

DNS: EIA Scoping Direction

3276725: Mynydd Maen Wind Farm

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Prepared by:

Giulia Bazzoni MA PIEMA

This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales (PEDW) on 04 November 2021, 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

PEDW received a request under [Regulation 33](#) of the 2017 Regulations for a Scoping Direction in relation to a proposed development of a wind farm of up to 15 turbines and associated infrastructure by Renewable Energy Systems Ltd. PEDW is authorised to issue this Scoping Direction on behalf of the Welsh Ministers.

The request was accompanied by a Scoping Report (SR) [Mynydd Maen Wind Farm Environmental Impact Assessment Scoping Report – Barton Willmore – November 2021] that outlines the proposed scope of the Environmental Statement (ES) for the proposed development.

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 proposed development Site is situated within the administrative boundaries of Caerphilly County Borough Council (CCBC) and Torfaen County Borough Council (TCBC). The Site extends to approximately 2,029 ha and comprises grassland, scrub and deciduous woodland. The Site is located to the south of Pontypool and the west of Cwmbran. The Brecon Beacons National Park is located approximately 2 km to the northeast of the Site.

A full site description is included at paragraph 2.5 to 2.7 of the SR and a site location plan is included at Appendix 1 of the SR.

3. Proposed Development

The proposal as described in the SR is for:

- Up to 15 wind turbines, each with a blade tip height of up to 149.9 m from ground level and a maximum output of up to 5 MW;

- Wind turbine transformers and switchgear (if located outside the wind turbine tower);
- Turbine foundations;
- Crane hardstandings;
- Control building, substation, and storage compound;
- Energy storage (as mentioned at paragraph 2.19 of the SR);
- Electrical cabling; and
- On-site access tracks, entrances, and exits.

The following elements will be required during construction and will be of a temporary nature:

- Temporary enabling works and construction compounds;
- Hardstanding for lay-down areas; and
- Power performance masts.

PEDW notes that no borrow pits are mentioned in the SR and thus this Scoping Direction has been prepared on the assumption that these elements will not be required as part of the project. Should these elements be added as the project progresses, the Applicant should request an updated Scoping Direction.

The SR (paragraph 2.30) describes the access road. It is likely that the proposed route will require widening and upgrade works but these are not described in the SR and the access is not shown within the red line of the Site location plan provided. Any work along the access route will have to be detailed within the ES and assessed accordingly. The scope of the EIA should include all elements of the development as identified in the SR, both permanent and temporary, and this Scoping Direction is written on that basis.

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

4. History

The site has no relevant history for this Site.

5. Consultation

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

- Local Planning Authorities – Caerphilly County Borough County (CCBC) & Torfaen County Borough County (TCBC)
- Transport Directorate of the Welsh Government
- Natural Resources Wales
- Cadw

- The Health and Safety Executive
- The Coal Authority
- Dŵr Cymru

PEDW also consulted the following neighbouring authorities:

- Blaenau Gwent County Borough Council (BGCBC)
- Newport City Council (NCC)
- Monmouthshire County Council
- Brecon Beacons National Park Authority (BBNPA)

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

6. Environmental Impact Assessment Approach

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

Common terminology within the ES and across all of the application documents should be adopted. This will help to ensure consistency and ease of understanding for the decision-making process. A glossary of technical terms should be included in the ES.

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.

6.1 Baseline

[Schedule 4](#) of the 2017 Regulations states that the 'baseline scenario' is "A description of the relevant aspects of the **current** state of the environment" (emphasis added). The baseline of the ES should reflect actual current conditions at the time of submission. The baseline should be chosen carefully and, whenever possible, be consistent between aspects being assessed. For each environmental aspect, the data source(s) used to establish the baseline should be explained along with details of any survey work undertaken.

The applicant is advised to keep a watching brief during preparation of the ES to ensure an accurate baseline at the time of submission.

6.2 Reasonable Alternatives

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives studied by the Applicant should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made. Section 6.6 of this Direction also refers.

It is worth bearing in mind that under the [Conservation of Habitats and Species Regulations 2017](#) ("the Habitats Regulations") unless it can be clearly shown to the Welsh Ministers that the project would have no adverse effect on the integrity of any designated sites, it would have to be shown that there is no feasible alternative solution (see advice note from [IEMA](#)). Further advice regarding the Habitats Regulations is provided in the final chapter of this Scoping Direction.

6.3 Currency of Environmental Information

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

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

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

6.4 Assessment of effects and significance

The assessment should take into account the nature of the impact(s) including whether they are direct and / or indirect, secondary, cumulative (see below), transboundary, short, medium or long term, permanent or temporary. The ES should define the meaning of 'significant' in the context of each of the aspects assessed. The criteria used to determine 'significance' for each aspect should also be clearly explained.

Quantitative criteria / thresholds should be used whenever possible. This should also apply to the consideration of cumulative impacts and impact interrelationships. For each impact where mitigation is considered necessary, the significance of the residual impact should be clearly identified.

PEDW recognises that the way in which each aspect of the environment may be affected by the proposed development can differ. However, it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the aspects assessed. It is recommended that a consistent format should be applied where possible.

6.5 Cumulative Effects

Section 12 of the SR describes how a list of projects which will be considered as part of the cumulative impact assessment will be compiled. The Applicant argues that only existing and consented schemes need to be considered.

The Applicant's attention is drawn to the Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#) which 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.

PEDW endorses the approach set out in NSIP Advice note 17, and considers that known schemes at pre-application stage (such as subject to formal consultation, or EIA Scoping and Screening) should be included. The applicant's attention is drawn to the following DNS projects:

- DNS 3272053 Twyn Hywel Energy Park;
- DNS 3239181 Manmoel Wind Farm;
- DNS 3278009 Abertillery Wind Farm;
- DNS 3270299 Mynydd Carn – y – Cefn Wind Farm;
- DNS 3273368 Mynydd Llanhilleth Wind Farm, and
- DNS 3280378 Mynydd y Glyn Wind Farm.

This list is not exhaustive and the applicant should maintain a watching brief, liaising with the relevant LPAs and neighbouring LPAs to ensure an appropriate scope of cumulative

assessment. It should also be noted that 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 wind farm / renewable energy proposals.

IMPORTANT NOTE: the Developments of National Significance Portal hosted by the Planning Inspectorate (will be discontinued on the 31 January 2022. A replacement portal will not be ready by that time. Live DNS applications are hosted on this interim webpage:

<https://gov.wales/developments-national-significance-dns-applications>

The Applicant can contact the relevant Local Planning Authorities or PEDW at PEDW.Infrastructure@gov.wales to request information in relation to the schemes mentioned above.

The Applicant should ensure that relevant schemes identified are addressed in the ES using the tiered approach set out in Advice Note 17. Additionally, the Applicant's attention is drawn to the consultees' comments at Appendix 1, regarding schemes for inclusion in cumulative assessment. Best practice is to include proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward.

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

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 relevant consultees.

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

6.6 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.

Embedded Mitigation: Measures that have been incorporated in the design of the development to prevent and reduce significant effects are often referred to as "embedded mitigation". It has been noted that the definition of embedded mitigations can be broad and incorporate measures that are not necessarily functional in the design of the project. In PEDW's

view, elements altered by design changes made to minimise impacts should be referred to as 'reasonable alternatives considered' rather than embedded mitigation. The ES should explain clearly where a particular design has been chosen to reduce the significance of environmental effects and the rationale behind should be explained as part of the alternatives considered and the evolution of the design (see section 6.2). Where additional measures are proposed which are not an integral part of the project, such as a landscape proposals, the ES should clearly identify which measures are considered embedded and which are additional. Irrespective of whether a measure is considered embedded and / or additional, the significance of the environmental impacts before the employment of mitigation measures should be identified. The approach should be consistent throughout the ES and the **significance of the residual impacts** after the employment of the embedded mitigations should be addressed in the relevant technical aspects of the assessment.

6.7 Population and Human Health

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

6.8 Transboundary Effects

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

6.9 Topics Scoped In but not subject to a standalone chapter

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

7. Environmental Impact Assessment Aspects

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

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

7.1 Aspects Scoped In

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

Socio-Economics

Water Resources

Ground Conditions and Contamination

Landscape and Visual Impact Assessment

Cultural Heritage

Biodiversity

Ornithology

Traffic and Transport

Noise

Telecommunications & Aviation

Shadow Flicker

Human Health (can be addressed within other chapters)

Climate Change

Waste (can be addressed within other chapters)

Major Accidents and Disasters (can be addressed within other chapters)

8. Table 1: PEDW's Comments

ID	Reference in Scoping Report	Issue	Comment
Description of the Development			
ID.1	2.15	Wind turbines	PEDW notes that the Coal Authority (see Appendix 1 of this Scoping Direction) disagrees with the conclusions of the submitted Coal Mining Risk Assessment (CMRA) and that there is risk of unrecorded shallow mining works in the area. The Applicant should take into account the Coal Authority's comments regarding the presence of extensive legacy workings in the area and PEDW agrees with the Coal Authority that conclusions cannot be drawn at this stage without further assessment. Where different types of turbine foundations are required, the Applicant should consider that this may have an impact on other aspects (for example ecology, noise and traffic). The ES should include a detailed description of construction methods and the worst-case scenarios considered as appropriate.
ID.2	2.19	Energy storage	The SR does not state which type of energy storage technology might be proposed. The ES should be clear as to the technology proposed, including sufficient detail and ensuring that the likely effects are assessed appropriately. See also comments below regarding Safety and major accidents.
ID.3	2.30	Access	Paragraph 2.30 describes the proposed access route although the SR does not show it on a plan. PEDW is aware that Old Pant Road, Pant Road and the unnamed road to the Site are narrow and in some points bordered by hedgerows. It is very likely that the access route will require widening to allow for Abnormal Indivisible Loads (AIL) and that hedgerows and trees will required removal and cutting. Additionally, parts of Pant Road and Central Avenue are residential with parking on both sides. There is also a primary school located just north of the junction of Pant Road and Central Avenue.

ID	Reference in Scoping Report	Issue	Comment
			The Applicant is reminded that the application will have to include all intended works, including vegetation clearance of the access road.
ID.4	2.31	Grid Connection.	<p>The SR does not include details on the grid connection and indicates that may be subject to a separate consenting regime. Nonetheless, the ES should address the grid connection in a proportionate manner based on the level of certainty as to the likely connection route at the time of the DNS application being made.</p> <p>It should be noted that following amendments to The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, an electric line above ground of up to 132 kV associated with a DNS Generating Station is specified as a DNS in itself.</p>
ID.5	2.32	Use of Borrow Pits.	The SR does not mentioned that borrow pits are proposed. However, as the EIA process progresses, should the Applicant decide that construction material will be obtained within the site, the ES should be clear as to what is proposed and ensure that all aspects of the development are appropriately assessed.
ID.6		Iterative changes following scoping.	<p>See section 6 of this Direction for PEDW's view on scoping flexibility. The applicant is reminded that regulation 17(4)(c) of the 2017 Regulations states that an ES must:</p> <p><i>'(c) where a scoping opinion or direction has been issued in accordance with regulation 14 or 15, be based on the most recent scoping opinion or direction issued (so far as the proposed development remains materially the same as the proposed development which was the subject of that opinion or direction)'</i></p>

ID	Reference in Scoping Report	Issue	Comment
ID.7	Aspects proposed to be scoped out		
ID.8	Table 1	Air Quality	<p>PEDW notes that Hafodyrnyys Road to the north of the Site is an Air Quality Management Area (AQMA). The proposed construction traffic route does not cross the AQMA at this stage. However, should the proposed construction traffic route change in future and affect the AQMA, the impacts on air quality will need to be addressed in the ES.</p> <p>Paragraph 3.6 of the SR notes that AIL will pass adjacent to Margam AQMA during turbine delivery. PEDW agrees that the potential impact of these deliveries will not be significant.</p> <p>PEDW therefore agrees that Air Quality can be scoped out based on the current information provided in the SR. However, this should be kept under review as the EIA process progresses</p>
ID.9	Table 1	Water Resources	<p>The Applicant's attention is drawn to the detailed comments provided by NRW at Appendix 1. NRW notes that the Proposed Development has the potential to impact on the local water regime both on the surface and underground. A survey of the hydrological features within the Site and up to 500 m from the Site boundaries is required. The proposal has the potential to impact the exiting water flows and quality during construction and decommissioning and a full hydrological and hydrogeological assessment is therefore required in the ES.</p> <p>NRW requires groundwater monitoring to establish baseline condition before construction. PEDW agrees with NRW and notes that a water monitoring plan should be prepared in consultation with NRW and the relevant LPAs and that enough information should be include in the ES to provide detailed baseline of the hydrological regime. Water monitoring can be a long process and therefore the Applicant is recommended to liaise with NRW</p>

ID	Reference in Scoping Report	Issue	Comment
			<p>regarding the requirements for groundwater monitoring following surveys and further site assessment.</p> <p>It is also noted from the Coal Authority's response (see Appendix 1) that shallow mining may be present. Shallow mining may contain groundwater and the potential effects of the proposal on groundwater (for example during the construction of the turbine foundations) need to be assessed in the ES.</p> <p>Based on the above, PEDW disagrees that hydrology can be scoped out of the EIA process and a full hydrological and hydrogeological assessment should be provided in the ES.</p>
ID.10	Table 1	Flood Risk	Based on the information provided in the SR, PEDW agrees that Flood Risk can be scoped out of the ES.
ID.11		Peat	<p>It is noted that peat may be present on Site but this is not accounted for in the SR. However, PEDW assumes that the Applicant is not proposing to address potential impacts to peat within the future ES. PEDW disagrees with this approach. Potential impacts on peat need to be addressed as part of the EIA process. The final design of the scheme should be informed by the presence of peat on Site. Therefore, a peat mapping exercise is required including desk based information and survey results. It is recommended that a survey area is clearly identified on a plan. Areas where peat is deeper than 0.5 m should be avoided. Peaty areas that cannot be avoided should be surveyed in accordance with the Scottish Government Guidance "Guidance on Developments on Peatland" (2017). A 10 m by 10 m grid is considered acceptable.</p> <p>Peat depth surveys should be conducted 25 m either side of proposed tracks. The ES should identify all survey points on a Figure to illustrate the extent of the peat survey. The ecological effects of disturbing peat on site</p>

