



Parc Ynni Calon y Gwynt

ENVIRONMENTAL STATEMENT

Appendix 1B: EIA Scoping Direction





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EIA Scoping Direction

DNS CAS-02905-P2F6M6

Calon y Gwynt Energy Park

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Contents

1.	Introduction	4
2.	Site Description	4
3.	Proposed Development.....	4
4.	Consultation	5
5.	Environmental Impact Assessment Approach.....	6
5.1	Baseline	8
5.2	Reasonable Alternatives	8
5.3	Currency of Environmental Information.....	8
5.4	Cumulative Effects	8
5.5	Mitigation.....	9
5.6	Population and Human Health	9
5.7	Transboundary Effects	9
5.8	Topics Scoped In but not subject to a standalone chapter.....	9
6.	Environmental Impact Assessment Aspects	10
6.1	Aspects Scoped In	10
	Material assets and waste.....	10
	Ecology	10
	Ornithology.....	10
	Landscape and Visual.....	10
	Cultural heritage.....	10
	Hydrology.....	10
	Geology and soils	10
	Noise and vibration	10
	Access, traffic and transport.....	10
	Aviation and radar	10
	Shadow flicker.....	10
	Telecoms and electromagnetic signals	10
	Climate change	10
	Glint and glare.....	10
	Socio-economics.....	10
	Population and human health	10
	Major accidents and hazards (including fire risk)	10
7.	Table 1: Planning and Environment Decisions Wales Comments.....	11
8.	Other Matters	32
8.1	Changes to PPW	32

8.2 Updated Guidance from the Design Commission for Wales 32

8.3 Habitats Regulation Assessment 32

8.4 SuDS Consent 33

This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 06 March 2025, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) (“The 2017 Regulations”).

1. Introduction

Planning and Environment Decisions Wales (PEDW) received a request under Regulation 33 of the 2017 Regulations for a Scoping Direction in relation to a proposed development for an energy park hub with 11 x 7.2 MW wind turbines, 40 MW solar and battery storage by Wind 2 Project 3 Limited.

The request was accompanied by a Scoping Report (SR) [Parc Ynni Calon Y Gwnt EIA Scoping Report prepared by WSP, dated February 2025, reference 62282400-V03] and associated figures that outline the proposed scope of the Environmental Statement (ES) for the proposed development: <https://planningcasework.service.gov.wales/searchresults?q=02905>

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

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

2. Site Description

The site is located within the administrative area of Powys County Council, in mid Wales. The site is located on hills to the north of the A470 trunk road, approximately 2.7 km north of the village of Clatter, 3.5 km northeast of the village of Carno, 3.5km north of the village of Pontdolgoch and 12 km northwest of Newtown.

Further information is available in section 2.3 of the SR.

3. Proposed Development

The proposal as described in the SR is an energy park comprising of:

- Up to 11 three bladed horizontal axis wind turbines, with an anticipated rotor diameter of 163 m and height to tip blade of 180 – 200 m (approximate generating capacity of up to 79 MW);
- Solar PV array system, including transformers and cabling;
- Battery Energy Storage System (BESS);
- Crane pads (hardstandings) and laydown areas adjacent to each wind turbine;
- Power cables linking the wind turbines laid in trenches underground, including cable markers (further information provided below);

- A control building including substation, parking and a small storage compound;
- Meteorological mast for pre-construction energy yield and site conditions assessments;
- Health and safety and other signage;
- New and upgrading of existing access tracks, passing places and turning heads;
- Borrow pits (if necessary); and
- Temporary construction compounds.

Further information is available in section 2.4 of the SR.

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

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

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

4. Consultation

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

- Powys County Council
- Natural Resources Wales
- Cadw
- Agriculture Directorate of the Welsh Government
- Transport Directorate of the Welsh Government
- Network Rail
- Transport for Wales
- The Health and Safety Executive
- Mid and West Wales Fire and Rescue Authority
- Hafren Dyfrdwy

Additional consultation was undertaken with:

- Eryri National Park Authority (neighbouring Authority)
- Ceredigion County Council (neighbouring Authority)
- Isle of Anglesey County Council (neighbouring Authority)
- Cyngor Gwynedd (neighbouring Authority)
- Shropshire Council (neighbouring Authority)
- NATS
- Defence Infrastructure Organisation
- Civil Aviation Authority
- Joint Radio Company
- Arqiva

- SP Energy Network

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

5. Environmental Impact Assessment Approach

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

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

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

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

Rochdale Envelope: Whilst not specifically raised in the SR for this project, PEDW has previously been asked whether the 'Rochdale Envelope' approach is appropriate for a DNS application for wind turbine development. The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects 'Advice Note Nine: Rochdale Envelope', provides further detail on the Rochdale Envelope approach:

<https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-nine-rochdale-envelope/nationally-significant-infrastructure-projects-advice-note-nine-rochdale-envelope>

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' (<https://www.climateexchange.org.uk/projects/review-of-light-and-shadow-effects-from-wind-turbines-in-scotland/>, L.U.C. for climateXchange, 2017) it was found that "there is a lack of evidence to support the use of ten rotor diameters as a cut off, and this is entirely down to misinterpretation of the original reference to this distance."

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

5.1 Baseline

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

5.2 Reasonable Alternatives

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

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

5.3 Currency of Environmental Information

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

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

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

5.4 Cumulative Effects

The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – Advice on Cumulative Effects Assessment sets out a staged process for assessing cumulative impacts which the Applicant should follow when preparing the list of projects for inclusion in the ES:

<https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effects-assessment>

The Applicant should ensure that relevant schemes identified are addressed in the ES using the tiered approach set out in the Advice.

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

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

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

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

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

5.5 Mitigation

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

5.6 Population and Human Health

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

5.7 Transboundary Effects

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

5.8 Topics Scoped In but not subject to a standalone chapter

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

6. Environmental Impact Assessment Aspects

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

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

6.1 Aspects Scoped In

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

- Material assets and waste**
- Ecology**
- Ornithology**
- Landscape and Visual**
- Cultural heritage**
- Hydrology**
- Geology and soils**
- Noise and vibration**
- Access, traffic and transport**
- Aviation and radar**
- Shadow flicker**
- Telecoms and electromagnetic signals**
- Climate change**
- Glint and glare**
- Socio-economics**
- Population and human health**
- Major accidents and hazards (including fire risk)**

7. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
Description of the Development			
ID.1		Description of development	The applicant should refer to comments from NRW at appendix 1 regarding details that should be included in the description of development section of the ES.
ID.2		Solar PV	No detail has been provided on the on the extent or location of the solar arrays. Therefore, PEDW are unable to provide detailed comments on the scoping of impacts. The applicant is strongly advised the liaise with relevant consultees on potential impacts from the solar element of the scheme.
ID.3		Battery energy storage system (BESS)	It is noted that the proposed BESS would cover an area 100 m ² . Paragraph 5.8.2 of the SR mentions that the BESS would avoid priority habitats. The ES must include the detailed location and assessment of impacts.
ID.4		Cumulative assessment	While developments that have already been built and are operational will form part of the baseline, this does not mean that they should be excluded when considering cumulative effects. Paragraph 5 of Schedule 4 of the 2017 Regulations makes it clear that consideration of cumulative effects should include existing development. To ensure a comprehensive assessment in the final ES, the applicant is advised to liaise with the LPA on development proposals that should be included in the cumulative assessment, as they will be aware of developments in their area which will need to be considered, which may extend beyond other renewable energy developments.

ID	Reference in Scoping Report	Issue	Comment
Topics scoped out			
ID.5	13.7	Air quality	PEDW agree that air quality can be scoped out of the ES.
ID.6	13.11	Heat and radiation	PEDW agree that heat and radiation can be scoped out of the ES.
ID.7	13.12	Material assets and waste	It will be necessary to address Material Assets and Waste in a proportionate manner in relevant chapters, especially given the requirement to address the decommissioning phase in the ES. The draft Construction Environmental Management Plan (CEMP) should also be included as a technical appendix to the ES. Material assets and waste are therefore scoped in to the ES, although not necessarily as a standalone chapter
ID.8	13.13	Fire risk	The SR does not address the potential risk of fire as a result of battery failure. The scheme involves a large BESS (100 m²), therefore PEDW direct that fire risk is scoped in to the ES. The applicant may assess this risk within the major accidents and hazards topic chapter, as opposed to a standalone chapter. The following guidance should be considered in the assessment: • UK Government advice 'Health and safety in grid scale electrical energy storage systems': https://www.gov.uk/government/publications/grid-scale-electrical-energy-storage-systems-health-and-safety • The National Fire Chiefs Council (NFCC) provide Grid Scale Battery Storage System Planning guidance, available at: https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf • HSE guidance on managing health and safety in grid scale electrical energy storage systems which includes an assessment of the principal hazards, available at: https://www.hse.gov.uk/electricity/battery-energy-storage-systems.htm Mid and West Wales Fire and Rescue Service advise the applicant to consider the need to provide adequate water supplies and vehicle access for firefighting

ID	Reference in Scoping Report	Issue	Comment
			purposes on the site. Detailed guidance on this matter can be found in their comments at appendix 1. The risk of pollution from contaminated firewater in the event of a fire must be addressed, this has been included in the hydrology section of this direction.
Ecology			
ID.9		Consultation	PEDW note that no comments have been provided by Powys CC. The applicant is therefore strongly encouraged to liaise with PCC's Ecology Team on potential impacts.
ID.10	5.7.1, 5.7.8	Legislation, Policy and Guidance	NRW advise that provisions of the EIA audit compliance regarding relevant nature conservation legislation (UK and Wales) together with relevant local and national policies including BS 42020:2013 are also considered.
ID.11		Additional data sources	The assessment should include habitats and species listed in the relevant Local Biodiversity Action Plan. NRW note that the applicant should contact other relevant people / organisations for relevant ecological information including the relevant Local Records Centre and any local ecological interest groups. PEDW welcome that the Powys Nature Recovery Action Plan and Powys Local Biodiversity Action Plan are included in the SR.
ID.12	5.4	Baseline conditions	The ES must include a description of all the existing natural resources and wildlife interests within and in the vicinity of the site. The baseline should inform a detailed assessment of the likely impacts and significance of those impacts.
ID.13	5.7.9	Habitat surveys	PEDW welcome that the habitat surveys were undertaken in accordance with the JNCC Phase 1 survey guidelines, available at: https://hub.jncc.gov.uk/assets/9578d07b-e018-4c66-9c1b-47110f14df2a The Phase 1 should be undertaken during the summer to ensure the best chance of identifying the habitats present. If the PEA's undertaken were not completed in the summer months, this should be highlighted in survey limitations and justification provided for their relevance. NRW note that Habitats Directive Annex 1 habitats should also be identified as part of this assessment

ID	Reference in Scoping Report	Issue	Comment
ID.14	5.7	Impact assessment on protected species	The applicant should refer to NRW's comments at appendix 1 for detailed comments on the requirements for the impact assessment on protected species. Where the potential for significant impacts on protected species is identified, NRW recommend that a Conservation Plan for the relevant species is included as a technical appendix to the ES.
ID.15		Receptors	The development includes the installation of solar arrays. However, no detailed information has been provided on the extent or location of the arrays. NRW therefore highlight that the list of receptors will need to be reconsidered following provision of this information.
ID.16	5.7.9	Bats	NRW welcome the scoping of bats into the ES. The surveys undertaken should cover the full application site and should accord with the following: • NatureScot guidance titled Bats and onshore wind turbines - survey, assessment and mitigation. Available at: https://www.nature.scot/doc/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation. • Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th edition. Available at: https://www.bats.org.uk/resources/guidance-for-professionals/bat-surveys-for-professional-ecologists-good-practice-guidelines-4th-edition In accordance with NRW's advice, all trees with potential to support roosting bats within the stated buffer of each turbine, and those needing to be felled or pruned to facilitate development, are subject to both ground-based assessments and further surveys in accordance with the published best practice survey guidance (E.g. climbed, endoscope surveys). Where potentially important roost features may be located within 200 m of a turbine, NRW advise that further surveys will be undertaken. NRW advise that impacts of the proposals on bats are assessed using the Ecobat tool, access to the Ecobat tool can be requested from the Mammals Society. The

ID	Reference in Scoping Report	Issue	Comment
			assessment should include weather monitoring data at the time of bat activity surveys and assess the proportion of recorded bat activity in relation to the generating speed of the proposed turbines. The impact assessment should be provided for all bat species, not only those that are high risk.
ID.17	5.7.9	Badger	PEDW welcome the intention to undertake updated badger surveys in accordance with best practice.
ID.18	5.7.9	Riparian mammals	NRW welcome the approach set out in the SR with relation to survey methodology for riparian mammals.
ID.19	5.7.9	Dormouse	NRW note that initial survey results confirm presence of dormouse within the site. Therefore, dormouse can be assumed as present within suitable connective habitat within and adjacent to the site. It is welcomed that surveys be undertaken in all suitable habitat likely to be impacted by the development and a minimum of 50 m from the site within continuous habitat in accordance with current best practice. PEDW concur with the survey methodology set out in the SR.
ID.20	5.7.9	Great crested newt (GCN)	NRW welcome that the SR proposes to undertake surveys for watercourses considered suitable to support great crested newt within the survey area, in accordance with best practice guidance.
ID.21	5.7.9	National Vegetation Classification	PEDW welcome the intention to undertake detailed National Vegetation Classification (NVC) Surveys.
ID.22	Table 5-3	Fish	The SR proposes to scope out impacts on fish. NRW highlight that the release of fine sediment from construction activities to watercourses has the potential to impact fish habitat and fish populations both within and outside the site. Watercourse crossings may also impact fish habitat quality and connectivity through the creation of barriers to fish migration. Further information is therefore required in order to assess potential impacts on fish species. This should include the location, number and type of watercourse crossings, and any other physical modifications to watercourses. Potential hydrological changes will also need to be

ID	Reference in Scoping Report	Issue	Comment
			considered within a WFD assessment. PEDW therefore direct that impacts on fish are scoped in to the ES.
ID.23	Table 4.1	Protected sites	NRW concur with the scoping of impacts regarding protected sites. As noted above, this will need to be reviewed once additional information is provided on the extent and location of the solar arrays, or if alterations are made to the site layout. The applicant is therefore encouraged to keep this list under review.
ID.24		Llyn Mawr Site of Special Scientific Interest (SSSI)	NRW note that Llyn Mawr SSSI overlaps the boundary of the application site. Any impact on the SSSI must be fully addressed in the ES. The applicant's attention is drawn to NRW's comments at appendix 1 regarding the policy position regarding development in a SSSI.
Ornithology			
ID.25		Solar PV	As noted above, the extent and location of the proposed solar arrays have not been provided. The impact on this aspect of the development must be addressed in the ES. The comments below relate only to the wind turbine elements of the scheme. Further consultation is recommended with NRW and the LPA.
ID.26	6.6	Likely significant effects	NRW concur with the approach in the SR to consider impacts from displacement, collision, and habitat loss / fragmentation during construction, operation and decommissioning phases.
ID.27	6.6.6., 6.7.3	Curlew	NRW note potential impacts from displacement of breeding curlew as a result of the development. It is welcomed that curlew are scoped in to the ES. Should significant effects be identified, details of robust and comprehensive mitigation and enhancement proposals for curlew should be provided. This should detail appropriate opportunities that can be taken on site and within the wider Important Curlew Area (ICA). For the latter, the mechanisms for delivery of landscape scale enhancements should be provided. NRW note that the extent of curlew enhancement is unclear in the ES, it should be clarified whether this would include both on site and ICA level enhancements.

ID	Reference in Scoping Report	Issue	Comment
ID.28	6.7.4	Kestrel	Subject to securing landowner permission for the installation and retention of nestboxes, NRW consider this appropriate enhancement opportunities for kestrel. NRW advise that enhancement opportunities to improve foraging habitat near the boxes is considered.
ID.29	6.2.2	Study area	NRW concur with the proposed study area for ornithology impacts from turbines.
ID.30	6.2.2	Cumulative impact assessment	NRW concur with the proposed parameters for cumulative ornithology impacts from turbines.
Landscape and Visual			
ID.31	7.8.2	Guidance	The assessment should include consideration of the following guidance: • Guidance on Aviation Lighting Impact Assessment, NatureScot, November 2024 • Special Landscape Qualities - Guidance on assessing effects, NatureScot, January 2025 • Designing for Renewable Energy in Wales, Design Commission for Wales, November 2023
ID.32	7.4.26	Data sources	NRW advise that the following data sources should be used to inform the assessment: • Evidence reports relating to the North East Wales National Park Designation Project available at: https://ymgyngghori.cyfoethnaturiol.cymru/north-east-gogledd-ddwyrain/waless-national-park-proposal-public-consultation/ • Evidence on Tranquillity & Place - Dark Skies available at: https://storymaps.arcgis.com/stories/f66a917270894e8e9f194a1b75e83c28 • Evidence on Tranquillity and Place – Visually Tranquil Areas available at: https://storymaps.arcgis.com/stories/865c1876d9f64280a3dfc6e2769a46a5

ID	Reference in Scoping Report	Issue	Comment
ID.33	7.8.18	Cumulative study area	NRW concur with the proposed search area and study area. The SR proposed the same 27 km study area for the cumulative LVIA. NRW note it is unclear how the cumulative study area has been defined, NRW advise this should be informed by a cumulative Zone of Theoretical Visibility. PEDW advise that the methodology to inform the cumulative study area must be set out in the ES. Agreement should be reached with NRW on the proposed study area.
ID.34	Table 7-1	Eryri National Park	The development is proposed 16 km from the border of Eryri National Park (NP). NRW note the justification for scoping out impacts on Eryri NP states that the location of intervening operational and consented cumulative wind energy developments between the proposed development and the NP boundary, alongside the distance and limited visibility means that significant effects are unlikely. NRW query this approach, stating that ENP should be scoped into the LVIA, particularly for cumulative impact assessment as this will cover both the 'additional' and 'combined' cumulative effects of existing, consented, and the proposed developments. Eryri NPA also raise concerns with the potential cumulative effects due to the number of wind farm developments surrounding the National Park boundary. PEDW direct that landscape impacts, including cumulative impacts, on Eryri NP are scoped in to the assessment.
ID.35	Table 7-1	Cumulative assessment	PEDW note that Table 7-1 appears to indicate that cumulative assessment on landscape would be scoped out. NRW advise that cumulative landscape impacts must be considered. PEDW direct that cumulative landscape impacts are scoped in to the ES. The ES should include a description of the likely significant effects resulting from the cumulation of effects with other existing and / or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources, as set out in schedule 4, paragraph 5(e) of the 2017 Regulations. The applicant should also refer to best practice guidance on the assessment of existing and approved development Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment, available at:

ID	Reference in Scoping Report	Issue	Comment
			https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effects-assessment
ID.36		North East Wales National Park	NRW note that the proposed development is located approx. 11 km of the candidate area of the new North East Wales National Park. Whilst the National Park is yet to be designated, the applicant is advised to keep the assessment up to date and consider the future designation. The ES should either include an assessment assuming the Candidate Area has been designated as a new National Park or assess impacts on any new National Park designation that might have been made. The evidence reports relating to the North East Wales National Park Designation Project, referred to in the data sources section above, should inform the LVIA. PEDW direct that the potential impacts on the candidate area of the new North East Wales National Park are scoped in the ES , the level of assessment should be tailored to the status of the designation at the time of the application.
ID.37	Table 7-2	Viewpoints	NRW are provisionally satisfied with the proposed viewpoint within Eryri NP and within the candidate area for the new National Park. The applicant is advised to liaise with NRW to provide draft photography and the results of the cumulative ZTV analysis, this will allow NRW to provide detailed comments on viewpoint selection.
ID.38	7.7.6	Visualisation	The SR proposed to only include a photograph and wireline for VP 20. NRW recommend that a photomontage may be required from VP20, and that wirelines from all viewpoints should include the consented cumulative schemes. The applicant is advised to provide viewpoints and visualisations in accordance with NRW's advice. Further consultation with NRW is required should the ES defer from this advice.
ID.39	7.8.10-12	Mitigation	NRW recommend mitigation in the form of the reduction of the intensity of aviation warning lighting during good visibility.
ID.40	4.11	Reasonable alternatives	The applicant is advised that the principles outlined in Designing for Renewable Energy in Wales should be considered as part of the evolution of the scheme

ID	Reference in Scoping Report	Issue	Comment
			design. Determining the appropriate turbine layout should be based on rigorous analysis, testing and response to the landscape setting. The ES should explain how the findings of the LVIA have informed the design process, including the location, scale, number, siting, and layout of the turbines. These design matters should also be considered in relation to existing and consented wind farms nearby. This should be set out in the reasonable alternatives section of the ES.
Cultural heritage			
ID.41	8.3	Study area - non-designated heritage assets	Heneb advise that the study area for non-designated heritage assets should be 2 km from the boundary of the development area, not 2 km from the centre of the development site as proposed in the SR. With the proposed study area, Heneb note that the study area as proposed would exclude a large part of the new access route to the south which extends up to 4 km from the centre of the site. PEDW therefore direct that that study area should be amended to cover 2 km from the site boundary.
ID.42		Study area - designated historic assets	Cadw have raised similar concerns with the proposed study area for designated historic assets. The SR states a study area of 5 km from the centre of the site. Cadw advise that the 5 km study area should be taken from the site boundary. The applicant should refer to the list from Cadw of designated historic assets that are located in this area and in the ZTV to be incorporated into the assessment.
ID.43	8.7.4	Registered Historic Landscapes	Cadw concur that an ASIDOHL2 assessment on the Caersws Basin registered historic landscape can be scoped out.
ID.44	8.7.1	Data sources	The applicant should refer to detailed comments from Heneb and Cadw regarding further data sources to inform the desk-based assessment (DBA) and walkover survey. Heneb note that the data sources refer to the North East Wales Archives and Conwy County Council Archives, this appears to be an error and should be changed to Powys Archives (Llandrindod Wells).
ID.45	8.7.5	Archaeological assessment	Heneb confirm that a detailed archaeological assessment should be undertaken to inform the ES. The applicant should liaise with Heneb prior to undertaking any archaeological assessment. Further pre-determination archaeological assessment may be required in the form of geophysical survey and evaluation trenching. The

ID	Reference in Scoping Report	Issue	Comment
			need for this additional assessment will be informed by the DBA and walkover survey.
ID.46	8.7.2	Walkover survey	Cadw and Heneb raise concerns with the intention to limit the walkover survey to only turbine locations and infrastructure. Heneb advise that a detailed walkover survey (normally 30 m transect width) of the whole site area is required, unless otherwise agreed. A walkover survey limited to only turbine locations and infrastructure would not allow for a full understanding of the site, and potential for mitigation opportunities. Alternatively, the walkover survey can utilise DSM and DTM lidar data to target previously unrecorded archaeology if the lidar data is of sufficient resolution. Heneb's comments at appendix 1 detail how theses datasets can be accessed. Any new sites located on the lidar must be verified on the ground by the archaeological team and fully recorded with an accompanying gazetteer of sites included in the report. All sites should be categorised for their importance with the significance of impact stated.
ID.47	8.7.5	Further surveys	The results of the DBA, walkover and lidar surveys may identify the need for additional surveys to identify potential buried archaeological sites (i.e. geophysical surveys and archaeological evaluations). Heneb should be consulted on the results of the DBA and walkover survey to determine the need for a geophysical survey. The applicant should refer to comments from Heneb and Cadw regarding potential triggers for further surveys, and the requirements and timescales for those surveys.
ID.48		Written Scheme of Investigation	A Written Scheme of Investigation (WSI) must be approved before any new assessment work is undertaken. The applicant's attention is drawn to detailed comments at appendix 1 regarding requirements for the WSI, timing of surveys and reporting requirements.
ID.49		Peat	Heneb and Cadw highlight that peat deposits may contain important paleoenvironmental evidence and artefacts of prehistoric date. Therefore, any impacts on any peat need to be assessed within the cultural heritage chapter of

ID	Reference in Scoping Report	Issue	Comment
			the ES. Where peat cannot be avoided, a paleoenvironmental scheme for impact assessment must be undertaken as part of the ES.
ID.50		Consultation	PEDW note that no comments have been provided by Powys CC Built Heritage. The applicant should therefore liaise with Powys CC Built Heritage Conservation Officer regarding impact on the setting of Listed Buildings and Conservation Areas. The applicant's archaeological consultants should liaise directly with Heneb regarding the assessment and iterative design process.
Hydrology			
ID.51	Table 9-8, 9.6.5	Hydrology	NRW concur with the approach set out in the SR that all aspects of hydrology are scoped into the ES. NRW advise that any changes to the drainage regime should be avoided. The installation of buried cabling or access roads / road drainage has the potential to alter the drainage regime via preferential pathways and crosscutting natural drainage patterns. The baseline drainage prior to infrastructure installation and operational drainage must be considered as part of the ES.
ID.52	9.4.15-17	Groundwater	Ground investigations should be undertaken for each turbine location to understand the groundwater regime, notably the nature of the ground conditions including permeability and groundwater levels across the site. The surveyed information should inform the need and nature of dewatering required for turbine excavation. The information would also inform the understanding of the degree to which peat is supported by of groundwater, the nature of surface-water and groundwater connectivity, groundwater flow paths and gradients, and how conditions across the site change with rainfall events. These matters are important considerations for in the drainage assessment of the site. The ES must include a detailed layout plan including any cabling, and detailed turbine foundation design to inform the impact assessment on groundwater.
ID.53		Contamination risk from the battery energy storage system (BESS)	NRW highlight that the scheme involves the storage of a large BESS containing lithium-ion electrolytes and hydrocarbons which have the potential to cause pollution in the event of fire at the site as a result of battery failure. Risk of fire should be covered in the Major accidents and hazards chapter, however NRW

ID	Reference in Scoping Report	Issue	Comment
			advise that the ES should include measures to prevent pollution from contaminated firewater. The applicant should refer to detailed comments from NRW at appendix 1 regarding requirements for mitigation.
ID.54		Contamination risk from cabling	The ES should confirm whether fluid filled cables will be used for onsite cabling. If this is the case, the risk assessment should be provided in accordance with the Environment Agency's approach to groundwater protection: https://www.gov.uk/government/publications/groundwater-protection-positionstatements
ID.55	9.4.19.	Flood risk	It is welcomed that an FCA will be provided as a technical appendix to the ES. Please note that TAN 15 was updated on 31 March 2025: https://www.gov.wales/technical-advice-note-tan-15-development-flooding-andcoastal-erosion .
ID.56		Watercourse crossings	Information should be provided on any proposed access crossings, new surface water culverts, or alterations to existing structures along watercourses. Impacts on water quantities or flow pathways should be avoided.
ID.57	9.8.1	Construction Environmental Management Plan (CEMP)	The CEMP should be site-specific, with identified pollution pathways and measures implemented to avoid pollution. The CEMP should include mitigation measures to prevent silty water run-off from areas such as exposed excavation areas, hardstanding areas and access tracks. The ES must demonstrate that the design and construction of the site ensures that all potential pollution pathways are protected. A draft CEMP should be included as a technical appendix to the ES.
ID.58		River Basin Management Plan	NRW advise that further information should be gathered regarding any specific actions within the River Basin Management Plan for waterbodies in this area for opportunities to improve the water environment.
ID.59	2.5.2	Foul drainage	The SR states that temporary site offices and welfare facilities will be installed. However, no details regarding the method of foul waste disposal onsite are provided. NRW advise that the ES includes details on the proposed foul drainage system.

ID	Reference in Scoping Report	Issue	Comment
ID.60		Other consents	The applicant is advised that ordinary watercourse consent is required for any proposed alterations, interference or erection of any structure that affects an ordinary watercourse. More information is available at: https://en.powys.gov.uk/article/4661/Ordinary-Watercourses-Appling-for-consent-for-works It is likely that SAB approval for a SuDS scheme will also be required. More information is available at: https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB
Geology and soils			
ID.61	10.5.11	Peat – definition	LQAS disagree with the threshold of >30 cm to be used to identify the presence of peat. The definition of peat soils to be used for assessment is as published in the National Peatland Action Programme, the applicant should refer to detailed comments from LQAS at appendix 1.
ID.62	Table 10-1, Figure 10.1	Peat – scoping of impacts	It is welcomed that peat habitat has been scoped in to the assessment and that further peat surveys will be undertaken to inform the ES. The presence and extent of peat soils and peatland habitats must be identified and inform the siting of infrastructure and site layout. LQAS note that Peatlands of Wales Evidence Score map and the Phase 1 peat depth survey in the SR indicate there are peat deposits across the majority of the site and on proposed turbine locations. The applicant is referred to PPW regarding the policy position relating to peat and the step-wise approach. LQAS raise concerns with the approach in the SR, which focuses on minimising and mitigating peat impacts as opposed to avoidance through site design. The ES must address the approach to avoidance and the step-wise approach. If peat soils and peatland habitats are affected by the development, it is essential to provide comprehensive data on the volumes of peat excavated and compacted,

ID	Reference in Scoping Report	Issue	Comment
			along with the areas of NVC habitats on peat that are directly and indirectly impacted by the development.
ID.63	10.8.18-24	Peat – survey methodology	The applicant should also refer to detailed comments from LQAS at appendix 1 regarding further peat survey requirements.
ID.64	Table 7-5	Peat – cumulative impacts	Due to the number of developments within proximity to the site, cumulative impacts to peat soils and peatland habitats are scoped into the ES.
ID.65		Soil Management Scheme	A baseline soil resource and physical characteristics survey should be undertaken to inform a soil management scheme setting out how all soils and their functions will be conserved and reinstated at decommissioning. The applicant should refer to detailed comments from LQAS. PEDW direct that impacts to soil function and services are scoped into the assessment , to include decommissioning. The soil management plan should be included as a technical appendix to the ES
ID.66	2.6.3	Decommissioning	A preliminary decommissioning plan should be provided which sets out how infrastructure decommissioning will take place, what will be decommissioned and what may be left in situ. The applicant should also evidence that financial resources will be available to undertake the decommissioning at that time. NRW highlight that leaving materials such as buried cabling in the ground in perpetuity may eventually result in degradation of that cabling and the release of chemicals likely hazardous to the local environment. Whilst limited evidence is currently available to understand the risk of cables left in the ground in perpetuity, due to the potential risk, NRW advise that buried cabling should be removed as part of decommissioning. The SR states that in general, it is not expected that decommissioning activities would generate any new or different effects that would not be expected from the construction phase. For contamination, PEDW disagree with this approach as the infrastructure will have been in place for some decades and operation may have impacted on the environment over that time. Decommissioning impacts on soils are therefore scoped in to the ES, the assessment should address any residual impacts following decommissioning.

ID	Reference in Scoping Report	Issue	Comment
ID.67		Borrow pits	Information must be provided in the ES on the size, extent and location of any borrow pits. The afteruse must also be specified, and should inform the standard of restoration, the scheme and aftercare proposals. The information should demonstrate that borrow pits can be reclaimed to an acceptable standard and after-use. In accordance with advice from LQAS, the likely significant effects of borrow pits are scoped into the ES. The local water table should also be considered when determining the location of any borrow pits. Any excavation below the water table will need a risk assessment to consider the impact on the water table. If dewatering is required to work the borrow pit an abstraction licence may be required.
ID.68	Table 10-2	Land contamination	The SR proposed to scope out land contamination. However, PCC state that it is likely that there are areas of potential contaminated land that will require assessment. Land contamination is therefore scoped into the ES. The applicant should liaise with PCC to establish the level of assessment that will be required for inclusion in the ES. The ES should contain a clear and robust rationale for the approach adopted.
ID.69	Table 10-2	Agricultural Land Classification	LQAS concur with the approach in the SR to scope out Best and Most Versatile Agricultural Land.
Noise and vibration			
ID.70	11.6	Noise	It is welcomed that reference is made to the correct guidance in ETSU-R-97 and the IOA Good Practice Guide to assess operational noise. PCC's Environmental Health Officer concur with the approach in the SR.
ID.71	11.6.24-26	Noise - cumulative assessment	The intention to undertake a cumulative assessment is welcomed. The applicant should liaise with the relevant LPAs to determine a list of schemes to be included in this assessment.
ID.72	11.5.7-12	Vibration	The SR proposes to scope out vibration from the ES. No concerns have been raised by consultees. PEDW concur vibration impacts can be scoped out.
Access, traffic and transport			
ID.73	12.4.17	Public rights of way (PRoW)	PCC's Countryside Services state that the proposal will have both direct and indirect impacts on public rights of way. There are 10 PRoWs within the site, 4 of

ID	Reference in Scoping Report	Issue	Comment
			which are directly affected. Additional routes may be affected once further information on track layouts, the location of the proposed solar array, substation, BESS and borrow pits are finalised. Borrow pits should be sited away from PRowS to prevent changes to gradients and surface levels that affect users. PCC advise that applicant should avoid siting turbines on or within topple distances of any PRow. A permanent legal diversion may be required if turbines are located on a PRow. An assessment of impacts must be included in the ES for any PRow diversion proposed, and the applicant should liaise with PCC Countryside Services on any alternative routes proposed. The applicant should refer to PCC Rights of Way Improvement Plan to inform the impact assessment: https://en.powys.gov.uk/article/2439/Rights-of-Way-Improvement-Plan PCC note that the proposed access track crosses a number of public footpaths. This has the potential to adversely affect the PRow due to changes of level and surfacing, new drainage ditches, culverts and fencing. Full details, including impact assessment, should be provided for all locations where an access track will cross or coincide with a public right of way. Conversely, new access tracks may provide useful permissive routes for the public this should be considered in an access strategy for the site.
ID.74	12.7.5	Bridleways	Several bridleways cross the site. The British Horse Society's (BHS) guidance states there be a minimum separation distance of 200 m or three times blade tip height (whichever is greater) between turbines and the nearest bridleway. However, the need to assess individual sites is recognised, so the applicant is recommended to consult with the BHS (access@bhs.org.uk). Consideration may need to be given to the provision of alternative routes for the lifetime of the development, with particular reference to the needs of equestrians.
ID.75		Open access land	The site boundary covers a significant area of designated open access land on Craig Llyn Mawr, Waun y Llyn and Y Glonc. Whilst not designated as common

ID	Reference in Scoping Report	Issue	Comment
			Land, the public do have a right of access on foot for recreation. Therefore, the protection and enhancement of recreational opportunities in these areas should be assessed in the ES.
ID.76	12.5.3	Transport Assessment and Construction Traffic Management Plan	It is welcomed that a Transport Assessment and Construction Traffic Management Plan will be submitted with the ES. The applicant should refer to detailed comments at appendix 1 from Welsh Government's Transport Directorate regarding the requirements of a Transport Assessment.
ID.77		Strategic road network	Welsh Government's Transport Directorate advise that the ES should address: • The potential pathways to environmental contamination of the strategic road network (SRN), including the soft estate and water drainage system. • The impact on semi natural habitats of value to biodiversity on the SRN soft estate, and proposed mitigation where impacts cannot be avoided. • Opportunities to provide biodiversity enhancements within and adjacent to the SRN soft estate to achieve a net benefit for biodiversity.
ID.78	Table 12-1	Abnormal Indivisible Loads (AIL)	The SR proposed to scope out impacts from AILs. Due to the nature of the scheme and the requirement for AILs, this matter is scoped into the ES. The applicant's attention is drawn to the Welsh Government's Transport Directorate consultation response, including the draft guidance document: 'Pulling Together' - Best Practice for Transporting Abnormal Loads in Wales with regard to the impact assessment of Abnormal Indivisible Loads movements. PEDW recommends the applicant liaises directly with Welsh Government Transport Directorate on the draft abnormal load notifications. Shropshire Council request further consultation in relation to construction vehicle routes.
ID.79		AIL - PRoW impacts	PCC Countryside Services highlight that there are a number of associated off-site works which have the potential to directly affect public rights of way, such as

ID	Reference in Scoping Report	Issue	Comment
			overrun areas along the abnormal load route. These impacts must be addressed in the ES.
ID.80		Mitigation - PRoW	PCC Countryside services seek the following mitigation: • Ensure the public paths within the site are fully open for use and, where appropriate, enhance the paths i.e. by replacement of stiles with gates and improved drainage and surfacing. • Section 106 funds to enhance off-site public rights of way and open access land, payable on commencement of development and annually thereafter for the life of the wind farm.
Aviation and radar			
ID.81	13.2	Aviation	DIO raise safeguarding concerns with the introduction of physical obstructions to air traffic movements. The applicant should consider the use of aviation safety lighting. These impacts must be addressed in the ES.
ID.82		Radar	NATS state the proposal conflicts with their safeguarding criteria, noting predicated impacts on Clee Hill RADAR. This impact must be addressed in the ES.
Shadow flicker			
ID.83	13.3	Shadow flicker	PEDW concur with shadow flicker being scoped in to the ES. The SR does not specify whether the shadow flicker assessment would include a cumulative assessment. PEDW direct that the ES must include a cumulative assessment for shadow flicker. If no cumulative impacts are anticipated, evidence should be provided in the ES to support this statement.
Telecoms, electromagnetic and TV interference			
ID.84		Telecom and electromagnetic	PEDW welcome that impacts on telecoms and electromagnetic signals will be addressed in the ES. The applicant should refer to comments from Arqiva and Joint Radio Company at appendix 1.
ID.85		TV interference	PEDW concur that TV interference can be scoped out.

