



Pennant Walters Ltd

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# Mynydd Glyn Wind Farm

## Draft Environmental Statement

Appendix 1B Scoping Direction



This report was prepared by WSP Environment & Infrastructure Solutions UK Limited (formerly known as Wood Environment & Infrastructure Solutions UK Limited), company registration number 02190074, which is carrying out these services as a subcontractor and/or agent to Wood Group UK Limited

October 2022

# DNS: EIA Scoping Direction

## 3280378: Mynydd y Glyn Wind Farm

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**This Scoping Direction is provided on the basis of the information submitted to the then Planning Inspectorate for Wales on 15 September 2021, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) (as amended) (“The 2017 Regulations”).**

## 1. Introduction

The Planning Inspectorate (“the Inspectorate”) received a request under [Regulation 33](#) of the 2017 Regulations for a Scoping Direction in relation to a proposed development for a wind farm of up to seven turbines and associated infrastructure by Pennant Walters Ltd.

The request was accompanied by a Scoping Report (SR) [Mynydd y Glyn Wind Farm Environmental Impact Assessment Scoping Report – Wood Group UK Limited – September 2021] that outlines the proposed scope of the Environmental Statement (ES) for the proposed development.

On 01 October 2021 the functions of the Planning Inspectorate for Wales transferred to Planning and Environment Decisions Wales (PEDW). 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 proposed development site is situated within the Rhondda Valley and consists of upland habitat, the majority of which has been improved for agricultural grazing. The Site lies within the Rhondda Cynon Taf County Borough Council administrative area and its boundary is located approximately 600 m from the south-eastern edge of the village of Pant, some 15 km from the Brecon Beacons National Park.

A full site description is included at section 2.2 of the SR and a site location plan is included at Figure 1.1.

## 3. Proposed Development

The proposal as described in the SR is for:

- Up to 7 wind turbines, each with a blade tip height of up to 180 m and a maximum output of up to 6 MW;
- Turbine Foundations and transformer bases;
- Crane hardstandings;
- New and improved site access and access tracks;
- Underground Cabling;
- Site Compound including hardstanding and temporary site offices;
- Site substation and transformer building;
- Grid connection – The SR notes that the final choice and consenting strategy for the necessary grid connection has not yet been established, but that assessment of the final choice will be incorporated in the ES.

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

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

#### 4. History

The site lies within the Mynydd y Glyn and Nant Muchudd Basin Special Landscape Area (SLA) and is partially within the Rhondda Historic Landscape Area (HLA). Parts of the site also fall within a locally designated Site of Importance for Nature Conservation (SINC). The site has no relevant development history.

#### 5. Consultation

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

- Local Planning Authority – Rhondda Cynon Taf County Borough Council (RCTCBC)
- Caerphilly County Borough Council (CCBC)
- Bridgend County Borough Council (BCBC)
- Merthyr Tydfil County Borough Council (MTCBC)
- Vale of Glamorgan County Council (VOGCC)
- Brecon Beacons National Park Authority (BBNPA)
- Transport Directorate of the Welsh Government
- Natural Resources Wales
- Cadw
- The Health and Safety Executive
- The Coal Authority
- Dŵr Cymru

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

## 6. Environmental Impact Assessment Approach

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 6.1 Baseline



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

The SR suggests that future changes to the baseline are unlikely. However, given the current policy environment and the increase in renewables schemes coming forward, PEDW does not share that view. The applicant is advised to keep a watching brief during preparation of the ES to ensure an accurate baseline at the time of submission.

## 6.2 Reasonable Alternatives

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

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

## 6.3 Currency of Environmental Information

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

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

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

## 6.4 Assessment of effects and significance

The assessment should take into account the nature of the impact(s) including whether they are direct and/or indirect, secondary, cumulative (see below), transboundary, short-, medium- or long-term, permanent or temporary. The ES should define the meaning of 'significant' in the

context of each of the aspects assessed. The criteria used to determine 'significance' for each aspect should also be clearly explained.

