



# Pennant Walters **Rhyswg Wind Farm**

## EIA Scoping Direction

November 2025



**EIA Scoping Direction**  
DNS CAS-03701-H3V4Y3  
Rhyswg Wind Farm

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**Contents**

1. Introduction ..... 4

2. Site Description ..... 4

3. Proposed Development..... 4

4. Consultation ..... 5

5. Environmental Impact Assessment Approach..... 5

    5.1 Baseline ..... 7

    5.2 Reasonable Alternatives ..... 7

    5.3 Currency of Environmental Information..... 8

    5.4 Cumulative Effects ..... 8

    5.5 Mitigation..... 9

    5.6 Population and Human Health ..... 9

    5.7 Transboundary Effects ..... 9

    5.8 Topics Scoped In but not subject to a standalone chapter..... 9

6. Environmental Impact Assessment Aspects ..... 9

    6.1 Aspects Scoped In ..... 10

        Landscape and Visual Impact (LVIA)..... 10

        Historic Environment ..... 10

        Biodiversity..... 10

        Ornithology..... 10

        Water Environment ..... 10

        Ground Conditions ..... 10

        Traffic and Transport..... 10

        Noise..... 10

        Existing Infrastructure, Telecommunications and Broadcast Services..... 10

        Shadow Flicker ..... 10

        Socio-economics..... 10

        Population and Human Health ..... 10

        Climate..... 10

        Sustainable Resource Use..... 10

        Major Accidents and Disasters..... 10

7. Table 1: Planning and Environment Decisions Wales Comments..... 11

8. Other Matters ..... 25

    8.1 Changes to PPW ..... 25

    8.2 Updated Guidance from the Design Commission for Wales ..... 25

    8.3 Habitats Regulation Assessment ..... 25

8.4 SuDS Consent ..... 26

**This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 18 September 2024 in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) (as amended) (“The 2017 Regulations”).**

## 1. Introduction

Planning and Environment Decisions Wales (PEDW) received a request under [Regulation 33](#) of the 2017 Regulations for a Scoping Direction in relation to a proposed development for the construction and operation of up to 4 wind turbines up to 180m in height to blade tip together with associated infrastructure by Pennant Walters Ltd.

The request was accompanied by a Scoping Report (SR) [Rhyswg Wind Farm Environmental Impact Assessment: Scoping Report by WSP, dated September 2024] that outlines the proposed scope of the Environmental Statement (ES) for the proposed development.

Planning and Environment Decisions Wales (PEDW) is authorised to issue this Scoping Direction on behalf of the Welsh Ministers.

This Direction has been prepared in accordance with the requirements of the 2017 Regulations as well as current best practice towards preparation of an ES. In accordance with the 2017 Regulations PEDW has consulted on the SR and the responses received from the consultation bodies have been duly considered in adopting this Direction.

## 2. Site Description

The site is located within the Caerphilly County Borough Council (Caerphilly CBC) administrative area. The site forms two parcels of land at Rhyswg Farm. The eastern boundary of the site borders Ebbw Forest and Cwmcarn Forest lies to the south. Abercarn is located approximately 300 m to the west of the site and the settlement of Cwmcarn lies approximately 400 m to the south of the site. The site would be accessed from the neighbouring site at Mynydd Maen Wind Farm (a proposed wind farm of up to 13 turbines, reference: DNS/3276725) subject to that development being consented.

Further information is available in section 2.2 of the SR.

## 3. Proposed Development

The proposal as described in the SR is for the construction and operation of a wind farm of up to four turbines, with a minimum generating capacity of 20 MW. The proposal includes associated infrastructure including access tracks, temporary construction compound, crane pads and cabling, transformer and substation and a grid connection which would enable connection to the substation located in the northern parcel of the Trecelyn Wind Farm site (reference: DNS CAS-02114-J9X4S6). The turbines are anticipated to have a height to blade tip up to 180m.

Further information is available in section 2.3 of the SR.

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

In the ES, any maps, drawing and illustrations that are proposed to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections.

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

#### 4. Consultation

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

- Caerphilly County Borough Council
- Natural Resources Wales
- Cadw
- Agricultural Land Use & Soil Policy, Welsh Government
- Transport Directorate, Welsh Government
- Dŵr Cymru
- Health and Safety Executive
- NATS
- Defence Infrastructure Organisation
- Civil Aviation Authority
- Coal Authority
- South Wales Fire and Rescue Service

Additional consultation was undertaken with:

- Torfaen County Borough Council (Neighbouring Authority)
- Blaenau Gwent County Borough Council (Neighbouring Authority)
- Bannau Brycheiniog National Park Authority (Neighbouring Authority)

PEDW also received the following additional submissions:

- Motvind
- Cardiff Airport

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

#### 5. Environmental Impact Assessment Approach

The Applicants should satisfy themselves that the ES includes all the information outlined in [Schedule 4](#) of the 2017 Regulations. In addition, the Applicant should ensure that the Non-Technical Summary includes a summary of all the information included in Schedule 4. Consider

a structure that allows the author of the ES and the appointed Inspector and Decision Maker to readily satisfy themselves that the ES contains all the information specified [Regulation 17](#) and Schedule 4 of the 2017 Regulations. Cross refer to the requirements in the relevant sections of the ES, and include a summary after the Contents page that lays out all the requirements from the Regulations and what sections of the ES they are fulfilled by.

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

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

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

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

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

It is open to the applicant to propose that final hub height and rotor diameter could be left to be dealt with via a written submission to the Local Planning Authority, as a pre-commencement condition (should planning permission be granted) provided the condition specifies that the hub height must not exceed (x) m and the rotor diameter shall not exceed (y) m. As with other conditions, the applicant should seek to agree a suitable form of wording with the Local Planning Authority, which can be submitted for the appointed Inspector's consideration.

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

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

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

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

**Shadow Flicker:** PEDW notes that in '[Review of Light and Shadow Effects from Wind Turbines in Scotland](#)' (L.U.C. for climateXchange, 2017) it was found that "there is a lack of evidence to support the use of ten rotor diameters as a cut off, and this is entirely down to misinterpretation of the original reference to this distance."

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

## 5.1 Baseline

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

## 5.2 Reasonable Alternatives

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

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

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

### 5.3 Currency of Environmental Information

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

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

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

### 5.4 Cumulative Effects

The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#) sets out a staged process for assessing cumulative impacts which the Applicant should follow when preparing the list of projects for inclusion in the ES; the Applicant should ensure that relevant schemes identified are addressed in the ES using the tiered approach set out in Advice Note 17.

There may be other types of development that could have cumulative impacts with the proposal, and it should not be assumed that the consideration of cumulative impacts can be restricted to other renewable energy proposals.

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

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

All of the other developments considered should be documented and the reasons for inclusion or exclusion should be clearly stated. Professional judgement should be used to avoid excluding other development that is close to threshold limits but has characteristics likely to give rise to a significant effect; or could give rise to a cumulative effect by virtue of its proximity to the proposed development. Similarly, professional judgement should be applied to other development that exceeds thresholds but may not give rise to discernible effects. The process

of refinement should be undertaken in consultation with Caerphilly CBC, NRW, neighbouring authorities and other consultees, where appropriate.

The scope of the cumulative assessment should be fully explained and justified in the ES.

### **5.5 Mitigation**

Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured (through legal requirements or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

### **5.6 Population and Human Health**

The Applicant should ensure that the ES addresses any significant effects on population and human health, in light of the EIA Regulations 2017. This could be addressed under the separate topic chapters or within its own specific chapter.

### **5.7 Transboundary Effects**

[Schedule 4 Part 5](#) of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The ES should address this matter as appropriate.

### **5.8 Topics Scoped In but not subject to a standalone chapter**

For such topics it may be helpful to users of the ES if it includes a summary table that signposts the chapters where these matters are addressed.

## **6. Environmental Impact Assessment Aspects**

This section contains PEDW's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. Environmental topics or features are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by PEDW. In accordance with Regulation 17(4)(c) the ES should be based on this Scoping Direction in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.

PEDW has set out in this Direction where it has/ has not agreed to scope out matters on the basis of the information available at this time. PEDW is content that the receipt of a Scoping Direction should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

## **6.1 Aspects Scoped In**

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

**Landscape and Visual Impact (LVIA)**

**Historic Environment**

**Biodiversity**

**Ornithology**

**Water Environment**

**Ground Conditions**

**Traffic and Transport**

**Noise**

**Existing Infrastructure, Telecommunications and Broadcast Services**

**Shadow Flicker**

**Socio-economics**

**Population and Human Health**

**Climate**

**Sustainable Resource Use**

**Major Accidents and Disasters**

## 7. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
<b>Description of the Development</b>			
ID.1	1.1.6.	Scope of the project	The SR states the connection between the on-site substation and the electricity grid located within the Trecelyn Wind Farm site will be the subject of a separate consenting process under Section 37 of the Electricity Act 1989. Whilst the consenting regime is a matter for the applicant, the potential impacts from cabling between the onsite substation and the grid connection should be addressed in the ES.
ID.2		Further assessment following iterative site design	PEDW welcome confirmation in the SR that further assessment is required for additional potential impacts arising from the aspects of development design which have yet to be defined. This includes access routes, additional ancillary development, and the proposed construction programme. These impacts must be fully considered and addressed in the ES for each topic.
ID.3	5.1.	Residual impacts	The assessment should also consider the significance of any residual impacts after mitigation measures have been incorporated.
ID.4		Cumulative impacts	Consideration of other proposals and existing developments must be included in a cumulative impact assessment in accordance with section 5.4 above. The applicant should consult Caerphilly CBC and other neighbouring authorities to agree a list of schemes to be included in the assessment. If schemes are not included in the assessment, the rationale for that approach should be provided in the ES.
<b>Applicant's proposed Aspects proposed to be scoped out</b>			
ID.5		Decommissioning	The ES should be based on a worst-case scenario and as the SR states the wind farm may be fully decommissioned when its operational life ends, decommissioning should be explored in a proportionate manner in the ES. The SR states that impacts from decommissioning are likely to be less than

ID	Reference in Scoping Report	Issue	Comment
			construction impacts, this is not considered adequate justification to scope out decommissioning. At a minimum, the ES should clearly indicate how decommissioning of the site will take place, clearly indicate what will be left on site and what will be removed. The ES should address what the end-of-life cycle will be for the infrastructure on site. <b>Therefore, decommissioning is scoped into the ES in a proportionate manner.</b>
<b>Landscape and Visual Impact (LVIA)</b>			
ID.6	5.2.3-4.	Technical Guidance	<p>PEDW welcome confirmation that the LVIA will be undertaken in accordance with the third edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3). As referenced in section 9.2 of this direction, the LVIA chapter should refer to Design Commission for Wales (Nov 2023) Designing for Renewable Energy in Wales.</p> <p>NRW and Bannau Brycheiniog National Park Authority (NPA) state that the management plan for the Bannau Brycheiniog National Park (Y Bannau: The Future - 2023-2028) should inform the assessment. This document sets out the special qualities of the National Park (NP) which must be considered as part of the LVIA.</p>
ID.7		Study area	The SR states a study area of 24 km will be used to inform the LVIA. The applicant's attention is drawn to detailed comments from NRW where they recommend a greater search area of 27 km based on the proposed 180 m blade tip height. NRW advise that at the initial search stage, a larger search area should be used to identify potential receptors, this can be refined once further assessment has been undertaken. PEDW concur with this advice, the approach in determining the study area, including site context and refinement, should be detailed within the ES.
ID.8	5.2.18.	Receptors	The impact on any Public Right of Way (PRoW) and respective users must be fully addressed in the ES. The applicant's attention is drawn to comments from Caerphilly CBC's Rights of Way Officer and the Open Spaces Society at

ID	Reference in Scoping Report	Issue	Comment
			appendix 1, within which it is recommend turbines are located a distance greater than their tip height from any PRoW.
ID.9	5.2.24-27.	Zone of Theoretical Visibility (ZTV)	<p>The SR and supporting plans state that the proposal is for up to four turbines, however paragraph 5.2.24. states that the preliminary ZTV is based on “an indicative layout consisting of up to three turbines”. The number of turbines included in the assessment should be clarified in the ES.</p> <p>Caerphilly CBC contend that the most significant landscape and visual impacts are likely to be within 10 km radius of the site. In order to support the assessment, the LPA have recommended a suitably scaled ZTV covering 10 km radius is also included within the LVIA. The plan should feature a more detailed OS plan backdrop and should include the viewpoints.</p>
ID.10	5.2.28.	Viewpoints	Whilst the viewpoints in the SR cover a range of directions, distances and receptors, additional viewpoint locations have been recommended by Caerphilly CBC, Bannau Brycheiniog NPA and NRW. Notably, at least one night-time viewpoint should be included. The applicant should incorporate the recommended viewpoints in the LVIA.
ID.11		Photomontages and wirelines	It is welcomed that photomontages and wirelines will be prepared from all viewpoints. NRW have clarified that the relevant guidance is Scottish Natural Heritage - Visual Representation of Wind Farms Guidance, 2017, Version 2.2.
ID.12	5.2.51.	Night-time Lighting Assessment	The SR proposes to scope out night-time effects on landscape receptors. NRW raise concerns with this approach as dark skies are a special quality of the Bannau Brycheiniog NP. NRW therefore recommend that the night-time lighting assessment should include an assessment of the impact on dark skies, to include how lighting would affect characteristics and qualities of the landscape as an environmental resource. PEDW concur with this advice, <b>an assessment of dark skies is scoped into the ES.</b>
ID.13	Table 1 and 3 - Appendix A	Landscape and Visual Sensitivity	The evaluation of landscape sensitivity uses a four-point range, and the evaluation of visual sensitivity uses a three-point range. Caerphilly CBC raise concerns with this approach as it does not sufficiently reflect the complexity of

ID	Reference in Scoping Report	Issue	Comment
			<p>the range of landscape value or its susceptibility to change. Caerphilly recommend that a five-point range (very low through to very high) is used to provide a more nuanced and detailed assessment covering the whole continuum for both landscape and visual sensitivity. The applicant should refer to detailed comments from Caerphilly CBC's Landscape Architect at appendix 1. PEDW concur with this recommendation. Further consultation should be undertaken with the LPA to agree the methodology and sensitivity ranges.</p>
ID.14	5.2.32.	Likely Significant Effects	<p>The SR proposes to scope out impacts on all visual receptors beyond 10 km. NRW highlight that there is potential for significant visual impacts beyond 10 km, particularly on the Bannau Brycheiniog NP. NRW further note that the Wye Valley National Landscape (NL) (formerly Area of Outstanding Natural Beauty) has been scoped out with no justification to support this. The ZTV submitted indicates that the turbines would be visible from the NL.</p> <p>PEDW therefore direct that the LVIA should include an assessment of potential impacts on receptors beyond 10 km, notably the Bannau Brycheiniog NP and on the Wye Valley NL. The ES should include further analysis and evidence to determine whether a significant effect would occur on these receptors. <b>PEDW direct that the impact on visual impacts beyond 10 km, notably the Bannau Brycheiniog NP, and on the Wye Valley NL are scoped in to the assessment.</b> The applicant should seek to agree a methodology with NRW and BBNPA.</p>
ID.15	5.2.42-44.	Cumulative impact	<p>The applicant's attention is drawn to detailed comments from Bannau Brycheiniog NPA at appendix 1, within which they highlight a number of projects that should be considered in the cumulative impact assessment. Bannau Brycheiniog NPA raise concerns with the potential for cumulative impacts from the number of wind farm proposals at the fringes of the NP boundary. The assessment should also include cumulative impact on the dark skies.</p> <p>The SR proposes to scope out wind farm proposals that are at the scoping stage, unless they exhibit high potential to alter the landscape and visual</p>

ID	Reference in Scoping Report	Issue	Comment
			baseline. PEDW direct that the cumulative impact assessment should be undertaken in accordance with NSIP Advice Note: Advice on Cumulative Effects Assessment.
ID.16	5.2.45.	Determining the Significance of Effects	The SR states that the assessment process would reflect any iterative design mitigation measures adopted to reduce or 'design out' landscape and visual impacts. NRW state that the ES must explain how the findings of the LVIA have informed the design process, including the location, scale, number, siting, and layout/arrangement of the turbines. PEDW concur with this advice, and further note that the site design should be an iterative process informed by assessment and consultation. This process should be explained within the ES under the section relating to alternatives considered by the applicant.
<b>Historic Environment</b>			
ID.17	5.3.3	The Historic Environment (Wales) Act 2023	The Historic Environment (Wales) Act 2023 is now in force and has replaced the Ancient Monuments and Archaeological Areas Act 1979, the Historic Environment (Wales) Act 2016 and the Planning (Listed Building and Conservation Areas) Act 1990. The legislation referenced should be updated in the ES. Cadw also note that the enactment of the Act may result in revisions to Technical Advice Note 24: The Historic Environment and other guidance notes. The applicant should ensure the most recent editions are used to inform the assessment.
ID.18	5.3.5-6.	Desk-based assessment	Heneb advise that the archaeology assessment should be informed by a full desk-based assessment carried out to the relevant Chartered Institute for Archaeologists Standards and Guidance. The scope and methodology for the assessment should be detailed in a Written Scheme of Investigation (WSI) and agreed with Heneb.
ID.19	5.3.15.	Unrecorded Historic Assets	The SR identifies the potential for previously unrecorded historic assets to be directly affected by the proposed development. However, Cadw note that the method for identifying such assets has not been provided in the SR. Cadw recommend that the desk-based assessment includes a review of the National

