Project Manager
Coriolis Energy

Dear Sir/Madam

Town and Country Planning Act 1990

PROPOSAL: Pre-Application Consultation (Reference: DNS/3264571): Wind farm of up to 18 turbines with battery energy storage and ancillary infrastructure

LOCATION Y Bryn Wind Farm North-East Of The M4 Motorway Between Port Talbot And Maesteg

APPLICANTS Trevor Hunter -Y Bryn Project Manager

NAME/ADDR: Email Address Only Provided

Introduction and background

I write further to the above application which is a Development of National Significance (DNS), being considered by Planning and Environment Decisions Wales (PEDW). We have previously written to PEDW with comments at the scoping stage of the preparation of the Environmental Statement (ES), supporting the application. The application has now moved to the Pre-Application Consultation (PAC) phase of the DNS process.

Where an application is made for this proposal we are required by legislation to produce a Local Impact Report (LIR). We may also, separately make a representation on the balancing exercise undertaken to determine a future application, in effect to

Amgylchedd ac Adfywio

Ceri Morris Pennaeth Cynllunio a Gwarchod y Cyhoedd

Y Ceiau, Ffordd Brunel, Parc Ynni Baglan, Castell-nedd SA11 2GG

Ffôn 01639 686868

Environment and Regeneration

Ceri Morris Head of Planning and Public Protection

The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG

Tel 01639 686868

Croesewir goheblaeth yn y Gymraeg a byddwn yn ymdrin â goheblaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

object or support the application. The Authority considers that we need to respond to the PAC with reference to the likely content of the LIR.

The letter considers the impacts of the development and without prejudice (particularly as further consultation will be undertaken) prior to the production of a future LIR. Our comments are largely based on the content of the ES and we have sought to advise whether we consider impacts identified to be positive, negative or neutral. The LIR is required to identify if impacts are positive, negative or neutral. In our view it is helpful if this term is to an extent quantified, where an impact is negative but there is mitigation that reduces the impact to a low level then we will seek to make this view clear. The main local impacts that we are likely to address in our LIR are considered in turn:

Seascape, Landscape and Visual

The ES at chapter 8 provides an extensive discussion of significant seascape, landscape and visual effects. The chapter is supported by appendices including a Seascape, Landscape and Visual Impact Assessment, Residential Visual Amenity Assessment and an Aviation Lighting Assessment.

A consultant working for the Authority has previously commented on the EIA scoping. We have instructed a consultant to review the ES and enclosed with this letter is a report from our consultant on this element of the information presented within the PAC. This letter raises issues regarding the information submitted within the SLVIA and the supporting appendices containing the assessments. The matters raised should be addressed in the finally submitted Environmental Statement.

Chapter 8 focusses on where the SLVIA identifies landscape and visual effects that are significant (based on the SLVIA at appendix 8.1). This includes the following significant impacts identified in the ES:

- 18 significant individual effects on landscape character (LCA 03, 04, 06, 07, 08, 09, 10, 12, 13, 17, 18, 39, 42, 43, 44, 45, 46, 57)
- 6 significant cumulative effects from wind farm developments on landscape character (LCA 07, 12, 13, 18, 42, 57)
- 2 significant cumulative effects with non-wind farm development (LCA 13, 42)
- 17 significant individual effects (VP 1, 2, 3, 4, 8, 10, 13, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28)
- 11 significant cumulative effects from wind farm developments on visual amenity (VP 1, 2, 4, 8, 10, 11, 16, 20, 24, 26, 36)
- 3 significant cumulative effects from non-wind farm developments on visual amenity (VP 8, 19, 24)
- Significant effects on statutory designations are predicted within Margam SLA, a Registered Historic Park and Garden. The proposed development may conflict indirectly with some key characteristics, which are key to the designation.

- Significant effects on non-statutory designations predicted within: Margam SLA, Western Uplands SLA, Foel Trawsnant SLA, Foel y Dyffryn SLA, Margam Country Park, Margam Mountain LOSHIW.
- Significant effects on St. Illtyd's Walk as it passes near to and through the proposed development and Ogwr Ridgeway Walk as it approaches the site.