ID	Reference in Scoping Report	Issue	Comment
			<p>should be addressed in the ecology chapter of the ES. Depending on the results of the survey, a peat management plan may be included in the ES.</p> <p>The ES should include an indication of hydrological flows through the peat and whether Groundwater Dependant Terrestrial Ecosystems (GWDTEs) are present within the Site or its Zone of Influence (Zoi). PEDW recommends that the hydrological assessment should clearly define the Zoi of the Proposed Development and the ES should cross reference the ecological and hydrological assessments.</p>
ID.12	Table 1	Ground Conditions and land contamination	<p>PEDW disagrees that ground conditions should be scoped out of the EIA process. PEDW notes the Coal Authority and CCBC comments at Appendix 1. The Site falls within a high risk coal mining area and certain parts of the Site are affected by contamination. A ground condition and land contamination assessment needs to be included in the ES. PEDW notes the Coal Authority comments on the provided Coal Mining Risk assessment and agrees that excluding risk of shallow mining is premature at this stage. The ES should include a Coal Mining Risk Assessment, including risk of subsidence. Areas at risk should be avoided. Where different types of turbine foundations are required, the Applicant should consider that this may have an impact on other aspects (for example ecology, noise and traffic). The ES should include a detailed description of construction methods and the worst-case scenarios considered as appropriate.</p> <p>The Applicant's attention is also drawn to TCBC comments regarding the impact of the proposal on aggregates resources. This needs to be addressed in the ES.</p>

ID	Reference in Scoping Report	Issue	Comment
			The ES should include an outline Construction and Environmental Management Plan (CEMP). The CEMP should include measures to address contamination on Site and pollution prevention.
ID.13	Table 1	Human Health	PEDW agrees that human health can be addressed within other chapters such as noise, shadow flicker, water resources and ground conditions and contamination.
ID.14	Table 1	Aviation and Defence	PEDW disagrees that Aviation can be scoped out of the ES. Consultation with NATs, the MoD and Cardiff International Airport needs to be carried out and mitigation measures may be required to ensure that the proposal does not affect operational safety. This needs to be addressed appropriately in the ES.
ID.15	Table 1	Telecommunications	PEDW disagrees that Telecommunications can be scoped out of the ES. Consultation with OFCOM and utilities providers needs to be carried out and mitigation measures may be required to ensure that the proposal does not affect utilities operations. This needs to be addressed appropriately in the ES.
ID.16	Table 1	Wind microclimate	PEDW agrees this can be scoped out of the EIA process
ID.17	Table 1	Agricultural Land	Based on the information provided in the SR, PEDW agrees this can be scoped out of the EIA process
ID.18	Table 1	Waste	An outline Construction and Environmental Management Plan (CEMP) is required as part of the ES. The production of waste material during construction should be considered. This information should inform aspects assessment consistently throughout the ES. Waste is therefore scoped into the ES. It may be addressed within other relevant chapters or as a separate chapter.

ID	Reference in Scoping Report	Issue	Comment
ID.19	Table 1	Accidents and Disasters	<p>The Applicant's attention is drawn to comments received from the Coal Authority regarding the risks in relation to former mine workings. See also comments above.</p> <p>The Applicant's attention is also drawn to the response received from HSE, which indicates the presence of Major Hazard Pipelines safety zone within the proposed development area. The applicant should liaise with HSE over this issue and address it as appropriate in the ES.</p> <p>The proposal includes energy storage facilities and at this stage it is not clear which type of technology will be proposed. PEDW notes that there is a potential fire risk associated with certain types of batteries such as lithium-ion and that safety measures are required in the design to minimise the risk of fire. PEDW considers this to be part of the EIA process in line with Schedule 4 of the EIA Regulations.</p> <p>If appropriate, the applicant may consider the submission of a Battery Safety Management Plan confirming that the risks are understood, accounted for and mitigated as far as practicable, in agreement with relevant consultees. The applicant is reminded of the responsibilities set by the Regulatory Reform (Fire Safety) Order 2005. The ES should ensure that risks of accidents are accounted for and mitigated in line with Schedule 4. A proportionate section on this aspect should be included in the ES.</p> <p>Vulnerability to risks of major accident or disaster is therefore scoped into the ES. It may be addressed within other relevant chapters or as a separate chapter.</p>
ID.20	Table 1	Climate Change	<p>PEDW agrees that Climate Change can be addressed as part of other aspects. The SR states that a carbon calculation will be conducted. This</p>

ID	Reference in Scoping Report	Issue	Comment
			should be included in the ES and should consider the effects of the Proposed Development on peat. Therefore, this aspect is not Scoped out of the EIA process.
	Socio-economics		
ID.21	Section 4	Socio- economics	PEDW agrees with the approach provided in the SR.
	Landscape and Visual Impact Assessment		
ID.22	5.8	Approach	See comments from consultees at Appendix 1.
ID.23	5.12	LVIA Search and Study Areas.	The applicant's attention is drawn to comments from NRW regarding the interpretation of NRW's LANDMAP Guidance Note 46. PEDW agrees with NRW that the ES should employ a search area of 26 km and a study area of 24 km, based on that guidance.
ID.24	5.13	Viewpoints & Photomontages	<p>PEDW notes that due to the scale of the plan provided at Appendix 3 of the SR, it is difficult to note the exact location of the viewpoints proposed.</p> <p>A number of consultees has suggested additional viewpoints (see Appendix 1). Additionally, Photomontages are required. These are to be produced in accordance with Landscape Institute Technical Guidance Note (TGN) 06/19 and SNH Visual representation of wind farms (2017). The Applicant should note that many large scale wind farm projects are proposed within the area (see Section 6 of this Scoping Direction) and the photomontages should consider the cumulative effects as far as possible.</p> <p>The Applicant should agree the final list of viewpoints and photomontages with the relevant consultees.</p>
ID.25	5.14	Cumulative impacts	There are a significant number of renewable energy schemes at various stages of the consenting process that could result in cumulative effects and

ID	Reference in Scoping Report	Issue	Comment
			the current policy environment is supportive of renewable energy. The applicant is therefore advised to monitor progress of other schemes (see section 6 of this Scoping Direction) and to ensure an accurate and up to date baseline upon finalisation of the ES. See Consultees' comments in this regard.
ID.26		Night-time assessment.	PEDW notes that night-time assessment is not mentioned in the SR. The LVIA should address the potential for wind turbines to give rise to a potential night- time visual impact due to anti collisions lights and need to consider the BBNP's status as a Dark Sky Reserve.
Ecology			
ID.27	6.5 & 6.23	Silurian moth	PEDW notes that supporting habitats have been identified on Site but they are not shown in the SR. It is noted at paragraph 6.23 of the SR that there are no records of Silurian moth within 2 km of the Site. It is noted that the Applicant does not intend to complete a detail assessment for Silurian moth but it is unclear whether this approach has been agreed with TCBC. A clarification is sought in the ES.
ID.28	6.10	SSSIs	There is not enough information provided in the SR to scope out Tyr Hen Forwyn SSSI at this stage, therefore the statutory site is provisionally scoped in. PEDW agrees that the two Geological SSSIs identified within 5 km of the Site can be scoped out.
ID.29	6.5	Dormice	The SR states that the habitats present within and adjacent to the Site are not considered to be supportive to dormice. However, the access road is surrounded by hedgerow and trees and has not been assessed during the Phase 1 Habitat surveys. Works to the access roads may affect dormice supportive habitats and thus further assessment on dormice is not scoped out of the EIA process . Further survey work will need to be conducted at the appropriate time of the year and the results reported in the ES. See also NRW comments at Appendix 1.

ID	Reference in Scoping Report	Issue	Comment
			Additionally, the Applicant is reminded that heath and bracken, although suboptimal, can offer nesting opportunities for dormice.
ID.30	6.5	Great Crested Newts (GCN)	The SR states that GCN were found to be present within the Site. It is unclear how the surveys were conducted, for example the SR does not clarify whether 6 visits to assess the population were completed. This should be clarified in the ES and the assessment should be accompanied by a full set of mitigations. It is understood that surveys were conducted in 2021. The Applicant should be mindful of the CIEEM guidance on the lifespan of ecological surveys and reports .
ID.31	6.5	Reptiles	Mitigation measures to prevent harm to reptiles during construction should be included in the ES.
ID.32	6.5	Badgers	The SR states that no setts or other evidence of badgers were found on Site. However, PEDW is unable to find in the SR when the Phase 1 Habitat survey was conducted. If the Phase 1 Habitat survey has been carried out during a suboptimal time, it may not be possible to conclude that there were no signs of badger activity. A repeat survey may be required. Mitigation measures should be included in the ES.
ID.33	6.14 – 6.22	Section 7 habitats and species- Phase II Vegetation survey	The SR does not state how impacts on Section 7 habitats and species will be avoided. At this stage it is unclear how this will be achieved as only a Phase 1 Habitat survey has been conducted. Due to the presence of the priority habitats identified, additional vegetation surveys are required. The Phase II Vegetation survey can be designed to follow the methodology described in Rodwell, J. S. (2006). National Vegetation Classification: Users' handbook. Representative quadrats should be selected taking into consideration not only the final location of the turbines (including micro-siting) but associated infrastructure and construction areas (including borrow pits if relevant). The survey results should inform the assessment of the potential impact on non-statutory designated sites. See also RCTCBC comments at

ID	Reference in Scoping Report	Issue	Comment
			Appendix 1.
ID.34	6.27	Bats (activity surveys)	<p>The SR states that the “Scottish Natural Heritage (2019). Bats and onshore wind turbines - survey, assessment and mitigation. NatureScot, Inverness” guidance will be followed but it is noted that no transect surveys or vantage point surveys are proposed.</p> <p>The Applicant is reminded that the most up to date guidance is the NatureScot guidance “Bats and Onshore Wind Turbines - survey, assessment and mitigation” (August 2021). The SR states that “it is otherwise left to the professional judgement of the consultant to advise what complementary surveys are appropriate. However, the guidance is clear that these survey methods are there to complement the information gathered from static detectors. Transect surveys should be conducted at the appropriate time of the year.</p> <p>PEDW notes that the access route will require upgrade works but this has not been considered during the Phase 1 Habitat survey. Should trees be affected by the works, these should be assessed for bat roots potential and surveys be conducted appropriately. See also NRW comments at Appendix 1.</p>
ID.35	6.27	Bats (risk of collisions)	<p>PEDW does not have the expertise to advise on this matter and thus it is recommended that the applicant continues to engage with NRW and relevant LPAs once the baseline surveys are complete and the model prepared. As this is a highly technical subject, the applicant may want to explore the possibility of engaging the relevant parties with the preparation of Statements of Common Ground.</p>
ID.36	6.27	Otters and Water voles	<p>PEDW agrees with proposed survey approach. See also Appendix 1 comments.</p>

ID	Reference in Scoping Report	Issue	Comment
ID.37		Pine Marten	See NRW comment on Pine Marten at Appendix 1.
ID.38	Table 4	Peat & Groundwater Dependent Terrestrial Ecosystems (GWDTEs)	The SR does not mention the potential for GWDTEs to be affected by the proposal even though there is potential for peat deeper than 0.5 m to be present. The Ecological assessment should consider GWDTEs, with reference to the hydrological assessment.
ID.39		Approach to mitigation	No details are available at this stage in terms of mitigation and enhancement, but the ES should include a detailed ecological management plan, including targets and enhancement objectives specific to the habitats and species present on site. The plan should include monitoring, in particular post construction bat monitoring [see Section 8 of the NatureScot guidance "Bats and Onshore Wind Turbines - survey, assessment and mitigation" (August 2021)] and indicate triggers which would prompt changes in the management of the site. Net benefits should be clearly identified. At this stage, PEDW is not in a position to provide further recommendations for the delivery of specific mitigations. It is recommended that relevant consultees are further engaged once a draft mitigation proposal is emerging.
ID.40		Cumulative assessment	The Applicant is strongly advised to include relevant DNS schemes that have reached the EIA scoping stage in the assessment of cumulative effects for this ES. See also section 6 of this Scoping Direction.
	Ornithology		
ID.41	7.7	Vantage Point (VP) surveys	PEDW notes that the surveys conducted in 2020 / 2021 does not include migration periods (July to October). No justification is provided in the SR to explain this limitation. The exclusion of these months in the survey effort may have resulted in a under estimation of the potential presence of wader and migratory wildfowl. PEDW agrees with the concern expressed by NRW. Survey limitations indicated by statutory consultees should be robustly

ID	Reference in Scoping Report	Issue	Comment
			justified in the ES. The Applicant may wish to consider additional survey efforts during the second survey year to compensate for the limitations indicated.
ID.42	7.11	Statutory Sites	The potential effects of the Proposed Development on wintering wildfowl population at Llandegfedd Reservoir SSSI should be considered as part of the assessment.
ID.43		Approach to mitigation	No details of mitigation or enhancement are available at this stage but the ES should include a detailed ecological management plan, including targets and enhancement objectives specific to the habitats and species present on site. The plan should include monitoring and indicate triggers which would prompt changes in the management of the site. Any net benefits should be clearly identified.
ID.44		Risk of Collision	The SR does not include details of how the Collision Risk Modelling will be prepared. This concerns PEDW as correction factors may need to be applied and the cumulative impacts within this area may be significant. PEDW does not have the expertise to advise on this matter and thus it is recommended that the applicant continues to engage with NRW and relevant LPAs once the baseline surveys are complete and the model prepared. As this is a highly technical subject, the applicant may want to explore the possibility of engaging the relevant parties with the preparation of Statements of Common Ground.
ID.45		Cumulative assessment	As set out at section 6 of this Scoping Direction, the applicant is strongly advised to include relevant DNS schemes that have reached the EIA scoping stage in the assessment of cumulative effects for this ES.
	Cultural Heritage		