ID	Reference in Scoping Report	Issue	Comment
			Wales 1 metre DTM and DSM Lidar datasets, which may help to target unrecorded assets within the site and inform the walkover survey. Cadw advise that any new assets identified, either by Lidar or walkover, must be verified by the archaeological team. The assets should be mapped, described, photographed and interpreted with images and an accompanying gazetteer of sites included in the report. All sites should be categorized for their importance and the significance of impact assessed in the ES. The survey data should be included as a technical appendix to the ES.
ID.20		Further Survey Work	The applicant is advised that following the desk-based assessment and walkover survey, they may need to undertake further survey work to obtain information on the sub-surface archaeological potential of the application site. The applicant should refer to detailed comments from Cadw on the potential triggers for further survey work. Cadw highlight that a realistic time period should be allowed to undertake the archaeological assessment and undertake consultation with Heneb and Cadw on the requirement for further surveys.
ID.21		Peat	Cadw highlight the potential for intact peat deposits to contain important paleoenvironmental evidence or artefacts of prehistoric date. If peat deposits cannot be avoided, a suitable scheme of sampling, analysis, dating and reporting should be completed using appropriate sampling techniques advised by a paleoenvironmental / geoarchaeological specialist. The survey work should inform the impact assessment and should be set out in the ES.
ID.22	5.3.7-10 and 5.3.16-17.	Designated Historic Assets	The applicant's attention is drawn to the heritage assets listed at annex A of Cadw's comments. Cadw advise that a stage 1 assessment should be undertaken for the designated historic assets, which will determine the need for stages 2 to 4 to be carried out for specific historic assets. The assessment should be undertaken in accordance with Welsh Government guidance 'The Setting of Historic Assets in Wales' and should be included as an appendix to the ES.
ID.23	5.3.18-19.	Gelli-Gaer Common Registered Historic	Cadw advise that the impact on the Gelli-Gaer Common Registered Historic Landscape should be scoped in but this should be considered using the

ID	Reference in Scoping Report	Issue	Comment
		Landscape	methodology in 'The Setting of Historic Assets in Wales' guidance and does not require a separate ASODOHL assessment.
<b>Biodiversity</b>			
ID.24	5.4.15-20.	Potential Ecological Features Scoped Out of the Assessment	The approach set out in the SR to scope out statutory designated sites, water vole and otter is agreed. However, the assessment should be revisited once the final design and layout has been determined to ensure an assessment of additional potential impacts has been undertaken. This should be set out clearly in the ES.
ID.25	Table 5-13, Table 5-15	Bats	<p>NRW recommend that up to date bat surveys are undertaken for the full application site. NRW note that surveys should be undertaken in accordance with Bat Surveys for Professional Ecologist: good Practice Guidelines (4th Edition) by the Bat Conservation Trust dated 2023. The SR currently refers to the 3rd Edition.</p> <p>Any trees within the stated buffer zones of turbines or those needing to be felled or pruned to facilitate development which are identified as having potential to support maternity roosts should be subject to both ground-based assessments and further surveys in accordance with the published best practice survey guidance (i.e. climbed, endoscope surveys).</p> <p>The impacts on bats should be assessed using the Ecobat Tool. The applicant should arrange access to the tool from the Mammal Society. The assessment should include weather monitoring data at the time of activity surveys, and assess the recorded bat activity in relation to the generating speed of the proposed turbines. PEDW concur with the above advice and recommend any surveys are included as a technical appendix to the ES.</p>
ID.26	Table 5-13, Table 5-15	Great Crested Newts (GCN)	The SR sets out survey data from 2020-2021 and 2023 which confirmed GCN within ponds at the site. NRW advise that all waterbodies on the application site and within 250 m of its boundary are surveyed using Habitat Suitability Index (HSI), eDNA (regardless of the HIS results) and a full suite of traditional

ID	Reference in Scoping Report	Issue	Comment
			<p>population size class surveys (where eDNA has recorded positive results). The surveys should be carried out in accordance with the following guidance:</p> <ul style="list-style-type: none"> <li>• <a href="#">English Nature’s Great Crested Newt Mitigation Guidelines</a></li> <li>• <a href="#">Natural Resources Wales / The use of environmental DNA test for Great crested newt licensing purposes</a></li> </ul> <p>NRW further advise that the following matters should be scoped in and assessed as part of the ES:</p> <ul style="list-style-type: none"> <li>• Waterbodies identified to support GCN, including for breeding.</li> <li>• Other ponds within the landscape which may have functional role for GCN (for example foraging)</li> <li>• Terrestrial habitat within 50 m of waterbodies known to support GCN, 50-250 m of waterbodies known to support GCN and 250-500 m of waterbodies known to support GCN.</li> </ul> <p>PEDW concur with this advice given the confirmed presence and history of GCN at the site. The ES should include assessment of likely impact on GCN including other waterbodies and terrestrial habitat that may support the species.</p>
ID.27	5.4.18-20, Table 5-15	Dormouse	<p>The SR states that surveys in 2020 and 2021 found no evidence of dormice on site. Subject to the findings of updated surveys and desk study to be submitted with the application, it is likely that dormice will be scoped out. NRW state that should the further survey work conclude likely absence of the species then dormice can be scoped out of the ES. Whilst PEDW acknowledge this approach, <b>it is not yet possible to scope out dormice at this stage</b>. If further survey work supports scoping out dormice, the evidence for this should be explained in the ES.</p>
ID.28	5.4.26.	Valuing Species and Habitats	<p>Caerphilly CBC’s Ecologist welcomes that non-designated habitats will be given consideration. However, they suggest that greater consideration is given to habitats that fall short of the formal criteria as important sites (i.e. borderline</p>

ID	Reference in Scoping Report	Issue	Comment
			sites) but could meet the criteria in the future with the correct management. PEDW recommend these sites and any likely impacts are assessed in the ES.
ID.29	5.4.37.	Approach to Mitigation and Compensation	Caerphilly CBC's Ecologist welcomes the confirmation that a Construction Environmental Management Plan, Habitat Management Plan and Construction Traffic Management Plan will be submitted with the application. PEDW advise that where mitigation measures are relied on as part of the EIA, these documents should be included as a technical appendix to the ES.
ID.30		European Protected Species (EPS) Licence	The applicant should refer to NRW's comments at appendix 1 regarding the need and requirements for an EPS Licence.
ID.31		Other impacts	The applicant's attention is drawn to comments from Motvind at Appendix 1, within which they raise concerns with the impact of noise and vibration, wake effect, and pollution from PFAS and microplastics on species and their habitats. The applicant should consider these potential impacts in the assessment.
<b>Ornithology</b>			
ID.32	5.5.3.	Guidance	<p>NRW recommend that the <a href="#">Bird Survey Guidelines</a> are taken into account in all bird surveys. In addition, when determining the importance of species and populations, reference should be made to publications specific to Wales including:</p> <ul style="list-style-type: none"> <li>• <a href="#">Hughes et al. 2020 (Wales)</a></li> <li>• <a href="#">Woodward et al. 2020 (UK / Britain)</a></li> <li>• Country Bird Reports</li> <li>• The Welsh Bird Reports and Birds of Wales / Adar Cymru (Pritchard et al. 2021)</li> </ul> <p>Where buffer distances are proposed for mitigation, reference should be made to <a href="#">Goodship and Furness 2022</a> or alternative published references for other species not listed within this publication.</p>
<b>Water Environment</b>			

ID	Reference in Scoping Report	Issue	Comment
ID.33	Table 5-29, 5.6.19.	Flood Risk	Caerphilly CBC concur with the intended approach, both with regard to matters scoped in and the intention to produce a Flood Consequences Assessment (FCA) to inform the ES. The FCA should consider the potential for flood consequences to the Nant Gawni and Nant Gwyddon due to downstream culverts. The applicant should note culvert locations provided by the Council's Drainage Engineer at appendix 1.
ID.34		Other consents	Whilst not relevant for scoping, the applicant should refer to other required consents listed by the Council's Drainage Engineer at appendix 1.
<b>Ground Conditions</b>			
ID.35		Ground conditions	NRW note that no site-specific information has been provided regarding ground conditions, as such they concur with scoping ground conditions into the ES. The applicant is advised to submit surveys to inform the ground conditions chapter as a technical appendix to the ES.
ID.36	Table 5-32	Groundwater	Caerphilly CBC concur with the approach in the ES that surface water and ground water would be affected by the proposal and that the effects on these should be assessed and included in the ES. NRW highlight that groundwater beneath the site is considered high sensitivity and therefore at a heightened risk from contamination impacts that could occur during the operational life of the windfarm. These potential impacts must be fully addressed in the ES.
ID.37	Table 5-32 and 5-33, 5.7.7.	Peat	The evidence used to inform the peat assessment is welcomed. The ES should demonstrate how peat soils have been considered, defined and avoided. In the event that the site layout does not avoid peat, the ES should set out likely impacts and proposed measures to mitigate those impacts.
ID.38	5.7.31-35.	Mineral soils	LQAS recommend that a soil management scheme is provided to inform the ES. The scheme should be informed by a baseline soil resources and physical characteristics report, and should set out how all soils and their functions will be conserved and reinstated at decommissioning. The applicant should refer to detailed comments from LQAS at appendix 1. PEDW advise that the soil management scheme should be included as technical appendix to the ES.

ID	Reference in Scoping Report	Issue	Comment
ID.39	5.7.18.	Construction Environmental Management Plan (CEMP)	It is noted that the potential effects on land or water quality during construction are proposed to be scoped out as these risks can be adequately managed through the CEMP. PEDW advise that the CEMP should be included as a technical appendix to the ES.
ID.40	Table 5-33	Drainage assessment	Dewatering may be required for turbine foundation excavations, which can affect the local water environment. NRW therefore advise that a drainage assessment, to cover both construction and operation, should be submitted as a technical appendix to the ES. The nature of the ground and groundwater conditions at each of the proposed turbine locations should be used to inform upon the risk profile for construction and operation.
ID.41		Pollution from microplastics and PFAS	PFAS (Per- and polyfluoroalkyl substances) can be used in various parts of wind turbines which leak during installation or dismantling. Should the turbines proposed include PFAS, appropriate measures need to be put in place to ensure that pollution of PFAS into the local environment does not occur and this should be addressed in a proportionate manner for soil and water in the ES. The applicant's attention is also drawn to comments from Motvind, within which they further note the potential for impacts from microplastics. The applicant should consider these potential impacts.
<b>Traffic and Transport</b>			
ID.42	5.8.6.	Abnormal Indivisible Loads	The applicant's attention is drawn to Welsh Government Transport Directorate's comments in relation to the impact assessment of Abnormal Indivisible Loads movements and to the draft guidance document included with their response at Appendix 1: 'Pulling Together' - Best Practice for Transporting Abnormal Loads in Wales. PEDW recommends the applicant liaises directly with Welsh Government Transport Directorate on the draft abnormal load notifications.
ID.43		Cumulative impact	The SR states that access to the site is likely to be taken from the neighbouring RES site at Mynydd Maen (Reference: DNS/327/6725) and Trecelyn Wind Farm (Reference: DNS CAS-02114-J9X4S6). These sites would be accessed from Torfaen CBC. Whilst no consultation response was received from Torfaen CBC, the applicant should ensure early engagement with the neighbouring council on

ID	Reference in Scoping Report	Issue	Comment
			impacts to the highway network. The ES must address cumulative impacts from these schemes.
ID.44		Rail	Caerphilly CBC highlight that the site is within Transport for Wales consultation zone. The SR does not consider potential impacts on rail. The applicant is therefore advised to consider whether the development would result in any impacts on rail, in consultation with Caerphilly, and if relevant, National Rail and Transport for Wales.
<b>Noise</b>			
ID.45	5.9.10.	Receptors	The impact of noise should be considered for users of public rights of way (RRoW), including equestrian users, and wildlife.
ID.46	5.9.18-26.	Operational noise	The applicant's attention is drawn to comments from Motvind at appendix 1. The assessment of noise should consider low-frequency noise emissions and Amplitude Modulation from operational turbines.
ID.47	5.9.15.	Vibration	The scoping report does not address whether impacts from vibration will be assessed under this section of the ES. This matter should be discussed with relevant consultees and the rationale set out in the ES.
<b>Existing Infrastructure, Telecommunications and Broadcast Services</b>			
ID.48	5.10.1.	Scoping	It is welcomed that potential impacts on existing infrastructure, television, aviation, and radar and radio-communication signals will be considered in the ES.
ID.49		Aviation	The applicant's attention is drawn to comments from NATS, DIO and Cardiff Airport at appendix 1, within which it is noted that the site falls within a safeguarding zone. The applicant should consult with relevant bodies on potential impacts and mitigation measures such as aviation lighting. The assessment of impact should be set out in the ES.
<b>Shadow Flicker</b>			
ID.50	5.10.5.	Receptors	It is welcomed that shadow flicker impacts on dwellings will be assessed and included in the ES. PEDW highlight that shadow flicker may impact other

ID	Reference in Scoping Report	Issue	Comment
			receptors such as PRow users including equestrians. The scope of the shadow flicker assessment should be widened to include other sensitive receptors.
<b>Socio-economics</b>			
ID.51	5.10.7-10.	Socio-economics	PEDW concur with the approach set out in the SR for the socio-economic assessment.
<b>Population and Human Health</b>			
ID.52	5.10.11-12.	Population and Human Health	The SR proposes to scope in population and human health, but not as a standalone chapter. PEDW concur with this approach.
ID.53		Electric and Magnetic Fields (EMF)	The SR does not appear to consider potential impacts from EMF. This should be addressed for ecology and human health. Further information is required on the applicant's proposed approach to this matter. If impacts from Electric and Magnetic Fields (EMF) are to be scoped out, the ES should provide rationale for this.
<b>Climate</b>			
ID.54	5.10.13-15.	Climate	The SR proposes to scope in climate, but not as a standalone chapter. PEDW concur with this approach. The carbon balance calculation and GHG emission assessment should be included as a technical appendix to the ES.
<b>Sustainable Resource Use</b>			
ID.55	5.10.16-20.	Sustainable Resource Use	PEDW concur with the approach set out in the SR that sustainable resource use will be considered in individual topic chapters in the ES. PEDW highlight that waste should also be considered as required by Schedule 4 Regulation 17, especially given the requirement to address the decommissioning phase in the ES. The draft CEMP should also be included as a technical appendix to the ES.
<b>Major Accidents and Disasters</b>			
ID.56	Table 5-41.	Major accidents and disasters	The SR proposes to scope in major accidents and disasters, but not as a standalone chapter. PEDW concur with this approach. The applicant should refer to comments from the Health and Safety Executive, the Coal Authority and the Fire and Rescue Service at appendix 1.
<b>Other Matters</b>			

ID	Reference in Scoping Report	Issue	Comment
ID.57	Appendix 1	Glint and Glare	Bannau Brycheiniog NPA have requested clarification as to whether a glint and glare assessment would be undertaken. Given this scheme does not include solar, PEDW do not consider this necessary.

## 8. Other Matters

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

### 8.1 Changes to PPW

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

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

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

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

These changes have now been consolidated into a new edition of PPW (ed. 12), published on 07 February 2024: <https://www.gov.wales/planning-policy-wales>

### 8.2 Updated Guidance from the Design Commission for Wales

On 23 November 2023 the Design Commission for Wales published their updated guidance "Designing for Renewable Energy in Wales". The guidance is available online:

<https://www.gov.wales/designing-renewable-energy-wales>

### 8.3 Habitats Regulation Assessment

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

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

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

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

#### **8.4 SuDS Consent**

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

# Appendix 1: Consultation Responses

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Ystrad Mynach,  
Hengoed CF82 7PG

**Penallta House,**  
Tredomen Park,  
Ystrad Mynach,  
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Marloes Holtkamp  
PEDW  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

**Planning  
Services  
Manager**

Your Ref/Eich Cyf:

Our Ref/Ein Cyf:

Contact/Cysylltwch:

Telephone/Ffon:

E Mail/E Bost:

Date/Dyddiad:

**Rheolwr  
Gwasanaethau  
Cynllunio**

DNS CAS-03701-  
H3V4Y3

24/0695/DNS

H Winsall

[REDACTED]

[REDACTED]

05.11.2024

Dear Ms Holtkamp

TOWN AND COUNTRY PLANNING ACT 1990  
REFERENCE NO. 24/0695/DNS

EIA Scoping Comments for DNS: Construct and operate up to 4 wind turbines up to 180m in height to blade tip together with associated infrastructure, Land at Cefn Rhyswg Farm, Rhyswg Farm Lane, Cwmcarn

I refer to your request for observations on the above.

The site is approximately 240 metres to the east of Abercarn and mainly comprises a number of fields. There is a dwelling on the site (Cefn Rhyswg Farm) and some scattered dwellings in close proximity to the site.

Comments on the scope of the proposed Environmental Impact Assessment are given as follows.

### **Landscape and Visual Impact Assessment (LVIA)**

It is noted the site is within the Abercarn Visually Important Local Landscape (VILL) (Policy NH2.3 of the adopted Caerphilly County Borough Local Development Plan (LDP)) and that Public Rights of Way (PRoWs) cross the site. The south eastern part of the site encroaches onto the Nantcarn Valley Tourism allocation in the LDP (Policy TM1.7).

It is considered appropriate to include a landscape and visual chapter in the Environmental Statement (ES).

*Tim Caerffili*  
**Yn Well gyda'n Gilydd**  
*Team Caerphilly*  
**Better Together**

The Design Commission for Wales (Nov 2023) 'Designing for Renewable Energy in Wales' document should be referenced in the ES and considered in the assessment.

It is agreed the selected viewpoints for assessment within Caerphilly County Borough cover an acceptable range from various directions and distances, covering both residential areas and popular recreational areas and routes. However, it is recommended that the following additional viewpoints are included;

- Mynyddislwyn Special Landscape Area and the Raven Walk;
- B-Road and PRoW located to the north within the Abercarn VILL at OS ref: 323073, 196513;
- Nighttime viewpoints will also be required. Its recommend that these include at least one residential area and all should be within 5km of the site.

As the vast majority of significant landscape and visual effects are likely to be located within a 10km radius of the site, its recommended that a suitably scaled ZTV with a more detailed OS plan backdrop is also included within the LVIA, with viewpoints included on this.