The Chapter of the ES supports the view that the proposal will have a **high negative** local impact in terms of its landscape and visual effects. At this time we concur with this view, and raise concerns specifically on the impacts identified within Margam SLA, a Registered Historic Park and Garden. The information provided at this time does not in our view override these concerns to an appropriate level.

In addition it is considered that the proposed access off the M4 has not been given adequate space within the submitted documents, and the impacts of this not clearly identified within the existing submission. As a fundamental part of the proposals we would request that this intrinsic part of the development is brought to the fore within the submission, and appropriately assessed. There is very limited information within the PAC documentation on this and what is provided is limited and difficult to access.

Cultural Heritage

The impact of the proposal on archaeology and cultural heritage is considered in chapter 9 of the ES.

The assessment has found that there would be adverse effects to four non-designated assets and one designated historic asset as a result of the construction of the proposed wind farm. For the Mynydd Margam Registered Landscape these construction phase effects would be Very Slight (in ASIDOHL terms). For the non-designated assets the construction phase effects would be Minor Adverse and not significant for Heol y Moch and Negligible Adverse and not significant for the two trackways and tip scree. A programme of archaeological monitoring and recording during construction will mitigate the impacts on these assets by enhancing our knowledge of them through recording.

The assessment found that there would be adverse effects to 46 designated historic assets as a result of the operation of the windfarm. This included minor adverse (and not significant) for four scheduled ancient monuments and to Margam Castle (a Grade I listed building) as well as Margam Park registered park and garden. Five other listed buildings and a conservation area were also identified to have minor adverse effects. Negligible Adverse and not significant effects were identified for 34 other assets.

A significant effect is identified on the Mynydd Margam registered landscape which the ASIODOHL assessment found would experience adverse impacts of Moderate Significance (in ASIDOHL terms). Cumulative effects were also considered with an

increase from Negligible Adverse to Minor Adverse for Llangynwyd Castle where the effect was considered to still not be significant.

The proposal is considered to have a **negative** local impact including significant adverse effects and extensive effects on heritage assets that are assessed to be less than significant.

At this time we are concerned over the impacts upon Margam Park as a cultural asset of the Authority. Margam Park contains numerous statutory and non-statutory designations. We note that impacts are identified within the ES but we would welcome further assessment and clarification and justification for the conclusion that these are moderate / minor effects and not significant – in our view this should be expanded on and further justified.

Biodiversity

The residual effect on bats during construction are assessed as negligible / low negative. Operational effects of the proposed development on four bat species due to collision are considered to be moderate negative magnitude but it is assessed that the integrity of the local population is not expected to be affected and, thus, operational effects are considered to be not significant. For four other species of bat operational phase impacts on brown long-eared bats are considered to be of low negative magnitude resulting in an effect that is not significant. The effect on the Margam Park SINC was also considered not significant.

In respect to the ornithological interest at the site this is considered in Chapter 7 of the ES. This identifies moderate, low and negligible effects that are not significant. In respect to nightjars a moderate effect is identified which will require additional mitigation which is identified at 7.8.3. Subject to this the effects of disturbance / displacement during construction are predicted to reduce to low negative and not significant. An outline habitat management plan has also been provided, the ES states that this will create an overall biodiversity net benefit from the development.

Our ecologist has commented that the proposal and noted that surveys would potentially be out of date at the point of submission of an application. The ES and supporting reports should be updated where necessary.

The development will have a not significant, **low negative** local impact on bats. In respect to ornithology, subject to the proposed mitigation and delivery of the habitat management plan the proposal will have a **neutral / positive** local impact.

Transport and Access

The ES chapter 11 considers the highways impact of the development. Much of the impact of the development is proposed to be mitigated by a Traffic/Transport

Management Plans (TMPs) and preliminary plans are included in appendices to this chapter.

A response has been provided by the Local Highways Authority separately. This identifies a number of areas which should be addressed as part of a future application.

Table 11.18 and 11.19 summarises likely effects and their significance. There are numerous effects on traffic and transport that are identified as being moderate / minor or minor and these are all identified as being not significant. The chapter concludes that there would be moderate residual effects to public road network and users and there would be moderate / minor effects on local settlements. As stated previously, we do not think that the nature of the access works from the M4 are clearly shown in the application and the impacts of the proposed access off the M4 should be given more priority within the submission, as an intrinsic part of the development.