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

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

### 6.5 Cumulative Effects

Paragraph 4.4.1 of the SR states that the consideration of cumulative effects in the ES will be limited to other wind farm developments that are operational, subject to planning approval or subject to a full and validated planning application. However, PEDW does not agree that only other wind farm development has the potential to result in cumulative effects. PEDW considers that known schemes at pre-application stage (such as subject to formal consultation, or EIA Scoping and Screening) should also be included and the applicant's attention is drawn to the [Twyn Hywel](#), [Manmoel](#) and [Abertillery](#) DNS wind schemes as examples. This list is not exhaustive and the applicant should maintain a watching brief to ensure an appropriate scope of cumulative assessment.

The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – [Advice Note 17: Cumulative Effects Assessment](#) sets out a staged process for assessing cumulative impacts which the Applicant should follow when preparing the list of projects for inclusion in the ES. The Applicant should ensure that relevant schemes identified on the [old DNS Portal](#) and [interim webpage](#) are addressed in the ES using the tiered approach set out in Advice Note 17. Additionally, the Applicant's attention is drawn to the consultees' comments at Appendix 1, regarding schemes for inclusion in cumulative assessment. Best practice is to include proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward.

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

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

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

## 6.6 Mitigation

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

**Embedded Mitigation:** measures that have been incorporated in the design of the development to prevent and reduce significant effects are often referred to as “embedded mitigation”. It has been noted that the definition of embedded mitigations can be broad and incorporate measures that are not necessarily functional in the design of the project. In PEDW’s view, elements altered by design changes made to minimise impacts should be referred to as ‘reasonable alternatives considered’ rather than embedded mitigation. The ES should explain clearly where a particular design has been chosen to reduce the significance of environmental effects and the rationale behind should be explained as part of the alternatives considered and the evolution of the design (see section 6.2). Where additional measures are proposed which are not an integral part of the project, such as a landscape proposals, the ES should clearly identify which measures are considered embedded and which are additional. Irrespective of whether a measure is considered embedded and / or additional, the significance of the environmental impacts before the employment of mitigation measures should be identified. The approach should be consistent throughout the ES and the **significance of the residual impacts** after the employment of the embedded mitigations should be addressed in the relevant technical aspects of the assessment.

## 6.7 Population and Human Health

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

## 6.8 Transboundary Effects

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

## 6.9 Topics Scoped In but not subject to a standalone chapter

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

## 7. Environmental Impact Assessment Aspects

This section contains PEDW’s specific comments on the scope and level of detail

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

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

### **7.1 Aspects Scoped In**

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

- Landscape and Visual Impact Assessment**
- Historic Environment**
- Biodiversity**
- Ornithology**
- Water Environment**
- Ground Conditions**
- Traffic and Transport**
- Noise**
- Existing Infrastructure, Telecommunications and Broadcast Services**
- Shadow Flicker**
- Socio-Economics**
- Population and Human Health (no standalone chapter)**
- Climate**
- Sustainable Resource Use (no standalone chapter)**
- Major Accidents and Disasters**

## 8. Table 1: PEDW's Comments

ID	Reference in Scoping Report	Issue	Comment
<b>Description of the Development</b>			
ID.1	1.3.7	Iterative changes following scoping.	See section 6 of this Direction for PEDW's view on scoping flexibility. The applicant is reminded that regulation 17(4)(c) of the 2017 Regulations states that an ES must:  <i>'(c) where a scoping opinion or direction has been issued in accordance with regulation 14 or 15, be based on the most recent scoping opinion or direction issued (so far as the proposed development remains materially the same as the proposed development which was the subject of that opinion or direction)'</i>
ID.2	2.3.4	Maximum tip height.	The SR indicates that the potential maximum tip height is 180 m yet goes on to consider 175 m to tip rather than the worst-case scenario of 180 m to tip. The ES should be clear about what the potential maximum tip height is and ensure that all chapters incorporate assessment of the worst-case scenario.
ID.3	2.3.9	Use of Borrow Pits.	The SR states at 2.3.9 that no borrow pits are proposed. However, table 5.3 and paragraph 1.8.13 refer to borrow pits in relation to the LVIA. The ES should be clear as to what is proposed and ensure that all aspects of the development are appropriately assessed.
ID.4	2.3.16	Grid Connection.	The SR indicates that the grid connection may be subject to a separate consenting regime. Nonetheless, the ES should address the grid connection in a proportionate manner based on the level of certainty as to the likely connection route at the time of the DNS application being made.