The methodology proposed to be used to evaluate Landscape Sensitivity, uses a 4 point range from very low to high. This means that there is significant contrast between the descriptors of high and very low, with intermediate categories being limited to medium and low. This does not sufficiently reflect the complexity of the range of landscape value or its susceptibility to change. Therefore, to provide a more nuanced and detailed assessment covering the whole continuum, five categories are recommended, ranging from very low through to very high, to assess Landscape Sensitivity.

Similarly, Table 3 (Evaluation of Visual Sensitivity) of the Scoping Report uses only a 3 point range from low to high. Again, this does not sufficiently reflect the complexity of the range. Therefore, to provide a more nuanced and detailed assessment covering the continuum, five categories ranging from very low through to very high, are recommended to be used for Visual Sensitivity.

The above has been informed by comments from the Council's Landscape Architect, which are attached.

## **Historic Environment**

The grade II listed Rhyswg Fawr Farmhoiuse and walled forecourt, and a separate grade II listed barn (Barn at Rhyswg Fawr) sit between the two parcels of land that comprise the site. There are also a number of Historic Environment Records in the vicinity of the site.

It is considered appropriate to include an historic environment chapter in the Environmental Statement (ES). In respect of archaeology, this should be informed by a full desk-based assessment carried out to the relevant Chartered Institute for Archaeologists Standards and Guidance and to a scope and methodology detailed in a Written Scheme of Investigation (WSI) which should be agreed with Heneb. It should be noted that the desk-based assessment should be the first stage of the archaeological work and depending on the results it is possible that further mitigation may be required at pre-determinations stage.

The above has been informed by comments from Heneb, which are attached. However, no comments have been received from the Council's Heritage Officer, and should any comments be received on this matter, they will be forwarded to PEDW separately.

## **Biodiversity**

The site is surrounded by woodland. The site encroaches into the Cwm Gofapi Woods Site of Importance for Nature Conservation (SINC), as designed by the LDP (Policy NH3.134). The northern boundary of the site is adjacent to the Gwyddon Valley Woodlands SINC (Policy NH3.124), and the north eastern boundary adjacent to the Mynydd Maen SINC (Policy NH3.113). The site is well vegetated due to trees and hedgerows forming field boundaries.

It is considered appropriate to include a biodiversity chapter in the Environmental Statement (ES).

The scoping out of dormouse, watervole and otter is agreed, and the assumed presence of slow worm, common lizard and grass snake is also agreed.

In respect of paragraph 5.4.26 of the Scoping Report, while additional consideration of habitats that do not meet the necessary criteria for designation at a specified level is supported, it is suggested that greater weight is given in the assessment to habitats that are not meeting formal criteria, but which could meet criteria in the foreseeable future with the correct management.

The above has been informed by comments from the Council's Ecologist, which are attached.

### **Ornithology**

No comments are made in respect of this section of the Scoping Report.

### **Water Environment**

It is noted that the Flood Map for Planning indicates that a small area of the site is within Zones 2 and 3 for flood risk from surface water and small water course flooding.

It is considered appropriate to include a chapter on the water environment in the ES.

It is agreed that the matters listed in Table 5-29 of the Scoping Report ("likely significant water effects") should be assessed and included in the ES, and that a Flood Consequence Assessment (FCA) should be produced to inform this chapter as stated in paragraph 5.6.19.

The potential flood consequences to the Nant Gawni and Nant Gwyddon should be included in the FCA due to downstream culverts.

The above has been informed by comments from the Council's Drainage Engineer, which are attached.

### **Ground Conditions**

It is noted that the predicted agricultural land classification of land on the site is mainly grade 4 (poor quality), with smaller amounts of grade 5 (very poor quality) and non-agricultural land around the fringes, and that the site is in a low-risk area from past coal mining activity. It should also be noted that the site is within a sandstone safeguarding area designated by the LDP (Policy SP8).

It is considered appropriate to include a chapter on ground conditions in the ES. In respect of the receptors listed in Table 5-32 of the Scoping Report, it is agreed that surface water and ground water would be affected by the proposal and that the effects on these should be assessed and included in the ES.

The above has been informed by comments from the Council's Drainage Engineer, which are attached. However, no comments have been received from the Council's

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**Corporate Director - Economy and Environment**

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Environmental Health Officer, and should any comments be received on this matter, they will be forwarded to PEDW separately.

### **Traffic and Transport**

It is noted that part of the site is in the Transport for Wales consultation zone for proposals within 1 mile of the rail corridor and as such you may wish to seek their views on this proposal if you have not done so already.

It is considered appropriate to include a traffic and transport chapter in the Environmental Statement (ES). No further comments are made in respect of this section of the Scoping Report. However, no comments have been received from the Council's Transport Engineer, and should any comments be received on this matter, they will be forwarded to PEDW separately.

### **Noise**

It is considered appropriate to include a chapter on noise in the Environmental Statement. In considering noise, the needs of equestrian users of public rights of way should be considered.

The above has been informed by comments from the Council's Rights of Way Officer, which are attached. However, no comments have been received from the Council's Environmental Health Officer, and should any comments be received on this matter, they will be forwarded to PEDW separately.

### **Infrastructure and Other Issues**

It is considered the effects of the proposal on equestrian users of the public rights of way in respect of shadow flicker and due to turbines oversailing should be assessed and included within the ES.

The above has been informed by comments from the Council's Rights of Way Officer, which are attached. However, no comments have been received from the Council's Environmental Health Officer, and should any comments be received on this matter, they will be forwarded to PEDW separately.

### **Other Comments**

*Tim Caerffili*  
**Yn Well gyda'n Gilydd**  
*Team Caerphilly*  
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Please note that while no comments have been invited from the public, objections have been received from the Open Spaces Society and two members of the public. These are attached for your information.

I trust this information is of assistance to you.

Yours sincerely

**Helen Winsall**

Prif Gynllunydd | Principal Planner  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

# Consultation Response: Ecology

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To	Planning Service Manager	From	Ecology
FAO	Ms Helen Winsall		Ms Erica Dixon
Date	24/10/2024	Tel	[REDACTED]
Your Ref	24/0695/DNS	Email	[REDACTED]
Location	Land At Cefn Rhyswg Farm Rhyswg Farm Lane Cwmcarn Newport NP11 7FB		
Proposal	Construct and operate up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure (EIA Scoping Opinion)		
cc	Planning Admin		

## Summary

We broadly support the findings and recommendations of the Scoping report.

## Comments

We make comments on this application, with respect to the documents submitted in support of the application, in particular:

- *Rhyswg Wind Farm; Environmental Impact Assessment: Scoping Report; Project No. 80779; September 2024; by WSP*

4.5.2 likely that the following management plans will be submitted as part of the EIA or as a post-consent condition:

Construction Environmental Management Plan (CEMP)

Habitat Management Plan (HMP)

Construction Traffic Management Plan (CTMP)

We support the assumption of scoping out dormouse, water vole and otter; and the assumed presence of slow worm, common lizard and grass snake.

We refer to section 5.4.26. *“where sites are assessed according to their biodiversity value and measured against published selection criteria where available..... Where habitats do not meet the necessary criteria for designation at a specific level, the guidelines recommend that the ecologist may consider the local context if appropriate. Additionally, consideration should also be given to the potential value of those habitats, particularly where habitats are in a degraded or unfavourable condition at the time of the assessment.”*

Further to this section, we support the recommendation for additional consideration, however, we refer to the Nature Recover Action Plan, of which Objective 3 is “**Increase the resilience of our natural environment by restoring degraded habitats and habitat creation**” and would suggest that greater weight is given to habitats that fall short of criteria as ‘important’ sites, ie borderline sites, those sites not meeting formal criteria, but which, could meet criteria in the foreseeable future with the correct management.

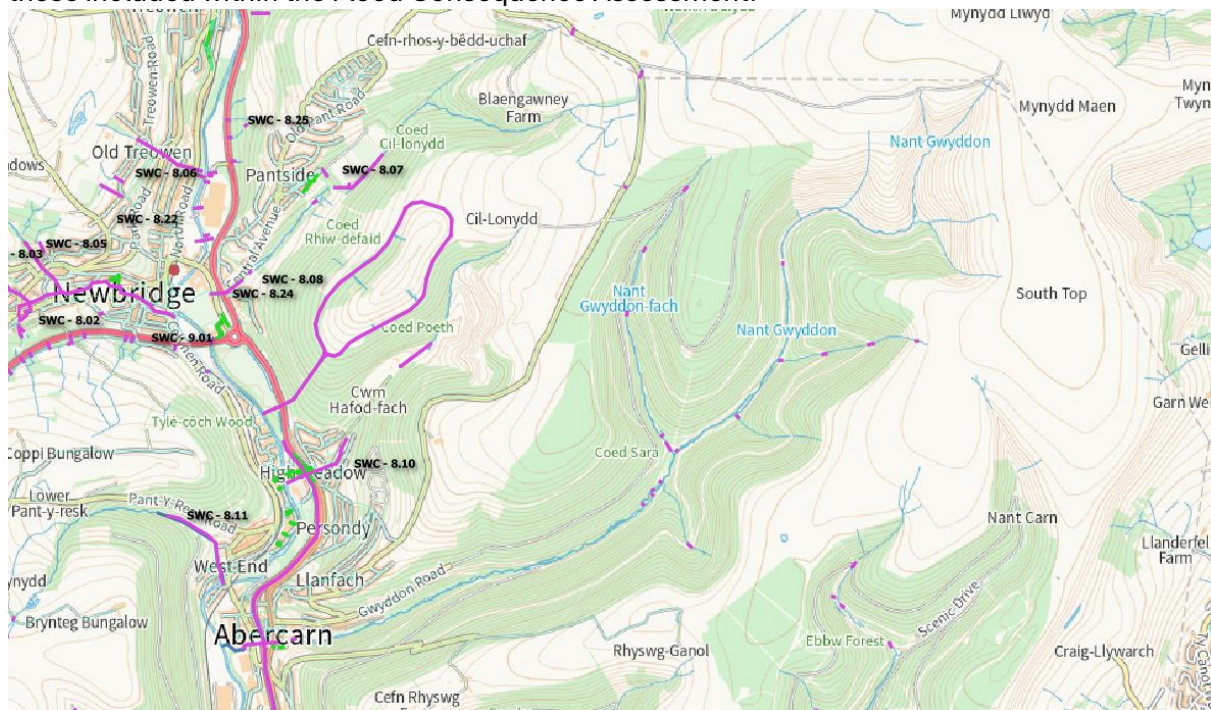
In summary, we broadly support the findings and recommendations of the Scoping report.

**From:** Bishop, Hannah  
**Sent:** Wednesday, October 9, 2024 1:18 PM  
**To:** Winsall, Helen  
**Subject:** RE: 24/0695/DNS Land At Cefn Rhyswg Farm

Hi Helen,

Please see my response for the EIA Scoping Consultation for 24/0695/DNS.

We agree with the scope for **section 5.6 Water Environment** where the activities listed in “Table 5-29 Likely significant water effects” should be scoped in, and that a Flood Consequence Assessment should be included within the assessment as stated in 5.6.19. One of the watercourses (Nant Gawni) included within the scope has Severe Weather Culverts 8.08 and 8.24 located on it by Newbridge. Also, the Nant Gwyddon runs down to a culvert near Abercarn (this is not classified as a Severe Weather Culvert however). We would like both of these included within the Flood Consequence Assessment.



We also agree with the scope of “Table 5-32 Ground condition receptors subject to potential effects” for controlled water groundwater and surface water.

We would also like to just mention as well:

- Any impermeable areas i.e. access roads, compounds / cabins, turbine pads etc. that equate to over 100m<sup>2</sup> then SAB approval would be necessary before any works begin on site
- Any works within the 8m Byelaw distance of any of the watercourses (permanent or temporary) will be subject to Land Drainage Byelaws consent under the Land Drainage Act.
- Any works that impact upon the cross-section of any of the watercourses will be subject to Ordinary Watercourse Consents under the Land Drainage Act.

Thanks and kind regards,

**Hannah Bishop** BSc (Hons) MSc  
Uwch Beiriannydd | Senior Engineer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council



Archaeoleg Morgannwg-Gwent

**Heneb**

Glamorgan-Gwent Archaeology

Our ref: CAE0400/RD

## ARCHAEOLOGICAL PLANNING

Directorate of Technical Services  
Planning Division  
Ty Tredomen  
Parc Tredomen  
Ystrad Mynach  
Hengoed  
CF82 7WF

27th September 2024

Dear Sir

**Re: Construct and operate up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure (EIA Scoping Opinion)**  
**Land at Cefn Rhyswg Farm, Rhyswg Farm Lane, Cwmcarn, Newport, NP11 7FB**  
**Pl.App.No.: 24/0695**

Thank you for your consulting us on this scoping opinion. We have read the accompanying document produced by WSP (project no. 807379, dated September 2024) with interest.

We have consulted the information contained within the Historic Environment Record and note the proposal is located in an area of archaeological potential. As depicted on Figures 5.3 and 5.4, there are numerous archaeological sites both within, and in close proximity to, the proposed development area. They include Rhyswg Fawr Farmhouse and Walled Forecourt (Cadw ref. 1900) and the Barn at Rhyswg Fawr (Cadw ref. 20998), both are Grade II Listed Buildings.

As such it is proposed to include an historic environment chapter in the ES. Such an approach is appropriate and we recommend it be composed of a full desk-based assessment carried out to the relevant Chartered Institute for Archaeologists Standards and Guidance and to a scope and methodology detailed in a Written Scheme of Investigation (WSI) agreed with ourselves. This is in accordance with both Planning Policy Wales, 12th Edition February 2024, Paragraph 6.1.26 and Technical Advice Note 24 Paragraphs 4.7-4.8.

It should also be noted that the desk-based assessment is the first stage of the archaeological work, and depending on the results it is possible that further mitigation may be required, either pre or post-determination as appropriate.

Thank you for consulting us on this scoping opinion. If you or the applicants have any questions or require further advice please do not hesitate to contact us.

Yours faithfully

*R. Dunning*

Cadeirydd / Chair: Dr Carol Bell

PSG / CEO: Richard Nicholls

Cwmni Cyfyngedig (1198990) ynghyd ag Elusen Gofrestredig (504616) yw'r Ymddiriedolaeth

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ARCHAEOLEGOL CYMRU

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Archaeoleg Morgannwg-Gwent

# Heneb

Glamorgan-Gwent Archaeology

Rob Dunning BSc MCIfA  
Archaeological Planning Officer

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## Davis, Ellie

---

**From:** Bryan, Richard J.  
**Sent:** 11 October 2024 16:26  
**To:** Winsall, Helen  
**Cc:** WWW: Planning  
**Subject:** Landscape RE: 24/0695/DNS Land At Cefn Rhyswg Farm  
**Attachments:** EIA Scoping Consultation.pdf

**Categories:** Ellie

Hi Helen,

Thanks for your consultation. Having studied the information submitted in respect of the proposed four turbines with maximum tip height of 180m, as outlined in the submitted scoping report notably Chapter 5.2 LVIA, please find my observations below

### Technical Guidance

Whilst the LVIA chapter references a number of relevant guidance documents, However, it doesn't currently include the recent '*Design Commission for Wales (Nov 2023) Designing for Renewable Energy in Wales*'. <https://www.gov.wales/sites/default/files/publications/2023-12/designing-for-renewable-energy-in-wales.pdf>

### Viewpoints and ZTV figures 5.1 and 5.2

The selected viewpoints within CCBC cover an acceptable range from various directions and distances, covering both residential areas and popular recreational areas and routes. However, I'd recommend that the below additional viewpoints are included;

- Mynyddislwyn SLA and the Raven Walk,
- B road and PRoW located to the north within the Abercarn VILL at OS ref: 323073, 196513.
- Nighttime viewpoints will also be required. Its recommend that these include at least one residential area and all are within 5km of the site.

As the vast majority of significant landscape and visual effects are likely to be located within 10km radius of the site, its recommended that a suitably scaled ZTV with a more detailed OS plan backdrop is also included with the LVIA and viewpoints.

### LVIA assessment mythology Appendix A

#### Evaluation of Landscape Sensitivity Table 1

The methodology to be used to evaluate Landscape Sensitivity, uses a 4 point range from very low to high. This means that there is significant contrast between the descriptors of large and very low, with intermediate categories effectively being limited to medium and low. This does not sufficiently reflect the complexity of the range of landscape value or its susceptibility to change. Therefore, to provide a more nuanced and detailed assessment covering the whole continuum, I recommend five categories, ranging from very low through to very high, are used to assess the Landscape Sensitivity.

#### Evaluation of Visual Sensitivity Table 3

Similarly, table 3 Evaluation of Visual Sensitivity, uses only a 3 point range from low to high. Again, this does not sufficiently reflect the complexity of the range. Therefore, to provide a more nuanced and detailed assessment covering the continuum, I recommend five categories ranging from very low through to very high, are used for Visual Sensitivity. For example, with walkers enjoying recognised paths and strategic footpaths and tourist destinations and beauty spots,

within nationally designated landscapes, falling into the very high category. Cascading down to very low for example; for receptors experiencing the views whilst traveling at speed on main road arteries. This more nuanced approach, whilst providing a more detailed assessment for the full continuum, also allows for professional judgement to play its part.

Kind regards  
Richard

**Richard Bryan CMLI**

Pensaer Tirwedd | Landscape Architect (Team Leader)  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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 [Redacted]  
 [Redacted] [Redacted]

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Correspondence may be in any language or format.Corresponding in Welsh will not lead to any delay.