ID	Reference in Scoping Report	Issue	Comment
Climate change			
ID.86		Carbon Balance Assessment	PEDW concur with the approach set out in the SR that a Carbon Balance Assessment will be provided.
ID.87		Other topic chapters	PEDW concur with the proposed approach that some climate aspects will be assessed in other topic chapters, i.e. flood risk as part of the hydrology chapter.
Glint and glare			
ID.88	13.6	Glint and glare	It is welcomed that a glint and glare assessment will be provided for the proposed solar PV. PEDW concur with the approach to consider the impact in the relevant topic chapters, as opposed to a standalone chapter.
Socio-economics			
ID.89	13.8	Socio-economics	PEDW concur that socio-economic impacts do not require a standalone chapter and can be addressed under other topics such as traffic and transport, noise and visual impacts.
Population and human health			
ID.90	13.9	Population and human health	PEDW agree that population and human health does not require a standalone chapter, and that population and human health effects can be incorporated within the relevant technical chapters such as traffic and transport, noise, shadow flicker and landscape and visual.
Major accidents and hazards			
ID.91	13.10	Major accidents and hazards	The ES should address risks associated with topple risk, component failure and operational contamination risk. PEDW refer the applicant to comments at appendix 1 from the Health and Safety Executive, NRW and the Fire and Rescue service.
ID.92	Table 13-1, 13.13	Fire risk from BESS	Please refer to comments above. This matter is scoped in to the ES. The proposed development should include adequate measures to ensure that an isolated fire would not become widespread and lead to a major incident. 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

ID	Reference in Scoping Report	Issue	Comment
			the responsibilities set by the Regulatory Reform (Fire Safety) Order 2005. The ES should ensure that risks of accidents are accounted for and mitigated in line with Schedule 4. A proportionate section on this aspect should be included in the ES.
ID.93		Solar PV	The applicant's attention is drawn to the fact that some solar panels are coated in PFAS (Per- and polyfluroalkyl substances) which can leach over time due to wear and tear. Should the panels proposed include this, appropriate measures need to be put in place to ensure that leaching of PFAS into the local environment does not occur and this should be address in a proportionate manner in the ES.
Other considerations			
ID.94		Impact on the existing electricity network	The applicant's attention is drawn to comments from SP Energy Networks at appendix 1 regarding the operation and management of the electricity network (up to 132 kV). SP Energy Networks request that the CEMP has a section on utilities and explains how impact on the electricity network is to be managed and mitigated. The applicant should liaise directly with SP Energy Networks on this matter.

8. Other Matters

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

8.1 Changes to PPW

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

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

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

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

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

8.2 Updated Guidance from the Design Commission for Wales

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

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

8.3 Habitats Regulation Assessment

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

When considering whether or not significant effects are likely, applicants should ensure that their rationale is consistent with the CJEU finding (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62017CN0323>) 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 on Habitats Regulations Assessments may prove useful when considering what information to provide to allow the Welsh Ministers to undertake AA: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments>

8.4 SuDS Consent

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

Appendix 1: Consultation Responses

From: [Kate Bowen](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Subject: RE: DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park, Caersws (our ref: 25/0354/PRL)
Date: 14 April 2025 10:04:08

Dear Tanya

Further to our below communication, and in respect of Landscape and Visual impact, as previously advised, we do not have a landscape officer. When briefly reviewing the documents, I did not note any reference to the Powys Landscape Character Assessment. The EIA will need to take account of the Landscape Character Assessment available at:

<https://en.powys.gov.uk/article/13408/Replacement-Local-Development-Plan-Latest-Evidence>

Otherwise, we do not have any further comments to make on Landscape and Visual impact.

The comments from our ecologist will be sent through when received.

Kind regards

Kate Bowen

Uwch Swyddog Cynllunio / Senior Planning Officer

Rheoli Datblygu / Development Control

Cyngor Sir Powys / Powys County Council

T: [REDACTED]

E: [REDACTED]

***Croeso i chi gysylltu â ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg, heb oedi.
You are welcome to contact us in Welsh. We will respond in Welsh, without delay.***

***Pa mor dda ydyn ni'n neud? Rydym yn croesawu eich adborth, defnyddiwch y
[ddolen yma](#)***

How are we doing? We welcome your feedback, please use the following [link](#).



Data Protection and Privacy: In order to deliver the Planning Service (applications, complaints and appeals etc.) it is necessary for the council to process personal data, in accordance with relevant planning legislation, as listed on the Welsh Governments planning website (<https://gov.wales/topics/planning/?lang=en>). Information held by the Planning Service will be retained in accordance with the legislation and the Councils retention schedule. If you have any concerns regarding the use of your personal data please contact the Data Protection Officer by email at Information.Compliance@powys.gov.uk. Please note that further information on the Data Protection and Privacy can be found at the following address: <https://en.powys.gov.uk/privacy>.

Diogelu Data a Chyfrinachedd: Er mwyn cyflawni ceisiadau, cwynion ac apeliadau'r Gwasanaeth Cynllunio mae angen i'r cyngor brosesu data personol yn unol â'r ddeddfwriaeth gynllunio berthnasol, sydd i'w weld ar wefan gynllunio Llywodraeth Cymru

(<https://gov.wales/topics/planning/?skip=1&lang=cy>). Bydd y Gwasanaeth Cynllunio'n cadw Gwybodaeth yn unol â'r ddeddfwriaeth ac amserlen cadw'r Cyngor. Os oes gennych bryderon am sut rydym yn defnyddio'ch data personol cysylltwch â'r Swyddog Diogelu Data trwy e-bost Information.Compliance@powys.gov.uk. Cofiwch y gallwch gael hyd i fwy o wybodaeth am Ddiogelu Data a Chyfrinachedd trwy fynd i:

<https://cy.powys.gov.uk/article/653/Defnyddio-Cwcis>.



THE TRUST FOR WELSH
ARCHAEOLOGY

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ARCHAEOLEGOL
CYMRU

Y Swyddfeydd
Coed y Dinas
Y Trallwng
Sir Powys
SY21 8RP

The Offices
Coed y Dinas
Welshpool
Powys
SY21 8RP

Powys CC 25/0354/PRL and DNS CAS-02905-P2F6M6
EIA Scoping Opinion for Calon y Gwynt Wind Farm, Solar Array, BESS & all associated
infrastructure north of Caersws, Powys

Dear Sir or Madam

Thank you for the pre-application scoping opinion consultation on this proposed windfarm, solar array and battery storage development.

We note the red boundary of the intended windfarm layout and the current 11 x 200m high turbine proposals with an on-site solar array, battery storage area, substation, new access and grid connection. I can confirm that this development would require a detailed archaeological assessment to inform an Environmental Statement as part of an EIA. The development Site boundary and surrounding Study areas include a large number of non-designated and designated heritage assets which will need to be assessed for both direct and indirect (setting) impacts. We assume the applicant has engaged, or will engage, an archaeological consultant/contractor to complete the archaeological assessment and we would need close liaison with the archaeological consultants throughout the design stage of the application leading up to application submission.

In terms of our specific interests, we would be commenting on impacts to the non-designated heritage on behalf of the Local Planning Authority who are normally consulted for a scoping opinion and for a Local Impact Report. Cadw (via cadwplanning@gov.wales) will comment on Scheduled Monuments and their settings, Registered Parks and Gardens and their settings, Battlefields, Registered Historic Landscapes and World Heritage Sites. The Powys CC Built Heritage Conservation Officer will comment on Listed Buildings and their settings and Conservation Areas and their settings.

We agree with the Table 8-1 elements scoped into, and out of, the Cultural Heritage assessment.

8.3 Study Area

The study area for non-designated heritage assets would normally be 2km from the red boundary of the development area, not 2km from the centre of the development site. The current study area proposal would not include, for example, much of the new access route to the south which extends up to 4km from the centre of the site. This must therefore be

changed to include all sites within 2km of the site red boundary (including the access red boundary to the south).

Cadw and the Powys CC Built Heritage Officer may require a wider study area of up to 10 or 15km for designated sites where the ZTV indicates a setting or visual impact.

8.7 Assessment Methodology

8.7.1 DBA Sources There are some errors in 8.7.1 where the North East Wales Archives and Conwy County Council Archives are mentioned and these should be changed to Powys Archives (Llandrindod Wells).

The sources we expect to be used as a minimum (and stated in the scoping document) include:

Designated asset data from Cadw (<http://historicwales.gov.uk>)

Archaeological records held by the National Monuments record RCAHMW including information on historic place names <https://rcahmw.gov.uk/discover/list-of-historic-place-names/>

Archaeological records held by Heneb CPA HER (via direct consultation with the HER team her@cpat.org.uk and not just relying on Archwilio data)

Conservation Area details from Powys County Council.

LANDMAP datasets from NRW for Cultural Landscape and Historic Landscape aspect areas and associated character areas with the significance of impact to be quantified.

Maps, plans and documents held in the Powys Archives <https://storipowys.org.uk/visit-us/archives/>

Maps, plans and documentary sources held at National Library of Wales including the Tithe Maps of Wales <https://places.library.wales/home>

Aerial photos held by the Central Register for Aerial Photography Wales (CRAPW) <http://aerialphotos.wales.gov.uk/> and the National Monuments Record RCAHMW

Records held on the Portable Antiquities Scheme database here <https://finds.org.uk/>

Readily available and relevant primary and secondary published sources and unpublished archaeological reports.

Findings of other environmental topics (e.g. landscape, peat).

8.7.2 Walkover Survey

A detailed walkover survey (normally 30m transect width) of the whole Site red boundary area would normally be required, unless otherwise agreed. This would particularly enhance information on previously unrecorded surface archaeology which may be impacted by the layout design or by visual and setting impacts. Some of this unrecorded archaeology may also be of national importance and this would influence impact scoring and mitigation. A walkover survey limited to turbine locations and infrastructure only would not be assessing the true resource potential within the study area.

The walkover can however make use of DSM and DTM lidar data to target previously unrecorded archaeology if the lidar data is of sufficient resolution and this would reduce the need for a systematic transect survey of the red boundary area. Individual features or areas recognised on the lidar could then be verified, mapped and recorded on the ground.

The new National Wales 1 metre DTM and DSM Lidar datasets can be used from NRW here <https://datamap.gov.wales/maps/lidar-viewer/view#/> where first clicking on the WG Lidar 2020-22 tile index in the left menu and then zooming in on the map will present the relevant area tiles. These tiles can be clicked on to get links to the DTM and DSM tiles for processing and visualisation. Note that the NRW map viewer alone is very poor resolution when zoomed in and should not be used to enhance the walkover.

It is also possible to view a multi-hillshade DTM of Wales via the National Library of Scotland map viewer and this is higher resolution than the NRW viewer. The NLS viewer can be accessed here https://maps.nls.uk/geo/explore/side-by-side/#zoom=14.9&lat=52.56756&lon=-3.47063&layers=GoogleSatHyb&right=LIDAR_DTM_1m

Newly acquired site-specific lidar data is often preferable to the NRW and NLS datasets. If this is used the lidar should be at 25cm resolution and a 25cm DTM and DSM should be produced from the resulting point cloud data for assessment purposes. These elevation files should be appropriately processed using standard archaeological lidar visualisation techniques to make sure that all possible archaeological features present on the DTM/DSM data area identified and recorded.

Any new sites located on the lidar must be verified on the ground by the archaeological team and mapped, described, photographed and interpreted with images and an

accompanying gazetteer of sites included in the report. All sites should be categorized for their importance and the significance of impact stated.

8.7.4 ASIDOHL You would need to confirm with Cadw that an ASIDOHL2 assessment based on the Caersws Basin registered historic landscape can be scoped out.

8.7.5 Field Investigation - Geophysics and Evaluation Trenching

During the iterative design process, and depending on the feedback from the DBA, walkover and lidar surveys, there may be a requirement to gather more information on the sub-surface archaeological potential of the development area, which will not normally be apparent from a desk based and walkover study alone. This requirement would be triggered by clusters of surface monuments suggesting high levels of nearby activity, typically prehistoric funerary and ritual monuments, for which associated sub-surface archaeology may be present, but cannot be properly quantified and located. It may also be triggered where prior surveys cannot accurately define the nature, function and date of surface or sub-surface features without retrieving more information.

Heneb CPA would advise on the need for geophysical survey after the DBA and walkover survey reports have been presented to them for comment. If geophysical anomalies are located but are not diagnostic enough to allow informed opinions on dating, function, level of preservation and importance then additional intervention by targeted evaluation trenching may also be required within the assessment stage and in accordance with Planning Policy Wales and TAN24.

8.7.19 The CIfA standard and guidance for the following should be added here:

Standard for archaeological field evaluation

Universal guidance for archaeological field evaluation

Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives

Paleoenvironmental Potential (Peat)

The impact on intact peat deposits which may contain important paleoenvironmental evidence and artefacts of prehistoric date should be assessed. There may be some surface exposures of peat, boggy areas and pools within the development area which may indicate the sub-surface presence of peat deposits. Normally the peat deposit depths and extent will be mapped as part of the NRW Peat Management Plan requirements and in archaeological terms we would generally be interested in any peat deposits deeper than 0.40 m although shallow deposits can also be archaeologically significant. The turbine and infrastructure layout should seek to avoid all peat deposits. Where significant peat deposits cannot be avoided a suitable scheme of sampling, analysis, dating and reporting will need to be completed using appropriate sampling techniques advised by a paleoenvironmental or geoarchaeological specialist.

Timing of the EIA Survey Window for Cultural Heritage Assessment

A realistic time period should be set aside to complete the archaeological assessment, reporting and mitigation discussion before the application is formally submitted for examination and in accordance with guidance on pre-determination archaeological evaluation set out in Technical Advice Note 24 (May 2017): Paragraph 4.7 and Planning Policy Wales (Feb 2024): Paragraph 6.1.26.

Failure to complete the appropriate surveys may result in delays at the examination stage if we have to ask for additional information to be supplied. The applicant should therefore adjust their application submission dates to ensure these surveys are fully completed.

Project Design Approval, Archiving and Reporting of Archaeological Assessments

With regard to reporting and archiving of any archaeological reports produced by the archaeological consultants/contractors for this assessment it should be noted that a high resolution digital pdf will be required by the Heneb CPA Historic Environment Record to be sent via HEDDOS <https://heneb.jotform.com/242893088003963> in accordance with the Welsh Archaeological Trusts HER submission guidelines here <https://cpat.org.uk/curatorial-services/historic-environment-record/#page-content> and the full digital archive will need to be forwarded to the National Monuments Record, RCAHMW, Aberystwyth and/or the The Archaeology Data Service in accordance with their submission guidelines.

We will need to approve a Written Scheme of Investigation (WSI) document (sometimes called a project design) before any new assessment work commences and WSI's will be required for any additional geophysics and evaluation trenching also. All WSI's and resulting final reports must include a Data Management Plan (updated for final report), Archive Selection Strategy, Archive Content List and Archive Deposition Location Statement

Statement of Common Ground

It would be useful to agree a Statement of Common Ground between Heneb: CPA, Heneb: GA and the applicant before the application is submitted for Examination.

Further Consultation & Communication

We would welcome further direct correspondence and communication with the archaeological consultants/contractor who are engaged to complete the cultural heritage assessment as part of an iterative design process, and we would also wish to see copies of any cultural heritage assessment reports completed as the design process moves forward. We would expect to be consulted on the draft final ES cultural heritage chapter before it is submitted for examination.

Mark Walters, Senior Planning Archaeologist

Cadeirydd / Chair: Dr Carol Bell PSG / CEO: Richard Nicholls
Cwmni Cyfyngedig (1198990) ynghyd ag Elusen Gofrestredig (504616) yw'r
Ymddiriedolaeth
The Trust is both a Limited Company (1198990) and a Registered Charity (504616)
Formerly: Clwyd-Powys Archaeological Trust – gynt: Ymddiriedolaeth Archaeolegol
Clwyd-Powys



Kate Bowen

From: David Jones
Sent: 27 March 2025 10:04
To: Kate Bowen
Subject: RE: Our ref: 25/0354/PRL EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park

Hi Kate

From the information presented (maps) it is likely there are areas of potential contaminated land that will require consideration through a contaminated land assessment. Due to the size of the proposed areas it is not possible to identify specific features and hence this responsibility should fall to the developer in the first instance to produce an assessment.

Regards

David

From: Kate Bowen [REDACTED]
Sent: 12 March 2025 16:29
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Our ref: 25/0354/PRL EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park

Dear all

Please see attached DNS EIA Scoping Consultation from PEDW. We would be grateful if you could provide any comments on the scope of the EIA and the proposed methodologies outlined in the Scoping Report, for us to incorporate into our response to PEDW by 2 April 2025.

Please do not hesitate to contact me with any queries.

Many thanks

Kate Bowen
Uwch Swyddog Cynllunio / Senior Planning Officer
Rheoli Datblygu / Development Control
Cyngor Sir Powys / Powys County Council
T: [REDACTED]
E: [REDACTED]

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You are welcome to contact us in Welsh. We will respond in Welsh, without delay.*

*Pa mor dda ydyn ni'n neud? Rydym yn croesawu eich adborth, defnyddiwch y [ddolen yma](#)
How are we doing? We welcome your feedback, please use the following [link](#).*

CYNGOR SIR **POWYS** COUNTY COUNCIL

Mynediad Cefn Gwlad a Hamdden / Countryside Access and Recreation

NEUADD Y SIR, LLANDRINDOD, POWYS, LD1 5LG

COUNTY HALL, LLANDRINDOD WELLS, POWYS, LD1 6AA

From: Sian Barnes, Professional Lead
Countryside Access and Recreation

To: Kate Bowen, Senior Planning officer
Planning Services

Re: Scoping response: 25/0354/PRL EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park – public rights of way and open access land, 2nd April 2025:

The proposals at Calon y Gwynt will have both direct and indirect impacts on public rights of way and open access land as set out below. Consideration of these impacts should form part of the Environmental Impact Assessment.

1. There are 10 public rights of way within the proposed red line development area as below:

Route Code	Path No	Status	Community
236/57/1	57	Bridleway	Dwyriw
236/81/1	81	Bridleway	Dwyriw
244/70/2	70	Bridleway	Caersws
244/70/3	70	Bridleway	Caersws
244/72/1	72	Bridleway	Caersws
244/73/1	73	Footpath	Caersws
244/73/2	73	Footpath	Caersws
244/74/1	74	Bridleway	Caersws
244/74/2	74	Bridleway	Caersws
244/78/2	78	Bridleway	Caersws
246/26/4	26	Bridleway	Dwyriw
246/27/2	27	Footpath	Dwyriw
246/28/1	28	Footpath	Dwyriw

2. Those which are directly affected by the information supplied in the EIA scoping request are listed below. Once further information on track layouts, the location of the proposed solar array and substation and borrow pits is submitted it is likely this will increase:

Path Number	Path Status	Notes
246/26/4	Bridleway	Within 100m radius of turbine 1
246/27/2	Footpath	Within 100m radius of turbine 1
244/70/2	Bridleway	Within 100m radius of turbines 3 and 4
244/78/2	Bridleway	Within 100m radius of turbine 3

Mapping to show the paths can be found and the digital data downloaded free of charge at: <https://en.powys.gov.uk/article/13184/Public-Rights-of-Way-Map>

3. The development also takes in a significant area of designated open access land on Craig Llyn Mawr, Waun y Llyn and Y Glonc. These are not designated as common land. However, the public do have a right of access on foot for recreation; protection and enhancement of recreational opportunities in these areas should be considered.
4. There are a number of associated off site works which have the potential to directly affect public rights of way, such as overrun areas along the abnormal load route. All have the potential to have a direct impact on public rights of way, but there is insufficient information to comment at this time.
5. The developer must avoid siting turbines on any of the public rights of way. In addition, micro-siting of turbines that may result in public rights of way being located within the topple zone of turbines should be avoided. Several bridleways cross the site as above; the British Horse Society's (BHS) guidance is that there be a minimum separation distance of 200m or three times blade tip height (whichever is greater) between turbines and the nearest bridleway. However, the need to assess individual sites is recognised, so it is recommended that the developer consults with the BHS directly via access@bhs.org.uk. The developer should give consideration to provision of alternative routes for the lifetime of the development, with particular reference to the needs of equestrians.
6. If turbines (including turbine pads and ancillary infrastructure) are located on the public rights of way, then a permanent legal diversion will be required, as a secondary consent, before any construction affecting the line of the public right of way can commence. Details of any proposed diversion route must be agreed with the Countryside Access and Recreation team beforehand, to ensure that the diversion route is appropriately located for accessibility, maintenance and connections with the surrounding network.
7. The proposed new access track from the B4568 does cross public footpaths 244/11/1, 244/10/1 and 244/57/4. New access tracks constructed to access the wind farm and across the site itself can adversely affect the public rights of way due to changes of level and surfacing, new drainage ditches, culverts and fencing. These details must be agreed with the Countryside Access and Recreation team in advance, at all locations where an access track will cross or coincide with the line of a public right of way. Conversely, new access tracks may provide useful permissive routes for the public, for the lifetime of the development and this should be considered in an access strategy for the site.
8. If borrow pits are to be used for quarrying stone for the access tracks, the locations need to be sited away from the public rights of way to ensure that gradients and surface levels are not changed. Transportation of material from the borrow pits to the turbine tracks should be managed to minimise disturbance to the public rights of way.
9. Temporary closures of public rights of way may be required during construction. Details of the phasing and timing of these closures and any alternative routes must be agreed with the Countryside Access and Recreation team before work commences. The developer must also note that there is a lead time of up to 10 weeks to implement a new temporary closure and must plan their activities and liaise with the Countryside Access and Recreation and Streetworks teams accordingly.