ID	Reference in Scoping Report	Issue	Comment
ID.46	8.4	Baseline & Unrecorded Assets	<p>As noted by Cadw, the potential for archaeological assessments should not be discounted prior to the results of the desk-based and walkover surveys being known and understood. The applicant is encouraged to consult with the Glamorgan and Gwent Archaeological Trust.</p> <p>It is recommended that the baseline collection be carried out in accordance with the “<i>Standards and Guidance for Desk-Based Historic Environment Assessment</i>” produced by the Chartered Institute for Archaeologists and this should include consulting documentary, cartographic, aerial photographic and Lidar information. A walkover survey should also be carried out after the desk-based work in order to clarify the evidence produced during that phase of the study. It is also expected that a geophysical survey will be carried out in the areas surrounding the proposed turbine bases, in order to provide additional information and to assist micro siting at a later stage. There may also be a need for archaeological evaluation (trial trenching) to be carried out to confirm the nature and significance of archaeological sites which have been identified. See also comments from Cadw and CCBC.</p>
ID.47	8.11	Study area	<p>The impact of the windfarm on the settings of the designated historic assets should be assessed in accordance with the guidance given in the Welsh Government document “The Setting of Historic Assets in Wales”. The assessment should not be limited to 1 km study area. See also Cadw comments at Appendix 1.</p>
ID.48		ASIDOHL	<p>It is unclear whether an ASIDOHL is required in relation to landscape of special historic interest. The applicant should liaise with Cadw, who will curate the assessment.</p>

ID	Reference in Scoping Report	Issue	Comment
Traffic and Transport			
ID.49	9.4	Transport Assessment	PEDW draws the Applicant's attention to CCBC and Welsh Government's comments at Appendix 1. PEDW recommends that a full transport assessment is included in the ES.
ID.50	9.8 and Table 7	Extent of the impacts and criteria	<p>PEDW notes that IEMA's Guidelines for the Environmental Assessment of Road Traffic (GEART) set out potential receptors that could be affected. However, these are not all reflected in Table 7, which sets out the effects that the applicant considers likely and that will be taken forward in the assessment. The SR does not explain why the effects that will be considered do not include, for example, effects on sites of ecological and nature conservation value, even though they are identified as potential receptors in GEART.</p> <p>The ES should fully explain and justify the rationale that is used to support the selection of effects for further assessment.</p>
Noise & Vibration			
ID.51	10.2	Baseline	The SR states that no current baseline noise data exists and that background noise monitoring will be agreed with the relevant Environmental Health Officers. PEDW supports this approach.
ID.52	10.5	Significance of effects.	The applicant should note that the noise limits set in ETSU-R-97 are not a definition of significance. The applicant is reminded of paragraph 3.2.8 of the Institute of Acoustic Good Practice Guide on the application of ETSU-R-97 (2013) which states that single lower fixed limits can be used where background noise levels do not vary significantly between amenity periods

ID	Reference in Scoping Report	Issue	Comment
			<p>and night-time periods, with the agreement of the relevant authorities. The applicant is encouraged to liaise with CCBC and TCBC on the approach to noise assessment.</p> <p>The ES should demonstrate compliance with ETSU-R-97 and clearly explain how significant impacts are identified.</p>
ID.53	Table 8	Receptors	Ecological receptors such as birds should be considered as part of the assessment, both during construction and operations. The results of these assessments should be addressed appropriately in the ecological assessment.
ID.54		Cumulative Impacts	Please see section 6 of this Scoping Direction and Consultees responses.
	Shadow Flicker		
ID.55	11.3	Shadow Flicker.	See section 6 of this Direction in relation to the application of ten rotor diameters as a cut off. The ES should provide a clear rationale as to the methodology adopted, and why it is considered appropriate given the scale of turbines proposed.

9. Other Matters

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

9.1 Habitats Regulation Assessment

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

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

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

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

9.2 SuDS Consent

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

Tŷ Tredomen,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7WF

Tredomen House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7WF



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Corporate Director - Economy and Environment

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Adeline Wilcox
Planning & Environment Decisions
Wales
2nd Floor West
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

**Head of
Regeneration and
Planning**

Your Ref/Eich Cyf:

Our Ref/Ein Cyf:
Contact/Cysylltwch

Telephone/Ffon:

E Mail/E Bost:

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EIASCO/21/0009

Justin Waite

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22/12/2021

Dear Ms Wilcox

RE: EIA Scoping Consultation Request – Mynydd Maen Wind Farm on Land Between Newbridge and Cwmbran

I write in response to your request under regulation 33(7) of the Environmental Impact Assessment (Wales) Regulations 2017 for advice regarding the scope of information to be provided in an Environmental Statement (ES) relating to the above proposed Development of National Significance (DNS) on land at Mynydd Maen between Newbridge and Cwmbran. I apologise for the delay in my response.

The information submitted by the applicant indicates that the proposed wind farm development would comprise of up to 15 wind turbines with a generating capacity of up to approximately 75MW. The proposed wind turbines would have a maximum blade tip height of 149.9m from ground level and would have an operational life of 25-30 years. Proposed ancillary infrastructure would comprise of the following:

- Wind turbine transformers and switchgear (if located outside of the wind turbine tower);
- Wind turbine foundations;
- Crane hardstanding;
- Control building, substation and storage compound;
- Electrical cabling;
- On-site access tracks, entrances and exists;
- Temporary enabling works and construction compounds;
- Temporary hardstanding for laydown areas; and
- Temporary power performance masts.

The site covers an extensive area of land (approximately 2,029 ha in total) and predominantly comprises of rough pastoral grassland, scrub and woodland. Much of the eastern part of the site within Caerphilly County Borough is designated as common land and there are a number of public rights of way crossing the site. Some dispersed upland dwellings also fall within the site.

There are no statutory landscape, nature conservation or cultural heritage designations located within the site. A review of the Caerphilly County Borough Local Development Plan up to 2021 has, however, identified the following local designations and allocations that fall within the site:

- Visually Important Local Landscape (VILL) – NH2.3 Abercarn.
- Sites of Importance for Nature Conservation (SINCs) – NH3.106 Coedcae Watkin Dafydd, East of Crumlin; NH3.113 Mynydd Maen, East of Newbridge; NH3.124 Gwyddon Valley Woodlands, Abercarn; and NH3.134 Cwm Gofapi Woods, Cwmcarn.
- Sandstone Safeguarding Area.
- Mineral Site Buffer Zone – MN1.3 Hafod Fach Quarry.
- Safeguarded Cycle Routes – TR1.11 Local Links from Crumlin and TR1.15 Link from Crosskeys NCN47 to Newbridge.
- Tourism Proposal – TM1.7 Nantcarn Valley, Cwmcarn.

In respect of other constraints, parts of the site fall within a high risk coal mining area and certain parts of the site and surrounding area are known to be affected by contamination.

In order to determine whether the level of information and environmental assessments proposed within the submitted Scoping Report (SR) are acceptable, a number of specialist officers have been consulted. A summary of the comments received in relation to specific environmental factors are provided below.

Landscape and Visual

The general approach to undertaking the landscape and visual impact assessment as set out in Chapter 5 of the SR is considered to be acceptable. Moreover, the intention to undertake this assessment in accordance with the Landscape Institute and Institute of Environmental Management and Assessment 'Guidelines for Landscape and Visual Impact Assessment (GLVIA 3 / Third Edition, 2013) is welcomed.

The exact locations of the viewpoints as shown on the Zone of Theoretical Visibility (ZTV) are, however, difficult to discern due to the scale of the submitted plan in Appendix 3 of the SR. A more detailed ZTV will therefore be required for a 15km study area. This will in turn enable a clearer assessment of the selected viewpoints to be made, including a judgement on whether they are correctly located and/or additional viewpoints are necessary. The more detailed viewpoints plan should cover a 15km radius on a 1:25,000 OS scale plan and be supported with baseline photographs, wireframes and visualisations/photomontages. The assessment will also need to consider the effects on sequential views of those experienced by users of the public rights of way network, including long distance walking and cycling routes, within the ZTV. It should be noted that some public rights of way pass through the site and wind turbines will be visible

from close, mid and distant range views. As such, the cumulative effect of constantly seeing views of the proposed wind turbines also needs to be addressed.

In terms of cumulative impacts, it is important that the most significant cumulative effects are addressed as clearly and robustly as possible. Particular regard must be had to existing and consented wind turbines at closer distances and in proximity to one another, and instances where receptors view wind turbines from more than one aspect. The study area should be clearly defined at 30km and cumulative ZTVs should also be carried out at a more detailed study area of 15km radius on a 1:25,000 OS scale plan. The cumulative assessment should include wind turbines that are operational, consented and in the planning system. In respect of the latter, the recently submitted DNS wind farm proposals at Mynydd Llanhilleth, Mynydd Abertillery, Mynydd Carn y Cefn and Manmoel should be included within the cumulative assessment. Other large scale energy infrastructure, such as solar parks, should also be considered for inclusion in the cumulative assessment, where appropriate. It is recommended that a draft cumulative ZTV is provided at an early stage in the planning process to allow dialogue and agreement on the number and location of viewpoints, along with accompanying visualisations that will be required.

With regards to residential amenity, a separate residential visual amenity assessment is required, which must be in accordance with The Landscape Institute Technical Guidance Note 2/19 (2019). A study area of 2km will be required as residents are likely to experience potentially significant visual effects within this distance.

In addition to the above, the following information should also be provided: suitably scaled plans showing the wind farm layout, including the location and details of the wind turbines and all ancillary infrastructure; and scaled detailed plans showing the typical wind turbine footprint, scale, form and appearance and lighting, if necessary.

Traffic and Transport

The traffic and transport assessment which is set out in section 9 of the SR would only assess the construction and operational phases of the development. This is considered to be acceptable along with the methodology for the proposed transport assessment. However, for clarity, the following should be considered as part of the assessment:

- Impact on the local highway network during the construction phase;
- Any short-term junction / highway mitigation to accommodate any abnormal loads;
- Haul route;
- Projected daily vehicle type and numbers;
- Full access details into the site;
- Swept path analysis of proposed largest vehicle using route and access;
- Internal parking / loading and unloading areas;
- Construction staff numbers; and
- Provision of a construction traffic management plan.

Cultural Heritage

Whilst the identification of Cadw's 'Conservation Principles for Sustainable Management of the Historic Environment Wales' as best practice in Chapter 8 of the

SR is welcomed, other relevant advice and guidance that should be considered include Cadw's 'Managing Historic Character in Wales' (May 2017), Cadw's 'Setting of Historic Assets in Wales' (May 2017) and Technical Advice Note 24: The Historic Environment (May 2017). It is also recommended that any identified impacts on historic assets, such as the setting of Listed Buildings or Scheduled Ancient Monuments, are assessed via, among other things, a form of visual assessment which may include photographs, wireframes and visualisations/photomontages.

It is noted that an assessment of archaeological remains will be undertaken. Such an assessment should include an archaeological desk-based assessment to the Standards and Guidance of the Chartered Institute of Archaeologists. The potential need for further archaeological works will depend on the findings of the desk-based assessment. Depending on the nature of such further works it may be appropriate to undertake them pre or post-determination of any future planning application. It is also recommended that all archaeological work is carried out by a registered organisation with the Chartered Institute for Archaeologists, or by a full Member of the Chartered Institute for Archaeologists.

Noise and Shadow Flicker

The general approach to undertaking noise impact and shadow flicker assessments as set out in Chapters 10 and 11 of the SR respectively is considered to be acceptable. Moreover, the intention to undertake the noise impact assessment in accordance with ETSU-R-97 is welcomed. The number and location of baseline noise surveys will, however, need to be agreed and consideration should be given to the need for any cumulative impact assessments.

Other matters

As indicated above, areas of contamination are known to exist within the proposed site and surrounding area. As such, a contaminated land assessment which considers risks and mitigation requirements for the proposed development may be required. It will, however, only be possible to confirm this requirement when a more definitive and detailed site layout is available.

I trust the above will be of assistance; however, if you require any clarification or further information, please do not hesitate to contact me.

Yours faithfully

Justin Waite (Principal Planning Officer)

Your ref/Eich
cyf:
Our ref/Ein cyf: 21/P/0896/DNS
Date/Dyddiad: 22 December 2021

Please contact/Cysyllter
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Direct line/Llinell union: [REDACTED]
Direct fax/Llinell ffacs: 01633 647328
Email/Ebost: planning@torfaen.gov.uk

Giulia Bazzoni
The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dear Giulia

RE: Consultation on Scoping Opinion for construction of a Wind Farm of up to 15 turbines and associated infrastructure EIA Scoping
AT: Mynydd Maen, Between Newbridge And Cwmbran, NP4 6US

Thank you for the consultation on the above EIA Scoping request 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 at Mynydd Maen between Newbridge and Cwmbran.

The proposal comprises up to 15 wind turbines (149.9 metres max to tip height) with ancillary development comprising Wind turbines;

- Wind turbine transformers and switchgear (if located outside the wind turbine tower);
- Turbine foundations;
- Crane hardstandings;
- Control building, substation, and storage compound;
- Electrical cabling; and
- On-site access tracks, entrances, and exits.