---

**From:** WWW: Planning <PLANNING@CAERPHILLY.GOV.UK>  
**Sent:** Wednesday, September 25, 2024 4:58 PM  
**To:** planning@ggat.org.uk; WWW: Property <PROPERTY@CAERPHILLY.GOV.UK>; Headington, Mike  
[Redacted]; Davies, Gareth [Redacted] Davies, Jonathan  
[Redacted]; Harris, Paul J. [Redacted] Browning, Rebekah  
[Redacted] McGlynn, Douglas [Redacted] Eadon-Davies, Kevin  
[Redacted]; Bryan, Richard J. [Redacted]; Iles, Margaret Elizabeth  
[Redacted]; Dixon, Erica [Redacted]; Eadon-Davies, Kevin  
[Redacted]; SAB <SAB@CAERPHILLY.GOV.UK>; WWW: Rights Of Way  
<RightsOfWay@CAERPHILLY.GOV.UK>; WWW: LDP <LDPWWW@CAERPHILLY.GOV.UK>; Thomas, Peter  
[Redacted]; Gilbert, Cath [Redacted]; Nott, Jillian  
[Redacted]; Godfrey, Maria [Redacted]; Highway Development Control  
<HIGHWAYDEVCTRL@CAERPHILLY.GOV.UK>  
**Subject:** 24/0695/DNS Land At Cefn Rhyswg Farm

Good afternoon all

Please find attached EIA Scoping consultation with additional information in the link below.  
Please reply to the case officer (Helen Winsall) and within 14 days

Kind regards,

**Christopher Jones**

Swyddog Dilysiad a Monitro | Validation and Monitoring Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

**Davis, Ellie**

---

**From:** WWW: Rights Of Way  
**Sent:** 18 October 2024 12:49  
**To:** Winsall, Helen  
**Cc:** WWW: Planning  
**Subject:** RE: 24/0695/DNS Land At Cefn Rhyswg Farm

**Categories:** Ellie

Hi Helen,

The location of the proposed turbines is somewhat key to inform our response. There are numerous public rights of way in the area, the majority of which carry equestrian rights, and therefore the needs of equestrians should be addressed including shadow flicker, noise and oversailing of public paths.

Ideally turbines will be located a distance greater than their tip height from any public right of way, however we realise this is not often possible.

I trust this is of some limited assistance, but please advise if you require anything further?

Kind regards,

**Stefan Denbury**

Swyddog Mynediad a Hawliau Tramwy Cefn Gwlad | Countryside Access And Rights Of Way Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council



 [www.caerffili.gov.uk/map-hawliau-tramwy](http://www.caerffili.gov.uk/map-hawliau-tramwy) | [www.caerphilly.gov.uk/public-rights-of-way-map](http://www.caerphilly.gov.uk/public-rights-of-way-map)

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# Comments for Planning Application 24/0695/DNS

## Application Summary

Application Number: 24/0695/DNS

Address: Land At Cefn Rhyswg Farm Rhyswg Farm Lane Cwmcarn Newport NP11 7FB

Proposal: Construct and operate up to 4 wind turbines upto 180m in height to blade tip together with associated infrastructure (EIA Scoping Opinion)

Case Officer: Helen Winsall

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Whilst I have stated that I am commenting as a "Member of the Public" this comment is on behalf of the Open Spaces Society. We object to the proposal until more details are available. There are a number of restricted byways in the vicinity of Cefn Rhyswg and it is well known that horses can be spooked by wind turbines. Thus, it is essential that OSS is made aware of the precise location of the proposed turbines in order to make a more educated comment. OSS is unlikely to support the application, but the opposition might be withdrawn if the turbines are not detrimental to public access. There is little accommodation for equestrians within this area of Caerphilly County Borough and any plans which could reduce access for equestrians would have to be opposed.

# Comments for Planning Application 24/0695/DNS

## Application Summary

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Proposal: Construct and operate up to 4 wind turbines upto 180m in height to blade tip together with associated infrastructure (EIA Scoping Opinion)

Case Officer: Helen Winsall

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Whilst I appreciate that renewable energy is a necessity for the future - there are far more suitable places that turbines could be installed that would not cause a visual blight on our community and the beautiful Gwyddon Valley. The turbines are known to be noisy and ugly - two characteristics that would have no effect if cited away from a community.

Please relocate this project for the sake of my young family.

Kindest regards

# Comments for Planning Application 24/0695/DNS

## Application Summary

Application Number: 24/0695/DNS

Address: Land At Cefn Rhyswg Farm Rhyswg Farm Lane Cwmcarn Newport NP11 7FB

Proposal: Construct and operate up to 4 wind turbines upto 180m in height to blade tip together with associated infrastructure (EIA Scoping Opinion)

Case Officer: Helen Winsall

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As a resident of this beautiful valley , a wind farm would be detrimental to the environment and to the residents of Abercarn . The proposed site is too near residential areas and would have a negative impact on the health and well being of the residents.

T: [REDACTED]  
E: [planning@blaenau-gwent.gov.uk](mailto:planning@blaenau-gwent.gov.uk)

Our Ref./Ein Cyf. P/2024/0244



Marloe Holtkamp  
PEDW  
Crown Buildings,  
Cathays Park,  
Cardiff, CF10 3NQ

25 October 2024

Dear Marloe,

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

**Development of National Significance: Rhyswg Wind Farm**

**Site Address:** Two parcels of grassland located east of Abercarn and Cwmcarn, and east of the A467

**Proposed Development:** The construction and operation of up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure.

**Request for Scoping Opinion**

I write in response to your request for advice regarding a Scoping Direction made to you under Regulation 33 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, in respect of a 'Development of National Significance' (DNS) on land east of Abercarn and Cwmcarn.

The proposal comprises up to 4 wind turbines with a maximum height of 180 metres with associated infrastructure and will have an operational life of 30 years. The site is located outside the County Boundary, to the south of Blaenau Gwent.

The submitted SR provides details of the proposed works, consideration of the likely significant effects on the environment, the assessment methodologies to assess these effects, and confirmation of what they believe should be scoped in and out of the EIA.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn cyfathrebu gyda chi yn eich dewis iaith, dim ond i chi rhoi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in Welsh and English and we will communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

In respect of the scope of the proposed EIA, it is considered that all relevant environmental factors have been identified and the related assessments of the significant impacts are also considered acceptable in principle. The consideration of all other renewable proposals and existing developments must also be included in a cumulative impact assessment.

Given the distance from the county boundary any visual impacts associated with the proposal are likely to be limited, but the inclusion of proposed viewpoints 10 and 21 as set out in Fig 5.1 of the Zone of Theoretical Visibility (ZTV) Viewpoint Locations, is welcomed.

Due to the lack of specialist internal consultation responses received at the time of writing, it is not possible to confirm whether or not the specific elements proposed to be scoped in/out of the relevant assessments is appropriate.

Yours sincerely

  
**Mrs Joanne White**  
**Team Leader – Development Management**

**AWDURDOD PARC CENEDLAETHOL BANNAU BRYCHEINIOG  
BRECON BEACONS NATIONAL PARK AUTHORITY**

Marloes Holtkamp  
Crown Buildings  
Cathahys Park  
Cardiff  
CF10 3NQ

**Date:** 22 November 2024  
**Officer:** Robert James  
**Your Ref:** DNS CAS-03701-H3V4Y3  
**Our Ref:** 24/23236/SCO

Dear Sirs,

**Town and Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) (Wales) Order 2012**

**Proposal:** "The construction and operation of up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure."

**Address:** Rhyswg Wind Farm, Parcels Of Grassland Located East Of Abercarn And Cwmcarn, And East Of The A467

Thank you for your consultation received 20 September 2024 regarding the above.

It is understood that the Planning and Environment Decisions Wales (PEDW) has received a request for a Scoping Opinion in relation to the above development and you are consulting the Brecon Beacons National Park Authority under Regulation 33 (7) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

**The Proposed Development**

The proposed development is located on two parcels of land at the above referenced address comprising improved and semi improved grassland within Caerphilly County Council administrative area.

The application consists of a proposal to construct and operate a wind farm of up to 4 wind turbines (measuring up to 180m to the blade tip) and associated infrastructure including access tracks, transformer, substation and a grid connection. The combined maximum rated output of the site will be 20MW.

It is noted that this development is one of number of similar requests already considered by the Planning Inspectorate/PEDW and other bodies in the general vicinity. The Authority has been recently made aware of the following:

- Land at Mynydd Llanhilleth Common PINS Ref: 3273368;
- Twyn Hywel Wind Farm PINS Ref: 3272053;
- Land at Manmoel Common, Manmoel Road near Ebbw Vale PINS Ref: 3239181;
- Land at Penpergwn, Monmouthshire pre-application consultation stage;
- Land between Abertillery and Abersychan PINS Ref: 3278009; and
- Mynydd Y Glyn Wind Farm PINS: 3280378.

### **Comments on the EIA Scoping Report**

We have the following comments on the Rhyswg Wind Farm Wind Farm EIA Scoping Report dated September 2024:

1. We note the applicant is proposing to prepare a Landscape and Visual Amenity Chapter as part of the Environmental Impact Assessment process which is broadly welcomed.
2. Cumulative chapter – as raised above, the National Park Authority has recently been consulted on a number of new wind farm proposals on the fringes of the National Park boundary and the Authority has concern regarding their cumulative impact. A list has been provided above. Given this proliferation, we would argue that all existing, consented and submitted turbines within the identified radius need to be considered.
3. The Zone of Theoretical Visibility has been calculated from the top of the turbine. It is assumed this is the blade tip height of 180m?
4. Viewpoints 15 (Lasgarn Lane) and 23 (The Biorenge) include a view from within the Brecon Beacons National Park of the development. One or two viewpoints (with photomontages) from within the National Park boundary would be useful.
5. The legal and policy context should refer to the current Brecon Beacons National Park Management Plan (2015-2020). This is the document which sets out the Special Qualities of the National Park. Planning Policy Wales (PPW) requires that the special qualities of designated areas are given weight in the development planning and development management process. Therefore, this document (as well as the Special Qualities) will need to be carefully considered as part of the Environmental Impact Assessment process and wider submission.
6. It is unclear whether any assessment is proposed to be undertaken regarding glint and glare. The National Park Authority would be supportive of some consideration being given to glint and glare. It is noted that reference is made to consideration of Shadow Flicker.

We trust the above comments are of assistance however if you wish to discuss any aspect further please do not hesitate to contact me.

Yours faithfully,



Gareth Jones  
Director, Planning and Place

***Yr ydym yn croesawu gohebiaeth yn y Gymraeg. Bydd unrhyw ohebiaeth yn y Gymraeg yn cael ei ateb yn y Gymraeg a ni fydd unrhyw gyswllt trwy gyfrwng y Gymraeg yn arwain at oedi yn y mater sy'n cael ei drin.***

***We welcome correspondence in Welsh. Any correspondence in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in the matter being dealt with.***

Ein cyf/Our ref: CAS-264871-H1V5  
Eich cyf/Your ref: CAS-03701-H3V4Y3

Marloes Holtkamp  
Planning Officer  
PEDW  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Dyddiad/Date: 24 October 2024

Annwyl Marloes/Dear Marloes,

**BWRIAD/PROPOSAL: Request for scoping opinion for the construction and operation of up to 4 wind turbines up to 180m in height to blade tip together with associated infrastructure.**

**LLEOLIAD/LOCATION: Rhyswg Wind Farm, on land east of Abercarn and Cwmcarn and east of A467.**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 20 September 2024.

We have reviewed the following document:

*Rhyswg Wind Farm Environmental Impact Assessment: Scoping Report by WSP, dated September 2024.*

In general, the ES for this proposal should include sufficient information to enable the planning authority to determine the extent of any environmental impacts arising from the proposed scheme on matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website.

We are commenting because we consider that the proposals are likely to give rise to significant effects. We advise that the likely significant effects are assessed by the applicant and we consider that the following matters should be 'scoped in' to any future Environmental Statement (ES).

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

*Please note, we have not been able to provide advice on ornithological matters within the specified timescales, due to resourcing issues. We will endeavour to provide advice under a separate cover as soon as practical. All other relevant matters are outlined below.*

## Biodiversity

### Protected Species

#### Surveys

We advise that the site and where necessary land adjacent to the site is subject to assessment to determine the likelihood of protected species being present and affected by the proposals. Targeted species surveys should be undertaken for all species scoped in which:

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

#### European Protected Species (EPS) – Bats

We note that the site is dominated by a mix of semi-improved and unimproved grassland.

Whilst we note that there is some historic bat activity survey data for the Eastern Parcel, we advise that the application is supported by up to date bat surveys of the full application site in accordance with:

- Bats and Onshore wind turbines – survey, assessment and mitigation by Nature Scot dated August 2021;
- Bat Surveys for Professional Ecologist: Good Practice Guidelines (4<sup>th</sup> Edition) by Bat Conservation Trust dated 2023.

For all trees within the stated buffer of each turbine, and those needing to be felled or pruned to facilitate development, we advise that any identified to have potential to support maternity roosts (PRF-M) are subject to both ground-based assessments and further surveys in accordance with the published best practice survey guidance (E.g. climbed, endoscope surveys).

We advise that the impacts of the proposals on bats are assessed using the Ecobat Tool (currently hosted by the Mammal Society and applicants may have to ask the MS for access). The assessment should include weather monitoring data at the time of bat activity surveys, and assess the recorded bat activity in relation to the generating speed of the proposed turbines.

#### Great Crested Newts (GCN)

We note that ten waterbodies are present on, or within the vicinity of the application site.

We also note the presence of historic GCN survey data for some of these ponds going back to 2020/2021. The scoping report confirms that updated eDNA surveys were carried out on ponds P1-8 in 2023 which confirmed presence of GCN in pond P5 and P1.

We advise that all waterbodies on the application site and within 250m of its boundary are surveyed using the following:

- Habitat Suitability Index (HSI);
- eDNA (regardless of the HIS results); and
- full suite of traditional population size class surveys (where eDNA has recorded positive results).

Surveys should be carried out in accordance with published best practice survey guidance including English Nature's Great Crested Newt Mitigation Guidelines and NRW's guidance on the use of eDNA testing for GCN licensing:

- [Great Crested Newts Mitigation Guidelines](#)
- [Natural Resources Wales / The use of environmental DNA test for Great crested newt licensing purposes](#)

We advise that the planning application is supported by surveys no older than 2 years old.

Further to the above, we also advise the following should be scoped into the ES with regards to GCN:

- Waterbodies identified to support GCN, including for breeding;
- Other ponds within the landscape which may have functional role for GCN (Eg for foraging);
- Terrestrial habitat within (i) 50m of waterbodies known to support GCN, (ii) 50-250m waterbodies known to support GCN and (iii) 250-500m of waterbodies known to support GCN.

### Dormouse

The application site appears to comprise a small field landscape, separated by hedgerows which are connected to local woodlands.

We note that the decision to scope dormice into the assessment will be taken following a further desk study and the results of update surveys. Only if no further records are revealed by further desk study, and the update surveys conclude likely absence of the species (providing that they have been carried out in accordance with published best practice guidance and have focussed on a good distribution of tubes and have been deployed and checked across the full survey season) then we could agree to scope dormice out of the assessment.

If dormice are scoped into the assessment, we advise that habitat surveys consider the condition of any potential dormouse habitat likely to be affected by the proposals.

### EPS Licence

Where a European Protected Species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW. The EIA must include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

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

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

These requirements are also translated into planning policy through Planning Policy Wales (PPW) February 2021, section 6.4.22 and 6.4.23 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The local planning authority will take them into account when considering the EIA where a European Protected Species is present.

## Protected Sites

We have reviewed Section 5.4 of the EIA Scoping Report and agree that statutory designated sites are unlikely to be affected by the proposed development and can therefore be scoped out of further assessment.

We welcome the mitigation proposed to be implemented in order to minimise harm upon potential ecological features with details of any compensation and enhancement included in a Habitat Management Plan.

## Landscape

Our landscape planning advice relates to the landscape character and visual amenity of the Bannau Brycheiniog National Park (BBNP) and the Wye Valley National Landscape (NL), and the statutory purpose of these designations to conserve and enhance their natural beauty. The Scoping Report confirms the BBNP is located approximately 8km to the north-east of the site and the Wye Valley NL is approximately 23km east of the site.

The site lies mostly within Pre-Assessed Area (PAA) for Wind Energy (10) in Future Wales: The National Plan 2040 (FW). FW Policy 17 states there is a presumption in favour of large-scale wind energy development in PAAs subject to the criteria in FW Policy 18. Whilst Policy 17 states that within PAAs, Welsh Government (WG) has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way, it also states all proposals should demonstrate they will not have an unacceptable adverse impact on the environment. Cumulative impacts are one of the criteria under Policy 18 of FW and must also be considered.

Design guidance prepared to support FW Policies 17 and 18 is set out in Designing for Renewable Energy in Wales, Design Commission for Wales, November 2023. This recognises the importance of landscape informing the design of large-scale renewables, and states '*Landscape should be the leading consideration in this process and not merely follow on in the form of 'landscape mitigation' of a predetermined engineering proposal and technical appraisal*' (page 19). As set out in Planning Policy Wales (5.9.21), '*low carbon energy developments should, wherever possible, consider how to avoid, or otherwise minimise, adverse impacts through careful consideration of location, scale, design and other measures*' which we advise include the number, siting, and layout/arrangement of turbines.

## Landscape Visual Impact Assessment (LVIA) Scope

It is noted that an LVIA will be prepared as part of the Environmental Statement. Page 32 of the Scoping Report outlines the proposed LVIA methodology. It refers to the principles and processes in the Guidelines for Landscape and Visual Impact Assessment Third Edition, which provides best practice guidance for the preparation of LVIA. We agree with the general approach, including the threshold for effects of 'moderate' to be considered potentially significant in the context of the EIA Regulations.

No search area has been identified but, with reference to NRW Guidance Note (GN) 46, the Scoping Report states that a Study Area of 24km will be used. We advise at the current search stage, GN46 advises a search area of between 26 to 33km is used for turbines with a blade tip height of between 176m to 225m. More specifically, it indicates that 1:150 is an approximate ratio between the maximum height of structure and distance to include in a search area. Applying this to turbines with a blade tip height of 180m results in an approximate search area of 27km. We therefore advise that at this initial search stage, where potential receptors are being identified, that a larger search area is used and refined once further detailed work has been completed i.e. review of evidence base documents, detailed ZTV and cumulative ZTV analysis, site visits. The individual circumstances and context will influence the final extent of the Study Area and GN 46 advises for this to be informed by LANDMAP filtering.