10. Temporary site compounds, cables and substations and environmental measures such as new fencing and watercourses or ponds may also impact on public rights of way. These features must be located to avoid public rights of way.
11. The proposals will impact on outdoor recreation opportunities within the site, which is within 5km of Caersws and Pontdolgoch and 10km of Llanbrynmair. The importance of public rights of way and other outdoor recreation opportunities for our residents and visitors are highlighted in the Council's Rights of Way Improvement Plan 2018-28, which can be found at: <https://en.powys.gov.uk/article/2439/Rights-of-Way-Improvement-Plan>

The Rights of Way Improvement Plan sets out the Council's strategic aspirations in terms of maintaining and enhancing the public rights of way network. Open, waymarked and easy to use paths are key to realising the benefits of public rights of way for health and wellbeing and for their economic benefits.

12. We note that the developer acknowledges the need to explore mitigation in relation to impacts on public rights of way and access to the countryside. The Countryside Access and Recreation team seek the following mitigation:
 - a. That the developer ensures that the public paths within the site are fully open for use and where appropriate, seeks to enhance the paths e.g. via replacement of stiles with gates and improved drainage and surfacing.
 - b. Section 106 funds to enhance off-site public rights of way and open access land, payable on commencement of development and annually thereafter for the life of the wind farm.

The developer can contact the Countryside Access and Recreation team via rights.of.way@powys.gov.uk to discuss the points above.

Kate Bowen

From: Land Drainage
Sent: 01 April 2025 12:20
To: Kate Bowen
Subject: RE: Our ref: 25/0354/PRL EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park

Hi Kate,

Any proposed alterations, interference or erection of any structure that affects an ordinary watercourse will require prior consent from Powys CC (as Lead Local Flood Authority), in accordance with Section 23 of the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010). Further information can be sought at:

<https://en.powys.gov.uk/article/4661/Ordinary-Watercourses-Appling-for-consent-for-works>.

The site may be affected by flooding. The Flood Maps for Planning should be referenced and can be found on NRW's website; [Natural Resources Wales / Flood map for planning](#). This should be investigated and considered within the development layout. Development should not be permitted within an area at risk from flooding unless it can be demonstrated that the consequences of any flooding would be acceptable for the development proposed and that it would not give rise to any unacceptable flooding impacts elsewhere.

The proposed development will likely require SAB approval. For further information on the requirements of SAB and where relevant application forms/guidance can be accessed, please visit the following website

<https://en.powys.gov.uk/article/5578/Sustainable-Drainage-Approval-Body-SAB>. Alternatively, please contact the SAB Team on 01597 827465 or via email sab@powys.gov.uk.

Many thanks,

Johanne Williams

Peiriannydd Perygl Llifogydd a Draenio Cynaliadwy / Flood Risk and Sustainable Drainage Engineer

Cyngor Sir Powys / Powys County Council

E-bost / Email: land.drainage@powys.gov.uk

Ffôn / Tel: 01597 827465

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Kate Bowen

From: Paul Bufton
Sent: 11 April 2025 09:47
To: Planning Consultations
Cc: Kate Bowen
Subject: 25/0354/PRL

Kate

Thank you for the consultation in relation to the Scoping Request.

I have had a look at the EIA scoping report and I am satisfied in respect of noise that they have identified the correct guidance in ETSU -R-97 and the IOA good practice guidance and they are intending to use this. Therefore I am happy with the approach.

Best regards

Paul
Paul Bufton
Uwch Swyddog Iechyd yr Amgylchedd (Gwarchod yr Amgylchedd) Senior Environmental Health Officer
(Environmental Protection)
(Gwarchod yr Amgylchedd) – Cyngor Sir Powys (Environmental Protection) – Powys County Council
[REDACTED]

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Ffurflen Adborth Cwsmer - [Ffurflen Adborth Cwsmer \(office.com\)](#)
Customer Feedback Form - [Customer Feedback Form \(office.com\)](#)



Er mwyn cyflenwi gwaith Gwasanaeth Iechyd yr Amgylchedd, mae angen prosesu data personol yn unol â'r ddeddfwriaeth berthnasol. Bydd y wybodaeth hon yn cael ei chadw yn unol â'r ddeddfwriaeth, a rhestr cadw gwybodaeth y Cyngor. Os oes gennych unrhyw bryder ynghylch y defnydd a wneir o'ch data personol cysylltwch â'r Swyddog Diogelu Data trwy anfon e-bost at Information.Compliance@powys.gov.uk <<mailto:Information.Compliance@powys.gov.uk>>. Sylwch fod modd dod o hyd i ragor o wybodaeth am Ddiogelu Data a Phreifatrwydd yn y cyfeiriad gwe canlynol: <http://www.powys.gov.uk/privacy>

In order to deliver the Environmental Health Service, it is necessary to process personal data in accordance with the relevant legislation. Information held will be retained in accordance with the legislation and the Councils retention schedule. If you have any concerns regarding the use of your personal data please contact the Data Protection Officer by email at Information.Compliance@powys.gov.uk. Please note that further information on the Data Protection and Privacy can be found at the following address:
<http://www.powys.gov.uk/privacy>

Tanya Leck
Planning & Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Date: 7th April 2025
Our Ref: 25/00923/AAC
Your Ref: DNS CAS-02905-
P2F6M6

VIA EMAIL: PEDW.infrastructure@gov.wales

Dear Ms Leck,

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING REFERENCE:	25/00923/AAC
PROPOSAL:	Application for an energy park hub with 11 7.2mw wind turbines, 40mw solar and battery storage
LOCATION:	Calon Y Gwynt Energy Park, Calon Y Gwynt, Caersws, Powys, Wales.

Thank you for consulting Shropshire Council's Development Management Team, as a consultation body, on this request for an EIA Scoping Direction. I confirm that both the Shropshire Council LPA and LHA do not have any comments on this consultation.

It would be appreciated if further consultation could be forthcoming in relation to potential impact from construction vehicles if an application is forthcoming.

Yours sincerely,

Lynn Parker

Lynn Parker
Principal Planning Officer

Southern Team

Shropshire Council, planning.southern@shropshire.gov.uk -

From: Sion R Roberts [REDACTED]

Sent: 11 April 2025 14:48

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

Subject: RE: EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park

Good afternoon,

Thank you for your email on the proposed wind farm development at Calon y Gwynt, Caersws.

The development is noted as being approximately 16km away from the National Park border, and it is noted within the Scoping Report that;

*“The limited distribution of theoretical visibility of the Proposed Development across the closest parts of the ENP, the location of intervening operational and consented cumulative wind energy developments between the Proposed Development and this part of the ENP boundary as well as the long intervening distance of approximately 16km (**Figure 7.3**) supports the conclusion that the special qualities, integrity and landscape character of the ENP are unlikely to be significantly affected by the Proposed Development.*

Landscape effects ”

We are satisfied with this conclusion within the report. However we would just note - as we do with other applications currently, that we have some concerns about the number of wind farm development either operational (therefore increasing the cumulative effect) or in planning (potential increase in cumulative effect) in the area surrounding the National Park boundary currently. The turbines are also quite larger (163m) and therefore the cumulative effect of these 11 turbines alongside others could increase the impact of these developments from viewpoints within the National Park. I can see that this is addressed under 4.10 within the Scoping Report, and we can see that the assessment of cumulative effects have been scoped in at this stage. It is noted that two potential developments are also within 10km of this proposal, which would potentially add further to the cumulative effects

Thank you very much Tanya,

Sion

Sion Roberts MRTPI

Uwch Swyddog Cynllunio (Polisi) / Principal Planning (Policy) Officer

Awdurdod Parc Cenedlaethol Eryri / Snowdonia National Park Authority

Penrhyndeudraeth

Gwynedd

LL48 6LF

Ffôn / Tel - [REDACTED]

Ffacs / Fax - [REDACTED]

E-bost/E-mail - [REDACTED]

Gwefan/Website - www.eryri.llyw.cymru



Ein cyf/Our ref: CAS-276295-N6L0
Eich cyf/Your ref: DNS CAS-02905-
P2F6M6

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

Dyddiad/Date: 11 April 2025

Annwyl Syr/Madam/Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

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

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT
(WALES) REGULATIONS 2017**

**BWRIAD/PROPOSAL: Application for an energy park hub with 11 7.2MW Wind
Turbines, 40MW Solar and Battery Storage**

LLEOLIAD/LOCATION: Calon Y Gwynt, Caersws, Powys, SY17 5NE

Thank you for consulting us on the scoping opinion request for the above which we received on the 07/03/2025. We have reviewed the following documents submitted:

- 2025-02-21 – Parc Ynni Calon Y Gwynt EIA Scoping Report, February 2025 prepared by WSP
- 2025-02-21 – EIA Scoping Request - Figures

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

We are commenting because we consider that the proposals are likely to give rise to significant effects. We advise that the likely significant effects are assessed by the Applicant, and we consider that they should be 'scoped in' to any future ES.

Our comments are set out below following the chapter order in the Scoping Report (SR) and we have provided advice where relevant to matters that fall under our remit.

General Advice

The ES for this development should include sufficient information to enable the relevant authorities to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, designated sites, habitats of national importance and water quality.

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

Description of the Project

Within the ES, the proposed scheme should be described in detail in its entirety. 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;
- Procedures for good working practices;
- Identification of appropriate pollution contingency and emergency measures for watercourses on site;
- Timing of all works and contingency plans should slippage in the programme occur;
- Maintenance requirements of structures;
- Maintenance of any habitats within the site;
- Artificial lighting requirements, including likely intensity and location of light spill on green infrastructure.

Illustrations within the ES

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

Cumulative effects

We note the proposed assessment methodology for cumulative significant effects with other existing and / or approved projects. We advise the Applicant to liaise with the relevant local planning authority to determine which development should be considered within the Environmental Impact Assessment (EIA).

Construction Facilities

We note that section 2.5.2 of the scoping report states that temporary site offices and welfare facilities will be installed. However, details regarding the method of foul waste disposal onsite are not provided. We advise that the ES includes details on the proposed foul drainage system. We refer you to Circular 008/2018.

1. Ecology (Chapter 5 of the SR)

In general the ES for this development should include sufficient information to enable the 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.

Description of Biodiversity

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

Significance and Favourable Conservation Status

We advise that EIA considers significance (both alone and in combination) and where applicable conservation status. In respect of conservation status, we advise consideration to be given to current conservation status (CCS), and demonstration of no likely detriment to maintenance of favourable conservation status (FCS) during construction operation and decommissioning phases of the scheme. Reference to CCS and FCS in accordance with [EC Guidance](#)¹ is advocated.

Key Habitats

Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). We advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present. We also advise that Habitats Directive Annex 1 habitats are identified as part of this assessment.

1.1 Protected Species

We advise the site is subject to assessment to determine the likelihood of protected species and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines and if the surveys deviate or there are good reasons for deviation that full justification for this is included within the ES.

Should protected species be found during the surveys, information must be provided identifying the species-specific impacts in the short, medium, and long term together with any mitigation and compensation measures proposed to offset the impacts identified. We advise that the EIA sets out how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long term financial, tenure, and management responsibility. Where the potential for significant impacts on protected species is identified, we advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the ES. In respect of European protected species, we advise consideration of Section 3.3.2 of [Guidance on the strict protection of animal species of Community interest under the Habitats Directive](#)

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

Where a European protected species is present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed

¹ [EUR-Lex - C\(2021\)7301 - EN - EUR-Lex \(europa.eu\)](#). See section 3.2.3.b) re conservation status

under licence issued by NRW, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

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

These requirements are translated into planning policy [through Planning Policy Wales \(PPW\) Edition 12](#) dated February 2024, sections 6.4.35 and 6.4.26 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authorities must take the above three requirements for derogation into account when considering development proposals where a European protected species is present to avoid granting planning permission for developments which subsequently may not be granted a derogation licence.

1.1.1 Local Biodiversity Interests

We recommend that the developer consults the local authority Ecologists 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 areas that are considered important for the conservation of biological diversity in Wales.

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

1.1.2 Legislation and Policy Compliance Review

We advise that provisions of the EIA audit compliance in respect of relevant nature conservation legislation (UK and Wales) together with relevant local and national policies including BS 42020:2013 are also considered.

1.2 Bats

We welcome that bats will be scoped into the assessment. We advise that the application is supported by bat surveys of the full application site in accordance with [Bats and onshore wind turbines - survey, assessment and mitigation | NatureScot \(August 2021\)](#) and [Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th edition - Guidance for professionals - Bat Conservation Trust \(2023\)](#).

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

We note Section 5.7.9 of the SR includes the proposed survey methodology. We note ground-level static surveys have been undertaken in accordance with current best practice. Where potentially important roost features may be located within 200m of a turbine, further surveys will be undertaken.

We note Section 5.4.10 states that ten static bat detectors were deployed during summer and autumn 2023 and spring 2024, the 2023 collected data has been analysed using Kaleidoscope Pro software to determine species assemblage and activity levels.

Impact Assessment

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

Bat Activity Analysis

Section 5.4.11 of the SR states that initial analysis and assessment of the bat activity levels indicates that the activity levels were fairly low across each of the monitoring periods with only individual passes occurring on some nights. *Common pipistrelle*, *Soprano pipistrelle*, *Serotine*, *Noctule* and *Leisler's bat* are considered to be at high risk of turbine collision, whilst *Brown long-eared bat*, *Horseshoe species* and *Myotis species* are considered to be at low risk of turbine collision. We note further analysis and surveys are planned to inform the Proposed Development.

1.3 Riparian Mammals

We welcome that Riparian mammals will be scoped into the assessment. We note in section 5.7.9 of the SR that Riparian mammal surveys would be undertaken along all watercourses and water bodies within the Proposed Work Areas (and up to a maximum of 250m out with this area where accessible). The surveys would be carried out in accordance with standard methodologies. We advise the surveys are carried out in accordance with:

- Chanin P (2003) Monitoring the Otter *Lutra lutra*, Conserving Natura 2000 Rivers Monitoring Series No. 10, English Nature, Peterborough.
- Liles G (2003) Enhancing the status of the Otter, Conserving Natura 2000 Rivers, Conservation Techniques Series No. 5. English Nature, Peterborough.

1.4 Dormouse

We welcome that dormice will be scoped into the assessment. We note that dormouse surveys are ongoing, although initial results confirm presence of dormouse within the Site. It is assumed that dormouse will therefore be present within all suitable connective habitat throughout the Site.

We welcome that surveys would be undertaken in all suitable habitat likely to be impacted by the Proposed Development and a minimum of 50m from the Site within continuous habitat in accordance with current best practice. Dormouse surveys should accord with the English Nature (2006) Dormouse Conservation Handbook Second Edition.

1.5 Great Crested Newt (GCN)

Environmental DNA (eDNA) surveys carried out in 2024 returned a positive result for great crested newt at Waterbody 229 (Figure 5.2 of the report). All other waterbodies surveyed returned a negative result or were not considered suitable to support great crested newt.

We welcome that surveys would be undertaken following best practice for watercourses considered suitable to support great crested newt within the survey area.

1.6 Fish

The release of fine sediment from construction activities to watercourses has the potential to impact fish habitat and fish populations both within and outside the site boundary.

Further information will be required regarding the location, number and type of watercourse crossings be installed as part of the overall development. Additionally, any other physical modifications to watercourses included within the overall development and potential hydrological changes will need to be considered within a WFD assessment.

The installation of watercourse crossings, particularly culverts, may impact fish habitat quality and connectivity (through the creation of barriers to fish migration). This may cause deterioration of Water Framework Directive (WFD) status through causing the 'Fish' quality element to reduce by one or more classes and may also prevent the achievement of good status/potential, or protected area objectives.

Fish passage should not be interrupted at any stage, including during operation, of the scheme.

Further information should be gathered regarding any specific actions within the River Basin Management Plan for waterbodies in this area for opportunities to improve the water environment.

1.7 Protected Sites

We note that the application includes the installation of a solar array, however no details have been provided as to the extent and location of the array. Once we have received details of the extent and location of the solar element of the scheme we may request additional information or that additional receptors are scoped in.

Table 4.1 of the SR provides a list of the designated sites and justification for scoping in or out. We agree with the protected sites and features to be scoped in based on the information provided to date.

The Llyn Mawr Site of Special Scientific Interest (SSSI) overlaps the boundary of the application site. A key national priority within Future Wales is to develop strong ecosystems through the provision of resilient ecological networks and green infrastructure. Policy 9 places importance on safeguarding and creating or enhancing ecological networks. Safeguarding areas involves identifying land that is important for expanding or connecting ecological networks. The policy focus is on creating large-scale, resilient, and functional ecological networks. It states that protected sites (such as SSSIs) are critically important to the long-term resilience of our ecosystems.

The policy position on the protection of SSSIs is set out in Planning Policy Wales (PPW) 6.4.25 - 6.4.27. This states that there is a presumption against all forms of development in a SSSI as a matter of principle, except for developments necessary for the management of a SSSI and minor developments necessary to secure the SSSI's role as a living landscape.

PPW outlines a stepwise approach (6.4.15) which must be followed to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity. We would welcome and expect the use of the step-wise approach of avoiding, then minimising, mitigating and as a last resort compensating for, adverse impacts on the affected protected site and its features in this development. The step-wise approach to mitigation should apply to all aspects of the development.

Ornithology (Chapter 6 of the SR)

Our comments regarding ornithology below are limited to the wind turbine elements of the proposed scheme. Once we have received details of the extent and location of the solar element of the scheme we may request additional information or that additional receptors are “scoped in”. Likewise, we are not in receipt of the full survey information and therefore our comments below are based on the information provided to date.

2.1 Ornithology Scoping Questions (Section 6.2.2)

- Do consultees foresee any additional likely significant effects during construction/operation/decommissioning phases that have not been identified in 6.5?

Section 6.6 covers displacement, collision, and habitat loss/fragmentation as the significant effects during construction/operation/decommissioning phases of the wind element of the proposal. We do not foresee any additional likely significant effects based on the information provided to date.