The site is located on Mynydd Maen between the towns of Newbridge and Cwmbran to the immediate west and east of the site. The site covers approximately 2,029 ha, and predominantly comprises rough pastoral grassland, scrub and scattered deciduous woodland. The north western portion of the site includes pockets of coniferous woodland. The site lies approximately 472 m above ordnance datum (AOD) at its highest point.

The submitted Scoping Report (SR) provides details of the proposed works, consideration

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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.

The SR has been circulated to TCBC's internal consultees. A list of consultees and their responses is provided in Appendix A. Further advice on some of the unanswered questions may be given at the pre-application stage.

Consultees have responded positively and the approach set out in the scoping report is generally acceptable. Some additional comments have been made by some consultees which the applicant is advised to take into account when preparing their Environmental Statement (ES). The proposed EIA covers the main elements required by the regulations and provides a good level of detail on how the assessment will be carried out. However, in summary, the scope of the ES should address the grid connection in a proportionate manner based on the level of certainty as to the likely connection route at the time of the DNS application being made, despite the SR indicating that the grid connection may be subject to a separate consent regime. The ES needs to assess the whole impact of the development which includes the grid connection.

We have recently been consulted on a number of DNS applications for wind turbines. Due to their proximity to this site and the potential cumulative impacts then it is advised that these developments are assessed when considering the cumulative impacts of the proposal.

Advice has also been given in relation to the LVIA, assessing cumulative impacts of other developments already in the DNS process but not yet consented.

I can confirm that TCBC as Local Planning Authority, is satisfied the information provided in the Scoping Report provides an acceptable basis for preparing an ES to support an application for this development subject to the comments from the Consultees as set out in Appendix A.

Yours sincerely

Mrs Helen Smith
Prif Cynllunydd/Principal Planner
RHEOLI DATBLYGAU / DEVELOPMENT MANAGEMENT

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Tŷ Blaen Torfaen ~Panteg Way~New Inn~Pontypool~ Torfaen~NP4 0LS. Tel: 01495 762200 ~Fax: 01633 647328

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Appendix A – Consultee comments

Landscaping

Happy with the proposed EIA Scoping report for Proposed Mynydd Maen Wind Farm in terms of methodology for Landscape and Visual Impacts. Agreed viewpoints may need further consideration. Photomontages of certain key views may be required.

The cumulative impact of approved schemes in the locality as per Forward Planning's comments should be fully considered.

Ecology

Having read the EIA scoping report provided I note the sections on Ecology and Ornithology and offer the following:

- Section 6 of the report – written by BSG Ecology – sets out the proposed approach to assessing the potential ecological effects of Mynydd Maen Wind farm, and includes a SEWBreC data search.
- There are protected, invasive and notable species within 2km of the site (10Km for bats in line with recommendations in industry standard guidance). No non-native invasive species were noticed on site during the surveys.
- As outlined in section 6.23 & 6.27 the following species will require further survey work:
 - Bats – survey methods detailed in 6.27 a);
 - Otter – survey methods detailed in 6.27 b);
 - Water vole – survey methods detailed in 6.27 c).
- Positive result for Great Crested Newt in ponds 1 & 3 through eDNA surveys were confirmed, with a combined total of 16 individuals recorded for the 3 ponds. The report recommends that potential impacts to GCN be subject to a detailed assessment.
- The report states that no further detailed assessments are required for the following species: badger; Dormouse; Reptiles; Silurian Moth.
- Section 7 – Ornithology – a total of 36 hours of survey work has been undertaken, completed at each of the three vantage point locations as outlined in section 7.7 between April-July 2020, and October-March 2020-21. Breeding raptor surveys were undertaken during 3 visits between April-July 2020. Breeding wader surveys were undertaken between April-July 2020. Nightjar surveys undertaken between June-July 2020. Further survey work for birds is required and is outlined in section 7.31, some of which was proposed for 2021-22 and is likely already underway.
- All further required survey work must be undertaken in line with the recommendations set out in the report, in accordance with accepted survey methodologies and the reports must include recommendations for any required mitigation and enhancements.

Environmental Health (Noise/Contamination)

Public health note the methodology for the noise impact section of the report.

The report producer should note the following information requirements regarding noise reports for applications for wind farms.

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All applications submitted to Torfaen County Borough Council should contain adequate information to assess whether or not noise issues are likely. Where potential issues are identified further information, assessment and mitigation should be submitted, regardless of the size or number of wind turbines involved. We appreciate that undertaking formal noise assessments in relation to small wind turbine developments are likely to be prohibitive, due to costs, however this is a factor that needs to be considered.

Site Specific Desktop Noise Assessment

All applications submitted must include a desktop noise assessment which is specific to the development locality. The desktop noise assessment should contain all the following information;

- A twelve figure national grid reference for the precise location of the turbine
- Identification of the nearest noise sensitive premises and details of their respective distances from the proposed development. Property that is in ownership of the applicant should also be included. A statement should be provided as to whether any properties in ownership of the applicant are let to third parties.
- The make, model, hub height, declared apparent emission sound power level and rotor diameter of the proposed turbine.
- The most recent turbine-specific noise report (usually supplied by the turbine manufacturer) providing information on the derivation of the sound power level of the turbine, including the level of uncertainty and information on tonality. The assessment must have been undertaken and reported in accordance with; Small Wind Turbines (rotor diameter of 16m or less) Large Wind Turbines (rotor diameter above 16m) The British Wind Energy Association (BWEA) "Small Wind Turbine Performance and Safety Standard' 29 February 2008 Most recent version of IEC 61400-11.

A modelled assessment detailing the predicted level of turbine noise for each identified receptor for all wind speeds up to and including;

Small Wind Turbines Large Turbines

Indices LAeq, T LA90, 10 minutes

Wind Speeds Up to and including wind speeds of 8 m/s at rotor centre height Up to and including wind speeds of 10 m/s at 10m height

Where multiple small or large turbines are proposed, a desktop noise assessment must be submitted that demonstrates that the cumulative noise emissions from the turbine will not exceed the noise limits specified in the small or large wind turbine condition.

Identification of existing turbines, consented turbines and any turbines currently the subject of an application or screening opinion within a 2 kilometre radius of the proposed development, including their respective distance to the proposed development and any likely cumulative noise impact.

Small Wind Turbines

The British Wind Energy Association (BWEA) document 'Small Wind Turbine Performance and Safety Standard' 29 February 2008, provides a method for evaluation of wind turbine systems in terms of acoustic characteristics. Small Wind turbines may be characterised by having a rotor

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swept area of 200 m² or less and a rotor diameter of ~ 16 m for horizontal-axis wind turbines. The acoustic noise data associated with the wind turbine should be summarised on a noise label.

The key objective of Torfaen County Borough Council will be to ensure that, where possible, noise levels for small wind turbine/s are limited to an absolute level of 35 dBLA_{eq,T} as measured 3.5 meters from the facade of any noise sensitive property at any time, at wind speeds up to and including 8m/s at rotor centre height. If compliance with this noise condition cannot be demonstrated, then the applicant will be expected to proceed with a site specific noise assessment

Large wind turbines

A site specific desk top study should be undertaken to demonstrate that the wind turbine will not exceed the large turbine noise condition, which is noise from the proposed turbine(s) (inclusive of any tonal element) shall not exceed 35 dBLA₉₀, 10 min as measured 3.5 meters from the facade of any noise sensitive property at any time, up to on-site wind speeds of 10 m/s measured at a height of 10m.

Where the site specific desk top study demonstrates that the proposed wind turbine(s) do not meet the large turbine condition, then the applicant has the alternative to undertake and submit a site specific noise assessment.

Site Specific Noise Assessment

The main guidance document for assessing impact from wind turbines is ETSU-R-97 The assessment and rating of noise from wind farms.

Whilst it is important to understand that this document was written in respect of larger wind farms, its methodologies will form the basis of assessments of the impact of individual/multiple small and large sized wind turbines.

A site specific noise assessment should include all the requirements detailed above for the desktop study with the additional information:

A detailed background noise survey. Locations and details of which should be discussed and agreed with the local planning authority.

Predicted turbine(s) noise levels at the noise sensitive properties.

Noise limits specified in ETSU-R-97 and the difference between the predicted noise levels and ETSU-R-97 derived noise limits.

Please Note that the Local Planning Authority of Torfaen County Borough Council so reserve the rights of specifying a single noise limit, which are not specified in ETSU-R-97

Background Noise Measurements

- Locations to undertake background noise measurements must be representative of all noise sensitive properties and the amenity spaces of these properties.
- The locations of the background noise measurements must be discussed and agreed by the Local Authority prior to the commencement of monitoring.
- Images showing the location of the background measurements and their surrounding should be provided.
- The duration of undertaking the background noise measurements must be sufficient to represent the typical conditions. The monitoring duration must be at least one week.
- Background noise measurements should represent seasonal variety.

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- Atypical results should be removed from the background noise measurement results but should be retained by the developer to justify the reasons for their removal if requested by the Local Planning Authority.
- Rain affected data should be removed from the background noise measurement results but should be retained by the developer to justify the reasons for their removal if requested by the Local Planning Authority.
- Wind speeds of up to 12m/s should be included in the background noise measurement results
- Examples of typical sources that should not be included within the background noise measurements include; watercourse, quarry, construction sites, boiler flues, extraction fans, sewage pumps, foliage, wind chimes, road traffic.

Noise Predictions

- Predictions of noise levels must be made at noise sensitive properties. The predicted noise levels should be made at all wind speeds up to and including 10m/s at 10m height.
- The predictions must include any element of tonality or uncertainty factors that are specified within the noise assessment made in accordance with IEC61400-11.
- The predicted noise levels must be modelled either in line with:

Hemispherical Propagation calculation

Or

ISO 9613 â" 2 following the Institute of Acoustics Bulletin March/April 2009

- A full and detailed description of the above assessment should be provided which is specific to the proposed site. The assessment should address potential noise related impacts from blade swish, tonality, amplitude modulation, low frequency noise and wind shear. The assessment should be undertaken by a qualified and competent acoustician. All the data inputs, justification for use of these values, assumptions made, and margins of error must also be included in the assessment. Printouts from computer models used to make predictions or produce noise contour maps are insufficient by themselves.

Noise Conditions for Small Wind Turbines

The rating level of noise emission from the wind turbines (including the application of any tonal penalty) should not exceed a sound pressure level of 35 dBLAeq,T within the amenity space of any lawfully existing dwelling, at wind speeds up to and including 8m/s at rotor centre height. Measurements should be made at least 3.5m away from the building facade or any reflecting surface except the ground.

The measurement time period shall be based on BWEA blade length calculation (3.4.1):

$$t = 4 \cdot D \text{ seconds}$$

Where:

t - measurement period in seconds (Subject to a minimum period of 10 seconds)

D â" rotor diameter in meters

Post monitoring conditions will also apply, therefore:

Within 28 days from the receipt of written request from the Local Planning Authority, following a justified noise complaint the operator of the development shall, at its expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainant's property following the procedures described in ETSU-R-97 'The Assessment and Rating of Noise from Wind Farms'.

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During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in the above Condition the wind turbines will be modified, limited or shut down. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in the above Condition.

Noise conditions in relation to a large wind turbine

Torfaen County Borough Council will try to limit the noise emissions from large wind turbine(s) to a sound pressure level not exceeding 35dB LA90, 10 mins at wind speeds up to and including 10m/s at 10m height. Measurements should be made at least 3.5m away from the building facade or any reflecting surface except the ground.

Where this is not possible ETSU-R-97 conditions will apply, based on the background noise levels and predictions submitted.

Post monitoring conditions will also apply, therefore:

Within 28 days from the receipt of written request from the Local Planning Authority, following a justified noise complaint the operator of the development shall, at its expense, employ an independent consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbines at the complainants property following the procedures described in ETSU-R-97 'The Assessment and Rating of Noise from Wind Farms'.

- During the course of the investigation, should the wind turbine be identified as operating above the parameters specified in the above condition the wind turbines will be modified, limited or shut down. These measures shall be applied until such time as maintenance or repair is undertaken sufficient to reduce the absolute noise level of the operating turbines to within the parameters specified in the above condition.

Forward Planning

Comments based upon Mynydd Maen Wind Farm Environmental Impact Assessment Scoping Report (Barton Willmore, November 2021).

The proposal comprises up to fifteen wind turbines (5 MW and max 149.9 metres to tip height) with transformers and switch gear, foundations and hardstandings, control building, substation and storage compound, cabling and access track construction. Maximum installed capacity of 75MW. Located in an upland area comprising land within both Torfaen County Borough and Caerphilly County Borough, accessed from the A467 at Newbridge and local roads to the west of the site. It is noted that the applicants have determined that an EIA is required and this consultation is for an EIA scoping request. The proposal comprises a Development of National Significance (DNS) and is therefore submitted to Welsh Ministers for determination.

Torfaen has had a Renewable and Low Carbon Energy Assessment undertaken by the Carbon Trust (October 2020). The Assessment identifies the upland areas to the west of Cwmbran as one of the key areas for potential renewable energy generation in Torfaen. This is re-inforced by the designation of the Welsh Government's Pre-Assessed Area 10 for large scale wind turbines within which the majority of this site falls.

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Based upon the indicative positioning of the proposed turbines in the enclosed Site Plan (04412-RES-LAY-DR-TE-003) all bar T1 would be within the PAA, with T1 right on the edge of the designation. The principle of large-scale wind turbine development in general is therefore supported.

Forward Planning would request that Torfaen's Landscape Officer is consulted regarding the methodology and extent of the proposed landscape assessment and her advice noted.

A key consideration for Torfaen is the potential cumulative impacts from other proposed schemes in the wider area and especially to the north of the site. The Scoping Report refers to the need to address cumulative impacts from other committed developments in the area with a list of schemes for consideration to be agreed with both TCBC and CCBC.