The ES supports the view that the proposal will have a **negative** local impact.

Noise and Vibration

The residual effects of construction activities is identified in the ES as being temporary and minor subject to appropriate management.

The Authority has commissioned a noise consultant to review the information supporting the application on operational noise from the wind turbine generators. Their response is enclosed with this letter. They have previously responded on the draft ES noise chapter and it is noted that issues raised have been addressed. The consultant has also noted that they would prefer a discussion with the noise consultant before providing final comments on the supporting information.

Within the operational phase the wind farm element of the development is proposed to meet acceptable noise limits set through ETSU-R-97. This would be an adverse effect, but it is considered that the effect would not be significant if within the limits in ETSU-R-97. ETSU-R-97 sets a level where wind farms can operate with appropriate protection to residents. The operational and construction noise from the wind farm are viewed to be a not significant, **low negative** impact.

Health and Public Safety

Chapter 14 considers a range of health and public safety matters: historic coal mining; shadow flicker; ice throw; lightning; air quality; battery fire risk; and general health and safety (during construction, operation and decommissioning). For each of these matters mitigation is outlined. Although minimised there would remain a negative health and public safety effect from the development and it is considered that this is a **low negative/neutral** local impact.

Hydrology, Geology and Hydrogeology

Chapter 10 of the ES considers these issues and suggests mitigation such as an agreed construction environmental management plan, embedded mitigation and standard good practice mitigation. There will remain a residual risk but the ES considers that this is not a significant effect. This is a **low negative/neutral** local impact.

Socio-economics

These effects are considered in Chapter 16 of the ES. The ES chapter concludes that the significance of economic impact during development and construction phases of the proposed development is predicted to be minor (beneficial) and not-significant for NPTCBC and BCBC areas, and negligible (beneficial) for outside these areas (Wales and UK). During the operational phase, the significance of socioeconomic impact is predicted to be negligible (beneficial) with respect to NPTCBC and BCBC economies and negligible (beneficial) and not-significant with reference to the Welsh and UK economies as a whole.

Consideration is given to the impact of the proposal on tourism assets. Potential negative impacts upon Margam Park as a historical and cultural asset should in our opinion be further considered and assertions made on the extent of the visibility of the turbines justified through additional supporting information.

Based on the evidence in Chapter 14 of the ES there will be a **positive** local socio-economic impact.

Renewable energy

The proposal will generate a substantial amount of renewable energy which is a **positive** impact from the scheme. The planning statement states that it will generate around 317,883 megawatt-hours of renewable electricity per year, equivalent to the annual needs of 85,700 average UK homes, or approximately 68% of households in Neath Port Talbot and Bridgend council areas combined; contribute approximately 7.3% of the remaining shortfall against the Welsh Government's 2030 target to generate 70% of consumed electricity by renewable means; save approximately 137,325 tonnes of CO₂ per year; and pay back its expected carbon debt from manufacture, construction, impact on habitat, and decommissioning within 1.9 years;

Other environmental effects

Chapter 15 of the ES considers aviation and existing infrastructure (including telecommunications, utilities and public access). The ES has not identified any significant effects on aviation or existing infrastructure. The Authority is aware that the applicant has discussed the impact of the proposal on rights of way and is seeking to discuss proposals to enhance access through the agreement of an access management and enhancement plan. It is considered that subject to appropriate mitigation being agreed that there is likely to be a **low negative** local impact.

Chapter 13 of the ES provides a forestry assessment. This appears to be a matter that has been a matter extensively discussed by the applicant with Natural Resources Wales. There will be a loss of forestry to the development and it appears that this is a **negative/neutral** local impact and not significant.

Conclusion

The Authority will produce a LIR based on the final DNS application and also informed by the responses of other consultees and third parties. The proposal, based on the ES at PAC is assessed to have a significant landscape and visual impact to a range of receptors. We have provided a response to the landscape and visual impact assessment from our consultant and this identifies a number of areas where we think additional information should be provided in the application Environmental Statement and also identifies amendments that could be made to the final scheme. We hope that these points are given full consideration in developing the scheme.