ID	Reference in Scoping Report	Issue	Comment
			It should be noted that following <a href="#">amendments</a> to The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, an electric line above ground of up to 132 kV associated with a DNS Generating Station is specified as a DNS in itself.
<b>Landscape and Visual Impact Assessment</b>			
ID.5	5.2.3	LVIA Search and Study Areas.	The applicant's attention is drawn to comments from NRW regarding the interpretation of NRW's LANDMAP Guidance Note 46. PEDW agrees with NRW that the ES should employ a search area of 26 km and a study area of 24 km, based on that guidance.
ID.6	5.2.4 & 5.2.5	Potential for significant effects beyond 10 km.	The Applicant's attention is drawn to NRW's comments regarding the potential for significant effects over 10 km, particularly in relation to High Sensitivity Receptors.
ID.7	5.2.20	Guidance Note 46 filtering process.	See NRW's comments on the application of Guidance Note 46.
ID.8	5.2.27	Future Baseline	PEDW does not agree that changes to the baseline are unlikely. There are a significant number of renewable energy schemes at various stages of the consenting process that could result in cumulative effects and the current policy environment is supportive of renewable energy. The applicant is therefore advised to monitor progress of other schemes, for example the <a href="#">Twyn Hywel</a> , <a href="#">Manmoel</a> and <a href="#">Abertillery</a> DNS wind schemes, and to ensure an accurate and up to date baseline upon finalisation of the ES. See Consultees' comments in this regard.

ID	Reference in Scoping Report	Issue	Comment
ID.9	Table 5.2	Viewpoints	The applicant's attention is drawn to consultee comments regarding appropriate viewpoints. CCBC has requested additional viewpoints and MTCBC has requested that the applicant include Gelligaer Common in the scope of assessment. The applicant is advised to include these in the LVIA and to liaise with those consultees as appropriate.
ID.10	5.3.10	Cumulative Assessment	<p>NRW recommends that the area of cumulative assessment should be larger than the LVIA study area to account for existing and proposed schemes to the South of the BBNP. PEDW agrees with this view. The applicant should extend the area of cumulative assessment to 26 km as suggested by NRW.</p> <p>As noted in section 6 of this Direction, PEDW <b>does not agree</b> that pre-application and scoping stage schemes can be scoped out of the LVIA.</p> <p>PEDW agrees that single turbines outside 10 km can be scoped out of the LVIA.</p>
ID.11	5.3.10	Receptors outwith the ZTV.	PEDW agrees that receptors outwith the finalised ZTV <b>can be scoped out</b> .
ID.12	5.3.10	Local / Regional Receptors.	PEDW agrees that, where supported by assessment and analysis, local and regional receptors beyond 10 km can be scoped out <b>based on evidence as the ES is progressed</b> . However, it is not considered appropriate to scope them out at this stage.
ID.13	5.3.10	Wales Coast Path.	Given the degree of separation and the intervening built environment, PEDW agrees that the Wales Coast path <b>can be scoped out</b> .
ID.14	5.3.10	Brecon Beacons National Park.	Given the sensitivity of the designation, PEDW <b>does not agree</b> that effects on the BBNP can be scoped out. As noted in the SR, a viewpoint is included