Due to the significant potential for cumulative impact and consequential constraints to the amount of renewable energy that could be generated within Torfaen, we would suggest that the following need to be considered, regardless of their stage in development / gaining consent:

DNS 3278009 Abertillery Wind Farm 7 x 180 metre turbines (north of site)
DNS 3273368 Mynydd Llanhilleth Wind Farm 12 x 180 metre turbines (north of site)
DNS 3270299 Mynydd Carn Y Cefn 8 x 180 metre turbines (west of site)

It should also be noted that the site falls within an area designated under the adopted Torfaen LDP Policy M1 (Mineral Safeguarding Areas for Aggregates and Coal). Since the adoption of the LDP in 2013, WG policy regarding new coal extraction has changed so that the resources within Torfaen are now prevented from being worked and therefore that element of Policy M1 has been superseded.

As regards the aggregate resource (PSV Pennant Sandstone), the potential for extraction will need to be considered, taking into account the regional context of aggregates supply and demand and also the need for renewable energy generation in the light of meeting Welsh Governments' climate change commitments. Whilst not strictly a matter for a scoping opinion, it is considered appropriate to raise at an early stage in the process for further consideration.

These initial comments are given without prejudice to any future consultation response when further details of the proposal are made available.

Highways

No response

Drainage

No response

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St Mellons Business Park,
St Mellons,
Cardiff,
CF3 0EY

PEDW
2nd Floor West
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

ebost/email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Symudol / Mobile: [REDACTED]

14/12/2021

Annwyl Syr/Madam / Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016 (AS AMENDED) TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (WALES) REGULATIONS 2017

BWRIAD / PROPOSAL: CONSTRUCTION OF A WIND FARM OF UP TO 15 TURBINES WITH ASSOCIATED INFRASTRUCTURE

LLEOLIAD / LOCATION: LAND AT MYNYDD MAEN, BETWEEN NEWBRIDGE AND CWMBRAN

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 9 November 2021.

We have reviewed the document '*Mynydd Maen Wind Farm, Environmental Impact Assessment Scoping Report*' dated November 2021 by Barton Willmore LLP.

Based on the information submitted we provide the following advice in relation to Water Environment, Flood Risk, Landscape and Visual Amenity, Ecology and Ornithology with regard to matters to be scoped into the Environmental Impact Assessment (EIA) and included in the Environmental Statement due to likely significant effects from the scheme.

Water Environment

Site Hydrology and Hydrogeology

The potential impacts from a development to the hydrology and hydrogeology of the site and its surrounding area should be considered within the ES. This should consider possible impacts from the construction, operation and decommissioning of the development to the hydrology and hydrogeology of the site and its surrounding area. This can affect flood risk, drainage, water quality and lead to possible pollution incidents.

Surface and Subsurface Water Drainage

The proposed development has the potential to alter the natural drainage of the area by disturbing surface and subsurface water flows. This could also have potential impacts on aquatic habitat and species as well as water resources.

We consider that a hydrological features survey should form part of the ES. All boreholes, wells, ponds, springs, any private water supplies, ditches, culverts etc. on the proposal site and 500 meters beyond the site boundary, should be identified on a suitably scaled plan. The survey should also identify the main water courses and associated catchment or sub-catchment boundaries. The ES should consider how to protect the site's hydrology (both quantity and quality of the surface water and groundwater), in particular through maintenance of existing surface water features and hydrological regime.

The construction phase of the development has the greatest risk of impacts to surface and subsurface water drainage. Road and track construction; other hardstanding areas; and trench construction (including any backfill or packing of trenches) have the potential to create new preferential pathways which could interfere with the retention of flows within each catchment (or inter-catchment transfer of flow). This can result in interception and conveyance of subsurface flow to an alternative point of discharge. For example, new roads may block existing overland flow/run-off routes changing the natural drainage of an area. If this is not mitigated against then the development may result in increased surface water run-off, localised drying out, increased flood risk, pollution incidents and water quality issues. The ES should consider how road layouts can be planned to avoid unnecessary interception and re-routing of surface water flows through road drainage systems. Any crossings should also be minimised. Where a surface water feature, such as stream, spring or depression that would discharge storm run-off, has been identified in the route of the road, an appropriately sized culvert should be included to allow existing stream flow and storm run-off to flow unimpeded along its natural course. (Please note that consent will be required from the lead local flood authority if new surface water culverts are constructed or alterations made to existing structures or ordinary watercourses.) The ES should consider how the layout of the proposed development (including associated development) could impact on surface and subsurface drainage while identifying appropriate mitigation measures.

The ES should include design details for and an assessment of the impact of the proposed windfarm infrastructure, both temporary and permanent, including cable routes and depths (typically 1.3m deep), access road design and layout, borrow pit depths and locations, laydown areas, foundation design for the turbines and potentially stormwater ponds required for each turbine. The need and importance of both temporary and permanent drainage controls should be discussed within the ES. The ES should assess the impact of the spatial arrangements of the design (the spatial arrangements can have a major influence on the degree to which natural drainage and shallow groundwater may be altered by the operational site including the potential effects from hundreds of metres of cable trenches and access road drainage). The ES also needs to assess impacts on groundwater. As such the baseline groundwater conditions/levels across the proposed development area need to be established, notably within the locales of the proposed turbines and within areas that may have shallow groundwater such as the blanket bog, wet heath and springs. (This is important

because dewatering effects from the sizeable excavations required for the turbines may result in impacts some distance away from the excavations.)

Peat

Potential damage to peatland habitats and carbon stores is a potential likely significant effect. Development on peat has the potential to damage peat through direct disturbance or indirectly through the effects of changes to site hydrology leading to drainage, drying out and subsequent oxidation of peat. The ES should therefore consider the extent to which the proposed development may impact upon peat soils and peatland habitats.

The ES and scheme design should be based on comprehensive survey information concerning the extent, depth and condition of peat deposits across the site. We advise that the use of the 'Guidance on Developments on Peatland' is used and a Phase 1 Habitat types are also used to supplement the identification of areas of deep peat during the assessment of the windfarm layout. This approach should also be applied to the access route to the top of Mynydd Maen. Peat depth maps showing the extent and depth of peat deposits need to be produced so that they can be overlaid with other plans such as habitat survey maps.

We would expect that disturbance and/or destruction of peat would be avoided as far as possible, and where it is not possible, such impacts would be minimised. We would also recommend that opportunities to halt the deterioration of existing degraded peat and/or to restore active peat forming vegetation are exploited as part of the proposals for the site.

It is important to avoid the drying out of peat largely because it can result in the release of CO₂. Drying out of peatland can occur through:

- Dewatering during construction.
- Drainage of shallow groundwater that may be supporting the areas of peatland and other wet areas from operational cabling trenches and access road drainage.
- Thermal effects from the buried cabling.
- Compression effects from vehicular loading and operational access roads. This can alter the fabric of peatland and reduce the moisture content.

The following should therefore be scoped into the ES:

- An investigation focused on groundwater and the relationship of groundwater levels to areas of peatland and wet heath, proposed turbine locations and boreholes, wells, ponds, springs, any private water supplies, ditches, culverts etc. The groundwater level information should be used to help inform the proposals impact on watercourses and features that exist both within the development site boundary and those outside of the site boundary. There is potential that springs and other water features may dry out if the operational windfarm has not considered potential alterations to the natural hydrodynamics that currently support springs and water features and their functioning. Groundwater levels should be investigated with appropriately positioned monitoring wells including proposed turbine locations through the use of dataloggers as these would provide real-time continuous data of groundwater levels across the site. A Groundwater Monitoring Plan should therefore be provided within the ES.

- An assessment of private water supplies both within the development site boundary but also within the 500m buffer from the development site boundary. It is possible that disturbance of the higher ground which defines the proposed development area may negatively impact upon the functionality of wells and springs located hydraulically downgradient. This impact may be both flow denigration but also water quality deterioration, the latter notably occurring when sediments are released and impact upon water turbidity. Turbine foundations, access road and cable trench all have the possibility of negatively impacting upon shallow groundwater and shallow drainage flow paths. This should be considered within the ES.

A typical turbine excavation could be >20m in diameter and approximately 7m to 9m deep, although the depths required will be influenced by the particular ground materials/conditions present. Baseline groundwater conditions therefore have the potential to be interfered with by the turbine excavations, notably through dewatering. This should be considered within the ES.

A typical access road section is founded on peat and this has the potential to compress the peat and therefore denigrate it. This should be considered within the ES.

A typical cabling trench shows cables embedded within a sand matrix at least 0.2m thick and 1.5m wide. The sand has the potential to act as a preferential flow-path as it will possess a greater hydraulic conductivity in relation to peat for example. This could lead to the cable trenches inadvertently acting as 'dewatering' features over many hundreds of metres and hence drying out areas/reducing the soil moisture of areas that currently rely on particular moisture conditions. This should be considered within the ES.

We may require identified groundwater features to be monitored during the proposed workings. We would therefore recommend that the survey be undertaken as soon as possible to enable the developer to carry out suitable baseline monitoring prior to the commencement of workings at the site.

Construction Environmental Management Plan

We note the intention to include within the ES details of a proposed Outline Construction Environmental Management Plan (CEMP) to ensure that the potential construction phase effects on land and water are fully controlled, and this is welcomed. The Outline CEMP should be created following a thorough desk study and field surveys and comply with all relevant [Guidance for Pollution Prevention](#).

To ensure the effectiveness of the Outline CEMP, a water quality monitoring plan should be incorporated into the CEMP to manage any effects on water quality during the construction phase of the proposal.

Chapter 3 – Scoping (Flood Risk)

3.8 states that '*Natural Resources Wales Flood Map [Check your flood risk by postcode] shows that the site is largely located within Zone A and is therefore considered to be at little or no risk of fluvial or coastal/tidal flooding. There are limited areas of Zone C2 within the*

south of the site, which are associated with two brooks (Cwm Gwyddon and Cwmcarn Forest).'

We note a small section of the site is located in Zone C2 associated with the fluvial risk from the Nant Gwyddon, the turbines themselves are not located within this area.

Based on this, any fluvial flood risk to the site is very low and we are of the view that all information within the scoping report has been appropriately considered at this stage. We agree with the scope of the EIA and ES and that fluvial flood risk can be scoped out in terms of likely significant effects.

Lead Local Flood Authority

Caerphilly and Torfaen County Borough Council drainage department in their capacity as lead local flood authorities may be able to advise on any local problems and need for permits in relation to any proposed works associated with the ordinary watercourses within the development site and any associated flood risk.

Chapter 5 - Landscape & Visual Amenity

The proposal is for up to 15 wind turbines and associated infrastructure, located approximately 5km from the boundary of the Brecon Beacons National Park (BBNP) boundary at its closest point to the north east and approximately 20km from the Wye Valley Area of Outstanding Natural Beauty (AONB) to the east around Devauden. The assumed maximum height of the turbines would be 149.9m to blade tip. The proposal lies on an area of open upland pasture land, scrub and deciduous and coniferous woodland at Mynydd Maen to the west of Cwmbran. The open access upland reaches a high point of 472m AOD at the highest point (Mynydd Twyn-glas). Electricity pylons cross the site and telecommunication masts lie in the north part of the site. Two existing wind turbines lie to the north west at Oakdale Business Park. The site lies within the South West Uplands Special Landscape Area (Torfaen County Borough Council) and the Abercarn Visually Important Local Landscape (Caerphilly County Borough Council).

The proposal lies within a Pre-Assessed Areas for Wind Energy (Area 10), as defined under Policy 17 of Future Wales: The National Plan 2040.

Assessment of Scoping Report

2.4 reference is made to the Blaenavon Industrial Landscape World Heritage Site (WHS), 10km to the north. The WHS overlaps with the BBNP and with the Blaenavon Registered Historic Landscape. The Glamorgan Gwen Archaeological Trust should be consulted with regard to the Registered Historic Landscape and Cadw on the WHS.

5.4 – 5.6 reference is made to the National Landscape Character Area (37 South Wales Valleys), LANDMAP, BBNP and Wye Valley AONB. Reference should also be made to the BBNP Management Plan and Special Qualities and to the BBNP Landscape Character Assessment and Supplementary Planning Guidance.

5.8 states that GLVIA3 and Scottish Natural Heritage (now NatureScot) guidance would be used along with LANDMAP guidance. This is acceptable – see following points.

5.12 references Scottish Natural Heritage (SNH) Visual Representation of Wind Farms and the initial Search Area would be 45km radius from the outermost turbines, based on this. Reference is made to LANDMAP Guidance Note 3. Please note that this has been replaced with [Natural Resources Wales \(NRW\) Guidance Note 46](#) (GN46), which recommends a 23-26km Search Area and 20-24km Study Area for turbines of 146-175m. It is usual to include occasional high sensitivity receptors just beyond the Search Area in an assessment e.g. viewers at Pen y Fan, 30+km away. GN46 advises a filtering process to assess effects on the different LANDMAP Aspect Areas.

5.13 & Appendix 3 **Zones of Theoretical Visibility (ZTV)** notes a preliminary list of Landscape and Visual Impact Assessment (LVIA) viewpoint locations. It is difficult to determine the precise viewpoint location from the ZTV. One viewpoint from the edge of the Wye Valley AONB near Devauden (approximately 20km distant) is included. This is acceptable subject to detailed siting. Three viewpoints from within the BBNP are proposed. Viewpoint 22 from The Bloreng (approximately 13km distant), Viewpoint 23 from the B456019 (approximately 19km distant) and Viewpoint 24 Pen y Fan (approximately 30km distant). We advise that there are a number of other areas within the BBNP with likely visibility of the development, within 24km. We advise that additional viewpoints within the BBNP should be included, given the sensitivities. Cefn y Ystrad Trig lies approximately 23km away, Mynydd Llangatwg Trig approximately 18km away, Mynydd Garn summit approximately 7km away and the war memorial in Pontypool Park approximately 6km away. These first three viewpoints are within open access land with nearby public footpaths and the war memorial is a viewpoint within a public park (Registered Historic Park).