There is also a significant adverse effect identified to cultural heritage and also effects that although assessed as not significant, are to highly valued heritage assets such as Margam Castle and its parkland setting. In addition, there appears a lack of clarity at this stage, or sufficient prominence within the PAC documentation on the proposed access off the M4 and track up Mynydd Brombil which is clearly an intrinsic part of the development proposed. This has been highlighted back to you previously, and it appears not originally considered as part of your scoping to PEDW. We consider at this time the information available is unclear and limited in its scope. The physical and visual impacts of this part of the development would not be clear to the general public if attempting to comment on the PAC in this regard, if indeed they are aware of it, due to the lack of information within the current documentation. There are also adverse effects identified in relation to a range of other matters as outlined above. These in our view represent a range of negative local impacts that we are likely to reflect in our Local Impact Report and to which the decision maker will need to balance against the benefits of the development. Based on the finalised proposal we will consider the need to also provide our view on the balancing exercise for the development.

Should you require any further assistance please contact Matthew Griffiths on the case officer number above.

Yours faithfully

Ceri Morris

HEAD OF PLANNING & PUBLIC PROTECTION

If you require this information in larger print, or in an alternative format, please contact the above named officer.

P2023/0444

Enc:

- Acoustic consultant (Dick Bowdler) provisional comments on PAC.
- Landscape consultant (Anne Priscott) comments on PAC.

P2023/0444

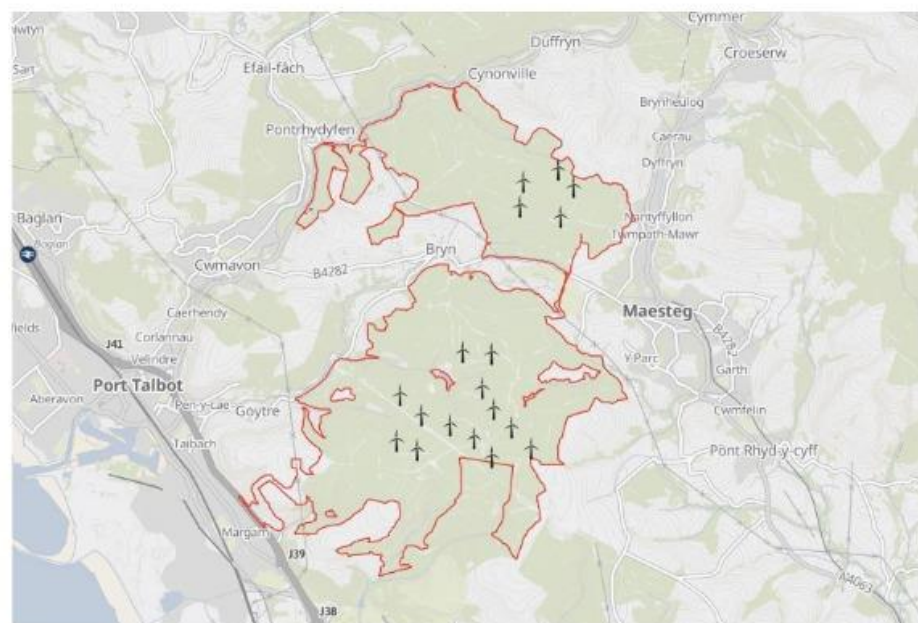
13.5. Appendix B.4 - Response from Neath Port Talbot County Borough Council (Planning) LVA Summary review conclusions and policy review

Y Bryn Wind Farm SLVIA Review, Landscape Siting Considerations and Landscape Policy Review

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Y Bryn Wind Farm

SLVIA Review, Landscape Siting Considerations and Landscape Policy Review



July 2023

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Y Bryn Wind Farm SLVIA Review, Landscape Siting Considerations and Landscape Policy Review