Impacts on special qualities and landscape character areas within the BBNP are proposed to be scoped into the LVIA. We advise the latest Management Plan for Bannau Brycheiniog National Park is Y Bannau: The Future - 2023-2028. Stated Special Qualities of the BBNP are headlines and any assessment of the impacts on these qualities should be informed by detailed supporting evidence and assessment, including the Brecon Beacons National Park Landscape Character Assessment, August 2012, LANDMAP, and NRW evidence on Tranquillity and Place (Report No: 569) and, where relevant, dark skies (Report No: 514). It is proposed to scope out all visual receptors beyond 10km. We advise there is potential for significant visual effects beyond this distance and further analysis and evidence is required to demonstrate that no significant effects would occur at receptors within the BBNP at distances beyond 10km.

It is proposed to scope out an assessment of potential impacts on receptors within the Wye Valley NL. No explanation is provided for why this receptor is proposed to be scoped out of the LVIA. The submitted ZTV indicates the turbines would be visible within the National Landscape. Within the Wye Valley, long panoramic views westwards towards the BBNP are valued, and these views relate to the '*Picturesque, extensive & dramatic views*' which are an identified Special Quality of the National Landscape. Explanation based on evidence is required to justify the exclusion of receptors within the Wye Valley NL.

The impact of aviation warning lights on visual receptors (people) will be undertaken as part of the LVIA. The Scoping Report proposes to exclude night time effects on landscape receptors. We advise this does not follow best practice. Dark skies are a landscape quality, and in the case of the BBNP, relate directly to its special qualities. We therefore advise any assessment of the impact on dark skies should also explain how impacts at night would affect characteristics and qualities of the landscape as an environmental resource in its own right.

## Viewpoints and Visualisations

We are satisfied with the inclusion of the following three viewpoints (VP) in the LVIA for the assessment of impacts on receptors within the BBNP:

- VP 15 Lasgarn Lane
- VP 23 The Blorenge
- VP 24 Trig point at Mynydd Llangynidr

We note no assessment viewpoints are included within the Wye Valley NL. In relation to our advice above, we recommend a viewpoint is included from within the NL.

We are satisfied with the approach to visualisations on Page 30 of the Scoping Report. Photomontages and wirelines will be prepared from all viewpoints and in accordance with Scottish Natural Heritage guidance. The appropriate guidance is the 2017 Visual Representation of Wind Farms Guidance. Version 2.2.

## Approach to Mitigation

In relation to the LVIA, the Scoping Report states '*The assessment process would reflect any iterative design mitigation measures adopted to reduce or 'design out' landscape and visual impacts throughout the operation period*' (Paragraph 5.2.45). Determining the appropriate turbine layout should be based on rigorous analysis, testing and response to the landscape setting<sup>1</sup>. We expect the ES will explain how the findings of the LVIA have informed the design process, including the location, scale, number, siting, and layout/arrangement of the turbines.

## **Ground Conditions**

### **Land Contamination**

We note that no site specific information has been provided with regards to ground conditions, we therefore advise that this is scoped into the ES. However, our records suggest that generally, given the lack of superficial deposits within the development area, groundwater levels are unlikely to be shallow. Notwithstanding, groundwater beneath the proposed development site is considered of high sensitivity which is therefore at a heightened risk from any contamination impacts that could occur during the operational life of the windfarm.

Turbine foundation excavations can require some degree of dewatering and these activities can affect the local water environment. We therefore advise that a drainage assessment, covering both the construction and operational phase of the development, should be scoped into the ES. The nature of the ground and groundwater conditions at each of the proposed turbine locations should be used to inform upon the risk profile for construction and operation.

We note the reference to decommissioning within the Scoping Report. A Decommissioning Assessment Report should be provided as part of the EIA process, which should detail how infrastructure and drainage provisions would be decommissioned.

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<sup>1</sup> *Designing for Renewable Energy in Wales, Design Commission for Wales, November 2023* Page 32

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

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

Yn gywir / Yours faithfully

**Eleanor Sullivan**

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

E-bost/E-mail: [southeastplanning@cyfoethnaturiolcymru.gov.uk](mailto:southeastplanning@cyfoethnaturiolcymru.gov.uk)

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

Ein cyf/Our ref: CAS-264871-H1V5  
Eich cyf/Your ref: CAS-03701-H3V4Y3

Tanya Leck  
Planning Officer  
PEDW  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Dyddiad/Date: 07 November 2024

Annwyl Tanya/Dear Tanya,

**BWRIAD/PROPOSAL: Request for scoping opinion for the construction and operation of up to 4 wind turbines up to 180m in height to blade tip together with associated infrastructure.**

**LLEOLIAD/LOCATION: Rhyswg Wind Farm, on land east of Abercarn and Cwmcarn and east of A467.**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 20<sup>th</sup> September 2024. We previously provided you with advice regarding protected species, protected sites, landscape and land contamination (ref: CAS-264871-H1V5, dated: 24<sup>th</sup> October 2024) and advised that ornithological advice would follow. This is now provided below.

## **Ornithology**

We have reviewed the submitted information and confirm that the surveys conducted to date appear to be broadly appropriate for the habitat on site. However, we would draw the applicant's attention to the [Bird Survey Guidelines](#) via CIEEM, which should be taken into account with any bird surveys.

Furthermore, when determining the importance of species and populations identified from surveys, reference should be made to resources and publications specific to Wales where practical. These include (but are not limited to) [Hughes et al. 2020 \(Wales\)](#), [Woodward et al. 2020 \(UK/Britain\)](#), Country Bird Reports, The Welsh Bird Reports and Birds of Wales/Adar Cymru (Pritchard et al. 2021).

Lastly, details of appropriate mitigation (following the step-wise approach) for any likely significant effects identified should be provided along with appropriate enhancements. In some instances, mitigation may need to take the form of curtailment or redirection of activities during particular times of year. Where buffer distances are required or need to be considered, reference should be made to [Goodship & Furness 2022](#) or alternative published references for other species not listed within this publication.

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

Yn gywir / Yours faithfully

**Eleanor Sullivan**

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

E-bost/E-mail: [southeastplanning@cyfoethnaturiolcymru.gov.uk](mailto:southeastplanning@cyfoethnaturiolcymru.gov.uk)

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

Planning and Environment Decisions Wales

Eich cyfeirnod  
Your reference

CAS-03701-H3V4Y3

Sent by email:

Ein cyfeirnod  
Our reference

[PEDW.Infrastructure@gov.wales](mailto:PEDW.Infrastructure@gov.wales)

Dyddiad  
Date

18 October 2024

Llinell uniongyrchol  
Direct line

0300 0256007

Ebost  
Email:

[Cadwplanning@gov.wales](mailto:Cadwplanning@gov.wales)

Dear Sir / Madam,

## **Rhyswg Wind Farm EIA Scoping consultation**

**REF: DNS CAS-03701-H3V4Y3**

Thank you for your letter asking for Cadw's view on above.

Cadw, as the Welsh Government's historic environment service, has assessed the characteristics of this proposed development and its location within the historic environment. In particular, the likely impact on designated or registered historic assets of national importance. In assessing if the likely impact of the development is significant Cadw has considered the extent to which the proposals affect those nationally important historic assets that form the historic environment, including scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes.

These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

### Advice

The request for a scoping opinion is accompanied by a scoping report produced by WSP with section 5.3 outlining the proposed methodology for assessing the impact of the proposed windfarm on the Historic Environment. We make the following responses in regard to this section.

5.3.3 This section identifies that The Historic Environment (Wales) Act 2023 will be enacted before the EIA is produced (now due to be enacted on the 4<sup>th</sup> November 2024). This will replace The Ancient Monuments and Archaeological Areas Act 1979; The Historic Environment (Wales) Act 2016 and The Planning (Listed Building and

Conservation Areas) Act 1990 and therefore these Acts will not need to be considered in the EIA.

**The Historic Environment (Wales) Act 2023 is a Consolidation Act and should not alter legislation, but it should be noted that section 66 (1) of the Listed Building and Conservation Act 1990 will become section 314A of the Town and Country Planning Act 1990.**

5.3.4 The enactment of the Act will also lead to revisions to Technical Advice Note 24: The Historic Environment 2017 and other guidance notes and therefore the assessors will need to ensure that they are consulting the most recent editions of these documents.

5.3.5 – 5.3.6 These sections refer to data sources especially in regard to non-designated historic assets, but only considers known sites. Section 5.3.15 refers to “the potential for previously unrecorded historic assets to be directly affected by the proposed development” but how these unrecorded historic assets are going to be located is not identified in these sections or elsewhere in the scoping document.

It is expected that the desk-based assessment should include a review of the National Wales 1 metre DTM and DSM Lidar datasets. This may help to target previously unrecorded sites within the application area and assist in the walkover survey that should be carried out a part of the assessment. Any new sites located on the Lidar must be verified on the ground by the archaeological team, along with any other site identified in the walkover survey. They should be mapped, described, photographed and interpreted with images and an accompanying gazetteer of sites included in the report. All sites should be categorized for their importance and the significance of impact stated in the EIA.

During the iterative design process and depending on the feedback from the desk-based assessment and walkover surveys, there may be a requirement to gather more information on the sub-surface archaeological potential of the development area, which will not normally be apparent from a desk based and walkover study alone. This requirement would be triggered by clusters of surface monuments suggesting high levels of nearby activity, typically prehistoric funerary and ritual monuments, for which associated sub-surface archaeology may be present, but cannot be properly quantified and located. It may also be triggered where prior surveys cannot accurately define the nature of surface or sub-surface features without retrieving more information. Heneb: The Trust for Welsh Archaeology should be consulted on the need for geophysical survey after the DBA and walkover survey reports have been presented to them for comment. If geophysical anomalies are located but are not diagnostic enough to allow informed opinions on dating, function, level of preservation and importance then additional intervention by targeted evaluation trenching may also be required within the pre-determination assessment stage and in accordance with Planning Policy Wales and TAN24.

The impact of the proposed windfarm on intact peat deposits which may contain important paleoenvironmental evidence and artefacts of prehistoric date should be assessed. There may be some surface exposures of peat, boggy areas and pools within the development area which may indicate the sub-surface presence of peat deposits. Normally the peat deposit depths and extent will be mapped as part of the

NRW Peat Management Plan requirements and in archaeological terms we would generally be interested in any peat deposits deeper than 0.4m although shallow deposits can also be archaeologically significant. The turbine and infrastructure layout should seek to avoid all peat deposits. Where significant peat deposits cannot be avoided a suitable scheme of sampling, analysis, dating and reporting will need to be completed using appropriate sampling techniques advised by a paleoenvironmental/geoarchaeological specialist.

A realistic time period should be set aside to complete the archaeological assessment, reporting and mitigation discussion before the application is formally submitted for examination and in accordance with guidance on pre-determination archaeological evaluation set out in Technical Advice Note 24 (May 2017): Paragraph 4.7 and Planning Policy Wales (Feb 2021): Paragraph 6.1.26. Failure to complete the appropriate surveys may result in delays at the examination stage if additional information is required. The applicant should therefore adjust their application submission dates if necessary to ensure these surveys are fully completed.

5.3.7 - 5.3.10 and 5.3.16 – 5.3.17 The impact of the proposed development on the setting of all of the designated historic assets listed on Annex A (which are located inside 5km and in the submitted ZTV of the proposed development) should be carried out in accordance with the Welsh Government guidance given in the document “The Setting of Historic Assets in Wales”. We would expect a stage 1 assessment to be carried out for all of the designated historic assets, which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific historic assets. The results of the stage 1 should be included, possibly as an appendix in the EIA.

5.3.11 and 5.3.18-5.3.19 We agree that the impact of the proposed windfarm on the Blaenavon; Gwent Levels; Merthyr Tydfil and Rhondda Registered Historic Landscapes along with the Blaenavon World Heritage Site can be scoped out of the EIA. The impact of the proposed windfarm on the Gelligaer Registered Historic Landscape should be included in the EIA but this should be considered using the methodology given in the “The Setting of Historic Assets in Wales” and does not require a separate ASODOHL assessment.

5.3.30 – 5.3.34 We are in agreement with the methodology that will be used to determine the significance of effects.

Yours sincerely

Nichola Smith  
Historic Environment Branch

## Annex A

### Designated Assets

Within a 5km developer ZTV to blade tip:

#### Scheduled Monuments

MM035 Twyn Tudor  
MM044 Twm-Barlwm Mound and Bailey Castle  
MM045 Cairns West of Craig y Dyffryn  
MM046 Round Cairn 315m S of Upper Wenallt  
MM071 Begwns Round Barrow, Mynydd Machen  
MM096 Fort South of Pen-Llwyn-Fawr  
MM250 Charcoal Blast Furnace at Abercarn  
MM259 Former Dam of Cwmcarn Canal Reservoir  
MM337 House Platforms to W of Mynydd Machen

#### Listed Buildings:

	Penllwyn, former manor house now Penllwyn Arms public	
1881	house	II*
1882	Church of St Tudor Mynyddislwyn	II*
1883	Beulah Baptist Church and attached wing and gateway	II
1884	Crumlin Viaduct E Abutment Ebbw Valley	II
1885	Former Barn at Croespenmaen	II
1887	Former School Room, New Bethel, and attached wall	II
1889	Former Navigation Colliery Offices	II
1890	Former Navigation Colliery Chimney	II*
1891	Former Navigation Colliery South Winding Engine House	II*
1892	Former Navigation Colliery Lamp Room	II
1893	Former Navigation Colliery Workshops and Stores	II
1894	Former Navigation Colliery North Winding Engine House	II*
1895	Former Navigation Colliery Electrical Outbuilding	II
1896	Former Navigation Colliery Power House and Pump House	II*
1897	Former Navigation Colliery Fan House and Fan Drift	II*
1898	Crumlin Old Farmhouse and abutting barn	II
1899	Cwmdows Farmhouse	II*
1900	Rhyswg Fawr Farmhouse and walled forecourt	II
1902	Cyncoed Farm Cottage	II
1903	Church of St Luke	II*
1906	Cwmbrynar aka Cwmbraenar Cottage	II
	No 2 Garden Suburbs,,,Pont-y-Waun Garden	
1908	Suburb,,GWENT,	II
	No 6 Garden Suburbs,,,Pont-y-Waun Garden	
1909	Suburb,,GWENT,	II
	No 10 Garden Suburbs,,,Pont-y-Waun Garden	
1910	Suburb,,GWENT,	II
	No 22 Garden Suburbs, Circus,,,Pont-y-Waun Garden	
1911	Suburb,,GWENT,	II
1912	No 30 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II

	Suburb,,GWENT, No 38 Garden Suburbs,,,Pont-y-Waun Garden	II
1913	Suburb,,GWENT, No 41 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
1914	Suburb,,GWENT, No 49 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
1915	Suburb,,GWENT, No 57 Garden Suburbs,,,Pont-y-Waun Garden	II
1916	Suburb,,GWENT, No 65 Garden Suburbs,,,Pont-y-Waun Garden	II
1917	Suburb,,GWENT,	II
2915	Church of Saint Peter	II*
16425	Former Navigation Colliery Powder Store and adjoining N Rear Revetment Wall	II
16426	Former Navigation Colliery Heapstead and Main Revetment Wall	II
16427	Former Navigation Colliery Middle Revetment Wall	II
16428	Former Navigation Colliery Baths	II
20183	Zoar Baptist Chapel	II
20995	Welsh Presbyterian Church	II
20996	Abercarn War Memorial	II
20997	Cwmcarn War Memorial and surrounding railings	II
20998	Barn at Rhyswg Fawr	II
20999	English Baptist Church and walled forecourt	II
21000	English Baptist Church Sunday School	II
21001	Abercarn Aqueduct and bridge (partly in Crosskeys Community)	II
21002	Ty Mynydd	II
21003	Hall's Bridge, Railway Viaduct over River Ebbw and Western Valleys Railway Line	II
21005	Trinity Congregational Church and attached Sunday School	II
21008	Hall's Bridge, Railway Viaduct over River Ebbw and Western Valleys Railway Line	II
21009	Former Railway bridge over canal outfall	II
21010	Homestead	II
21011	Generator Tower	II
21012	Abercarn Aqueduct and Bridge (partly in Abercarn Community)	II
21013	No 1 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21014	No 13 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21015	No 21 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21016	No 29 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21017	No 3 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21018	No 5 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21019	No 7 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21020	No 9 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21021	No 11 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21022	No 15 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21023	No 17 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21024	No 19 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II

21025	No 23 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21026	No 25 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21027	No 27 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21028	No 31 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21029	No 33 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21030	No 35 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21031	No 37 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21032	No 39 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21033	No 4 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21034	No 8 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21035	No 12 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21036	No 14 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21037	No 16 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21038	No 18 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21039	No 20 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,, No 43 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21040	Suburb,,, No 45 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21041	Suburb,,,	II
21042	No 47 Garden Suburbs, Circus	II
21043	24 Garden Suburbs No 26 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21044	Suburb,,, No 28 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21045	Suburb,,, No 51 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21046	Suburb,,,	II
21047	No 53 Garden Suburbs, Circus No 55 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21048	Suburb,,, No 32 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21049	Suburb,,,	II
21050	,34 Garden Suburbs, Circus,Pont-y-Waun Garden Suburb,, No 36 Garden Suburbs, Circus,,,Pont-y-Waun Garden	II
21051	Suburb,,,	II
21052	No 59 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21053	No 61 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21054	No 63 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21055	No 67 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21056	No 69 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21057	No 71 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21058	No 40 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21059	No 42 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21060	No 44 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21061	No 46 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21062	No 48 Garden Suburbs,,,Pont-y-Waun Garden Suburb,,,	II
21254	Crumlin Viaduct W Abutment Ebbw Valley	II
21255	Crumlin Viaduct NE Abutment Cwm Kendon	II
21256	Crumlin Viaduct SW Abutment Cwm Kendon	II
21257	Crumlin Old Bridge over River Ebbw	II

21258	Penrhiwlas	II
21262	Viaduct Cottage	II
21265	Pentref-y-Groes	II
21266	Barn and byre range at Pen-y-groes 3	II
21267	Rear Revetment Wall S	II
21498	Church of St Paul	II
21499	Church of Our Lady of Peace and attached Presbytery	II*
21500	Celyn Collieries Workmen's Institute	II
21501	Preswylfa	II
21502	Former Hall's tramroad and railway tunnel E portal	II
21503	Former Hall's tramroad and railway tunnel W portal	II
21504	Pentwyn-isaf	II
21620	Former Mynyddislwyn Urban District Council Offices	II
21621	Shangri La	II
21622	War Memorial	II
21627	Wall, railings and gates at New Bethel Chapel graveyard	II
21628	Tyle-gwyn	II
21629	Stable range at Tyle-gwyn	II
21630	Garden Wall at Penllwyn	II
21632	Monuments to James Thomas and family at New Bethel	II
21636	Nicholas monument at New Bethel	II
21637	Monument to Rosser Williams at New Bethel	II
22315	Lychgate at St Tudor's Church Mynyddislwyn	II
22317	Brynysgawen and attached farm range	II
22318	Stable block at Brynysgawen	II
22321	Ty'n-y-ffynnon	II
22322	Ton-eithin	II
22508	Pont Y Mister	II
	Canal Bridge over Monmouthshire and Brecon Canal at	
22521	Darran Road (partly in Crosskeys Community)	II
22673	Swffryd-ganol including front garden wall	II
22674	Barn Range including cow-house at Swffryd-ganol	II
25737	The Gables	II
25738	Terraced steps at The Gables	II
81035	Remains of churchyard cross, Church of Saint Peter	II
81869	Lime kiln to N of Pentre-Bach (partly in Cwmbran Central)	II
	Lime kiln N of Pentre-Bach (partly in the Llantarnam	
82036	community)	II
	Celyn Collieries Workmen's Memorial Hall, including	
82346	forecourt wall and gates	II*
87492	Iron Bridge in grounds of Woodfield Park	II

Uned Pridd, Mawndiroedd a Chynllunio Defnydd Tir Amaethyddol.  
Soil, Peatland & Agricultural Land Use Planning Unit.