We do not agree “it is unlikely that there will be significant effects to curlew present in the area resulting from the development due to the productivity rate” as noted in in section 6.6.6. The impact pathway from the development is potential displacement of breeding curlew.

- Confirmation that the study area outlined in 6.3 is considered appropriate.

We can confirm that we consider the study area, as outlined under 6.3, appropriate.

- Confirmation that the parameters for cumulative assessment are considered appropriate.

It would appear appropriate.

- Confirmation that there is agreement regarding the scoping of elements ‘In’ and ‘Out’, as outlined in Table 6-3.

Based on the information provided to date the elements/ornithological receptors scoped “in” or “out”, as outlined in Table 6-3 appear appropriate in relation to the wind farm element of the proposal.

- The viability and appropriateness of the enhancement opportunities for curlew, as outlined in 6.6.3.

It is not clear if both on site and ICA level enhancements are being proposed under 6.7.3. We remind the applicant of the need to follow the step-wise approach for any likely significant effects identified. Details of robust and comprehensive mitigation and enhancement proposals for curlew should be provided. This should detail appropriate opportunities that can be taken on site and at a wider scale. For the latter the mechanisms for delivery of landscape scale enhancements should be provided.

- The viability and appropriateness of the enhancement opportunities for kestrel, as outlined in 6.6.4.

Providing that landowner permission for the installation of boxes can be secured then the enhancement opportunities for kestrel described under 6.7.4 would seem appropriate. We would also advise that enhancement opportunities to improve foraging habitat near the boxes is considered.

2. Landscape And Visual (Chapter 7 of the SR)

Our landscape planning advice relates to the landscape character and visual amenity of the Eryri National Park (ENP) and the statutory purpose of the designation to conserve and enhance its natural beauty.

Our advice is based on:

- Chapter 7: Landscape and Visual
- Figures 7.1 – 7.5 which include a Zone of Theoretical Visibility (ZTV) analysis.

The main component of the proposed development is 11 wind turbines with an anticipated rotor diameter of 163m and height to blade tip of between 180m – 200m. The closest turbine (T7) would be located approximately 16km south east of the ENP.

We advise the proposed turbines are also located within 11km of the 'Candidate Area' which has been identified as part of the North East Wales National Park Designation Project. Although the Candidate Area is not currently designated, this may change during the life of the Project / Application. The Applicant is advised to keep the timescales for future designation under review (see further comments below regarding Landscape and visual impact (LVIA) scope).

The proposed turbines are located within Pre-Assessed Area (PAA) for Wind Energy (3) in Future Wales: The National Plan 2040 (FW). FW Policy 17 states there is a presumption in favour of large-scale wind energy development in PAAs subject to the criteria in FW Policy 18. Whilst Policy 17 states that within PAAs, Welsh Government (WG) has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way, it also states all proposals should demonstrate they will not have an unacceptable adverse impact on the environment. Cumulative impacts are one of the criteria under Policy 18 of FW and must also be considered.

Design guidance prepared to support FW Policies 17 and 18 is set out in Designing for Renewable Energy in Wales, Design Commission for Wales, November 2023. This recognises the importance of landscape informing the design of large-scale renewables, and states '*Landscape should be the leading consideration in this process and not merely follow on in the form of 'landscape mitigation' of a predetermined engineering proposal and technical appraisal*' (page 19). As set out in Planning Policy Wales (5.9.21), '*low carbon*

energy developments should, wherever possible, consider how to avoid, or otherwise minimise, adverse impacts through careful consideration of location, scale, design and other measures' which we advise include the number, siting, and layout/arrangement of turbines.

Our advice below addresses aspects relevant to our remit on designated landscapes from the request on paragraph 7.1.3 of the Scoping Report.

3.1 LVIA Method and Scope

A LVIA will be prepared as part of the ES. Paragraph 7.8.2 of the SR lists the guidance that will inform the LVIA methodology. It refers to relevant guidance including the Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3) which provides best practice guidance for the preparation of LVIA. We advise the list should also include the following guidance:

- Designing for Renewable Energy in Wales, Design Commission for Wales, November 2023
- Guidance on Aviation Lighting Impact Assessment, NatureScot, November 2024
- Special Landscape Qualities - Guidance on assessing effects, NatureScot, January 2025

Relevant data sources are listed at Paragraph 7.4.26, and we advise it also include:

- Evidence reports relating to the North East Wales National Park Designation Project available here: [Wales's New National Park Proposal - Public Consultation 2024 - Natural Resources Wales Citizen Space - Citizen Space](#)
- Evidence on Tranquillity & Place - Dark Skies available here: [Tranquillity & Place - Dark Skies](#)
- Evidence on Tranquillity and Place – Visually Tranquil Areas available here: [Tranquillity and Place](#)

The SR uses a 30km Search Area and it is proposed to use a 27km Study Area for the LVIA which accords with NRW Guidance Note (GN) 46. The SR proposes to use the same 27km Study Area for the cumulative LVIA. It is not clear how the cumulative study area has been defined but we advise it should be informed by a cumulative Zone of Theoretical Visibility.

The SR proposes to scope out the assessment of landscape effects on ENP (Table 7-1). The justification is partly based on the existence of other operational and consented cumulative wind energy developments between the Proposed Development and the ENP. In relation to this, we request that the ENP is scoped into the LVIA, including for the purposes of the cumulative impact assessment as we note this will report on both the 'additional' and 'combined' cumulative effects of existing, consented, and the proposed developments.

The SR does not refer to the Candidate Area identified as part of the North East Wales National Park Designation Project. We advise that depending on the progress of this Project at the time of application, the ES should either include an assessment assuming the Candidate Area has been designated as a new National Park, or assess impacts on any new National Park designation that might have been made. The evidence reports

relating to the North East Wales National Park Designation Project, referred to above, include information on the emerging special qualities of the Candidate Area, and these should inform the LVIA.

3.2 Viewpoints and Visualisations

One viewpoint (VP) within the ENP is proposed for inclusion within the LVIA (VP20: Maen Du) and one viewpoint is located within the Candidate Area for the new National Park (VP13: B4395, north of Llangadfan). These appear to be satisfactory, but once we have received draft photography and the results of the cumulative ZTV analysis, we may have further comments to make on viewpoint selection.

Paragraph 7.7.6 of the Scoping Report states visualisations will be prepared from all viewpoints in accordance with Scottish Natural Heritage (2017) Visual Representation of Wind Farms Guidance, Version 2.2. In relation to VP 20, it is proposed to only include a photograph and wireline. We advise that a photomontage may be required from VP20, and that wirelines from all viewpoints should include the consented cumulative schemes. We note a photomontage will be provided from VP13.

3.3 Approach to Mitigation

We advise the principles outlined in *Designing for Renewable Energy in Wales* should be considered as part of the evolution of the scheme design. Determining the appropriate turbine layout should be based on rigorous analysis, testing and response to the landscape setting. We expect the ES will explain how the findings of the LVIA have informed the design process, including the location, scale, number, siting, and layout/arrangement of the turbines. These design matters should also be considered in relation to existing and consented wind farms nearby. Reducing the intensity of aviation warning lighting during good visibility should also be incorporated into the proposals.

3. Hydrology And Geology (Chapter 9 and 10 of the SR)

The SR confirms aspects of hydrology and geology will be scoped in and included within the ES. We agree hydrology and geology should be scoped in and provide the following comments.

4.1 Hydrology

The items scoped in for the topic of 'Hydrology' are reasonable as there is a recognition that the water environment at the site is complex. The topic of baseline drainage (before infrastructure is installed) and operational drainage must be considered as part of the ES. Changes to the current drainage regime should be avoided and these could arise from buried cabling or access roads/road drainage acting as preferential pathways and cross-cutting natural drainage patterns.

4.1.1 Groundwater

The groundwater regime at the site is unknown and a ground investigation should be conducted at each of the proposed turbine locations. This would provide information on the nature of the ground conditions including permeability and groundwater levels across the site. The information would inform whether dewatering may be required for ensuring that the turbine foundation excavation remain open and do not collapse. The information would also help in understanding the degree to which areas of peat are reliant upon groundwater, the nature of surface-water and groundwater connectivity, groundwater flow paths and gradients which are important considerations for drainage evaluations (e.g., sustainable drainage systems) and how conditions across the site change with rainfall events.

4.1.2 Contamination – Battery energy storage system (BESS)

The proposed scheme involves the storage of large battery systems contain lithium ion electrolytes and hydrocarbons which have the potential to cause pollution in the event of fire at the site as a result of battery failure. It is noted that the proposed BESS would cover an area 100m². Paragraph 5.8.2 of the SR mentions that the BESS would avoid priority habitats. The ES should include details on where it will be located within the development.

We are not the expert body to advise as to whether measures proposed to minimise the risk of fire, or to suppress a fire at the site are adequate. We recommend that you seek advice from a Battery Energy and Electrical process safety expert and the relevant Fire and Rescue Service to determine the appropriate measures required to minimise the risk of fire, and to suppress a fire at the site. You may also wish to consult the below guidance in relation to such matters:

- The National Fire Chiefs Council (NFCC) provide Grid Scale Battery Storage System Planning guidance;
- HSE guidance on managing health and safety in grid scale electrical energy storage systems which includes an assessment of the principal hazards.
- CIRIA C736 - Design of containment systems for the prevention of water pollution from industrial incidents.

In the event of a fire all contaminated firewater must be fully contained on site and cannot enter the wider environment. We advise that measures to avoid pollution from contaminated firewater should be clearly set out in the ES. This should include demonstration, that:

- thermal runaway detection equipment, automated alert systems, automated fire suppression systems and planned responses to a fire are adequate in detecting and prevent the spread of fire. The relevant Fire and Rescue Service may advise you on these matters.
- there is sufficient spacing between units to help to prevent further spread of fires;
- contaminated firewater and foam run-off is prevented from infiltrating the ground or any offsite drainage networks with the use of impermeable surfaces, secondary containment and sealed drainage systems;
- the scheme includes sufficient storage capacity to contain contaminated firewater in the event of a fire. The relevant Fire and Rescue Service may advise on what they consider to be adequate storage capacity;
- notwithstanding the wider TAN15 considerations, where the site is proposed within a flood risk area, the risk of fire from battery exposure to a flood event has been avoided, and the proposed method of containing contaminated firewater will operate effectively without the risk of pollution;
- the proposed method of transporting contaminated firewater off-site will be effective, including under the prevailing conditions of a fire at the site;
- adequate post event cleanup and environmental remediation has been considered and planned.

4.1.3 Decommissioning

It is important that A Preliminary Decommissioning Assessment is generated which identifies the tasks, activities, durations and estimated costs for decommissioning the site including BESS components. The operational life of such an energy park is generally 30-40 years. The Assessment must also consider the decommissioning of any buried infrastructure notably buried cabling as leaving such materials in the ground in perpetuity

will eventually result in degradation of that cabling and release of chemicals likely hazardous to the local environment. There is currently no evidence available on a global basis as to whether such cabling left in the ground in perpetuity will release contaminants resulting in pollution and it is accepted that gaining such evidence would be difficult to obtain. Therefore, the default position is that buried cabling, must be removed as part of decommissioning.

4.2 Peat

Section 5.4.9 of the SR states that it is possible that the Site supports peatland habitat. We therefore welcome that peat has been scoped in for further assessment.

Peat habitats have the potential to be restored thereby falling under the umbrella of the Planning Policy Wales statement 'Where peat is identified within proposed developments considerable weight should be given to its protection because of its special importance in underpinning and supporting national natural resources such as soil carbon, biodiversity and flood management'. We should emphasise the protection afforded to this habitat by PPW and avoid the scenario 'where potential significant impacts are unavoidable'.

4.3 Mitigation

Paragraph 9.8.1 of the SR describes mitigation relating to the water environment. This includes the use of appropriate drainage design, the use of runoff and sediment control measures where necessary and through the implementation of good working practice and adherence to a Construction Environmental Management Plan (CEMP).

We advise that the CEMP and its application would be a key document to mitigate, avoid and minimise impacts from the construction. It will need to contain sufficient details to ensure that mitigation is delivered. There is significant risk from the proposed development for silty water run-off from areas such as exposed excavation areas, hardstanding areas and access tracks.

4.4 Hydrology Scoping Questions (Section 9.2.1)

- Is there any other baseline information on the hydrological environment that should be considered?

Please see above advice.

- Do you agree with the proposed approach for the assessment of the effects of the Proposed Development on the hydrological receptors?

Yes.

- Have all relevant potential impacts on hydrology been identified that might arise from the Proposed Development?

No, please see above advice. The access track appears to cross several small water courses. The ES should include details about the method of watercourse crossing and ensure no impact on water quantities or flow pathways.

- Do you agree with the hydrology impacts that have been scoped in and out of the assessment, together with the reasons for doing so?

Consideration regarding the water course crossings is required.

- Do you agree the embedded mitigation measures are sufficient to avoid the significant impacts identified?

In broad terms yes, although there are some factors that have not been considered to date such as how baseline drainage patterns could be maintained during the operational life of the site.

- Please confirm the expected timescales for adoption of the updated TAN15 guidance, and if relevant, key considerations for this project.

The updated TAN 15 was issued on 31 March 2025.

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 sincerely,

Samuel Price

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

E-bost/E-mail: MidPlanning@cyfoethnaturiolcymru.gov.uk

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

Planning and Environment Decisions Wales

Sent by email:

PEDW.Infrastructure@gov.walesEich cyfeirnod
Your reference**CAS-02905-P2F6M6**Ein cyfeirnod
Our referenceDyddiad
Date

7 April 2025

Llinell uniongyrchol
Direct line

03000 256007

Ebost
Email:Cadwplanning@gov.wales

Dear Sir / Madam

EIA Scoping - Calon y Gwynt Energy Park REF: DNS CAS-02905-P2F6M6

Thank you for your letter of 7 March 2025 asking for Cadw's view on the above.

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

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

Advice

Designated Historic Assets are listed on Annex A.

The request for a scoping opinion is accompanied by a scoping report produced by WSP with Chapter 8 considering the methodologies that will be used to consider the impact of the proposals on the Cultural Heritage. In general, we agree with the information included in this chapter, but make the following comments which need to be addressed.

8.3 Study Area

It is proposed that the study area for designated historic assets should be 5km we agree with this distance, but it should be from the red line of the application area, including the access road rather than from a central point in the proposed

development. We have identified above the designated historic assets that are located in this area and in the ZTV to assist the applicant.

8.7.2 Walkover Survey

We disagree that the detailed walkover survey can be restricted only to the turbine locations and infrastructure. The walkover survey should consider the whole of the application area to identify previously unrecorded surface archaeology which may be impacted by the layout design or by visual and setting impacts. Some of this unrecorded archaeology may be of national importance and this would influence impact scoring and mitigation. A walkover survey limited to turbine locations and infrastructure only would not be assessing the true resource potential within the study area.

The walkover survey should be preceded by the cartographic assessments and by a study of the Lidar information. The sources for Lidar information and the methodology that should be used for assessing it should be agreed with Heneb: The Trust for Welsh Archaeology.

8.7.4 Registered Historic Landscapes

The southern part of the access road is inside the boundary of the Caersws Basin Registered Landscape of Special Historic Interest; However, for much of its course inside the registered historic landscape it will follow existing farm tracks so most of the route already exists in the landscape. Consequently, we agreed that it is unlikely that the access track will have a significant impact on the registered historic landscape. Consequently, we concur that an ASIDOHL is not required to be produced, with the impact of the proposed development on the registered historic landscape being considered using the methodology given in "The Setting of Historic Assets in Wales".

8.7.5 Archaeological Field Investigation

The results of the desktop assessment and the walkover survey may require further investigation in order to determine the nature, importance and extent of identified archaeological sites. These investigations may include geophysical surveys and archaeological evaluations and these requirement should be agreed with Heneb: The Trust for Welsh Archaeology. If these investigations are required sufficient time should be allocated into the production of the EIA to allow their results to be included in the environmental statement.

Paleoenvironmental Potential

The impact on intact peat deposits which may contain important paleoenvironmental evidence and artefacts of prehistoric date should be assessed. There may be some surface exposures of peat, boggy areas and pools within the development area which may indicate the sub-surface presence of peat deposits. Normally the peat deposit depths and extent will be mapped as part of the NRW Peat Management Plan requirements and in archaeological terms we would generally be interested in any peat deposits deeper than 0.4m although shallow deposits can also be archaeologically significant.

The turbine and infrastructure layout should seek to avoid all peat deposits. Where significant peat deposits cannot be avoided a suitable scheme of sampling, analysis, dating and reporting will need to be completed using appropriate sampling techniques advised by a paleoenvironmental/geoarchaeological specialist.

Yours sincerely

Nichola Smith
Historic Environment Branch

EIA Scoping - Calon y Gwynt Energy Park REF: DNS CAS-02905-P2F6M6

Within the application area:

Scheduled Monuments

MG276 Lluest Uchaf Cairns and Stone Row
MG277 Craig y Llyn Mawr Round Cairn
MG278 Nant Cwm Gerwyn Cairns
MG338 Round Hut 700m NNE of Garreg Hir
MG339 Round Hut 400m NE of Garreg Hir

Within a 5km developer ZTV:

Scheduled Monuments

MG001 Caersws Roman Site
MG016 Cefn Carnedd Camp
MG017 The Moat Mound & Bailey Castle
MG051 Bron-Felin Mound & Bailey Castle
MG052 Caer Noddfa
MG064 Gwyn Fynydd Camp
MG146 Cross-Incised Stone (Now in Carno Church)
MG161 Roman Earthwork NE of Caersws (revealed by aerial photography)
MG179 Y Capel Stone Circle
MG180 Ring Cairn 540m SW of Llyn y Tarw
MG205 Castell Carno
MG222 Caersws Roman Fort: Section of South Western Defences
MG234 Llandinam Hall Enclosure
MG242 Caersws Roman Fort and Vicus: section in southern part of vicus
MG243 Caersws Roman Fort and Vicus: section in SE part of vicus
MG244 Caersws Roman Fort: South-west corner defences
MG258 Llyn y Tarw ritual complex
MG259 Llyn y Tarw Cairn
MG260 Cefn Llydan Circle
MG261 Pen y Groes Uchaf Cairn
MG275 Carreg Hir Standing Stone
MG279 Blaen y Cwm Ring Cairn
MG289 Pen y Groes Isaf Round Cairn
MG324 Caersws Roman road
MG325 Bryn Du hut circle
MG326 Mynydd Bwlch-y-gors standing stone
MG327 Mynydd y Gribin kerb cairn
MG328 Craig y Llyn Mawr platform cairn and standing stone
MG331 Bryn y Gadair round cairn

Registered Parks and Gardens

PGW(Po)25(POW) Plas Dinam

Registered Historic Landscape:

HLW (P) 5 Caersws Basin

Listed Buildings:

7568	Llandinam Hall	II
7572	Maesmawr Hall Hotel	II*
7581	Plasau duon	II*
7582	Gilfach-y-rhiw	II
7583	Plasnewydd	II*
	Gwernfyda (also known as Gwern-y-Fedw) including	
8679	attached barns	II*
8697	Caersws Railway Station, with Stationmaster's House	II
8698	Signal Box at Caersws Railway Station	II
15653	Llandinam Bridge	II*
15654	Statue and pedestal, to David Davies of Llandinam	II*
15665	Rhydlydan Mill	II
16184	Llys Maldwyn Hospital	II
17330	Milestone	II
17546	Caersws bridge	II
17547	Pen-y-borfa fawr	II
17548	Milestone S of Weig Lane	II
17549	Engine Shed to the Van Line	II
17550	Dol-aethnen	II
17551	Wig Bridge	II
17552	Milestone W of village	II
17553	Milestone outside Aelbryn	II
17556	Perth-eiryn	II
17557	Pont-dol-goch Station and Stationmaster's House	II
	Capel Saron MC with Caretaker's House, and enclosing	
17558	railings	II
17559	Llwyn-y-brain	II
17572	Capel Peniel	II
17573	Plas Llyslyn	II
17574	Ty Brith	II
17575	Milestone	II
17576	Tegfan	II
17577	Ynyth	II
17578	Milestone	II
17579	Milestone	II
17580	Sarn Farmhouse	II
17581	Milestone	II
17582	Wgi Fawr	II
17770	Milestone opposite Lodge to Plâs Dinam	II
17771	Plâs Dinam	II*
17772	Lodge to Plâs Dinam	II
	Gate piers, gates and retaining walls to entrance to Plâs	
17773	Dinam	II
17775	Broneirion	II
17776	Retaining walls, gates and piers to Broneirion	II
17777	Broneirion Lodge	II

17791	Porth-gwibedyn	II
18191	Capel Carmel	II
83702	Gwaelod	II
	Ty Coch house, sawmill, carpenters' workshop, waterwheel	
87804	and attached machinery	II*



Ref: DNS CAS-02905-P2F6M6

Tanya Leck
Planning Officer
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Crown Buildings
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Via Email: PEDW.Infrastructure@gov.wales

11th of April 2025.