ID	Reference in Scoping Report	Issue	Comment
			to enable potential effects to be established. The applicant should also liaise with BBNPA regarding the need for further viewpoints when finalising turbine locations.
ID.15	5.3.10	Glamorgan Heritage Coast.	Notwithstanding the reasons suggested in the SR, PEDW agrees that in light of the degree of separation and intervening built development, the Glamorgan Heritage Coast <b>can be scoped out</b> .
ID.16	5.3.10	Decommissioning.	PEDW agrees that decommissioning activities would be unlikely to introduce additional landscape or visual impacts and <b>can therefore be scope out of the LVIA</b> .
ID.17	Table 5.4	Significance of effects.	The applicant's attention is drawn to comments from CCBC regarding the potential for including a 'Very high' descriptor when assessing magnitude of change. The applicant should give consideration to this approach.
ID.18	5.4.11	Night-time assessment.	The applicant's attention is drawn to comments from NRW and BBNPA regarding the need for evidence to support assertions made in the SR and the need to consider the BBNP's status as a Dark Sky Reserve.
ID.19	Appendix 5 – 1.8.9	Viewpoint at Craig y Fan Du.	This viewpoint is referred to in appendix 5, but is not in the list at Table 5.2.
<b>Historic Environment</b>			
ID.20	6.4.4	Unrecorded Assets	As noted by Cadw, the potential for archaeological assessment should not be discounted prior to the results of the desk-based and walkover surveys being known and understood. The applicant is encouraged to consult with Glamorgan Gwent Archaeological Trust and to undertake geophysical surveys in order to inform micro-siting where appropriate.



ID	Reference in Scoping Report	Issue	Comment
ID.21	6.4.9	ASIDOHL	It is agreed that an ASIDOHL is required in relation to the Rhondda landscape of special historic interest. The applicant should liaise with Cadw, who will curate the assessment.
ID.22	6.4.11	Effects on designated historic assets	<p>As noted by Cadw, the ES should include an assessment of the impact on the setting of <b>all</b> nationally designated historic assets, including listed buildings of all grades, located inside 5 km of the proposed development boundary.</p> <p>Cadw has provided a comprehensive list of the designated assets that are located within 5 km of the proposed development that fall within the produced ZTV. The list should be reviewed when the final expanded ZTV for the ES is produced. Any exclusion of designated assets that appear to fall within the relevant criteria should be agreed with Cadw and justified in the ES.</p>
ID.23	6.5.4	Walkover Survey	Cadw strongly recommends that walkover surveys are completed once the results of desk based research are known. PEDW agrees with this view.
<b>Biodiversity</b>			
ID.24	Appendix 7.1 Section 4.2	Badgers	It is noted that Appendix 7.1 states that no evidence of badger setts or activity was recorded on Site. However, PEDW notes that the Phase 1 Habitat survey informing Appendix 7.1 was conducted at a suboptimal time where setts and runs are less visible and concealed by vegetation. It is not possible to completely exclude badger activity at this stage.
ID.25	Appendix 7.1 Section 4.2	Dormice	Section 4.2 of Appendix 7.1 states that the habitats present within and adjacent to the Site are not considered to be supportive to dormice and that food species were limited with no hazel. However, table 4.14 at Appendix

ID	Reference in Scoping Report	Issue	Comment
			7.1 states that “a small fenced area is present in the south with dominant willow scrub with some scattered hazel”. Additionally, the Applicant is reminded that heath and bracken, although suboptimal, can offer nesting opportunities for dormice.
ID.26	Appendix 7.1 Section 4.2	Water voles	Appendix 7.1 states that the waterbodies on Site are not considered to support water voles. The Applicant’s attention is drawn to RCTCBC comments regarding the potential for upland water vole population. The presence of water vole on Site cannot be discounted at this stage.
ID.27	Appendix 7.1 Section 4.2	Great Crested Newts (GCN)	Section 4.2 of Appendix 7.1 states that Pond 3 was found dry at the time of the survey but table 4.17 states that the pond was surveyed using eDNA techniques on 1 <sup>st</sup> May 2020. It is assumed that table 4.17 contains a typo.
ID.28	Appendix 7.1 Section 5	Protected and notable vegetation species	PEDW notes the results of the desk study and Phase 1 Habitat survey. There is potential for the Site to support important plant communities. These should be added to the list at section 5.
ID.29	Appendix 7.1 Section 5.1	Species scoped out – Dormice and water voles	As detailed at ID.25 and ID.26, PEDW does not considered that the presence of these species can be excluded at this stage and further survey work is therefore required. These species should <b>not be Scoped Out</b> of the ES.
ID.30	Appendix 7.1 Section 5.1	Species scoped out – GCN	PEDW agrees that GCN can be scoped out of further assessment. However, the Applicant should be mindful of the age of the surveys at the time of submission of the ES. Depending on the date the application will be submitted, a survey update may be required.