No reference appears to be made to cumulative assessment, which should be carried out in accordance with Guidelines for Landscape and Visual Impact Assessment 3 (GLVIA3) and SNH Guidance: Assessing the Cumulative Impact of Onshore Wind Farm Developments. A number of existing and consented wind energy developments lie within the Search Area and are also visible from the National Park. There are potential cumulative effects from other wind farms and the proposal within the search area. The Cumulative Landscape and Visual Impact Assessment Search Area should be slightly larger than the LVIA Study Area, to include large wind turbine developments.

No reference appears to be made to the use of wirelines and photomontages. These should be in line with Landscape Institute Technical Guidance Note (TGN) 06/19 and SNH Visual representation of wind farms (2017). We advise that, in accordance with Landscape Institute TGN 06/19 Visual Representation of Development Proposals, Type 4 representations with photomontages should be provided for viewpoints within the BBNP, given the sensitivities. Cumulative photomontages/wirelines should also be produced illustrating cumulative effects on the BBNP.

Chapter 6 - Ecology

Protected Sites - Sites of Special Scientific Interest (SSSI)

We concur with the scoping out of the designated sites Ty'r Hen Forwyn SSSI, Henllys Bog SSSI and Coed-y-Darren SSSI due to their distance from the application site.

However, we consider that Llandegfedd Reservoir SSSI, notified for its population of over-wintering birds, should be scoped in. We note this SSSI is referred to in Chapter 7 (Ornithology) but not Chapter 6 and we provide further advice on Ornithology below. We advise the impact on and potential effects of the proposal on the special features of Llandegfedd Reservoir SSSI is incorporated into the ES.

Protected Species

The EIA for this development should include sufficient information to enable the local planning authority to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals.

Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short medium and long term; permanent and temporary; positive and negative, and construction (including impacts of construction site access) operation and decommissioning phase impacts on the nature conservation resource, landscape and public access.

Description of the Project

The entire scheme should be described in detail. This description should cover construction, operation and decommissioning phases and include detailed, scaled maps and drawings as appropriate.

We would expect the description to include:

- The purpose and physical characteristics of the proposals;
- Location, development size and configuration of the development including flexibility of the site layout;
- Land use requirements and other physical features of the project;
- Procedures for good working practices;
- Resource use, including waste, minerals and energy;
- Identification of appropriate pollution contingency and emergency measures;
- Timing of all works and contingency plans should slippage in the programme occur;
- Details of construction works including methodology, location and extent of construction sites, construction access/working corridors and stock piling sites;
- Quantity and content of any discharges from the development site;
- Details of source, type and quantity of any filling material required;
- Details of the disposal of any surplus material e.g. material displaced from constructing bases or access roads.

- Maintenance requirements of structures.
- Maintenance of any habitats within the site;
- Details of access routes/transport links, alterations to traffic flows, including the type and frequency of vehicles, noise and dust levels;
- Details of grid connection;
- Artificial lighting requirements, including likely intensity and location of light spill on green infrastructure.

Illustrations within the Environmental Statement

Any maps, drawings and illustrations that are produced to describe the project should be designed such that they can be overlaid maps, drawings and illustrations produced for other sections of the EIA such as biodiversity.

Description of Biodiversity

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

Key Habitats

A Phase I survey of the site should be undertaken to describe and map the key habitats of the site and species of particular importance. This should be undertaken in accordance with the NCC Phase 1 survey guidelines (NCC (1990). Handbook for Phase 1 habitat survey. NCC, Peterborough) and should be undertaken and completed during the summer to ensure the best chance of identifying the habitats present.

Site Surveys

We advise all areas likely to be affected by the proposals including the associated infrastructure works (e.g. grid connection corridor and access roads) should be comprehensively assessed for their potential to support protected species.

Surveys for protected species should be undertaken by suitably qualified, experienced and where necessary, licensed surveyors in accordance with published guidance, where this exists, and best practice.

We note from Table 4 that the effects of the proposals on bats and great crested newts will be scoped into the assessment. We provide further advice on these and other species below.

Bats

We note and welcome the proposals to undertake further surveys for bats to assess the level of bat activity within the site. We advise that these follow Nature Scot's '*Bats and Onshore Wind Turbines*' guidance:

[Bats and onshore wind turbines - survey, assessment and mitigation | NatureScot](#)

If there are any individual trees within the red line boundary, we advise that these are assessed for their potential to support roosting bats through the use of ground-based visual observations and aerial inspections using endoscopes in accordance with the Bat Conservation Trust's '*Bat Surveys for Professional Ecologists. Good Practice Guidelines (3rd Edition)*'. We would advise that any woodland included within the site boundary would merit the deployment of additional static detectors to assess bat activity in those areas if they will be affected by the siting of wind turbines or works to facilitate site access or grid connection.

Great Crested Newts (GCN)

We are aware of a number of GCN records in the area of the proposed wind farm. Whilst we note that positive eDNA results have been obtained for some of the ponds in the vicinity of the proposals, with reference to para 6.27 of the scoping report we cannot see that any further surveys are recommended.

We advise that further surveys would be needed in accordance with published best practice guidance ('*Great Crested Newt Mitigation Guidelines*' by English Nature (2004)) to determine the population of great crested newts concerned. HSI surveys of all ponds should also be undertaken.

Water Voles

We welcome that additional survey for water voles will be undertaken as indicated in section 6.27 of the scoping report.

Dormice

Providing that the proposals do not involve the removal of woodland, then we could agree to dormice being scoped out. If that is not the case then we advise that surveys for dormice are undertaken (in accordance with *Dormouse Conservation Handbook* (2nd Ed) by English Nature (2006)) and the species is scoped into the assessment with all potential effects of the wind farm on the species being considered.

Pine Marten

If the proposals will affect woodland areas we also advise that surveys for pine marten are undertaken and the species is scoped in to the assessment.

We recommend that den boxes and baited feeding stations are deployed at selected locations in suitable habitat on transects across the site. The surveys should cover all seasons, with camera traps deployed to observe activity at the den boxes and feeding stations. We recommend that scat surveys are also used, with samples DNA tested to confirm species.

Impact Assessment

Should protected species be found during the surveys, information must be provided identifying the species specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified.

Where proposals implicate protected species which are also notified features of designated sites (E.g. SAC, SSSI), we advise that the EIA considers the impacts on those species from both perspectives.

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

Bats

We strongly encourage that the Ecobat tool in the Nature Scot guidance is used to assess the level of risk that the development poses to bats.

GCN

With reference to Table 4 we advise that the full range of potential effects of the proposed development on GCN in both the construction and operational phases are considered and should include, but not be limited to: habitat loss, habitat fragmentation and isolation, habitat modification and deterioration (including through infrastructure causing hydrological changes), killing and injury of GCN, effects on the water table/site drainage and consequences for GCN pond maintenance, risk of introduction/spread of INNS or fish to ponds.

Water Voles

With further surveys proposed for water voles, we advise that the EIA reports on the results of those surveys and scopes in water voles into the assessment of potential effects of the proposals. As indicated above for GCN, all potential effects of the proposals on the species should be considered. This may necessitate the consideration of additional effects to those listed in Table 4. We also advise that all watercourses are appropriately buffered from development works.

Otters

Our comments for otters are as above for water voles; we welcome that further surveys for otters will be undertaken and advise that the EIA reports on the results of those surveys and scopes in otters into the assessment of potential effects of the proposals. All potential effects of the proposals on the species should be considered. We also advise that all watercourses are appropriately buffered from development works.

European Protected Species 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). One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'. 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.

Local Biodiversity Interests

We recommend that the developer consults the relevant local authority Ecologist(s) on the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan, and are that are considered important for the conservation of biological diversity in Wales.

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

Securing Biodiversity Enhancement

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

Finally we advise that the development is designed to allow protected species to continue to inhabit the site and move through it. Developments such as this have the potential to deliver substantial ecological enhancements over significant areas of the Welsh uplands through, for example, delivery of protected species conservation plans and careful habitat management (E.g. management of grazing regimes).

Chapter 7 - Ornithology

Overall, we agree with the scope of the EIA and ES. However, we have concerns that passage/wintering waders have been scoped out without justification as to why Vantage Points (VP) did not cover the passage period (July to October).

As advised in our review of Chapter 6 Ecology, we consider that Llandegfedd Reservoir SSSI, which is notified for its population of over-wintering birds, should be scoped in. Potential effects on birds and their movements from Llandegfedd Reservoir SSSI to the zone of influence of this development should be considered or further justification is provided as to why VP surveys have not been conducted to cover July to October which is a period of passage for all wildfowl and waders.

Non- EIA Advice to the Developer

Any access to NRW managed woodland must not be impeded by the proposed development.

Other Matters

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.

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

Kate Glover

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

From: [Arnold, Jenna](#) [REDACTED]
To: [Wilcox, Adeline \(ENSR - PEDW\); PEDW – Seilwaith / Infrastructure](#)
Subject: RE: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation
Date: 08 December 2021 13:57:20
Attachments: [image001.png](#)
[image010.png](#)
[image011.png](#)
[image012.jpg](#)

Good afternoon

Please see below Cadw's comments on the consultation.

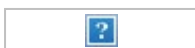
This advice is given in response to scoping opinion as to the contents of an Environmental Impact Assessment (EIA) that will be submitted in support of an application for the Mynydd Maen Wind Farm.

The request for a scoping opinion is accompanied by an Environmental Impact Assessment Scoping Report produced by Barton Willmore, which includes section 8 on Cultural Heritage. This provides a commitment to consider the impact of the proposed development on designated historic assets and their settings inside 10km of the proposed windfarm and the objectives of the assessment but, apart from stating "*The assessment will be guided by best practice guidelines at a national and local level, including Cadw's Conservation Principles for the sustainable management of the historic environment in Wales*", it does not provide any details of how the assessment will be undertaken.

We recommend that the initial work should be carried out in accordance with the "*Standards and Guidance for Desk-Based Historic Environment Assessment*" produced by the Chartered Institute for Archaeologists and this should include consulting documentary, cartographic, aerial photographic and Lidar information. A walkover survey should also be carried out after the desk-based work in order to clarify the evidence produced during that phase of the study. It is also expected that a geophysical survey will be carried out in the areas surrounding the proposed turbine bases, in order to provide additional information and to assist micro siting at a later stage. There may also be a need for archaeological evaluation (trial trenching) to be carried out to confirm the nature and significance of archaeological sites which have been identified.

The impact of the windfarm on the settings of the designated historic assets should be assessed in accordance with the guidance given in the Welsh Government document "The Setting of Historic Assets in Wales". It is expected that a stage 1 assessment will be carried out for all of the designated heritage assets inside the stated 10km search area, which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific heritage assets. The results of the stage 1 assessment should be included in the EIA as an appendix.

Kind regards
Jenna



Jenna Arnold

Cangen Amgylchedd Hanesyddol / Historic Environment Branch
Llywodraeth Cymru / Welsh Government
Ffôn / Tel: [REDACTED]



[Ymunwch â Cadw](#)
[Join Cadw](#)

From: Wilcox, Adeline (ENSR - PEDW) <Adeline.Wilcox847@gov.wales> **On Behalf Of** PEDW –
Seilwaith / Infrastructure
Sent: 09 November 2021 17:04
Subject: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation

Dear Sir/Madam

Please find attached an EIA Scoping request for the above proposed Development of National Significance. A redacted Scoping Report is attached to this email.

The deadline for responding is **13 December 2021**.

Please can you acknowledge receipt of this email so that we know this message has been delivered successfully. Furthermore, please contact us if you have any concerns about your ability to respond to our consultation request.

Kind regards,

Addy

Adeline Wilcox

[hi | she / her]

Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales

Llywodraeth Cymru | Welsh Government

Ffôn | Tel: 0300 025 2484

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



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

From: [Sparey, Robert \(ESNR - PEDW\)](#) on behalf of [PEDW – Seilwaith / Infrastructure](#)
To: [Jones, Richard](#) [REDACTED]
Subject: RE: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation
Date: 01 December 2021 14:35:21
Attachments: [image002.jpg](#)
[image006.jpg](#)

Dear Richard,

Thank you for providing this response.

Best wishes

Rob

Robert Sparey
(fe | he / him)
Rheolwr Cynllunio a'r Amgylchedd | Planning & Environment Manager
Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales
Llywodraeth Cymru | Welsh Government
Ffôn | Tel: 0300 025 3379
E-bost | E-mail: Robert.sparey@gov.wales

Logo small



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

From: Jones, Richard (EST - Transport) [REDACTED]
Sent: 01 December 2021 14:27
To: PEDW – Seilwaith / Infrastructure <PEDW.Infrastructure@gov.wales>
Cc: LGC Development Control (South) <LGC_Development_Control-South@gov.wales>; McBride, Niall (ESNR - Transport - Network Management) [REDACTED] Adrian Webb [REDACTED]
[REDACTED] L.Norvil [REDACTED]
Subject: RE: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation

Dear Adeline,

Thank you for the consultation.

We note 2.35 of the scoping report that states that a CTMP will be produced in consultation with all stakeholders, which will include ourselves as M4 highway authority and that for both structures and highways over the River Neath,

Travelling weights and dimensions of AIL transportation from the port of Swansea will be important as there are some managed structures on route.