Dear Tanya Leck,

**Re: Scoping Direction Consultation Response – DNS CAS-02905-P2F6M6, proposed
Calon y Gwynt Energy Park, Caersws, Powys.**

I refer to the letter dated 7th March from PEDW, consulting the Department on the above Scoping Direction request. The Department offers the following response for your consideration with regard to the use of soil, peat resources and agricultural land quality.

For the Department, the main issues likely to be significantly affected by the development are:

- The protection of peat soils, peatland habitats and the natural resources which underpin them.
- Maintaining soil services and functions
- Beneficial restoration and after use of site

1. Context and Background:

Mineral, organo-mineral, and peat soils are finite resources providing crucial ecosystem services to Wales, including food, fibre, water, and contributions to climate regulation and biodiversity. The Natural Resources Policy (NRP) mandates sustainable management of our soil resources to build resilience and maintain soil functions and ecosystem services.

2. Policy Context:

The Department has examined the Scoping Report and consider the policies and guidance below are also applicable to this development in determining significance: -

- Planning Policy Wales (ed. 12, 2024¹) – specifically paragraphs 6.4.15 1a and 1b, also paragraph 6.4.34.
- Policy 9 of the National Development Framework (NDF) – Future Wales² highlights soil carbon, biodiversity hotspots / networks, natural flood management and upland habitats as national natural resources. These national natural resources exist as a direct result of the presence of peat soils.
- Policy 17 of Future Wales - states ‘all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment’.
- Policy 18(11) of Future Wales – sets out the need for acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration.
- Paragraph 6.4.3 (bullet 4) of Planning Policy Wales³

There is reference to Borrow Pits proposed as part of the development; therefore the following will also apply:

- Schedule 5 of Town and Country Planning Act 1990 (as amended) ⁴
- Minerals Technical Advice Note (MTAN) 1 – Chapter D sets out detailed advice on the mechanisms for delivering a high standard of restoration, aftercare and provide for a beneficial after-use.
- Paragraphs 5.14.33 – 5.14.34 of PPW 12 - “*Borrow pits must be restored to the high standard expected of other forms of mineral development.*”
- Technical Advice Note (TAN) 6⁵ - Annex B3 if for an agricultural after-use.

3. Baseline information:

PPW is clear that the primary role of the planning system is to **avoid** the loss of peat soils and peatland habitats as a finite resource, which once lost cannot be recreated.

A robust baseline is required to inform the ES, and the green infrastructure assessment as outlined in PPW Chapter 6. The assessment should inform options for all infrastructure siting

¹ <https://www.gov.wales/planning-policy-wales>

² <https://gov.wales/future-wales-national-plan-2040-0>

³ <https://gov.wales/planning-policy-wales>

⁴ <https://www.legislation.gov.uk/ukpga/1990/8/schedule/5>

⁵ <https://gov.wales/technical-advice-note-tan-6-planning-sustainable-rural-communities>

and working area, to ensure that peatland and impacts to hydrological functions can be adequately assessed.

Location and extent of mineral, organo-mineral and shallow peat (where not integral to the functioning of a peat body) soils on site and their physical characteristics is also required to assess potential impacts and inform decisions on all infrastructure locations including the restoration and beneficial after use.

The preparation of a constraints map to advise the design phase is recommended. The map should take account of the advice above and be supported by field survey information in the ES.

4. Peat Soils and Peatland Habitats:

The presence of peat must be identified in order to comply with PPW when making spatial choices to locate proposed development and in development management decisions. Considering peat early in the site selection process is essential when deliberating the choice of site and then the subsequent siting of infrastructure and scheme design.

The Peatlands of Wales Evidence Score Map⁶ is the first step in gathering evidence to inform the applicants as to the likely presence and extent of peat within site search areas and specific sites.

The production of the Peatlands of Wales map is detailed in Report SPEP2020-21/03⁷. It is important this is read in full to understand the data sources, map construction and limitations of the mapping series. The maps, as well as further information about peatlands in Wales, are also available through the Peatlands Data Portal⁸ from Natural Resources Wales (NRW).

The Peatlands of Wales map is not, and does not intend to be, a definitive representation of all peatlands in Wales. If developers are considering site search areas in upland, high rainfall areas of Wales, then it must be considered that peat soils will likely be encountered and will need detailed site-specific survey when evidencing site selection decisions and in scheme design proposals. In terms of site selection, it is clear, from all available evidence, that peat and peat habitats were going to be highly probable and extensive across the site. The site is an upland area (over 300m altitude) of semi natural habitats and forestry, has an extremely high average annual rainfall. The Peatlands of Wales Evidence Score map notes peat deposits across the majority of the western half of the site, with areas of score 2+.

It is welcome that a Phase 1 peat depth survey has been undertaken (Fig 10.1) and that further survey work will be undertaken – see section 4.3 below for further guidance.

4.1 Definitions:

The Department considers the definition peat soils to be used for assessment is as published in the National Peatland Action Programme (NPAP) and noted below.

⁶ https://datamap.gov.wales/layers/geonode:peatlands_of_wales_evidence_2nss

⁷ <https://www.gov.wales/production-peatlands-wales-map>

⁸ <https://naturalresources.wales/evidence-and-data/maps/peatland-data-portal-map-layers/?lang=en>

“Peat soils are defined by the Soil Survey of England & Wales (SSEW) as:

- more than 40 cm of (O horizon) material within the upper 80cm, excluding fresh litter (L) and living moss; or*
- more than 30 cm of organic (O horizon) material resting directly on the bedrock (R or Cr) or extremely stony material; and,*
- no overlying non-humose material mineral horizon that has a colour value of 4 or more and extends below 30cm depth.”*

The Department considers that:

- shallow peat soils (i.e. < 30 cm deep) supporting peatland habitat and / or integral to the hydrological functioning of wider peat bodies, either on site or adjoining, must be included for consideration in the assessment along with the SSEW definition above.
- Peatland habitats are semi-natural habitats associated with both peat soils and shallow peat and listed under Section 7 of the Environment Act (Wales) 2016⁹, with some examples given in footnote 129 (p. 149) of PPW 12. Paragraph 6.4.15 1a and 1b and 6.4.34 of PPW covers **all** areas of peatland habitat on both peat soils **and** shallow peat soils.
- Peatland is land with any thickness of peat present.

Therefore, the Department does not accept the threshold noted on section 10.5.11 of the scoping report.

4.2 Consideration of alternative sites and infrastructure siting:

The presence and extent of peat soils and peatland habitats must be identified and considered at an early stage when making site selection choices and then in the subsequent siting of infrastructure and scheme design. The **Peatlands of Wales Evidence Score** map notes peat deposits across the majority of the site (including areas of score 2+), and overlapping with proposed turbine infrastructure locations. This is further confirmed by the Phase 1 peat depth survey undertaken and presented at Fig. 10.1.

The assessment will need to demonstrate, as the first step wise principle, **avoidance** (PPW 6.4.15 1a) in the site selection process regarding avoiding peat and irreplaceable habitats (including the natural resources that underpin them). Sites comprised of peat should be excluded from a site search¹⁰. Therefore, Step-Wise 1a) will need to be evidenced through the assessment in avoidance of peat and irreplaceable peat habitats through site selection. The focus noted in Section 10 of the Scoping Report is on **minimising and mitigating peat impacts not avoidance** through site selection and/or infrastructure siting choices.

Chapter 6 PPW sets out that there should be no development on peatland defined as irreplaceable habitat unless in ‘wholly exceptional circumstances’. Paragraph 6.4.15 1(b) of the step-wise approach in Chapter 6 PPW states that habitats which are irreplaceable must be safeguarded. Such sites form the heart of resilient ecological networks and their role and

⁹ <https://www.biodiversitywales.org.uk/Section-7>

¹⁰ Ministerial Decision Letter for DNS/3255801 and DNS/3244499

the ecosystem services they provide must be protected, maintained and enhanced and safeguarded from development. It will be wholly exceptional for development to be justifiable in such instances.

The Department also expects the assessment to address the peatland paragraph at 6.4.34 of PPW; how the proposal has given considerable weight to protection of peat soils because of their special importance in underpinning and supporting national natural resources such as soil carbon, biodiversity and flood management.

If peat soils and peatland habitats are impacted by the development, the department expects clear data provided on volumes of peat excavated and compacted, together with area of NVC habitats on peat that are directly and indirectly impacted by the development.

4.3 Survey:

As a minimum, it is expected that proposals where peat soils and peatland habitats are a consideration include the following:

- i. Initial Desk based assessment using the **Peatlands of Wales Evidence Score Map** and consideration of probability of peat deposits on a site.
- ii. Probing / coring entire site on a 100m grid survey to at least 100 cm depth (often referred to as a 'Phase 1' survey). Assessments must include an adequate coring density to ensure that probing evidence accurately reflects the presence and depth of peat: coring and probing at a density greater than a 100 m grid may be needed to take account of variability in the presence and depth of peat (e.g. to identify smaller peat pockets in between grid sampling points). Map and peat survey data to be provided in ES, supplemented with Phase 1/NVC habitat map and infrastructure location map.
- iii. In the event of possible infrastructure overlap or other impacts possibly arising from development, detailed peat survey (Phase 2) undertaken for all proposed locations, with sampling on the basis of a 10x10m grid survey within typical micro-siting allowances.
- iv. Information expected to support the ES should include a peat map, to a detailed resolution, that clearly shows peat depth (with clear colour-coded representation of peat at assessment locations) and distribution, interpolation method, data, and confirmatory core logs. The ES should also provide, to a detailed resolution, overlaid maps of peat depth and distribution, NVC communities and sub-communities, habitats present (aligned to Section 7 list habitats) and infrastructure locations.
- v. All habitat areas (by NVC community and Section 7 habitat) that may be lost or impacted (either directly or indirectly) should be clearly presented in the assessment. The Department expects clear data provided on volumes of peat excavated and/or compacted, together with area of NVC habitats on peat that are directly and indirectly impacted by the development.

Development and loss of peatland is contrary to Chapter 6 of PPW 12, in respect of the 'Step-wise approach' at paragraph 6.4.15 (irreplaceable habitats including the natural resources which underpin them) and the peatland paragraph at 6.4.34. The priority now given to peatlands reflects their significance in respect of safeguarding ecosystem resilience and

ecological networks and in addressing the Nature and Climate Change Emergencies in Wales.

4.4 Cumulative Effect:

As evidenced in the Scoping report (e.g. Table 7-5), there are a significant number of developments proposed, consented or operational within close proximity to the site. Cumulative impacts to peat soils and peatland habitats should also be considered.

Likely significant effects to Peat Soils and Peatland Habitats to be scoped into the assessment.

5. Borrow pits:

The proposals note that stone from on-site borrow pits will be sourced, if feasible. If borrow pits are proposed, then information must be provided on the size, extent and location of the borrow pits, to inform the EIA assessment process for the development.

If borrow pits are included, the proposal must address Paragraphs 5.14.33 - 34 of Planning Policy Wales; "Borrow pits must be restored to the high standard expected of other forms of mineral development."

For all borrow pits, the proposals will also need to specify the afteruse in accordance with Schedule 5, paragraph 2(1) of the 1990 Act. The agreed afteruse will inform the standard of restoration, the scheme and aftercare proposals. The proposals must demonstrate at application that the borrow pits can be reclaimed to an acceptable standard and after-use through a detailed scheme that is achievable and to be able to condition against. The scheme must be presented in sufficient detail for the determining authority and statutory consultees to form a judgement as to its feasibility (as per MTAN1, paragraph 106). If there is significant doubt as to whether satisfactory reclamation can be achieved at the site, and as such, planning permission should be refused (MTAN1, paragraph 97).

Likely significant effects of borrow pits to be scoped into the assessment.

6. Agricultural Land Classification (ALC):

The Department does not hold any information on detailed ALC field surveys for the site. According to the Predictive ALC Map for Wales¹¹, the majority of main site is considered at best Grade 4. The Department agrees with the assessment in Section 10.5.13 of the Scoping report regarding the small section of track (165m near Henblas) that crosses Predicted BMV agricultural land. A detailed ALC field survey would not be practical on such a small area (<1.0ha).

Due to the small area of potential BMV within the red-line boundary, exceptionally in this case, the Department does not recommend an ALC field survey is undertaken nor the application of BMV agricultural land policy (PPW paragraph 3.58 and 3.59) in this instance. An ALC field survey is not requested for the site, but may be beneficial in supporting baseline soil resources and physical characteristics information for the site.

¹¹ <https://www.gov.wales/agricultural-land-classification-predictive-map>

Best and Most Versatile (BMV) agricultural land can be scoped out of the assessment.

7. Soil Management Scheme (mineral, organo-mineral and peaty).

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

The volumes of each peaty and mineral soil unit that will be excavated for any on site infrastructure should be clear and based on survey evidence. For all infrastructure, information should be provided on the current condition of the site, sufficient to clearly demonstrate that resources are available to put in place the appropriate standard of reclamation.

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

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

A detailed scheme will support the ES process in considering: -

- Reasonable alternatives considered for the proposal;
- Potential impacts of the development and demonstrate how the proposal will not have an unacceptable adverse impact on the environment (in this case the peatland and soil resource);
- The feasibility and how effective restoration and beneficial after use can be achieved;
- How the proposal will maintain the resilience of national natural resources and avoid the loss of function and services provided by the peatlands and soils.

Likely significant effects to soil function and services to be scoped into the assessment.

8. Decommissioning:

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

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

Yours sincerely

Arwel Williams
Soil, Peatland & Agricultural Land Use Planning Unit
Landscapes, Nature & Forestry Division
Department for Climate Change & Rural Affairs
Welsh Government
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Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Eich cyf / Your ref DNS CAS-02905-P2F6M6

Ein cyf / Our ref 25/NM-7180

14 April 2025

Dear Sir/Madam,

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

Calon y Gwynt Energy Park, Calon y Gwynt, Caersws

Energy Park hub with 11 7.2MW Wind Turbines, 40MW Solar and Battery Storage

I refer to your consultation of 7th March 2025 regarding the above application and advise that the Welsh Government as highway authority for the A470 trunk road directs that planning permission is not granted at this time as the applicant has provided insufficient information to determine the application.

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

- 1) The applicant is required to submit DMRB-compliant details of any trunk road highway works to the development's point of access from the A470. Any non-compliant aspects of the highway works should be identified and will be submit to review by Welsh Governments Departure from Standards Technical Review Panel.
- 2) The applicant will be required to submit a Transport Assessment as part of the Environmental Impact Assessment. This should detail all traffic generation associated with the development, including both the construction and operational phase, and should also include an appropriate scale of modelling where traffic generated by the proposed development may impact the operation of the Strategic Road Network.
- 3) The applicant is required to submit a Construction Traffic Management Plan (CTMP), that shall be forwarded on the Welsh Government for review.



- 4) The applicant is also required to submit details of all Abnormal Indivisible Load (AIL) movements through the ESDAL (Electronic Service Delivery for Abnormal Loads) abnormal loads notification process and should consult with NMWTRA so that constraints on vehicle movements such as embargo periods, route traffic sensitivity, temporary roadworks and other highway restrictions are included in the CTMP.
- 5) Where accommodation works on the Strategic Road Network are proposed to facilitate the transportation of AIL's to the site, the applicant will be required to submit DMRB-compliant details of any such works on the trunk road, with any non-compliant aspects of the highway works identified and Departure from Standards submission will be required to be provided for review by Welsh Governments Departure from Standards Technical Review Panel.
- 6) It is noted that that proposed site will have an operational lifespan of approximately forty years. As such, any future assessment of traffic associated with the decommissioning of the site will need to be carried out as part of a future planning application.

The following should also be brought to the attention of the applicant:

- a) As regards the scope of the Environmental Impact Assessment (EIA), following a review of the Scoping Report, the Welsh Government Strategic Road Network (SRN) team do not have any significant concerns with the proposal, however, we would like to be consulted regarding any environmental impacts on the SRN and associated soft estate during design development and the Environmental Statement.

It would be expected that:

- i) Potential pathways to environmental contamination of the SRN, including the soft estate and water drainage system, are anticipated and controlled appropriately.
- ii) The loss of semi natural habitats of value to biodiversity on the SRN soft estate is avoided where possible and mitigated and compensated for where impacts cannot be avoided.
- iii) Opportunities to provide biodiversity enhancements within and adjacent to the SRN soft estate should be perused such that there is a net benefit for biodiversity resulting from any works related to the SRN, in accordance with the Section 6 Enhanced Biodiversity Duty under the Environment (Wales) Act 2016.

If you have any further queries, please forward to the following Welsh Government Mailbox
NorthandMidWalesDevelopmentControlMailbox@gov.wales

Yours faithfully

Kevin Price



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Welsh Government Motorway and Trunk Road Network

‘Pulling Together’ Best Practice for Transporting Abnormal Loads in Wales

Instructions for use:

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

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

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

TABLE OF CONTENTS

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

1 INTRODUCTION

1.1 Document purpose

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

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



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

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

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

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

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

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

1.2 Document structure

The document is structured as follows:

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

1.3 Intended audience

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

- Consigners/agents
- Hauliers
- Attendants
- Escorting services

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

1.4 List of abbreviations

The following abbreviations are used throughout this document:

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

2 CATEGORIES OF ABNORMAL LOAD

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

2.1 Normal vehicle definition

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

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

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

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

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

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

2.2 Categories of abnormal loads

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

- Vehicle choice, and
- Route choice

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

2.2.1 Abnormal loads and vehicle choice

The size of an abnormal load has implications for the size of the transporting vehicle, with larger loads generally requiring larger vehicles.

In addition, heavier loads put greater demands on a vehicle's chassis, suspension, tyres, brakes and engine, so heavier abnormal loads also require a higher specification of vehicle.