ID	Reference in Scoping Report	Issue	Comment
ID.31	Appendix 7.2 Table 2.5 & Section 6.2	Bats- Manual transects and automated surveys	PEDW welcomes the methodology used during the 2020 bat surveys. However, it is noted at paragraph 2.7.4 of Appendix 7.2 that, due to the evolution of the scheme, not all the turbine positions were surveyed. PEDW agrees with NRW that additional survey effort during autumn for all known turbine positions should be conducted, in line with Bats and Onshore Wind Turbines - survey, assessment and mitigation guidance (NatureScot).
ID.32	Appendix 7.2 Section 5	Collision Risk Assessment	PEDW welcomes the preliminary collision risk assessment. PEDW does not have the expertise to advise on this matter and thus it is recommended that the applicant continues to engage with NRW and relevant LPAs once the baseline surveys are complete and the model prepared. As this is a highly technical subject, the applicant may want to explore the possibility of engaging the relevant parties with the preparation of Statements of Common Ground.
ID.33	Table 7.3	Water voles	See ID.26 above. Further assessment of water voles is required and thus <b>cannot be scoped out</b> at this stage.
ID.34	Table 7.3	Badgers	See ID.24 above. Further assessment of badgers is required and thus <b>cannot be scoped out</b> at this stage.
ID.35	Table 7.3	Marsh Fritillary	See NRW's comment at Appendix 1 regarding the potential for effects on Rhos Tonyrefail SSSI from the proposed development. Further assessment of the potential impact of the proposal on Marsh fritillary is required and <b>thus cannot be scoped out</b> at this stage.
ID.36	Table 7.4	Section 7 habitats and species- Phase II Vegetation survey	The SR states that impacts on Section 7 habitats and species will be avoided. At this stage it is unclear how this will be achieved as only a Phase 1 Habitat survey has been conducted. Due to the presence of the

ID	Reference in Scoping Report	Issue	Comment
			<p>priority habitats identified, additional vegetation surveys are required. The Phase II Vegetation survey can be designed to follow the methodology described in Rodwell, J. S. (2006). National Vegetation Classification: Users' handbook. Representative quadrats should be selected taking into consideration not only the final location of the turbines (including micro-siting) but associated infrastructure and construction areas (including borrow pits if relevant). The survey results should inform the assessment of the potential impact on non-statutory designated sites. See also RCTCBC comments at Appendix 1.</p>
ID.37	Table 7.4	Peat & Groundwater Dependent Terrestrial Ecosystems (GWDTEs)	<p>The SR does not mention the potential for GWDTEs to be affected by the proposal even though there is potential for peat deeper than 0.5 m to be present. The Ecological assessment should consider GWDTEs, with reference to the hydrological assessment.</p>
ID.38	7.5.16	Approach to mitigation	<p>The SR states that enhancement measures will be implemented so as to ensure overall net biodiversity benefit. No details are available at this stage, but the ES should include a detailed ecological management plan, including targets and enhancement objectives specific to the habitats and species present on site. The plan should include monitoring, in particular post construction bat monitoring (see Section 8 of the NatureScot guidance "Bats and Onshore Wind Turbines - survey, assessment and mitigation" (August 2021)) and indicate triggers which would prompt changes in the management of the site. Net benefits should be clearly identified. At this stage, PEDW is not in a position to provide further recommendations for the delivery of specific mitigations. It is recommended that relevant consultees are further engaged once a draft mitigation proposal is emerging.</p>