Yr Adran dros Newid Hinsawdd a Materion Gwledig  
Department for Climate Change & Rural Affairs.



Llywodraeth Cymru  
Welsh Government

Ref: DNS CAS-03701-H3V4Y3

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

Via Email: [PEDW.Infrastructure@gov.wales](mailto:PEDW.Infrastructure@gov.wales)

18<sup>th</sup> of October 2024.

Dear Marloes Holtkamp,

**Re: Scoping Direction Consultation Response – DNS CAS-03701-H3V4Y3 – Rhyswg Wind Farm, Abercarn, Caerphilly.**

In reference to the recent e-mail from PEDW consulting on the above Scoping Direction request, the Department offers the following response for your consideration regarding agricultural land quality advice, soils (mineral organo-mineral and peat) and peatland habitats.

## **1. Context and Background:**

Mineral, organo-mineral and peat soils are finite and provide crucial ecosystem services to Wales. These services include food, fibre, water and important contributions to climate regulation, biodiversity and protection from natural disasters. The Natural Resources Policy (NRP) requires that we sustainably manage our soil resource, to build resilience and maintain the soils functions and ecosystem services our soils provide.

## **2. Peat Soils and Peatland Habitats:**

The Department welcomes the approach the applicants have undertaken in avoiding peat soils and peatland habitat in the proposal. The Scoping report presents clear and robust evidence, at an early stage, of how peat soils has been considered, defined and avoided in the proposed development.

It welcome that the Soil Survey of England and Wales (SSEW) definition of peat soils has been used. Also the use of evidence, such as the Peatlands of Wales Evidence Score Maps together with LandIS mapping. The approach of undertaking confirmatory peat depth survey work on site and provision of the data is also welcomed.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The department agrees with the proposed receptors identified in Table 5.32 and 5-33 of the Scoping Report<sup>1</sup>.

### **3. Mineral Soils:**

The department agrees with the soils approach noted in section 5.7.31 to 5.7.35 of the Scoping Report.

A soil management scheme should be prepared by the developer, informed by a baseline soil resources and physical characteristics report, and be considered as part of the ES process. This should be a clear scheme and programme setting out how all soils and their functions will be conserved and reinstated at decommissioning.

The Scheme should be presented in sufficient detail for the determining authority and statutory consultees to form a judgement as to its feasibility, and should include: -

- Soil stripping programme - volumes and types of soils affected;
- Soil handling techniques and procedure;
- Size, location, construction, management and period of soil storage dumps;
- Proposed after use and restoration programme, including techniques and aftercare programme.

### **4. Agricultural Land Classification (ALC): Information and advice:**

The Department does not hold any information on detailed ALC field surveys for the site. The department agrees with the assessment at section 5.7.8. According to the Predictive ALC Map for Wales<sup>2</sup>, the site is at best Grade 4.

As per published guidance<sup>3</sup>, the Department does not recommend an ALC field survey is undertaken as the site is unlikely to contain Best and Most Versatile (BMV) agricultural land.

### **5. Decommissioning:**

The proposals should include a detailed scheme for site decommissioning that can be confidently conditioned against. This is essential to meet the requirements of Policy 18(11) of Future Wales in terms of acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.

---

<sup>1</sup><https://planningcasework.service.gov.wales/api/documents/download/A55042993?hash=8d747f24cdeec65ba4595d525c9e47e3ba5a193e40b9a6ca0d42ee3b95c1f7c5>

<sup>2</sup> <https://www.gov.wales/agricultural-land-classification-predictive-map>

<sup>3</sup> <https://www.gov.wales/agricultural-land-classification-predictive-map-guidance>

This is to ensure we sustainably manage our soil resource (organic, mineral and peaty), to build resilience and maintain the soils functions and ecosystem services our soils provide ensuring beneficial restoration and after use of site.

I trust the above comments are clear and unambiguous. The advice expressed does not bind any other part of the Department or Welsh Government commenting on the proposal.

Yours sincerely

Arwel Williams  
Soil, Peatland & Agricultural Land Use Planning  
Welsh Government  
Department for Climate Change  
Landscapes, Nature & Forestry Division  
[LQAS@gov.wales](mailto:LQAS@gov.wales)



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

**Eich cyf / Your ref** DNS CAS-03701-H3V4Y3

**Ein cyf / Our ref** 24/SW-6791

22 October 2024

Dear Sir/Madam,

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

**Rhyswg Wind Farm East of Abercarn and Cwmcarn**

**The construction and operation of up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure**

I refer to your consultation of 20<sup>th</sup> September 2024 regarding the above pre-planning application, and advise that the Welsh Government as highway authority for the Strategic Road Network (SRN) would require further information as follows;

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

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

As an absolute minimum we need best estimates for:

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



We would expect the haulier to fully screen the route, please refer to the draft version of our “Pulling Together” – Best Practice for Transporting Abnormal Loads in Wales - Procedures and Advice Guidance (PAG) document.

For your information please find below our standard planning conditions (taken from the aforementioned PAG document), which 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.



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Cathays Park  
Cardiff

## Traffic Management Plan

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

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



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

AILs associated with the maintenance and decommissioning of the development shall leave the site strictly in accordance with a TMP as shall be agreed with the relevant highway authority. In this respect, the TMP shall be submitted to and approved in writing by Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of any removal, replacement 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 the scheme (Stages 1 – 4) in accordance with the Design Manual for Roads and Bridges GG 119. The applicant shall agree the required measures with the Welsh Government as Welsh trunk road highway authority or other relevant highway authority (as appropriate) prior to the commencement of works on site.



## Section 278 Agreement

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

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

If you have any further queries, please forward to the following Welsh Government Mailbox

[Lgc\\_development\\_control-south@Gov.Wales](mailto:Lgc_development_control-south@Gov.Wales)

Yours faithfully

Jason Ingram



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Caerdydd

Transport  
Welsh Government  
Cathays Park  
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## **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.

**TABLE OF CONTENTS**

- 1 INTRODUCTION ..... 2
  - 1.1 Document purpose ..... 2
  - 1.2 Document structure ..... 4
  - 1.3 Intended audience ..... 4
  - 1.4 List of abbreviations ..... 5
- 2 CATEGORIES OF ABNORMAL LOAD ..... 6
  - 2.1 Normal vehicle definition ..... 6
  - 2.2 Categories of abnormal loads ..... 6
  - 2.3 Summary ..... 10
- 3 VEHICLE PREPARATION ..... 11
  - 3.1 Vehicle choice ..... 11
  - 3.2 Signage, markings and lighting ..... 11
  - 3.3 Attendants ..... 11
  - 3.4 Documentation ..... 12
- 4 JOURNEY PREPARATION ..... 13
  - 4.1 Notification requirements ..... 13
  - 4.2 Route planning guidance ..... 17
  - 4.3 Notification processing ..... 20
  - 4.4 Post-notification considerations ..... 23
  - 4.5 Process summary ..... 24
- 5 ABNORMAL LOADS AND DEVELOPMENT CONTROL ..... 26
  - 5.1 Planning applications ..... 26
  - 5.2 Planning conditions ..... 26
- 6 SUMMARY OF ROLES AND RESPONSIBILITIES ..... 31
- 7 USEFUL CONTACTS ..... 32

# 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

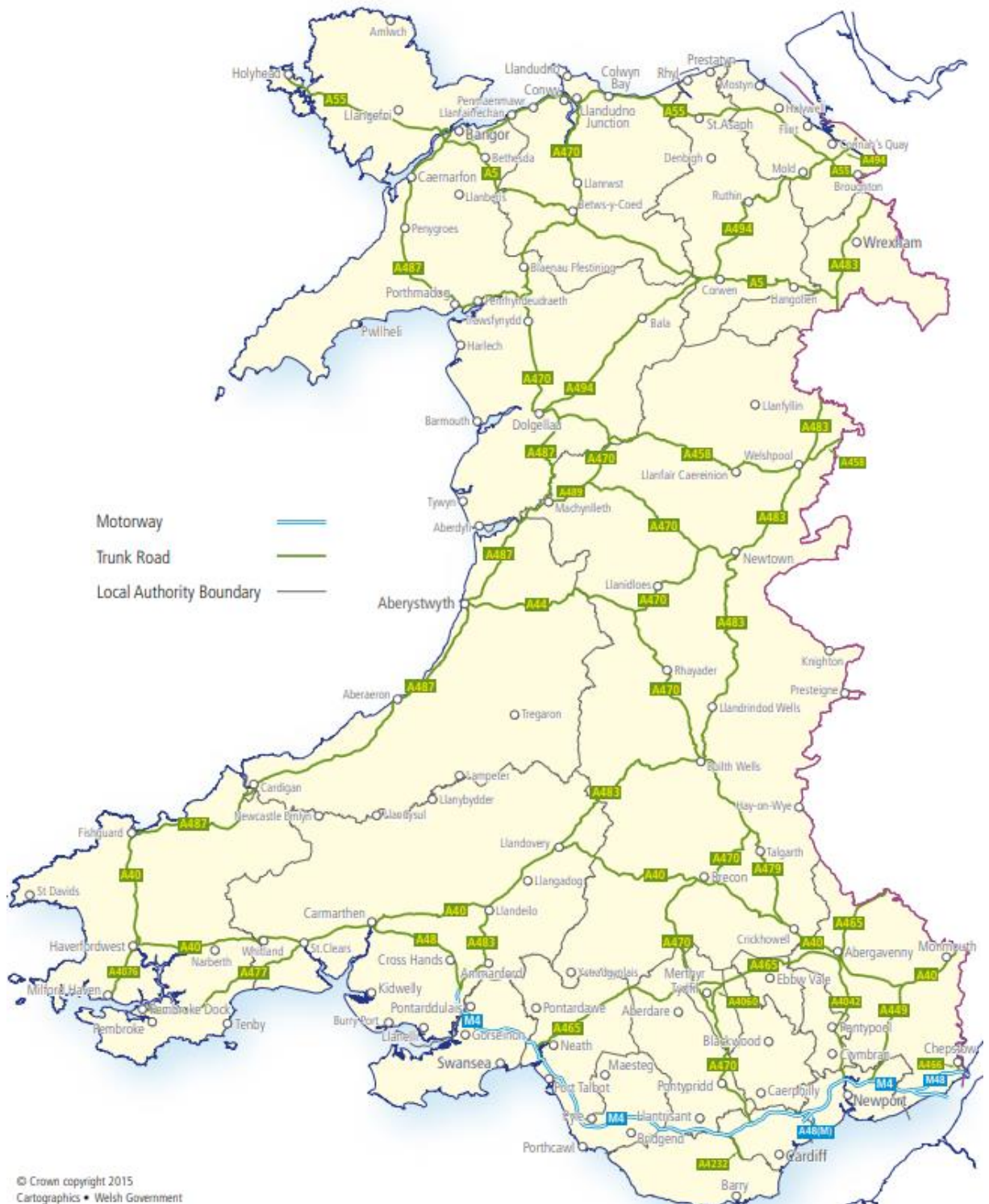


The movement of these types of loads by road is essential for supporting the UK economy, but it is also essential that the movements are carefully planned and executed to ensure they can be safely accommodated by the highway network. Movements of abnormal loads on the Welsh trunk road network (see Figure 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)<sup>1</sup>**



<sup>1</sup> <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		Special Order	
>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 form<sup>2</sup>

<sup>2</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/471962/VR1\\_form.pdf](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 form<sup>3</sup>

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'<sup>4</sup> 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.

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<sup>3</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/503102/BE16\\_form\\_revised\\_Sept\\_15.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/503102/BE16_form_revised_Sept_15.pdf)

<sup>4</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/799833/WPP\\_guidelines\\_2019\\_DfT\\_consultation\\_revision.pdf](https://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.UK<sup>5</sup>
- 'Lighting and marking for abnormal loads vehicles code of practice', by National Highways<sup>6</sup>

#### **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.

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

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

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

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

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

### **3.4 Documentation**

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



## **4 JOURNEY PREPARATION**

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

### **4.1 Notification requirements**

#### **4.1.1 Authorities to be notified**

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

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

In Wales, highway authorities comprise:

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

Bridge authorities/owners most commonly comprise:

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

#### **4.1.2 Notice periods**

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

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

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

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

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

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

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

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

### **4.1.3 Information required**

#### *4.1.3.1 Statutory notification requirements*

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

**Table 3 Information required by notification type**

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

#### 4.1.3.2 Traffic Management Plan requirements

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

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

#### 4.1.4 Notification submission

All relevant notification and indemnity forms can be found on the Gov.UK website<sup>7</sup> 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 ESDAL<sup>8</sup>, 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.

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

<sup>8</sup> <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.

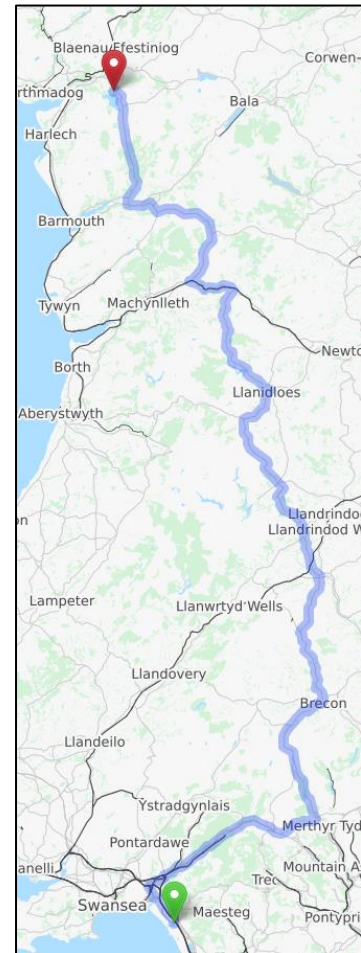
## 4.2 Route planning guidance

### 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 list<sup>9</sup> and map<sup>10</sup> 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 <sup>11</sup>	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 Practice<sup>12</sup> for further details on escorting abnormal load movements.

<sup>9</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494606/Location\\_of\\_Abnormal\\_Load\\_Laybys\\_-\\_1143.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/494606/Location_of_Abnormal_Load_Laybys_-_1143.pdf)

<sup>10</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494607/Lay-by\\_and\\_MSA\\_Map\\_-\\_1143.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/494607/Lay-by_and_MSA_Map_-_1143.pdf)

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

<sup>12</sup>[https://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](https://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 Persons<sup>13</sup> 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.

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<sup>13</sup> 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'<sup>14</sup>. WG are the Technical Approval Authority (TAA) for Trunk Roads in Wales.



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

## 4.4 Post-notification considerations

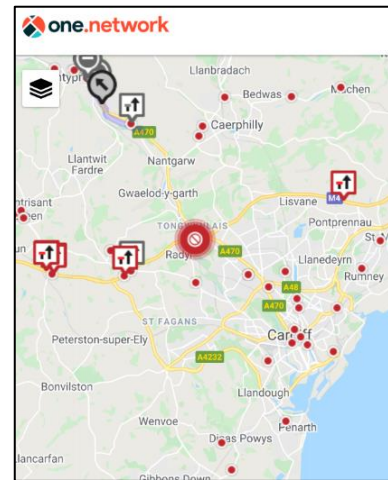
### 4.4.1 Roadworks and disruptions

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 fine<sup>15</sup> to the temporary restriction or suspension of the haulier's operating licence by the Traffic Commissioner for Wales<sup>16</sup>. Officers might also prevent onward travel of the vehicle until any areas of non-compliance are adequately addressed.