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

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

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

Table 1 Abnormal load legal category by size/weight combination

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

Key: = Abnormal load legislation

This table highlights that:

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

2.2.2 Abnormal loads and route choice

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

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

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

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

Table 2 Pre-journey notification requirements by abnormal load category

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

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

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

This table highlights that:

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

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

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

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

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

2.3 Summary

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

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

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

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

3 VEHICLE PREPARATION

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

3.1 Vehicle choice

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

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

3.2 Signage, markings and lighting

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

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

3.3 Attendants

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

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

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

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

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

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

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

3.4 Documentation

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



4 JOURNEY PREPARATION

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

4.1 Notification requirements

4.1.1 Authorities to be notified

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

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

In Wales, highway authorities comprise:

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

Bridge authorities/owners most commonly comprise:

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

4.1.2 Notice periods

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

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

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

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

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

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

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

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

4.1.3 Information required

4.1.3.1 Statutory notification requirements

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

Table 3 Information required by notification type

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

4.1.3.2 Traffic Management Plan requirements

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

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

4.1.4 Notification submission

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

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



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

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

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

4.1.5 Notification dispensations

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

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

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

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

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

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

4.2 Route planning guidance

4.2.1 General principles

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

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

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



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

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

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

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

4.2.2 Other considerations

4.2.2.1 Travel timing

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

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

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

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

Table 4 STGO speed limits by category and road type

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

Source: Special Types Enforcement Guide

4.2.2.2 Escort considerations

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

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

Table 5 National Highways guidelines on escort requirements

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

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

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

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

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

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

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

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

4.3 Notification processing

4.3.1 Police notification assessment process

4.3.1.1 Public Safety Risk Assessment

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

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

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

4.3.1.2 Escort requirements

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

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



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

4.3.1.3 Temporary Traffic Regulation Order

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

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

4.3.2 HA&BO notification assessment process

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

4.3.2.1 Check for height and width restrictions

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

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

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

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

4.3.2.2 Check for structural capacity

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

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

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

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



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

4.4 Post-notification considerations

4.4.1 Roadworks and disruptions

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



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

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

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

4.4.2 Enforcement considerations

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

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

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

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

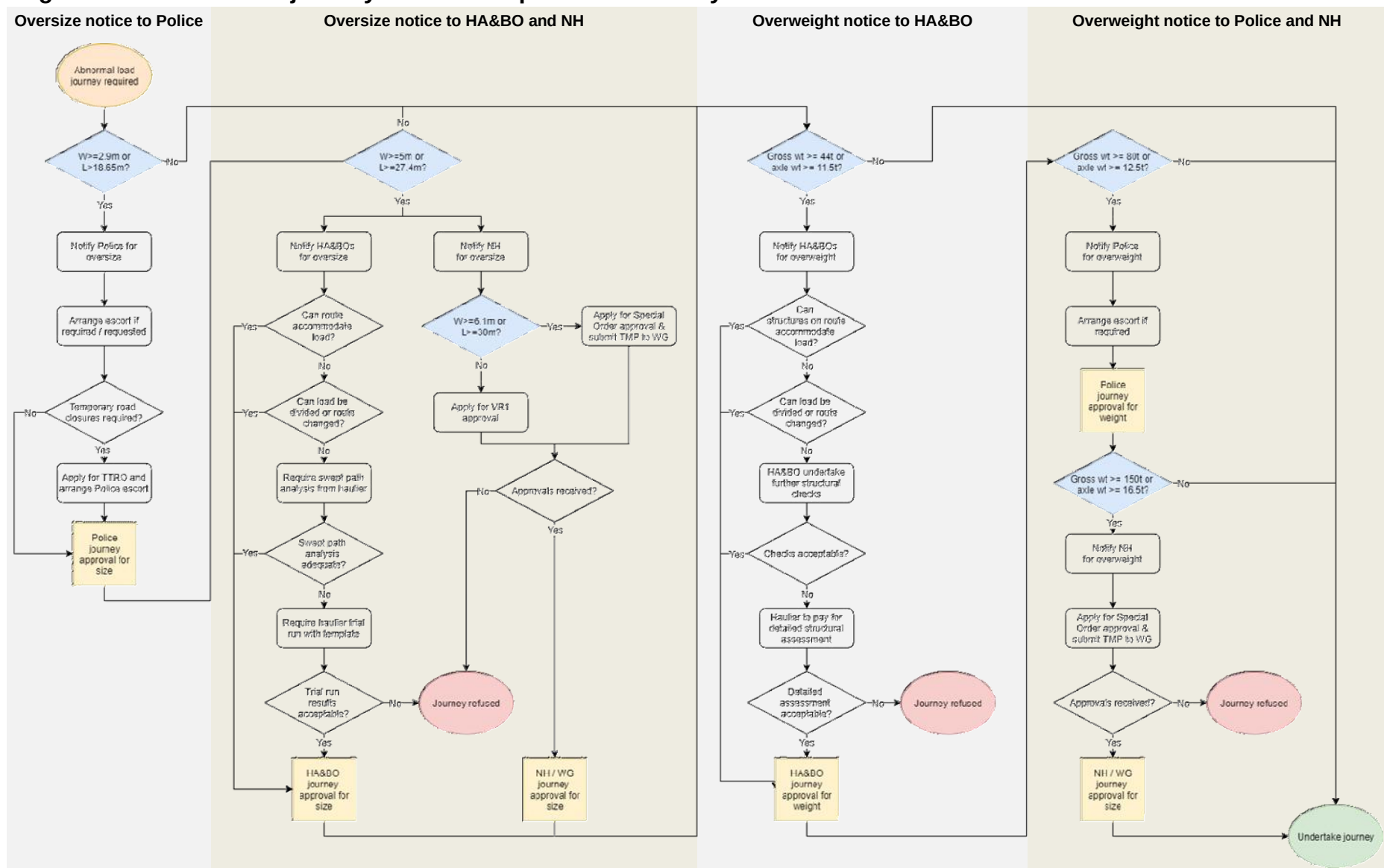
4.5 Process summary

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

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

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

Figure 2 Abnormal load journey notification process summary



5 ABNORMAL LOADS AND DEVELOPMENT CONTROL

5.1 Planning applications

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

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

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



5.2 Planning conditions

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

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

5.2.1 Structural assessment

No on-site development works shall be undertaken until:

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

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

5.2.2 Condition surveys

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

5.2.3 Liability for incidental damage

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

5.2.4 Traffic Management Plan

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

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

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

5.2.5 Highway works

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

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

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

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

5.2.6 Road Safety Audit

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

5.2.7 Section 278 Agreement

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

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

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

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

5.2.8 Access onto the trunk road

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

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

All highways works shall achieve full compliance with DMRB.



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

6 SUMMARY OF ROLES AND RESPONSIBILITIES

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

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

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

7 USEFUL CONTACTS

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

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

Table 7 Useful contacts for abnormal load related queries

Organisation	Contact details
Welsh Government ALO	Tel: 02920 629465 Email: AbnormalLoads@gov.wales
Dyfed-Powys Police	Tel: 01267 226011 Email: AbnormalLoads@dyfed-powys.pnn.Police.uk
Gwent Police	Tel: 01633 642470 Email: abnormal-loads@gwent.pnn.Police.uk
North Wales Police	Tel: 01492 805407 Email: abloadnotify@nthwales.pnn.Police.uk
South Wales Police	Tel: 01656 655555 Email: Special-Movements@south-wales.pnn.Police.uk
NMWTRA	Tel: 01545 571960 Email: abnormalloads@nmwtra.org.uk
SWTRA	Tel: 01792325965 Email: abnormalloads@southwales-tra.gov.uk
Traffic Wales	Tel: 0300 123 1213
National Highways Abnormal Loads Team	Tel: 0300 4703004 Email: abnormal.loads@highwaysengland.co.uk
Network Rail Abnormal Loads Team	Tel: 01908 783 140 Email: abnormalloadsenquiries@networkrail.co.uk
Blaenau Gwent County Borough Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Bridgend County Borough Council	Tel: 01656 642857 Email: abloads@bridgend.gov.uk
Caerphilly County Borough Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Cardiff City & County Council	Tel: 02922 330966 Email: abnormal.loads@cardiff.gov.uk
Carmarthenshire County Council	Tel: 01267 228307 Email: abnormalloads@carmarthenshire.gov.uk
Ceredigion County Council	Tel: 0154 5572430 Email: technical.services@ceredigion.gov.uk
Conwy County Borough Council	Tel: 01492 575365 Email: abnormalloads@conwy.gov.uk
Denbighshire County Council	Tel: 01824 706884 Email: abnormal.loads@denbighshire.gov.uk
Flintshire County Council	Tel: 01352 704810 Email: abnormalloads@flintshire.gov.uk
Gwynedd County Council	Tel: 01286 679306 Email: LlwythAbnormal@gwynedd.llyw.cymru
Isle of Anglesey County Council	Tel: 01248 752312

Organisation	Contact details
Merthyr Tydfil County and Borough Council	Tel: 01685 726241 Email: [REDACTED]
Monmouthshire Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Neath Port Talbot County Borough Council	Tel: 01639 686492 Email: abloads@npt.gov.uk
Newport City Council	Tel: 02920 803500 Email: Loads.Abnormal@capita.co.uk
Pembrokeshire County Council	Tel: 01437 776153 Email: abloads@pembrokeshire.gov.uk
Powys County Council	Tel: 01597 826619 Email: highways.management@powys.gov.uk
Rhondda Cynon Taf County Borough Council	Tel: 01443494706 Email: highwaysabnormalloads@rctcbc.gov.uk
Swansea Council	Tel: 01792 636182 Email: Abnormal.Loads@swansea.gov.uk
Torfaen County and Borough Council	Tel: 01633 644716 Email: AbnormalLoads@monmouthshire.gov.uk
Vale of Glamorgan Council	Tel: 02920 673106
Wrexham County Borough Council	Tel: 01978 729723 Email: abnormal_loads@wrexham.gov.uk

[REDACTED]

From: Grace Lewis [REDACTED]
Sent: 19 March 2025 15:34
To: PEDW – Seilwaith / Infrastructure <PEDW.Infrastructure@gov.wales>
Subject: CAS-02905-P2F6M6- Calon y Gwynt, Caersws, Powys, Wales, SY17 5NE

OFFICIAL



Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

My Ref: P/TP25/44
Your Ref: CAS-02905-P2F6M6

Date: 19 March 2025

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

APPLICATION NO: CAS-02905-P2F6M6

PROPOSAL: Environmental Impact Assessment (EIA) Application for an energy park hub with 11 7.2MW Wind Turbines, 40MW Solar and Battery Storage

LOCATION: Calon y Gwynt, Caersws, Powys, Wales, SY17 5NE

Dear Sir/Madam,

Thank you for your email dated **7 March 2025** together with the opportunity to comment on this proposal.

It does not appear the proposed development will impact on Network Rail infrastructure and therefore we have no comments to make for the EIA.

Yours Sincerely,

Grace Lewis MRTPI
Town Planning Technician Wales and Western
Network Rail
Temple Point, Redcliffe Way, Bristol, BS1 6NL
www.networkrail.co.uk/property

From: [NATS Safeguarding](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Subject: RE: EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park [SG34250]
Date: 12 March 2025 15:32:26
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[SG34250 Calon Y Gwynt Wind Farm - TOPA Issue 2.pdf](#)

Our Ref: SG34250

Dear Sir/Madam

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

Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in the attached report TOPA SG34250.

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

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

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

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

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

Yours faithfully

NATS

NATS Safeguarding
E: natssafeguarding@nats.co.uk
4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



NATS Internal

From:

Technical and Operational Assessment (TOPA)

For Calon Y Gwynt
Wind Farm Development

NATS ref: SG34250

Welsh Government Ref: DNS CAS-02905-P2F6M6

Issue 2

Contents

1.	Background	4
1.1.	En-route Consultation	4
2.	Scope	4
3.	Application Details	5
4.	Assessments Required	5
4.1.	En-route RADAR Technical Assessment	6
4.1.1.	Predicted Impact on Clee Hill RADAR	6
4.1.2.	En-route operational assessment of RADAR impact	6
4.2.	En-route Navigational Aid Assessment	7
4.2.1.	Predicted Impact on Navigation Aids	7
4.3.	En-route Radio Communication Assessment	7
4.3.1.	Predicted Impact on the Radio Communications Infrastructure	7
5.	Conclusions	7
5.1.	Consultation	7
	Appendix A – Background RADAR Theory	8

Publication History

Issue	Month/Year	Change Requests and summary
1	November 2022	Combined Pre-Planning Assessment
2	March 2025	Planning Application

Document Use

External use: Yes

Referenced Documents

1. Background

1.1. En-route Consultation

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

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

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

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

2. Scope

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

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

3. Application Details

Wind2 Limited submitted a request for a NATS technical and operational assessment (TOPA) for the development at Calon Y Gwynt Wind Farm. It will comprise turbines as detailed in Table 1 and contained within an area as shown in the diagrams contained in Appendix B.

Turbine	Lat	Long	East	North	Tip (m)
1	52.5703	-3.4522	301672	297929	200
2	52.5721	-3.4641	300870	298144	200
3	52.5675	-3.4728	300269	297647	200
4	52.5713	-3.4759	300070	298081	200
5	52.5677	-3.4846	299472	297685	200
6	52.5717	-3.4902	299104	298139	200
7	52.5759	-3.4933	298899	298618	200
8	52.5788	-3.4807	299760	298921	200
9	52.5771	-3.4735	300248	298717	200
10	52.5834	-3.4711	300423	299421	200
11	52.5781	-3.4628	300974	298811	200

Table 1 – Turbine Details

4. Assessments Required

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

En-route Surv	Lat	Long	nm	km	Az (deg)	Type
Burrington Radar	50.9343	-3.9854	99.9	185.0	10.7	CMB
Claxby Radar	53.4501	-0.3083	125.6	232.6	246.6	CMB
Clee Hill Radar	52.3983	-2.5975	33.0	61.1	288.5	CMB
Debden Radar	51.9902	0.2638	141.3	261.6	285.8	CMB
Great Dun Fell Radar	54.6841	-2.4509	131.4	243.3	196.5	CMB
Pease Pottage Radar	51.0834	-0.2143	150.0	277.8	307.7	CMB
En-route Nav	Lat	Long	nm	km	Az (deg)	Type
None						
En-route AGA	Lat	Long	nm	km	Az (deg)	Type
None						

Table 2 – Impacted Infrastructure

4.1. En-route RADAR Technical Assessment

4.1.1. Predicted Impact on Clee Hill RADAR

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

4.1.2. En-route operational assessment of RADAR impact

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

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

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

4.2. En-route Navigational Aid Assessment

4.2.1. Predicted Impact on Navigation Aids

No impact is anticipated on NATS' navigation aids.

4.3. En-route Radio Communication Assessment

4.3.1. Predicted Impact on the Radio Communications Infrastructure

No impact is anticipated on NATS' radio communications infrastructure.

5. Conclusions

5.1. Consultation

The proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, this has been deemed to be unacceptable from an En-route perspective.

Appendix A – Background RADAR Theory

Primary RADAR False Plots

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

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

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

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

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

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

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

Where G_t is the RADAR antenna's receive gain in the direction of the object and λ is the RADAR's wavelength.

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

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

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

Secondary RADAR Reflections

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

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

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

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

Shadowing

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

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

Terrain and Propagation Modelling

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

Appendix B – Diagrams

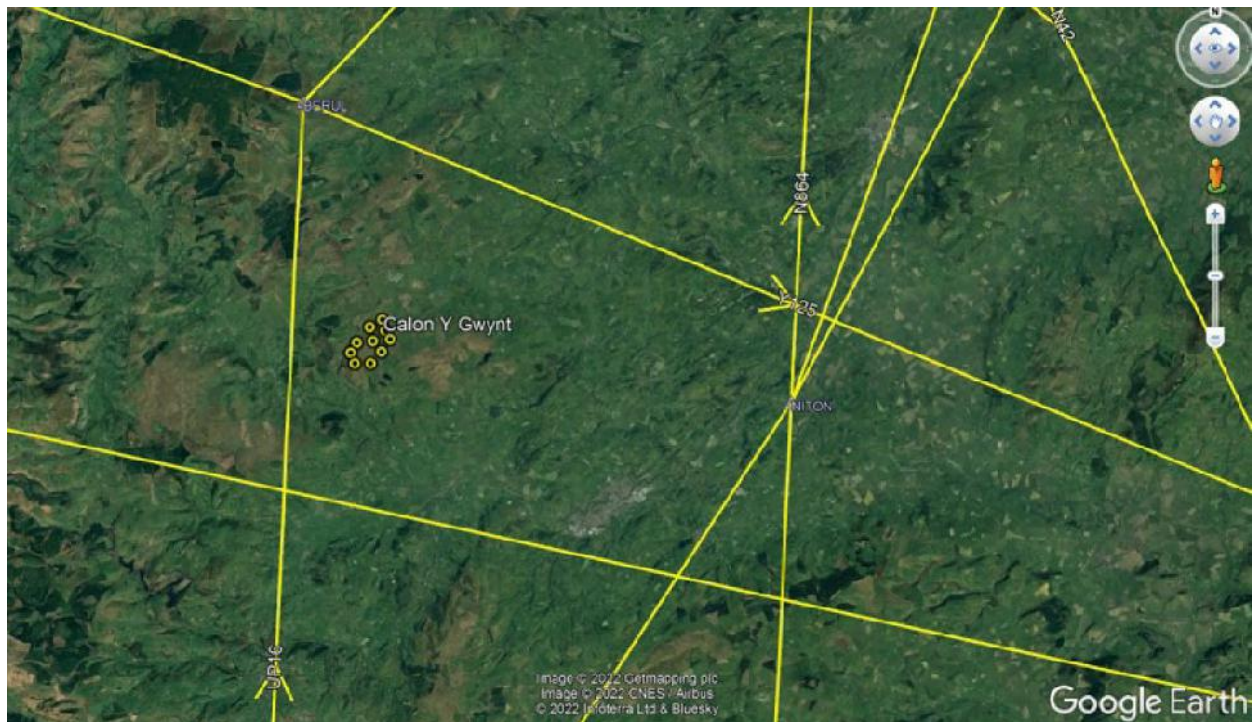


Figure 1: Proposed development location shown on an airways chart

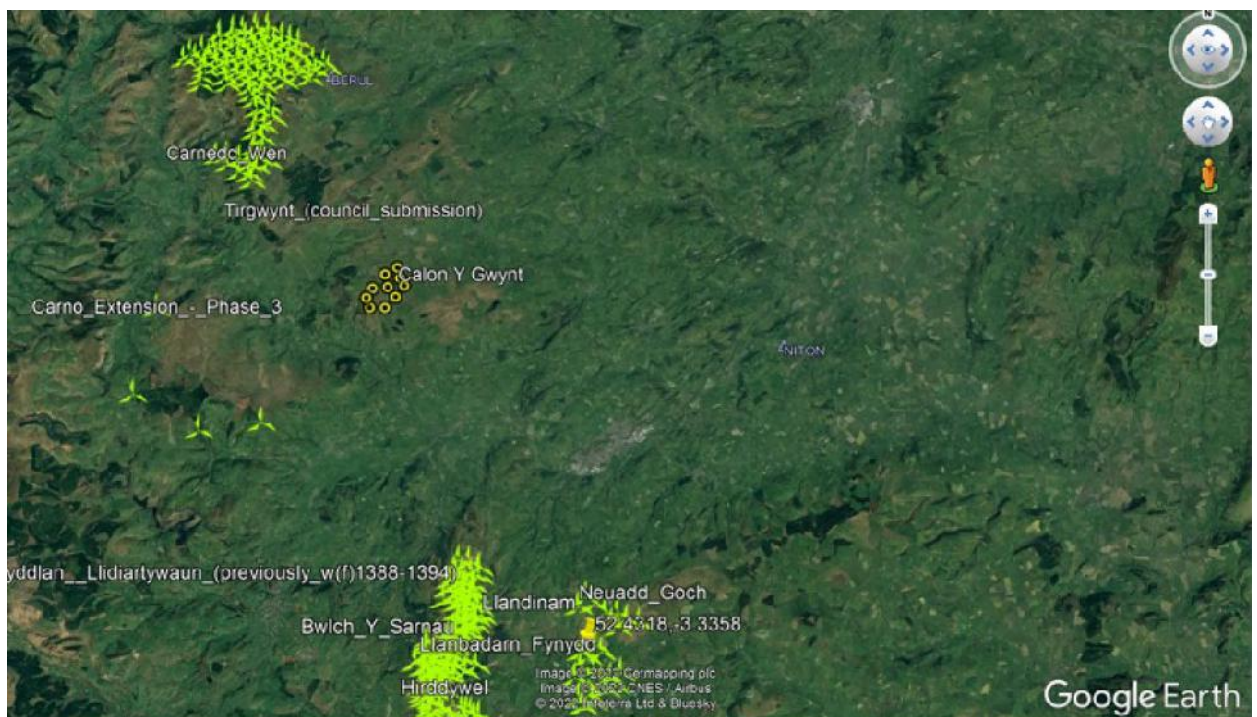


Figure 2: Proposed development shown alongside other recently assessed applications

 consented/built	 impact –accepted	 impact –objection	 mitigated
 mitigation –proposed	 no impact	 refused/withdrawn	