Introduction

1. My name is Anne Priscott, I am a chartered landscape architect with over 25 years experience. I have reviewed the SLVIA and proposals for this site at the request of Neath Port Talbot and Bridgend County Boroughs (NPTCBC and BCBC) to provide the authorities with an independent assessment of the draft SLVIA and to report back on any landscape and visual impact issues relating to the proposed wind farm development. Through my review I consider the content and format of the SLVIA and separately consider the effects of the proposed development upon the landscape and visual receptors and landscape related policy.
2. The proposal is a Development of National Significance (DNS). The developers are Coriolis Energy and ESB. The LVIA related information has been prepared by Soltys Brewster Consulting Ltd and peer reviewed by Optimised Environments Ltd.
3. The proposed development is expected to generate up to 129.6 megawatts (MW) and comprises the following main elements: 18 Wind turbines (206m to 250m to tip) each with an installed capacity of 6.6 MW and upgraded existing and new access tracks.
4. Future Wales 2040/National Plan published in February 2021 sets out the overarching policies. Policy 17 states that in pre-assessed areas the Welsh Government has already modelled the likely impact on the landscape and found them to be capable of accommodating development in an acceptable way and there is a presumption in favour of large-scale development, subject to draft Policy 18.
5. Policy 18 states that a DNS will be permitted outside pre-assessed areas for wind development providing the proposal:
 - Does not have an unacceptable adverse impact on the surrounding landscape (particularly on the setting of National Parks and Areas of Outstanding Natural Beauty); and
 - The proposal is designed to minimise its visual impact on nearby communities and individual dwellings and a cumulative impact of the proposal with other existing or proposed development is acceptable.
6. This replaced TAN 8 as the national spatial strategy for wind farm development within the context of PPW 10, now PPW 11. This policy defines strategically pre-assessed areas. The northern cluster of 5 turbines in the proposed development lies within Pre-Assessed Area 9 for wind energy and the southern cluster of 13 turbines lies outside.
7. The National Plan sets out on page 97 that irrespective of location or scale, the design and micro-siting of proposals must seek to minimise the landscape and visual impact, particularly those in close proximity to homes and tourism receptors. Both within and outside Pre-Assessed Areas, communities should be

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protected from significant cumulative impacts to avoid unacceptable situations whereby, for example, smaller settlements could be potentially surrounded by large wind schemes.

8. The pre-assessed areas are modelled on the basis of likely impact on the landscape at a regional level and found that the areas identified are potentially capable of accommodating development in an acceptable way. Therefore, within these areas there is a presumption in favour of large-scale development. This is subject to Policy 18, which sets out the development should not have an unacceptable adverse impact on the surrounding landscape, particularly the settings of National Parks (NP) and Areas of Outstanding Natural Beauty (AONBs), that the design minimises its visual impact on nearby communities and individual dwellings and a cumulative impact of opposing with other existing a proposed development is acceptable.
9. A number of studies have been undertaken that underpin the Local Plan and the development policies set out within it. These evidence-base studies include SPG on Special Landscape Areas that cover the landscape locations of 12 of the 13 southern cluster of turbines. They form a key part of the landscape analysis. The site straddles the border between Neath Port Talbot and Bridgend with one turbine (T11) in Bridgend.

SLVIA Review

10. Simon White produced a scoping consultation response and set out a number of points in relation to issues with the methodology proposed, including the number of viewpoints and their locations, and issues relating to the actual ability of the landscape to accommodate the development as proposed. Since scoping the number of turbines has been reduced from 26 to 18. The height of some of these turbines has also been reduced, although the rotor diameters remain the same and all 18 would be the same.
11. The observations Simon White made in his scoping consultation review (February 2021) form the starting points for my review of the landscape and visual impact assessment. The Draft Application LVIA, June 2023, has been updated from the Scoping Consultation Report 2021 to provide further information, particularly with regard to effects on residential properties, and photography of the additional viewpoints, as requested by Simon White.

Major development in terms of scale and impacts

12. The first point to record is that this is a **major development in terms of scale**, and in this regard offers many challenges. The challenges include that the proposed 206-250m height of the turbines is far larger than any other wind farm that is either consented or operational in Wales. Currently the tallest operational turbines are located offshore or in landscapes that are larger in scale and with far fewer settlements and apparently fewer sensitive receptors.
13. This leads to concerns that the scale of the turbines proposed in terms of height has the potential for turbines on this site to be out of scale with the landform on which they sit. This is exacerbated by the proximity of populated valleys, the coast and other sensitive receptors that are explored in more detail below.

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