#### **4.5 Process summary**

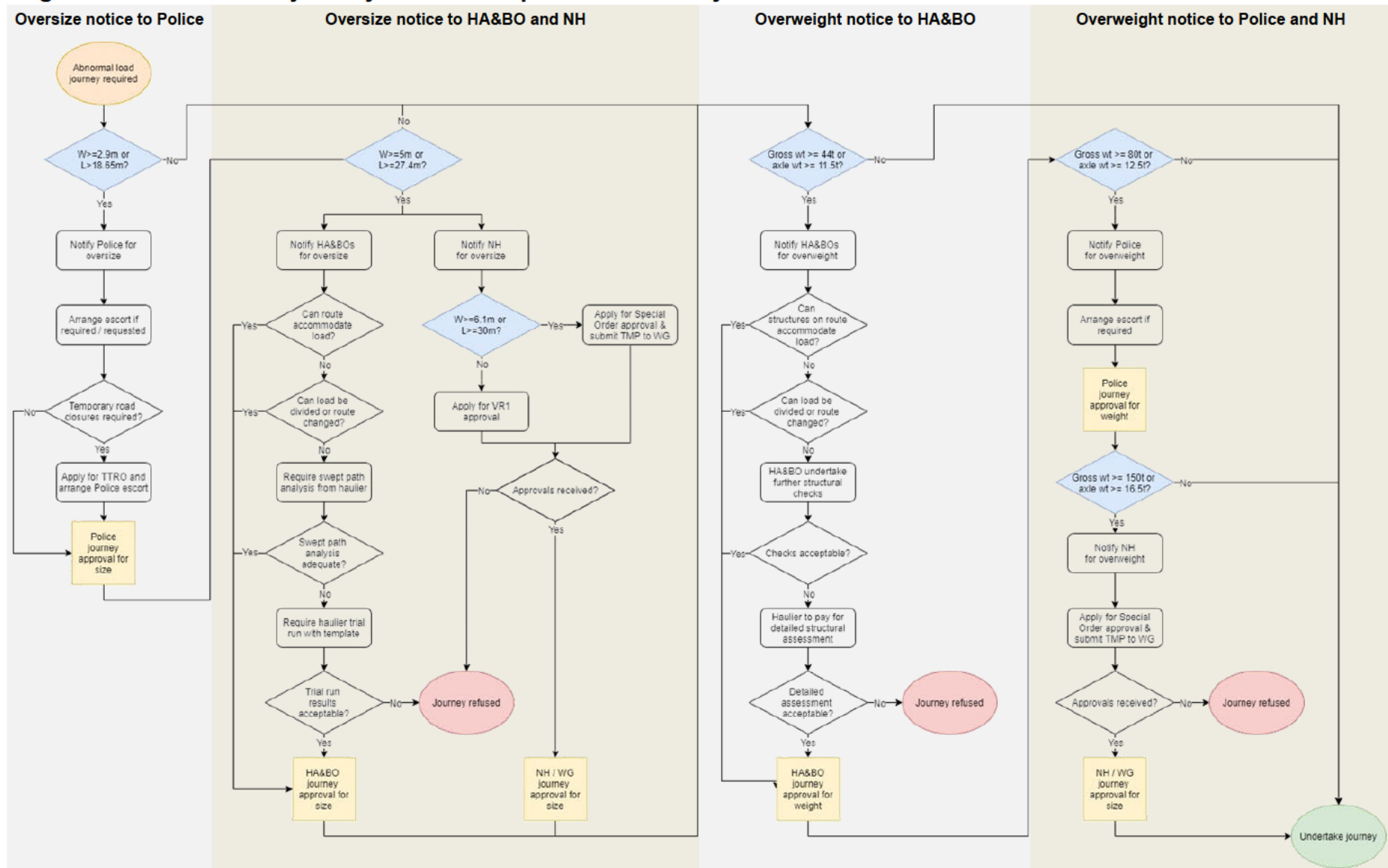
A summary of the main steps in the legally required notification process is shown in the following figure.

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

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

**Figure 2 Abnormal load journey notification process summary**



## 5 ABNORMAL LOADS AND DEVELOPMENT CONTROL

### 5.1 Planning applications

Planning applications for developments which are likely to generate abnormal load movements, either during construction or operation, may be required to be submitted with a Transport Assessment in accordance with Welsh Government Planning Policy Technical Advice Note 18: Transport<sup>17</sup> 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.

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<sup>17</sup> <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 119<sup>18</sup>. 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

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<sup>18</sup> <http://bailey.persona-pi.com/Public-Inquiries/M4-Newport/C%20-%20Core%20Documents/6.%20Transport%20and%20Engineering/DMRB/vol5/section2/hd1915.pdf>

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

For further information on this matter please refer to Welsh Government Procedure & Advice Guidance PAG 109/18: Section 38, 184, and 278 Agreements under the Highways Act 1980<sup>19</sup>.

### 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.



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

## 6 SUMMARY OF ROLES AND RESPONSIBILITIES

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

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

Party	Role	Responsibilities
Consigners/agents	Generating/commissioning abnormal load movement	<ul style="list-style-type: none"> <li>Commissioning of fully compliant haulier for planning and executing abnormal load movements. Preference should be given to hauliers with FORS accreditation (see <a href="https://www.fors-online.org.uk/cms/">https://www.fors-online.org.uk/cms/</a>)</li> </ul>
Haulier	Preparing and executing abnormal load movement	<ul style="list-style-type: none"> <li>Planning subdivision of loads wherever possible to avoid need for abnormal load movements (see Section 3.1)</li> <li>Ensuring selected vehicle complies with the legislation applicable to the dimensions and weight of the combination (see Table 1)</li> <li>Ensure vehicle and load is clearly signed, marked and lit according to regulations (see Section 3.2)</li> <li>Ensure attendants accompany vehicle if required (see Section 3.3)</li> <li>Carry VR1 or Special Order documents in vehicle where applicable (see Section 3.4)</li> <li>Notify relevant authorities of abnormal load journey with sufficient notice period, including a Traffic Management Plan if required (see Section 4.1.2)</li> <li>Address and, if necessary, pay for any requirements emerging from notification assessment process (see Section 4.3)</li> <li>Undertake/procure structural assessment if required (see Section 4.3.2.2)</li> <li>Accommodate for roadworks and disruptions on day of travel (see Section 4.4.1)</li> <li>Execute journey according to approved notification (see Section 4.4.2) and, where applicable, to approved Traffic Management Plan (see Section 2.2.2)</li> </ul>
Abnormal load attendant	Accompanying abnormal load on journey where required	<ul style="list-style-type: none"> <li>Accompany abnormal load vehicle for full journey where legislation requires</li> <li>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)</li> </ul>
Abnormal load escort	Escorting abnormal load on journey where required	<ul style="list-style-type: none"> <li>Comply with National Highways guidance in vehicle preparation and abnormal load escort protocol (see Section 4.2.2.2)</li> <li>Comply with any specific instructions provided by Police (see Section 4.3.1.2)</li> </ul>
Police	Assessing public safety impacts of abnormal load notifications, escorting where required and enforcing regulations in transit	<ul style="list-style-type: none"> <li>Undertake public safety risk assessment for all abnormal load notifications (see Section 4.3.1.1)</li> <li>Advise haulier with sufficient notice if any amendments required to notified journey or if notification refused (see Section 4.3.1.1)</li> <li>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)</li> <li>Resource the Police escort, as required (see Section 4.3.1.2)</li> <li>Enforce abnormal load regulations in transit for public safety (see Section 4.4.2)</li> </ul>
DVSA	Vehicle standards, licencing and enforcement	<ul style="list-style-type: none"> <li>Enforce abnormal load regulations in transit for public safety (see Section 4.4.2)</li> </ul>
HB&BOs	Assessing infrastructure impacts of abnormal load notifications	<ul style="list-style-type: none"> <li>Assess relevant journey notifications in terms of capacity of route infrastructure to accommodate proposed abnormal load dimensions and weight (see Section 4.3.2)</li> <li>Advise haulier if journey notification is rejected or approved (see Section 4.3.2 <b>Error! Reference source not found.</b>)</li> </ul>
Planning authorities	Determining planning applications for abnormal load generating developments	<ul style="list-style-type: none"> <li>Ensure planning applications consider abnormal load trip generation and demonstrate suitable routeing and, where necessary, mitigation (see Section 5.1)</li> <li>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)</li> </ul>
Developers	Seeking planning consent for abnormal load generating developments	<ul style="list-style-type: none"> <li>Submit Transport Assessment with planning application to identify abnormal load trip generation, suitable routeing and, where necessary, mitigation (see Section 5.1)</li> <li>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)</li> </ul>

## 7 USEFUL CONTACTS

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

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

**Table 7 Useful contacts for abnormal load related queries**

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

**Organisation****Contact details**

---

Merthyr Tydfil County and Borough Council

Monmouthshire Council

Neath Port Talbot County Borough Council

Newport City Council

Pembrokeshire County Council

Powys County Council

Rhondda Cynon Taf County Borough Council

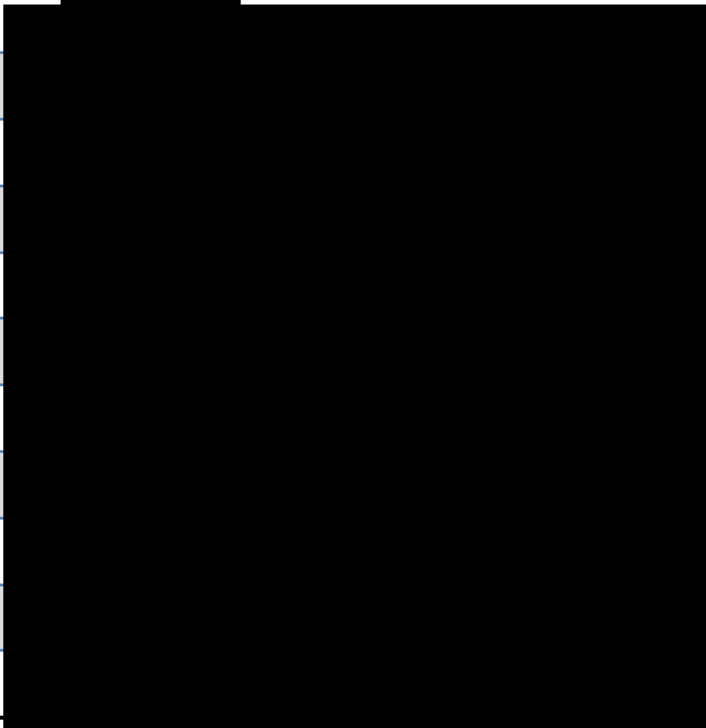
Swansea Council

Torfaen County and Borough Council

Vale of Glamorgan Council

Wrexham County Borough Council

---



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

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

**1. General Details:**

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

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

Once this form is complete send to [notifications@esdal2.com](mailto:notifications@esdal2.com)

Fields marked with an **\*\*** are mandatory

Company/Organisation Name*:	Company/Organisation Address*:
Contact Name*:	
Other contact details.:	
Email Address*:	Telephone No.*:
Operator Licence No.*:	Operator Reference No.:
On Behalf Of <i>(Name of haulier for whom the notification is being submitted)</i>	
Load Description*:	
No. Of Loads*:	
Notes:	

## 2. Route Details:

Movement Start Date and Time*:	Movement End Date and Time*:
Movement From Address*:	Movement To Address*:
From Address Postcode:	To Address Postcode:
Route Description:	
Tick to confirm you have an indemnity:	Include Return Leg:
Return Leg Description ( <i>If different to the outward route</i> ) ( <i>optional</i> ):	

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

## 3. Vehicle Details: Movement Classification\*:

Vehicle Type\*:

Configuration\*:

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

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

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

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

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

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

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

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

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

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

*Points through which the route travels.*

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

E.g.: BANBURY ROAD, CV35 0AA

Or

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

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

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

Address	Co-ordinates

**From:** [NATS Safeguarding](#)  
**To:** [PEDW – Seilwaith / Infrastructure](#)  
**Subject:** RE: DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm - EIA Scoping consultation [SG38153]  
**Date:** 11 October 2024 13:23:01  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[SG38153 Rhyswg Wind Farm - TOPA Issue 1.pdf](#)

---

Our Ref: SG38153

Dear Sir/Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams and conflicts with our safeguarding criteria.

Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in the attached report TOPA SG38153.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority ("CAA") of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic.

Should you have any queries, please contact us using the details below.

Yours faithfully

**NATS**

NATS Safeguarding  
E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)  
4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



# Technical and Operational Assessment (TOPA)

For Rhyswg  
Wind Farm Development

NATS ref: SG38153

Welsh Government ref: CAS-03701-H3V4Y3

Issue 1

## Contents

1.	Background	4
1.1.	En-route Consultation	4
2.	Scope	4
3.	Application Details	5
4.	Assessments Required	5
4.1.	En-route RADAR Technical Assessment	5
4.1.1.	Predicted Impact on Clee Hill RADAR	5
4.1.2.	En-route operational assessment of RADAR impact	5
4.2.	En-route Navigational Aid Assessment	6
4.2.1.	Predicted Impact on Navigation Aids	6
4.3.	En-route Radio Communication Assessment	6
4.3.1.	Predicted Impact on the Radio Communications Infrastructure	6
5.	Conclusions	6
5.1.	En-route Consultation	6

## Publication History

Issue	Month/Year	Change Requests and summary
1	October 2024	Scoping Request

## Document Use

External use: Yes

## Referenced Documents

# 1. Background

## 1.1. En-route Consultation

NATS en-route plc is responsible for the safe and expeditious movement in the en-route phase of flight for aircraft operating in controlled airspace in the UK. To undertake this responsibility it has a comprehensive infrastructure of RADAR's, communication systems and navigational aids throughout the UK, all of which could be compromised by the establishment of a wind farm.

In this respect NATS is responsible for safeguarding this infrastructure to ensure its integrity to provide the required services to Air Traffic Control (ATC).

In order to discharge this responsibility NATS is a statutory consultee for all wind farm applications, and as such assesses the potential impact of every proposed development in the UK.

The technical assessment sections of this document define the assessments carried out against the development proposed in section 3.

## 2. Scope

This report provides NATS En-Route plc's view on the proposed application in respect of the impact upon its own operations and in respect of the application details contained within this report.

Where an impact is also anticipated on users of a shared asset (e.g. a NATS RADAR used by airports or other customers), additional relevant information may be included for information only. While an endeavour is made to give an insight in respect of any impact on other aviation stakeholders, it should be noted that this is outside of NATS' statutory obligations and that any engagement in respect of planning objections or mitigation should be had with the relevant stakeholder, although NATS as the asset owner may assist where possible.

### 3. Application Details

Welsh Government submitted a request for a NATS technical and operational assessment (TOPA) for the development at Rhyswg Wind Farm. It will comprise four turbines located over two parcels of land as detailed in Table 1 and shown in the diagrams contained in Appendix B.

Turbine	Lat	Long	East	North	Tip Height (m)
Eastern Parcel	51.6465	-3.1065	323536	194765	180
Western Parcel	51.6430	-3.1247	322272	194403	180

**Table 1 – Turbine Details**

### 4. Assessments Required

The proposed development falls within the assessment area of the following systems:

En-route Surv	Lat	Long	nm	km	Az (deg)	Type
Burrington Radar	50.9343	-3.9854	53.5	99.1	37.2	CMB
Claxby Radar	53.4501	-0.3083	149.1	276.2	224.6	CMB
Clee Hill Radar	52.3983	-2.5975	49.0	90.7	203.2	CMB
Debden Radar	51.9902	0.2638	127.2	235.5	262.0	CMB
Pease Pottage Radar	51.0834	-0.2143	113.9	210.9	288.3	CMB
En-route Nav	Lat	Long	nm	km	Az (deg)	Type
None						
En-route AGA	Lat	Long	nm	km	Az (deg)	Type
None						

**Table 2 – Impacted Infrastructure**

#### 4.1. En-route RADAR Technical Assessment

##### 4.1.1. Predicted Impact on Clee Hill RADAR

Using the theory as described in Appendix A and development specific propagation profile it has been determined that the terrain screening available will not adequately attenuate the signal, and therefore this development is likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

##### 4.1.2. En-route operational assessment of RADAR impact

Where an assessment reveals a technical impact on a specific NATS' RADAR, the users of that RADAR are consulted to ascertain whether the anticipated impact is acceptable to their operations or not.

Unit or role	Comment
Swanwick ATC	Unacceptable
Western RADAR ATC	Acceptable
Military ATC	Acceptable

*Note: The technical impact, as detailed above, has also been passed to non-NATS users of the affected RADAR, this may have included other planning consultees such as the MOD or other airports. Should these users consider the impact to be unacceptable it is expected that they will contact the planning authority directly to raise their concerns.*

## 4.2. En-route Navigational Aid Assessment

### 4.2.1. Predicted Impact on Navigation Aids

No impact is anticipated on NATS' navigation aids.

## 4.3. En-route Radio Communication Assessment

### 4.3.1. Predicted Impact on the Radio Communications Infrastructure

No impact is anticipated on NATS' radio communications infrastructure.

## 5. Conclusions

### 5.1. En-route Consultation

The proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, this has been deemed to be unacceptable.

## Appendix A – Background RADAR Theory

### Primary RADAR False Plots

When RADAR transmits a pulse of energy with a power of  $P_t$  the power density,  $P$ , at a range of  $r$  is given by the equation:

$$P = \frac{G_t P_t}{4\pi r^2}$$

Where  $G_t$  is the gain of the RADAR's antenna in the direction in question.