Defence Infrastructure Organisation

Andy White
Ministry of Defence
Safeguarding Department
DIO Head Office
St George's House
DMS Whittington
Lichfield
Staffordshire WS14 9PY

Your reference: DNS CAS-02905-P2F6M6

E-mail: DIO-Safeguarding-Wind@mod.gov.uk

Our reference: DIO10056253

www.mod.uk/DIO

Tanya Leck
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

25 March 2025

By email only

Dear Tanya,

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

**Potential DNS Application: Calon y Gwynt Energy Park
Site Address: Calon y Gwynt, Caersws, Powys, Wales, SY17 5NE
Proposed Development: Application for an energy park hub with 11 7.2MW Wind Turbines,
40MW Solar and Battery Storage**

Thank you for consulting the Ministry of Defence (MOD) in relation to the Request for Scoping Opinion through your communication dated 7 March 2025.

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

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

The proposed development comprises of up to eleven wind turbines with maximum blade tip heights of 200 metres above ground level (agl), solar energy installation (PV) arrays, battery energy storage system (BESS) and associated infrastructure. The proposal also includes the description of a meteorological mast of unspecified height.

The proposed development has been assessed using the location data (Grid References) below provided in Parc Ynni Calon Y Gwynt, EIA Scoping Report, Table 2.1, Indicative Turbine Locations dated February 2025.

Turbine no.	Easting	Northing
1	301672	297929
2	300870	298144
3	300269	297647
4	300070	298081
5	299472	297685
6	299104	298139
7	298899	298618
8	299760	298921
9	300248	298717
10	300423	299421
11	300974	298811

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

Physical Obstruction

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

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

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

As a minimum the MOD would require that the perimeter turbines are fitted with MOD accredited infra-red (IR) lighting.

Summary

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

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled "Parc Ynni Calon Y Gwynt, EIA Scoping Report", "Parc Ynni Calon Y Gwynt, EIA Scoping Report, Figures 1.1 – 12.3" both dated February 2025. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

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

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

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

Yours sincerely,

Andy White

Andy White
Assistant Safeguarding Manager

From: Shirley Rance [REDACTED] **On Behalf Of** NSIP Applications

Sent: 18 March 2025 09:31

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

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

Subject: EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park - runs until 11/04/2025 - HSE Response dated 18 March 2025

Dear Ms Tanya Leck,

Thank you for your email dated 7 March 2025 consulting HSE on the Proposed Calon y Gwynt Energy Park - Development of National Significance (DNS). Please find HSE's advice below.

HSE's land use planning advice

-

CEMHD5 Contribution to Consultation

1. With reference to the redlined **Site Boundary** shown on **Figure 1.1 Site Location Plan (February 2025)** [<https://planningcasework.service.gov.wales/case/Reference: DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park>] the proposed project does not fall within the consultation distances of any Major Hazard Installation(s) or Major Accident Hazard Pipeline(s).
2. Please note if at any time a new Major Accident Hazard Pipeline is introduced or existing Pipeline modified prior to the determination of a future application, then the HSE reserves the right to revise its advice.
3. Likewise, if prior to the determination of a future application, a Hazardous Substances Consent is granted for a new Major Hazard Installation or a Hazardous Substances Consent is varied for an existing Major Hazard Installation in the vicinity of the proposed development, again the HSE reserves the right to revise its advice.

Would Hazardous Substances Consent be needed?

4. The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.
5. Hazardous Substances Consent would be required if the proposed development site

is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

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

-

-

Explosives sites

Explosives Inspectorate has no comment to make as there are no HSE licenced explosives sites in the vicinity of the proposed development.

Regards

NSIP Consultation Team
Health and Safety Executive

Shirley Rance | Business Support Team
Health and Safety Executive | CEMHD - DBST
NSIP.Applications@hse.gov.uk



From: PEDW.Infrastructure@gov.wales <PEDW.Infrastructure@gov.wales>

Sent: 07 March 2025 12:29

Subject: EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park - runs until 11/04/2025

Dear Consultees,

I attach an EIA Scoping consultation letter in relation to a potential DNS application. The applicant should have sent a copy of the submission to the Local Planning Authority for information. The indicative turbine locations area available in Table 2-1 of the Scoping Report, and the indicative turbine height, hub height and rotor diameter is available at paragraph 7.7.3.

Please let me know if you have any queries, or if you are unable to respond by **Friday 11 April 2025**.

Kind regards
Tanya

Tanya Leck
[hi | she / her]
Swyddog Cynllunio | Planning Officer
Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment



Gwasanaeth Tân ac Achub
Canolbarth a Gorllewin Cymru
Mid and West Wales
Fire and Rescue Service

Prif Swyddog Tân | Chief Fire Officer

R.S. Thomas *KFSM BA(Hons) MSc*

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

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

0370 60 60 699

PEDW
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Gofynner am/
Please ask for:
Rhif Est/Extn.
No.

Station Manager R. Luke

E-bost/E-mail:

bregs@mawwfire.gov.uk

Fy Nghyf/My
Ref:

RJL/KDT/00356597

Dyddiad/Date:

19 March 2025

Dear Sir / Madam,

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

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

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

**RE: Energy Park Hub with 11 7.2MW Wind Turbines, 40MW Solar and Battery Storage –
Calon y Gwynt Energy Park, Calon y Gwynt, Caersws, Powys**

APPLICATION NUMBER: DNS CAS-02905-P2F6M6

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

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

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

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>
<https://www.ukfrs.com/index.php/promos/16847>

Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg
- byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich
dewis iaith heb oedi.

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

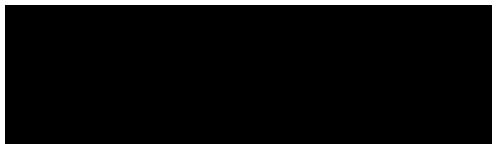
We welcome correspondence in Welsh and English -
we will respond equally to both and will reply in your
language of choice without delay.

We welcome calls in Welsh and English.

Furthermore, the applicant should be advised to contact the appropriate Authority responsible for ensuring safety and compliance for these types of developments i.e., Health & Safety Executive / Local Authority Building Control.

The plan/s has been retained for record purposes.

Yours faithfully



Station Manager R Luke
Authorised Fire Safety Inspector
On behalf of the Mid and West Wales Fire and Rescue Authority

Encs.

MID AND WEST WALES FIRE AND RESCUE SERVICE

Advice on Water Supplies

1. WATER SUPPLIES FOR FIREFIGHTING

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

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

Access to Open Water Supplies

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

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

1.1. HOUSING

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

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

1.2. TRANSPORTATION

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

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

1.3. INDUSTRY

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

Light Industrial/Commercial

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

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

High Risk Industrial

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

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

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

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

1.4. SHOPPING, OFFICES, RECREATION AND TOURISM

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

1.5. EDUCATION, HEALTH AND COMMUNITY FACILITIES

Village Halls

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

Primary Schools and Single Storey Health Centres

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

Secondary Schools, Colleges, Large Health and Community Facilities

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

1.6. DISTANCES BETWEEN FIRE HYDRANTS

The distance between fire hydrants should not exceed the following:

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

1.7. CONCLUSION

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

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

From: [JRC Windfarm Coordinations](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Cc: [WindSPEN](#)
Subject: Calon y Gwynt Energy Park - EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 [WF929392]
Date: 11 March 2025 10:10:32

Dear pedw,

A Windfarms Team member has replied to your co-ordination request, reference **WF929392** with the following response:

If any details of this proposal change, particularly the disposition or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

***Please do not reply to this email - the responses are not monitored.
If you need us to investigate further, then please use the link at the end of this response or login to your account for access to your co-ordination requests and responses.***

Dear Tanya

Planning Ref: CAS-02905-P2F6M6

Name/Location: Calon y Gwynt Energy Park

Turbine(s) at NGR:

Turbine Easting Northing

1	301672 297929
2	300870 298144
3	300269 297647
4	300070 298081
5	299472 297685
6	299104 298139
7	298899 298618
8	299760 298921
9	300248 298717
10	300423 299421
11	300974 298811

Hub Height: 118.5m

Rotor Radius: 81.5m

*This proposal is **cleared - subject to 50m Micrositing** - with respect to radio link infrastructure operated by the local energy networks.*

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided.

However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

Wind Farm Team

*Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom*

Office: [REDACTED]

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.

Registered in England & Wales: 2990041

[About The JRC | Joint Radio Company | JRC](#)

We maintain your personal contact details and are compliant with the Data Protection Act 2018 (DPA 2018) for the purpose of 'Legitimate Interest' for communication with you. If you would like to be removed, please contact [REDACTED]

We hope this response has sufficiently answered your query.

If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email by clicking on the link below or login to your account** for access to your co-ordination requests and responses.

[REDACTED]

20 March 2025

APPLICATION REF: CAS-02905-P2F6M6

PROPOSED DEVELOPMENT: Application for an energy park hub with 11 7.2MW Wind Turbines, 40mw Solar and Battery Storage

PROPOSED LOCATION: Calon y Gwynt, Caersws, Powys, Wales. SY17 5NE

Response by Arqiva : No Objection

We refer to the above planning application and thank you for the opportunity to comment on the above development.

Arqiva is responsible for providing the transmission network for the BBC & ITV along with the majority of the UK's radio companies and is responsible for ensuring the integrity of Re-Broadcast Links. Tall infrastructure such as wind turbines and other tall structures have the potential to block radio transmission links and rebroadcasting links (through direct blocking of radio signal or deflecting signal). Our radio transmission networks normally operate with a 100m buffer either side of a radio link, free from interference by a tall development.

We have considered whether this development will have an adverse effect on our operations and have concluded that we have no objection.

Turbine T5 is nearest at 2.7Km East of nearest Arqiva asset.

If you would like to discuss this matter further, please do make contact via our email inbox windfarms@arqiva.com

Yours sincerely

Keith Waudby
Principal Microwave Engineer

From: Edwards, Steven

Sent: 23 April 2025 12:24

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

Subject: EIA Scoping Request Consultation - DNS CAS-02905-P2F6M6 - Calon y Gwynt Energy Park

Thank you for the opportunity to comment on the information made available as part of the recent EIA scoping consultation for the above project.

I have reviewed the proposals and provide comments for SP Energy Networks (SPEN) who operate and manage the electricity network up to 132kV in the area affected by the proposals on behalf of the asset owner, SP Manweb, as shown in part on the attached plan. SP Manweb is the statutory licence Distribution Network Operator, and has the following observations on the above project

SP Energy Networks must ensure the avoidance of any adverse impact on its network assets as we drive to maintain a network that is capable of meeting the increase in demand from an all-electric economy. The next decade will be crucial in preparing the grid for these changes and this is why we are interested in commenting on the proposals.

SP Energy Networks requires reference in any baseline studies to SPM network and assessment of the impact of the proposals on this network. The applicant can contact SP Energy Networks any time to obtain the GIS data in order to show on the relevant plans. Statutory clearances distances must be maintained. Failure to consider the impact of the proposed scheme on existing overhead lines at this EIA stage could mean further diversions are necessary and subsequent environmental impacts which themselves may result in additional environmental impacts.

There should be a draft construction management plan which has a section on utilities and explains how impact on the electricity network is to be managed and mitigated. SPEN requires there to be adequate space to maintain and operate its network in accordance with statutory obligations. Mitigation proposals will also need to take account of SPM assets and the operational requirements. In addition, SPM benefits from numerous land rights interests across the proposed site and these must be maintained and managed to ensure the network is operated in a safe and reliable manner and these rights should be included within a suitably worded agreement between SPM and the applicant.

I hope the above information is useful and please let me know if you require any further information.

Please ensure SPEN is consulted at subsequent application stages of this proposal.

Regards

Steve



Steven Edwards | Senior Environmental Planner | **Land & Planning**

Tel:

SP Energy Networks, 3 Prenton Way, Prenton Merseyside CH43 3ET

Follow us



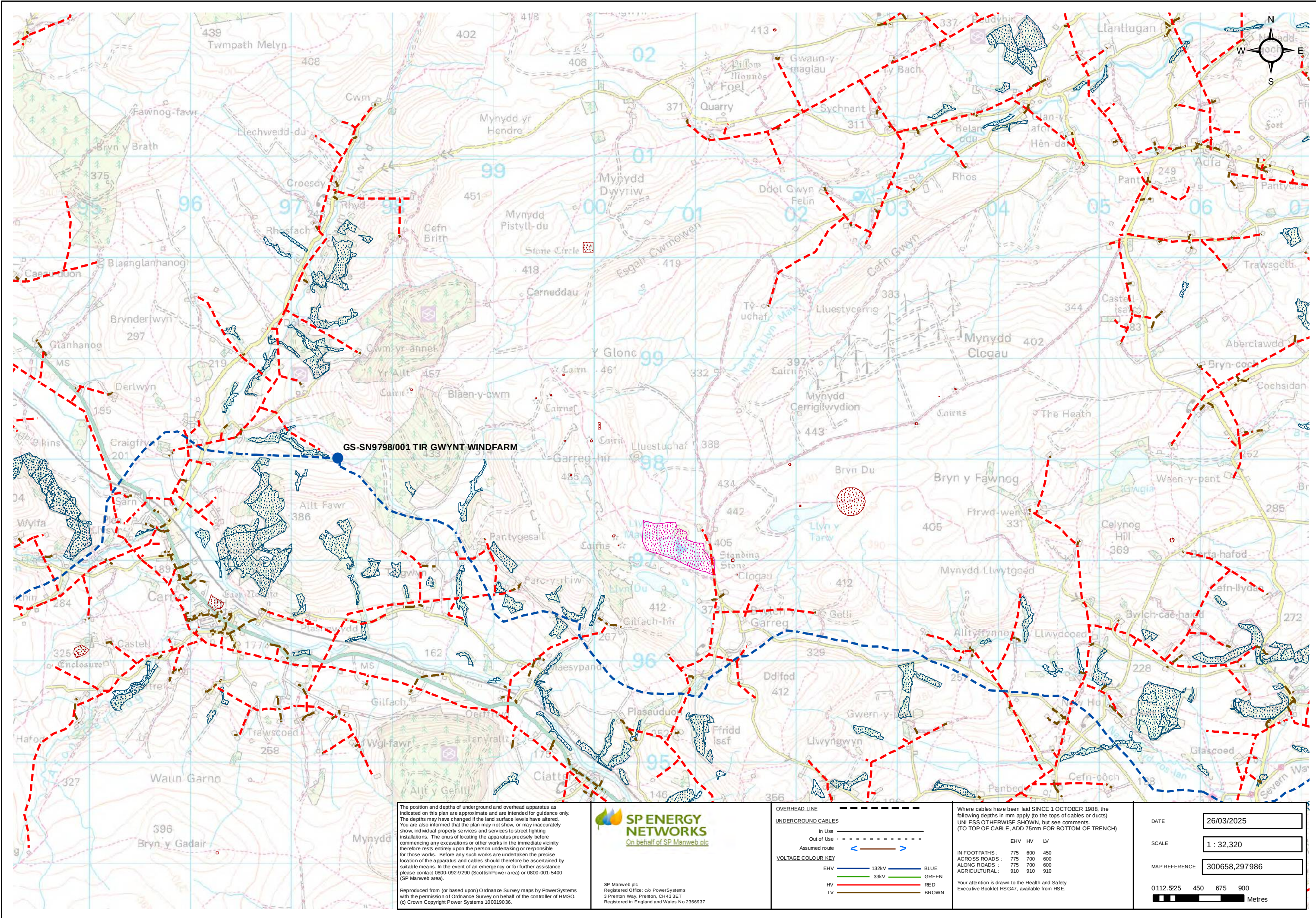
Cheshire, Merseyside, North
Wales & North Shropshire

Connections 0845 270 0783

General enquiries 0330 10 10 444

**POWER CUT?
CALL 105**





The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. The depths may have changed if the land surface levels have altered. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to street lighting installations. The onus of locating the apparatus precisely before commencing any excavations or other works in the immediate vicinity therefore rests entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus and cables should therefore be ascertained by suitable means. In the event of an emergency or for further assistance please contact 0800-092-9290 (ScottishPower area) or 0800-001-5400 (SP Manweb area).

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 **SP ENERGY NETWORKS**
On behalf of SP Manweb plc

SP Manweb plc
Registered Office: c/o PowerSystems
3 Preston Way, Preston, CH43 3ET
Registered in England and Wales No 2366937

OVERHEAD LINE 

UNDERGROUND CABLES

In Use 

Out of Use 

Assumed route 

VOLTAGE COLOUR KEY

EHV	132kV	BLUE
	33kV	GREEN
HV		RED
LV		BROWN

Where cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply (to the tops of cables or ducts) UNLESS OTHERWISE SHOWN, but see comments. (TO TOP OF CABLE, ADD 75mm FOR BOTTOM OF TRENCH)

	EHV	HV	LV
IN FOOTPATHS :	775	600	450
ACROSS ROADS :	775	700	600
ALONG ROADS :	775	700	600
AGRICULTURAL :	910	910	910

Your attention is drawn to the Health and Safety Executive Booklet HSG47, available from HSE.

DATE 26/03/2025

SCALE 1 : 32,320

MAP REFERENCE 300658,297986

0112 225 450 675 900 Metres



1 Capital Quarter
Tyndall Street
Cardiff
CF10 4BZ

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