ID	Reference in Scoping Report	Issue	Comment
ID.39		Cumulative assessment	The Applicant is strongly advised to include relevant DNS schemes that have reached the EIA scoping stage in the assessment of cumulative effects for this ES. See also section 6.5 of this Scoping Direction.
	<b>Ornithology</b>		
ID.40	8.3.3 & 8.4.10	Severn Estuary SPA	The Severn Estuary SPA appears to be located within 20 Km of the Site boundary, thus should be considered in the ES.
ID.41	Table 8.4	Baseline surveys	The SR does not include the viewshed of the Vantage Points (VP) survey. NRW notes that without the viewshed, it is not possible to assert that a comparable level of survey has been employed for each turbine group. PEDW agrees with NRW and recommends that an agreement with NRW and RCTCBC is sought in relation to the VP survey coverage. It is also noted that the Applicant does not intend to repeat the walkover surveys and the breeding raptors survey in 2022. A justification for this approach is required in the ES. Additional comments are provided at Appendix 1 from NRW and RCTCBC.
ID.42	8.5.15 & 8.5.16	Approach to mitigation	No details of enhancement are available at this stage but the ES should include a detailed ecological management plan, including targets and enhancement objectives specific to the habitats and species present on site. The plan should include monitoring and indicate triggers which would prompt changes in the management of the site. Any net benefits should be clearly identified.
ID.43		Risk of Collision	The SR does not include details of how the Collision Risk Modelling will be prepared. This concerns PEDW as correction factors may need to be applied and the cumulative impacts within this area may be significant. PEDW does not have the expertise to advise on this matter and thus it is recommended that the applicant continues to engage with NRW and

ID	Reference in Scoping Report	Issue	Comment
			relevant LPAs once the baseline surveys are complete and the model prepared. As this is a highly technical subject, the applicant may want to explore the possibility of engaging the relevant parties with the preparation of Statements of Common Ground.
ID.44		Cumulative assessment	As set out at section 6.5 of this Scoping Direction, the applicant is strongly advised to include relevant DNS schemes that have reached the EIA scoping stage in the assessment of cumulative effects for this ES.
<b>Water Environment</b>			
ID.45	9.1.2	Consultation.	<p>The intention to consult with NRW, the Lead Local Flood Authority and the LPA in the development of this chapter is welcomed.</p> <p>The applicant's attention is drawn to comments from NRW regarding the scope of assessment, at appendix 1. The applicant is strongly advised to take account of those comments and to liaise further as set out in the SR.</p>
ID.46	9.2.19	TAN 15.	<p>NRW confirms that it will comment on the FCA that is produced at the application stage.</p> <p>The applicant's attention is drawn to the <a href="#">Ministerial Letter</a> that postponed the coming into force of the new TAN 15 until June 2023.</p>
ID.47	Section 9.3	Peat probing and GWDTEs	PEDW notes the intention to conduct a two steps peat probing exercise. The Applicant is reminded that in Wales any peat deposit deeper than 0.5 m is considered deep peat. It is recommended that a survey area is clearly identified on a plan. Areas where peat is deeper than 0.5 m should be avoided. Peaty areas that cannot be avoided should be surveyed in accordance with the Scottish Government Guidance "Guidance on