If an object at this point in space has a RADAR cross section of  $\sigma$ , this can be treated as if the object re-radiates the pulse with a gain of  $\sigma$  and therefore the power density of the reflected signal at the RADAR is given by the equation:

$$P_a = \frac{\sigma P}{4\pi r^2} = \frac{\sigma G_t P_t}{(4\pi)^2 r^4}$$

The RADAR's ability to collect this power and feed it to its receiver is a function of its antenna's effective area,  $A_e$ , and is given by the equation:

$$P_r = P_a A_e = \frac{P_a G_r \lambda^2}{4\pi} = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4}$$

Where  $G_r$  is the RADAR antenna's receive gain in the direction of the object and  $\lambda$  is the RADAR's wavelength.

In a real world environment this equation must be augmented to include losses due to a variety of factors both internal to the RADAR system as well as external losses due to terrain and atmospheric absorption.

For simplicity these losses are generally combined in a single variable  $L$

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4 L}$$

## Secondary RADAR Reflections

When modelling the impact on SSR the probability that an indirect signal reflected from a wind turbine has the signal strength to be confused for a real interrogation or reply can be determined from a similar equation:

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r_t^2 r_r^2 L}$$

Where  $r_t$  and  $r_r$  are the range from RADAR-to-turbine and turbine-to-aircraft respectively. This equation can be rearranged to give the radius from the turbine within which an aircraft must be for reflections to become a problem.

$$r_r = \sqrt{\frac{\lambda^2}{(4\pi)^3}} \sqrt{\frac{\sigma G_t G_r P_t}{r_t^2 P_r L}}$$

## Shadowing

When turbines lie directly between a RADAR and an aircraft not only do they have the potential to absorb or deflect, enough power such that the signal is of insufficient level to be detected on arrival.

It is also possible that azimuth determination, whether this done via sliding window or monopulse, can be distorted giving rise to inaccurate position reporting.

## Terrain and Propagation Modelling

All terrain and propagation modelling is carried out by a software tool called ICS Telecom (version 11.1.7). All calculations of propagation losses are carried out with ICS Telecom configured to use the ITU-R 526 propagation model.

## Appendix B – Diagrams

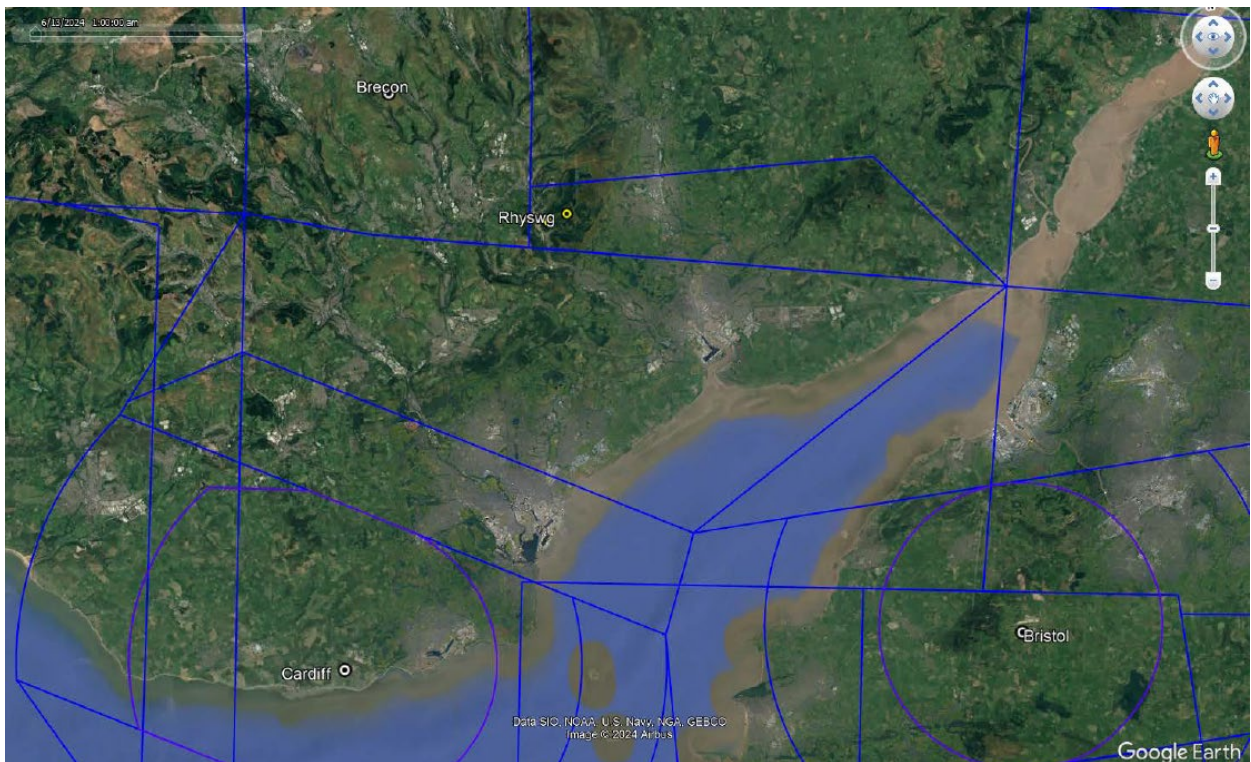


Figure 1: Proposed development location shown on an airways chart



**From:** [REDACTED]  
**To:** [PEDW – Seilwaith / Infrastructure](#)  
**Cc:** [REDACTED]  
**Subject:** Ref: DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm  
**Date:** 15 October 2024 11:56:36  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image008.png](#)

---

PEDW, Nina,

I've been sent details of a proposed windfarm – Rhyswg Wind Farm. NATS have had sight of the application and due to the proposed wind turbines being in line of sight to the primary radar at Cardiff Airport, we have been advised to lodge an objection to this proposal.

Can you please confirm at what stage of planning this proposal is at the moment?

Thank you

**Rob Elias**

Head of Airfield Operations  
Pennaeth Gweithrediadau Maes Glanio

**cardiff airport**   
maes awyr caerdydd



Cardiff Airport, Vale of Glamorgan, Wales, CF62 3BD  
Maes Awyr Caerdydd, Bro Morgannwg, Cymru, CF62 3BD



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**Confidentiality Note:** This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

## DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm- EIA Scoping consultation

Dear Sir/Madam,

We are writing to provide our representation concerning the scoping process for the Rhyswg Wind Farm.

It is essential that the Environmental Impact Assessment (EIA) comprehensively addresses various factors that could significantly affect both the environment and the community.

First and foremost, we urge you to include the assessment of **infrasound and low-frequency noise** emissions generated by the operational turbines. These emissions can have profound implications for local residents and wildlife, and their impact must be thoroughly evaluated. In this process, the effects of Amplitude Modulation must also be considered. (Here we refer to the WSP 'Report for UK government: a review of noise guidance for onshore wind turbines' 31st May 2023 that outlines the failings in the present guidance ETSU-R-97).

Furthermore, we believe it is crucial to assess the potential release of **PFAS and microplastics** resulting from blade erosion, coatings degradation, and repairs during service work. These contaminants pose serious environmental risks and should be considered in the EIA.

Additionally, the **seismic impact** from ground-borne infrasound due to turbine vibration, as well as **cumulative effects with adjacent turbines and neighbouring wind farms**, should not be overlooked. Understanding these impacts is vital for ensuring the safety and wellbeing of the surrounding environment. We have noted in several EIAs that vibration is mentioned in a chapter title only to be subsequently ignored or only considered as a construction impact. This is not the case. It is an operational impact and one that could have significant impact on mine workings, spoil tips, aquifers and caverns.

The **Wake Effect** from industrial wind turbines is significant and can lead to an extended turbulent zone downwind representing a hazard for aviation, neighbours and recreational PRow users. Furthermore, wake effect can generate a micro climate that both increases local temperature and dehydrates soil. The effect of this on adjacent peatland and wildlife habitat must be considered. No data has been produced on this by the industry since the days of far smaller turbines than are envisaged for this project and aviation sources consider that wake effect can extend as far as 25 x rotor diameter for the largest onshore turbines.

These four factors above are highly significant impacts that are not disclosed by manufacturers or developers, and we are of the opinion that The European Union's (EU) Environmental Impact Assessment (EIA) Directive (2011/92/EU) requires their full consideration. PEDW should, as the competent authority, be demanding their inclusion.

If adequate data on these topics is not forthcoming from applicants then projects should not be consented prior to robust independent assessment and testing.

We also request that the effects on human health be included in the assessment process and that potential health implications for nearby residents must be a priority and should not be scoped out of the EIA. These effects are direct consequences of the four topics listed above.

Moreover, socio-economic factors, including the impact on the local tourism industry and property prices, must be adequately addressed. It is imperative that these factors are not ignored and that appropriate measures are established to provide care and compensation for those whose lives may be adversely affected by the construction and operation of the wind farm.

Thank you for considering these important issues in the scoping process. We look forward to your response and hope for a thorough and transparent assessment that prioritises both environmental integrity and community wellbeing.

We applaud the applicant's decision to publish detailed turbine locations at this early stage. In our opinion this should be a requirement in scoping as a matter of policy.

Yours sincerely,

Tim Smith  
Director  
MotVind UK CIC

Registered in England, Registration Number 15080350  
Registered Office: 27 Old Gloucester St. London WC1N 3AX  
Telephone: [REDACTED]



# Defence Infrastructure Organisation

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

Your Reference: CAS-03701-H3V4Y3

Telephone [MOD]: [REDACTED]

Our Reference: DIO10064561

E-mail: [REDACTED]

Marloes Holtkamp  
Planning & Environment Decisions Wales  
Crown Buildings  
Cathhays Park  
Cardiff  
CF10 3NQ

17 October 2024

**By email only**

Dear Marloes,

Application reference: CAS-03701-H3V4Y3  
Site Name: Rhyswg Wind Farm.  
Proposal: The construction and operation of up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure.  
Site address: Two parcels of grassland located east of Abercarn and Cwmcarn, and east of the A467.

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping for the above-named development through your communication dated 20 September 2024.

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

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

The proposal concerns a development of up to 4 turbines with maximum blade tip heights of 180 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in the email received from PEDW dated 11 October 2024.

Turbine no.	Easting	Northing
1	322280	194370
2	322980	194670
3	323730	195050
4	323810	194510

The principal safeguarding concerns of the MOD with respect to this development of wind turbines relates to their potential to create a physical obstruction to air traffic movements.

### **Physical Obstruction**

In this case the development falls within Low Flying Area 7 (LFA 7), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

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

The development proposed includes wind turbine generators that exceed a height of 150m agl and are therefore subject to the lighting requirements set out in the Air Navigation Order 2016. In addition to CAA requirements, the MOD will require the submission, approval, and implementation of an aviation safety lighting specification that details the installation of MOD accredited aviation safety lighting.

As a minimum the MOD would request that the turbines are fitted with Infra-red (IR) lighting.

### **Summary**

The MOD has concerns with this proposal due to the potential impact to low flying aircraft operating in the development area.


The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled "Environmental Impact Assessment: Scoping Report" dated September 2024. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

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

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

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

Yours sincerely



Teena Oulaghan  
Safeguarding Manager

**From:** [REDACTED]  
**To:** [PEDW – Seilwaith / Infrastructure](#)  
**Subject:** FW: DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm - EIA Scoping consultation  
**Date:** 23 October 2024 13:05:37  
**Attachments:** [image002.png](#)  
[2024-09-20 - DNS Scoping Consultation - Rhyswg Wind Farm.pdf](#)

---

Good afternoon,

I've reviewed the application, and I can confirm there is no Welsh Water assets in the location specified that rely on 'point to point' communications that would be effected by the proposed development

Regards,  
Ross Letheby

**Ross Letheby | Regional O&M Manager**  
**Operational Technology Operations**



[REDACTED]  
For OT support – contact the [SmartHub](#) on 0303 313 0103  
For OT news – visit our [OT Shop Window Yammer Community](#)



---

**From:** ORC <ORC@dwrcymru.com>  
**Sent:** 21 October 2024 11:17  
**To:** Ross Letheby [REDACTED]  
**Subject:** FW: DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm - EIA Scoping consultation

Morning,

Please can you review and advise if this will have an impact on any assets in the area.

Regards,

Julia

Julia Winson  
**OT Service & Scheduling Coordinator**  
**TechOps Service Team | Operational Services**





The Coal  
Authority

200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

W: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

**For the attention of: Marloes Holtkamp**

Caerphilly County Borough Council

[By email: [PEDW.Infrastructure@gov.wales](mailto:PEDW.Infrastructure@gov.wales)]

24 September 2024

Dear Marloes Holtkamp

**Re: DNS CAS-03701-H3V4Y3 Rhyswg Wind Farm**

**The construction and operation of up to 4 wind turbines up to 180 m in height to blade tip together with associated infrastructure; TWO PARCELS OF GRASSLAND LOCATED EAST OF, ABERCARN AND CWMCARN, AND EAST OF THE A467**

Thank you for your notification of 20 September 2024 seeking the views of the Coal Authority on the above.

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

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

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

Yours

**The Coal Authority Planning Team**

**From:** [NSIP Applications](#)  
**To:** [PEDW – Seilwaith / Infrastructure](#)  
**Cc:** [NSIP Applications](#)  
**Subject:** DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm - EIA Scoping consultation  
**Date:** 26 September 2024 09:46:28  
**Attachments:** [image002.png](#)

---

Dear Project Team,

Please find below HSEs response for Rhyswg Wind Farm project.

**HSE Land Use Planning Advice:**

1. With reference to the redlined ***Rhyswg Wind Farm scoping boundary*** shown on **2024-09-18 - EIA Scoping Direction Request - Figure 1.1 - Site Location** [<https://planningcasework.service.gov.wales/case> Reference: **DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm**] the proposed project does not fall within the consultation distances of any Major Hazard Installation(s) or Major Accident Hazard Pipeline(s).
2. Please note if at any time a new Major Accident Hazard Pipeline is introduced or existing Pipeline modified prior to the determination of a future application, then the HSE reserves the right to revise its advice.
3. Likewise, if prior to the determination of a future application, a Hazardous Substances Consent is granted for a new Major Hazard Installation or a Hazardous Substances Consent is varied for an existing Major Hazard Installation in the vicinity of the proposed development, again the HSE reserves the right to revise its advice.

**Would Hazardous Substances Consent be needed?**

4. The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.
5. Hazardous Substances Consent would be required if the proposed development site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.
6. Further information on HSC should be sought from the relevant Hazardous Substances Authority.

**Explosive sites:**

-

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

For any further communication on this project please reply directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk) .

Kind regards  
Agata Janicka

Sent on behalf of the NSIP Team  
**Agata Janicka | Business Support Team**  
Health and Safety Executive | CEMHD - DBST  
[nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk)



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**From:** [REDACTED] **On Behalf Of**

PEDW.Infrastructure@gov.wales

**Sent:** Friday, September 20, 2024 11:32 AM

**Subject:** CM: DNS CAS-03701-H3V4Y3 - Rhyswg Wind Farm - EIA Scoping consultation

Dear Sir / Madam,

Please find attached a consultation letter relating to a Scoping Direction for this proposed DNS.

All documents are available via the casework portal (link in the letter).

If you have any problems accessing the documents or are unlikely to be able to respond by Friday 25 October 2024, please let us know.

Kind regards,  
Marloes

**Marloes Holtkamp**

[hi | she / her]

Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment  
Decisions Wales

Llywodraeth Cymru | Welsh Government

Llinell Uniongyrchol | Direct Line: 0300 025 1309

PCAC Ymholiadau Cyffredinol Ffôn | PEDW General Enquiries Tel: 0300 123  
1590

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Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ  
[PEDW.Infrastructure@gov.wales](mailto:PEDW.Infrastructure@gov.wales)

Our Ref: LA/30-15192 (BR13)  
Your Ref: DNS CAS-03701-H3V4Y3  
Date: 31 October 2024  
Contact: Station Manager L. Abdul  
Tel: [REDACTED]  
E-mail: [firesafety@southwales-fire.gov.uk](mailto:firesafety@southwales-fire.gov.uk)

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990  
PROPOSAL: THE CONSTRUCTION AND OPERATION OF UP TO 4 WIND  
TURBINES UP TO 180 M IN HEIGHT TO BLADE TIP TOGETHER WITH  
ASSOCIATED INFRASTRUCTURE.  
LOCATION: TWO PARCELS OF GRASSLAND LOCATED EAST OF ABERCARN  
AND CWMCARN, AND EAST OF  
THE A467**

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

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

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

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

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

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

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

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

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

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

#### Standing Advice.

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

- The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

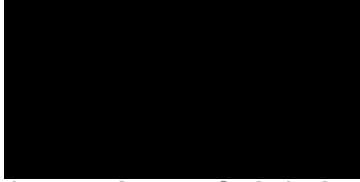
The developer should also consider the need for the provision of:-

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

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

Yours faithfully,

**Duly signed and authorised by**



**for Assistant Chief Fire Officer**

**cc: [WATERGEN@southwales-fire.gov.uk](mailto:WATERGEN@southwales-fire.gov.uk)**

Enc: BR13 Appendix

## Appendix

### 1.0 Access For Fire Appliances

Typical vehicle access route requirements:

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

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

#### Pedestrian Priority

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

### 2.0 Water Supplies for Firefighting

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

#### Access to Open Water Supplies

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

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

## 2.1 Housing

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

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

## 2.2 Transportation

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

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

## 2.3 Industry

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

Light Industrial

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

Commercial/Industrial

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

High Risk Industrial

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

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

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

## 2.4 Shopping, Health and Community Facilities

### Village Halls

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

### Primary Schools and single storey Health Centres

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

### Secondary Schools, Colleges, Large Health and Community Facilities

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

## 2.6 Distances Between Fire Hydrants

The distance between fire hydrants should not exceed the following:

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

## 2.7 Conclusion

Developers should hold joint discussion with Dwr Cymru - Welsh Water or the National Rivers Authority and the Fire and Rescue Authority to ensure that adequate water supplies are available in case of fire. The Fire and Rescue Authority reserve the right to ask for static water supplies for firefighting on site as a condition of planning consent, if the supply infrastructure is inadequate for any given risk.