I also include standard conditions and lines relating to windfarm developments to manage the transportation route that should be used to inform the AILCTMP;

The AILCTMP should include;

- 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;
- management and maintenance of layover areas, junctions, passing places, public rights of way and welfare facilities while AIL deliveries take place
- details of temporary signage;
- details of any alterations to any works that are carried out to enable AIL movements;
- evidence of trial runs that mimic the movement of the worst case AILs along the access route;
- number and size of AILs, including loaded dimensions and weights;
- number and composition of AIL convoys, including anticipated escort arrangements;
- methodology for managing trunk road traffic during AIL deliveries, including identification of passing places and holding areas as necessary;
- convoy contingency plans in the event of incidents or emergencies;
- estimated convoy journey durations and timings along the route, including release of forecast traffic queues;
- swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route;
- proposals for the temporary or permanent modifications required to the highway or its associated infrastructure along the access route and details of how this would be managed;
- plans for the reinstatement of any temporary works after completion of the

construction phase;

- 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;
- proposals to liaise with all relevant stakeholders (including the relevant highway and planning authorities, Police, members of the public and local communities, hauliers, developers and landowners) prior to the submission of notifications for AIL deliveries and applications for special orders for AIL deliveries;
- consideration of the cumulative impact of other wind farm schemes proposing to use all or part of the same access route and coordination with those schemes where possible;
- the appointment and role of a transport coordinator to administer the abnormal indivisible load delivery strategy;
- means of control of timing of delivery of AIL movements;
- temporary traffic diversions and traffic hold points;
- details of banksmen and escorts for abnormal loads;
- full details of any highway works associated with the construction of layover areas, passing places and highway improvements including:
- the detailed design of any works;
 - geometric layout;
 - construction methods;
 - drainage; and
 - street lighting.

Kind regards

Richard

Richard Jones

Peiriannydd Ffyrdd / Route Engineer

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

Ffôn / Tel: [REDACTED]

From: Wilcox, Adeline (ENSR - PEDW) <Adeline.Wilcox847@gov.wales> **On Behalf Of** PEDW –
Seilwaith / Infrastructure
Sent: 09 November 2021 17:04
Subject: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation

Dear Sir/Madam

Please find attached an EIA Scoping request for the above proposed Development of National Significance. A redacted Scoping Report is attached to this email.

The deadline for responding is **13 December 2021**.

Please can you acknowledge receipt of this email so that we know this message has been delivered successfully. Furthermore, please contact us if you have any concerns about your ability to respond to our consultation request.

Kind regards,

Addy

Adeline Wilcox

[hi | she / her]

Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales

Llywodraeth Cymru | Welsh Government

Ffôn | Tel: 0300 025 2484

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



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

From: [NSIP Applications](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Subject: RE: NSIP - Mynydd Maen Wind Farm - DNS - HSE response
Date: 23 November 2021 14:58:42
Attachments: [image005.jpg](#)
[image006.jpg](#)
[image001.jpg](#)

Hi Addy,

Thanks for pointing out that Appendix 1 was missing from your consultation documents. To confirm, HSE's response remains the same.

Regards, Laura

From: Adeline.Wilcox847@gov.wales <Adeline.Wilcox847@gov.wales> **On Behalf Of**

PEDW.Infrastructure@gov.wales

Sent: 23 November 2021 14:39

To: NSIP Applications <NSIP.Applications@hse.gov.uk>

Subject: RE: NSIP - Mynydd Maen Wind Farm - DNS - HSE response

Dear Laura,

Thank you for your email. Apologies that Appendix 1 was missed off when we were trying to get the document back to you.

I trust this allows you to complete your assessment. Please let me know if there are any other problems.

Many thanks

Addy

Adeline Wilcox

[hi | she / her]

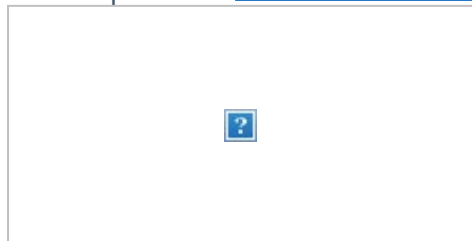
Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment
Decisions Wales

Llywodraeth Cymru | Welsh Government

Ffôn | Tel: 0300 025 2484

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



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

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

From: NSIP Applications <NSIP.Applications@hse.gov.uk>

Sent: 23 November 2021 14:21

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

Subject: NSIP - Mynydd Maen Wind Farm - DNS - HSE response

Good afternoon Aderline,

Thank you for your email dated 10 November 2021 consulting HSE on the pre-application for the proposed Mynydd Maen Wind Farm development of National Significance (DNS).

Please find HSE's advice below.

Will the proposed development fall within any of HSE's consultation distances?

With reference to the drawing with the title **Figure 1: Site Layout, VP Locations and Viewsheds* (Dwg date 14/01/2021)** sections of the proposed redline development

area fall within HSE public safety zones associated with Major Accident Hazard Pipeline(s):

- Gilwern to Hafodyrynys [Transco ref: 2731, HSE ref 4123525]
- Gilwern / Hafodyrynys (VS001) [Transco ref: 1532, HSE ref 4133469]
- Hafodyrynys / Rhiwderin (VS002) [Transco ref: 1533, HSE ref 4133461]
- Hafodyrynys / Panteg [p1] (HS004) [Transco ref: 1544, HSE ref 7276]

There are currently no Major Hazard Installations in the vicinity of the proposed project.

* Noting **APPENDIX 1: Site Location Plan** [Mynydd Maen Wind Farm, Environmental Impact Assessment Scoping Report, November 2021 (Barton Willmore LLP)] was not made available to HSE as part of the consultation.

There is currently insufficient information available for HSE to provide its' public safety Land Use Planning Advice**. However by way of general guidance, HSE would not advise against the proposed development providing no population(s), either temporary or permanent, is introduced within any HSE land use planning public safety zones.

** HSE's Land Use Planning Methodology

[<https://www.hse.gov.uk/landuseplanning/methodology.htm>]

Should a new Major Accident Hazard Pipeline be introduced or existing Pipeline modified prior to the determination of the present application, then the HSE reserves the right to revise its advice.

If prior to the determination of the present application, a Hazardous Substances Consent be 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, then the HSE reserves the right to revise its advice

Would Hazardous Substances Consent be needed?

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) (Wales) Regulations 2015.

Hazardous Substances Consent would be required if the 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.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives sites

HSE has no comment to make on the proposed development.

Please send any future correspondence to nsip.applications@hse.gov.uk

Kind regards, Laura

NSIP Consultation Team

CEMHD

Health and Safety Executive

From: Adeline.Wilcox847@gov.wales <Adeline.Wilcox847@gov.wales> **On Behalf Of** PEDW.Infrastructure@gov.wales

Sent: 10 November 2021 10:47

To: NSIP Applications <NSIP.Applications@hse.gov.uk>

Subject: HPE CM: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation (email 1 of 3)

Dear Sir/Madam

Please find attached an EIA Scoping request for the above proposed Development of National Significance. A redacted Scoping Report will be sent to you in subsequent emails (due to the size of the file).

The deadline for responding is **13 December 2021**.

Please can you acknowledge receipt of this email so that we know this message has been delivered successfully. Furthermore, please contact us if you have any concerns about your ability to respond to our consultation request.

Kind regards,

Addy

Adeline Wilcox

[hi | she / her]

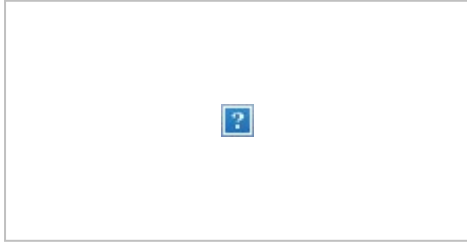
Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment Decisions Wales

Llywodraeth Cymru | Welsh Government

Ffôn | Tel: 0300 025 2484

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



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

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

Adeline Wilcox

[hi | she / her]

Swyddog Cynllunio | Planning Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment Decisions Wales

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

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

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www.hse.gov.uk

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The Coal
Authority



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Planning and Environment Decisions Wales

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

6 December 2021

Dear Ms Wilcox

RE: DNS/3276725 - Construction of a wind farm of up to 15 turbines with associated infrastructure; Land at Mynydd Maen, Between Newbridge and Cwmbran

Thank you for your notification received on the 9th November 2021 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. 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.

Our records indicate that within the application site boundary identified there are recorded coal mining features at surface and shallow depth. These features include; 131 coal mine entries, within or within 20m of the site boundary, recorded and likely unrecorded shallow coal workings and reported surface hazards.

The Environmental Impact Assessment Scoping Report, dated November 2021 and prepared by Barton Willmore LLP acknowledges that the proposal is for up to 15 wind turbines but that a layout has not yet been designed as this will evolve throughout the EIA process. It is noted that ground conditions are one of the issues identified as being scoped out of the EIA and that a Coal Mining Risk Assessment (CMRA) is included at Appendix 2. This CMRA concludes that mining related ground instability poses very low to negligible risk within the site and no past recorded and no probable

(unrecorded) mine working within shallow depth has been identified. However, if no layout is fixed it is difficult to see how the CMRA could conclude there is no risk from the mine entries and shallow coal workings recorded as being present. It also fails to identify all of the risk feature present within the site boundary.

Where mine entries are present within the vicinity of the proposed turbines/ permanent infrastructure we would expect the equipment to be relocated in order to provide adequate separation between the mine entries, their zones of influence and these structures.

The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Although we have no comments to make on the Scoping Report, we do consider that a further assessment of the risks posed to the development by past coal mining activity will need to be prepared once a detailed layout has been designed. This design should take full account of the recorded positions of the mine entries, their potential departures and their zones of influence and should avoid any works in these areas. There is significant coal mining legacy on this site and without knowing exactly where the works are proposed (turbines, tracks, infrastructure etc) we do not consider that a detailed Coal Mining Risk Assessment can be prepared and no conclusions can be drawn.

We would be pleased to comment further should an updated CMRA be provided once a detailed layout for the works has been prepared.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Melanie Lindsley

Melanie Lindsley *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*
Development Team Leader (Planning)

[Disclaimer](#)

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.

T: [REDACTED]

E: [REDACTED]

Our Ref./Ein Cyf. CON/2021/0010



Cyngor Bwrdeistref Sirol

Blaenau Gwent

County Borough Council

10 December 2021

Adeline Wilcox
PEDW
2nd Floor West
Crown Buildings,
Cathays Park,
Cardiff, CF10 3NQ

Dear Adeline,

**Re: Development of National Significance Mynydd Maen, between Newbridge and Cwmbran DNS Ref: 3276725
Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 - Request for a Scoping Direction**

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 at Mynydd Maen.

The proposal comprises up to 15 wind turbines with a maximum height of 149.5 metres with associated infrastructure. The site is located outside the County Boundary, to the south-east 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.

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

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.

Yours sincerely,



Joanne White
Team Leader – Development Management

**LANDSCAPE/ GREEN INFRASTRUCTURE / URBAN DESIGN
Planning Application Consultation Response Form**

LS Officer	Andrew Nevill	
DM Officer	Dave Wong	
Planning App	DM/2021/01857	
Site	Mynydd Maen Wind Farm	
Proposal:	EIA Scoping request for the above proposed Development of National Significance. Construction of a wind farm of up to 15 turbines with associated infrastructure.	
Status:	EIA Scoping	
Date / Version	21.12.2021	
The Landscape Officer/Team, in responding to the above application, provides the following substantive response:		
Pre-application comments, notes and observations		✓
No objection - Conditions and Planning obligations		
Provisional holding objection – Further information or clarification is required		
Objection – on the grounds set out below		
POLICY		
<p>Future Wales 2040 PPW Edition 11 LDP S1 Strategic policy LDP S13 Policy Landscape, Green Infrastructure and the Natural Environment. LDP Policy GI1 Green Infrastructure S13 Landscape, GI and the Natural Environment MCC Green Infrastructure SPG 2015 LDP DES1 General Design Considerations LDP Policy LC5 Protection and enhancement of Landscape Character TAN 12 Design Wind Turbine Planning advice note 2015</p>		
Pre-application comments, notes and observations		
The recent application DM/2021/01857 has been reviewed from a GI and landscape perspective and the submitted relevant documentation. Request for an EIA Scoping request for the above proposed Development of		

National Significance. Construction of a wind farm of up to 15 turbines with associated infrastructure.

Information reviewed

Mynydd Maen Wind Farm EIA Scoping report November 2021

Summary:-

We understand the application is a scoping request in accordance with regulation 33 of the town and country planning (EIA) (Wales) regulations 2017 with respect to the proposed wind farm on land between Cwmbran, Newbridge and Pontypool at Mynydd Maen, Southeast Wales.

The request to Monmouth council is for an opinion regarding the scope and level of detail of the information to be provided in the environmental statement. This response is in relation to Landscape and GI.

Monmouthshire's Landscape

The County of Monmouthshire lies in Southeast Wales, between the major centres in South Wales and the South West of England and the Midlands. The county is predominantly rural with agriculture and tourism forming the main industries. It covers an area of approximately 88,000 Ha and has an estimated population of circa 91,000, only half of which lives in urban areas, mainly in the main settlements of Abergavenny, Monmouth, Usk and Chepstow, and the 'Severnside Settlements' of Caldicot and Magor/Undy.

The varied landscape of the county is both the product of natural forces and the discernible impact of human activity over the last 10,000 years. The historic associations, texture, themes, and character of the County's landscapes are the store houses of information on past societies. All these features are of cultural value, vulnerable to land use change and irreplaceable. Many features and areas of historical and cultural value in Monmouthshire are recognised as important heritage assets by the designation of conservation areas, scheduled monuments, listed buildings, registered landscapes of outstanding historic interest and registered historic parks and gardens. Part of the UNESCO designated Blaenavon Industrial Heritage World Heritage Site lies within Monmouthshire. To the east of the county lies the Wye Valley AONB, to the northwest part of the county lies within the Brecon Beacons national park. To the south the county includes a coastline which also forms part of the Gwent Levels, an Historic Landscape of Outstanding Historic Interest in Wales.

The landscape character of Monmouthshire is highly valued. To inform the direction of policy for the current LDP the Designation of Special Landscape Areas Study (July 2010) identified five areas which justify designation as SLAs – these effectively cover the majority of Monmouthshire outside those areas within the Brecon Beacons National Park and Wye Valley AONB. The potential designation of the large majority of the County as SLA's reflects the inherent quality of Monmouthshire's landscape. The council adopted a policy approach to landscape protection and management based upon landscape characterisation, as defined by LANDMAP Landscape Character Assessment. Policy LC5 seeks to ensure that proposals for development protect, conserve and, where possible, enhance Monmouthshire's landscape character as defined by LANDMAP Landscape Character Assessment.

Mynydd Maen at an elevation of 458m is a prominent upland ridge as seen looking west from a significant proportion of the rolling and undulating landscape of Monmouthshire. The ridge links from south to north with the ridgelines of Mynydd Coety, Mynydd Garnloch and Mynydd y Garn Fawr leading to the Bloreng summit. In the main they are unchanged ridgelines save for static pylons, folly towers, forestry and Twmbarlwm SAM. The status as commons has also afforded a level of protection from development. The proposal for any development that elevates above the ridgeline will likely create a visual impact.

LVIA

Table 1 of the scoping report highlights landscape and views related to the proposed development as having likely significant effects during construction and operation phases. The assessment of landscape and visual impacts has been retained as a key element of an EIA.

Section 5 of the EIA scoping report focuses on the assessment of visual impact. The report acknowledges the NLCA 37 landscape character designation and highlights its intrinsic qualities. The report highlights LANDMAP evaluation of the Mynydd Llwyd and Mynydd Maen visual and sensory aspect areas as well as local landscape designations.

The outline of the assessment to date does not appear to fully acknowledge the intrinsic cultural and visual value that the upland ridge may afford, the setting of the ridge in the context of the SAM as well as the setting of ridges collectively in the context of the UNESCO WHS. LVIA's for wind turbine development should include a consideration of cumulative landscape and visual impacts in addition to the requirement for CLVIA that may arise from other OCP wind turbine development or other large scale infrastructure within the assessment area.

A radius of 45km for the initial ZTV from the proposed location from a Monmouthshire perspective would be acceptable and would cover the entire county. We would disagree (5.12) that significant effects are unlikely to occur beyond 20km and would expect the ZTV study to consider the significant receptor locations that may fall within and just beyond the 20km guidance including ridgelines to the east of the county, relevant prominent locations and relevant viewpoints, highly sensitive LCA's, Sites on the register of landscapes of outstanding and of special interest in Wales, registered parks and gardens of special historic interest in Wales, national trails and settlements inclusive of roads, footpaths and POS. This may result in an asymmetrical study area.

The information required in the EIA LVIA should also include the location and number of visualisations, photomontages and wirelines. Where cumulative impact is to be considered cumulative ZTV, cumulative wirelines and photomontages must be accompanied by a photograph of the existing landscape.

Appendix 3 ZTV plan

We consider that the proposed viewpoints as indicated on the ZTV plan as per appendix 3 to be insufficient from a Monmouthshire perspective and our concern is that an assessment would not adequately provide a sound baseline from which to undertake comprehensive LVIA to support the EIA. We note that most Vpt's towards the east are clustered near to the boundary of Torfaen / MCC with only Vpt's 19-21 located further into Monmouthshire. We would also suggest that one Vpt located in the UNESCO designated BILWHS is insufficient to be able to fully assess impact. We would be happy to discuss and suggest LVIA viewpoint locations.

Environment statement structure 13:-

We would welcome an early chapter that includes planning policy context setting out planning policy and guidance relevant to the development.

CONDITIONS AND PLANNING OBLIGATIONS

N/A

INFORMATIVES

<https://www.monlife.co.uk/outdoor/green-infrastructure/landscape/>

<https://www.monlife.co.uk/outdoor/green-infrastructure/>

<https://www.monlife.co.uk/outdoor/green-infrastructure/green-infrastructure-strategyguidance/>

<https://www.monmouthshire.gov.uk/app/uploads/2016/03/Appendix-F-Wind-Turbine-Planning-Advice-Note-April-2015.pdf>

<https://www.livinglevels.org.uk/>

<https://www.monmouthshire.gov.uk/app/uploads/2017/05/Adopted-Local-Development-Plan-with-PDF-tags.pdf>

<https://www.monmouthshire.gov.uk/planning-policy/local-development-plan-2018-2033/?preview=true>

**Biodiversity and Ecology
Planning Application Consultation Response Form**

	<p>To : David Wong Senior Development Management Officer</p> <p>Application Number: DM/2021/01857</p> <p>Site: Mynedd Maen Wind Farm</p> <p>Proposal: Proposed wind farm of up to 15 turbines (Development of National Significance).</p> <p>Date of formal consultation: 09 November 2021</p> <p>Version of response: 1</p> <p>Biodiversity Officer : Catherine Hunter</p> <p>Date of response : 20 December 2021</p>
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Ecological EIA Screening opinion

I have consulted the information that has been provided in the following report:

- Mynedd Maen Wind Farm – Environmental Impact Assessment Scoping Report, by Barton Willmore, dated November 2021.

We note that Torfaen County Borough Council and Caerphilly County Borough Council have also been consulted on this application, and ecologists from both councils stated that they were “happy with the ecological survey to date”.

We have reviewed the scoping report and agree that surveys undertaken to date are sufficient and have followed best practice guidelines; JNCC 2010, Handbook for Phase 1 habitat survey. A technique for environmental Audit.

We also agree with the requirements for further survey put forward by BSG Ecology within the report for bats, otter and water vole to be undertaken in 2022.

Ornithological surveys to date have been undertaken following best practice and followed appropriate methodologies for targeted bird species, including adjustments to survey timings for presence of short and long eared owls.

A single year of wader surveys may be acceptable given the lack of records during the first year. However, the site is within 5km of the Usk Catchment and Llangorse Lake Important Curlew Area as stated in the Wales Action Plan for the Recovery of the Curlew. Therefore, if wader activity is noted around the site, further targeted survey for these species should be reconsidered.

It is noted that the key potential impacts to biodiversity during the construction phase include temporary land-take, disturbance (visual, noise), pollution, lighting and construction site hazards. Key potential impacts during the operational phase of the development are likely to include permanent land-take, collision effects on bats, pollution, permanent lighting and visitor pressure (disturbance, trampling) to locally designated sites.

Further surveys will inform whether the proposed development is likely to have any significant adverse effect on the environment, and the above key potential impacts will need to be considered carefully.

In conclusion, we agree with the approaches undertaken to date for biodiversity survey and assessment and the further surveys proposed for 2022.



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

Adeline Wilcox
Planning and Environment Decisions Wales
2nd Floor West
Crown Buildings,
Cathays Park,
Cardiff,
CF10 3NQ

Date: 7 January 2022
Officer: Davina Powell
Your Ref: DNS 3276725
CAS 01313 C6S0N8
Our Ref: 21/20558/SCO

Dear Sir/Madam,

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

Proposal: "Construction of a wind farm of up to 15 turbines with associated infrastructure."
Address: Land At Mynydd Maen, Between Newbridge And Cwmbran.

The Authority welcomes feedback from agents and applicants on the quality of the service received.
For further information, please visit www.beacons-npa.gov.uk/planningsurvey to fill in a brief online survey.

Thank you for your consultation received 10 November 2021 regarding the above. We have had correspondence which has sought an extension of time until the 10th January 2020.

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 site area is stated to comprise 2,029ha and comprises to up to 15 wind turbines - with a generating capacity of up to approximately 75MW - and a maximum tip height of 149.9m from ground level. Associated infrastructure includes control building, substation and storage compounds, crane pads, cabling and access tracks are also proposed.

It is noted that the project is located in Caerphilly County Borough Council and Torfaen County Borough Council boundaries but is located around 2km away from the Brecon Beacons National Park Authority boundary (at its closest point).

It is noted that this development is one of number of similar requests being 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 Mynydd Maen Wind Farm EIA Scoping Report dated November 2021:

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?
4. It is unclear whether any of the 25 viewpoints 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,


Tracy Nettleton
Head of Planning

*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.*

From: [Williams, Stephen \(West Area Development Manager\)](#)
To: [Bazzoni, Giulia \(ESNR - PEDW\)](#)
Subject: FW: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation
Date: 22 December 2021 15:25:46
Attachments: [image002.jpg](#)
Importance: High

I have consulted internally but received no response.

I therefore have no comments to make at this stage.

Thanks

Stephen Williams Bsc Hons Dip TP MRTPI
West Area Planning Manager / *Rheolwr Cynllunio Ardal y Gorllewin*
Regeneration, Investment and Housing / *Adfywio, Buddsoddi a Thai*
Newport City Council / *Cyngor Dinas Casnewydd*
Civic Centre
Godfrey Road
Newport NP20 4UR
Tel/Ffôn [REDACTED]
[REDACTED]

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Nid yw cynnwys yr e-bost yma yn ymrwngio Cyngor Dinas Casnewydd tuag at unnrhyw benderfyniad yn y dyfodol ynglun a cheisiadau a materion cynllunio.

This email cannot and does not make or imply any commitment on behalf of Newport City Council to a particular decision on any future application for planning permission or any other planning matter.

From: NCC - Planning <Planning@newport.gov.uk>
Sent: 22 December 2021 13:53
To: Williams, Stephen (West Area Development Manager) <Stephen.J.Williams [REDACTED]>
Subject: FW: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation
Importance: High

Is this West Steve?

From: Giulia.Bazzoni@gov.wales <Giulia.Bazzoni@gov.wales> **On Behalf Of**
PEDW.Infrastructure@gov.wales
Sent: 22 December 2021 13:20

To: NCC - Planning <Planning@newport.gov.uk>
Cc: Adeline.Wilcox847@gov.wales; Robert.Sparey@gov.wales; PEDW.Infrastructure@gov.wales
Subject: FW: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation
Importance: High

Dear Sir/ Madam

Following my colleague email below, I cannot find records of your consultation response. Apologies, but I would be grateful if you could issue the response to PEDW.Infrastructure@gov.wales as soon as possible. If you do not wish to be consulted with regards of this project, please let us know.

Many thanks in advance

Giulia

From: Wilcox, Adeline (ENSR - PEDW) **On Behalf Of** PEDW – Seilwaith / Infrastructure
Sent: 09 November 2021 17:04
Subject: 3276725 - Mynydd Maen Wind Farm - EIA Scoping Consultation

Dear Sir/Madam

Please find attached an EIA Scoping request for the above proposed Development of National Significance. A redacted Scoping Report is attached to this email.

The deadline for responding is **13 December 2021**.

Please can you acknowledge receipt of this email so that we know this message has been delivered successfully. Furthermore, please contact us if you have any concerns about your ability to respond to our consultation request.

Kind regards,

Addy

Adeline Wilcox

[hi | she / her]

Swyddog Cynllunio | Planning Officer

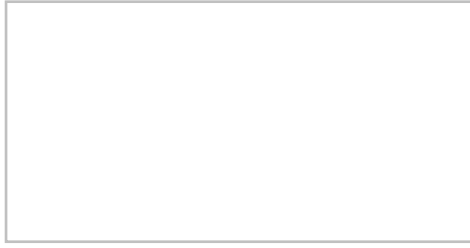
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Decisions Wales

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Ffôn | Tel: 0300 025 2484

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

-



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

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

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

The Council welcomes correspondence in English or Welsh or both, and will respond to you according to your preference. Corresponding in Welsh will not lead to delay.

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Mae'r e-bost hwn yn cynnwys gwybodaeth y bwriedir ar gyfer y derbynnydd yn unig a gall fod yn gyfrinachol, yn destun ragorffaint gyfreithiol neu broffesiynol, neu fel arall wedi'i diogelu rhag cael ei rhyddhau. Os nad chi yw derbynnydd bwriadedig y neges hon, a fydddech cystal â rhoi gwybod i'r anfonwr ar unwaith a pheidio â datgelu, dosbarthu neu gopïo'r e-bost i unrhyw barti arall. Mae'r e-bost hon ac unrhyw ffeiliau atodedig yn eiddo i Gyngor Dinas Casnewydd.

Pan fyddwch yn anfon e-bost at Gyngor Dinas Casnewydd, rydych yn cydsynio i'r Cyngor fonitro a darllen unrhyw e-byst o'r fath at ddibenion cydymffurfio â diogelwch ac â deddfwriaeth. I weld yr ymwadiad llawn ewch i <http://www.newport.gov.uk/ymwadiad>

Torfaen County Council
Ty Blaen
Torfaen
Pontypool
Gwent
NP4 0LS

Date: 15/12/2021
Our Ref: PLA0061966
Your Ref: Mynydd Maen Wind Farm

Dear Sir

Grid Ref: ST249987 325217 198662
Site: Land at Mynydd Maen between Newbridge & Cwmbran
Development: EIA Scoping- Wind Farm

We refer to your consultation letter received in accordance with the above regulations. We have reviewed the documents available at this stage in the process and specifically the Scoping Request received:

Whilst we have no comments on the scoping opinion itself, we would advise that we have numerous wastewater and clean water assets crossing and in close proximity to the site and would be grateful if the developer could contact us to discuss further so we can assess the impact on our assets.

We respectfully reserve the right to comment further on any matters and issues arising from ongoing and future consultation. However, we trust the above information is helpful at this stage and we look forward to continuing our engagement on the project prior and during the submission of an application to the Planning Inspectorate.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

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

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Rhodri Perry
Development Control Officer
Developer Services



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

We welcome correspondence in
Welsh and English

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

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

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