ID	Reference in Scoping Report	Issue	Comment
			<p>Developments on Peatland” (2017) – Phase 2. A 10 m by 10 m grid is considered acceptable.</p> <p>As peat depth probing is not provided in the SR, PEDW recommends that peat should be measured deeper than 1.5 m, where present. Peat depth surveys should be conducted 25 m either side of proposed tracks. The ES should identify all survey points on a Figure to illustrate the extent of the peat survey. The ecological effects of disturbing peat on site should be addressed in the ecology chapter of the ES. Depending on the results of the survey, a peat management plan may be included in the ES. The ES should include an indication of hydrological flows through the peat and whether Groundwater Dependant Terrestrial Ecosystems (GWDTEs) are present within the Site or its Zone of Influence (Zol).</p> <p>PEDW recommends that the hydrological assessment should clearly define the Zol of the Proposed Development and the ES should cross reference the ecological and hydrological assessments. See also NRW comments at Appendix 1.</p>
	<b>Ground Conditions</b>		
ID.48	10.3.20	Coal Mining.	The intention to produce a coal mining risk assessment is welcomed. The applicant’s attention is drawn to comments received from the Coal Authority in this respect.
ID.49	10.4.5	Solid Geology, BMVAL.	It is agreed that effects on solid geology and BMVAL <b>can be scoped out.</b>
ID.50	10.4.5	CEMP.	A Construction Environmental Management Plan (CEMP) should be included as part of the ES and a full explanation given where reliance on the CEMP has been used to scope out further consideration of effects.

ID	Reference in Scoping Report	Issue	Comment
ID.51	10.4.5	Operational Phase effects.	It is agreed that operational phase effects on land and soils <b>can be scoped out</b> .
ID.52	10.4.5	Decommissioning.	It is agreed that decommissioning stage effects can be assumed to be no greater than construction effects and <b>can be scoped out</b> .
ID.53	10.5.21	Peat	See comment ID.47 above.
	<b>Traffic and Transport</b>		
ID.54	11.1.1	Transport Assessment.	The Applicant's attention is drawn to RCTCBC comments regarding the need for a full transport assessment at application stage.
ID.55	11.4.2 & 11.4.5	Operational and Decommissioning phase.	PEDW agrees that the operational phase <b>can be scoped out</b> of the assessment. Decommissioning effects are assumed to be no greater than construction and thus can be considered only qualitatively in the ES.
ID.56	11.4.7 & Table 11.3	Potential Receptors.	<p>At 11.4.7 the SR notes that IEMA's Guidelines for the Environmental Assessment of Road Traffic (GEART) set out potential receptors that could be affected. However, these are not all reflected in Table 11.3, which sets out the effects that the applicant considers likely and that will be taken forward in the assessment. The SR does not explain why the effects that will be considered do not include, for example, effects on sites of ecological and nature conservation value, even though they are identified as potential receptors in GEART.</p> <p>The ES should fully explain and justify the rationale that is used to support the selection of effects for further assessment.</p>



ID	Reference in Scoping Report	Issue	Comment
	<b>Noise</b>		
ID.57	12.3.5 & 12.4.4	Screening	<p>Notwithstanding comments above regarding the potential for changes in future baseline conditions, the SR states at 12.3.5 that no current baseline noise data exists and that baseline measurements will potentially only be taken following an initial screening exercise.</p> <p>It is not clear from the SR how a reliable and robust screening exercise could be undertaken without sufficient baseline data to inform it. If the ES is to be prepared on this basis a full explanation should be included and the approach robustly justified.</p>
ID.58	12.4.5	Construction and Decommissioning.	<p>For the avoidance of any doubt, construction noise and vibration (including traffic) <b>should not be scoped out</b> of the assessment, although PEDW agrees that the effects of decommissioning can be as they are assumed to be no greater than construction.</p> <p>PEDW notes that construction techniques are not fully known at this stage. Therefore, the level of assessment included in the future ES should reflect the potential for significant impacts to arise from construction noise and vibration, which cannot be excluded at this stage. Additionally, the results of the construction noise assessment should be considered as part of the ecological assessment, where it may potentially affect protected and notable species.</p>
ID.59	12.5.13	Significance of effects.	<p>The applicant should note that the noise limits set in ETSU-R-97 are not a definition of significance. The applicant is reminded of paragraph 3.2.8 of the Institute of Acoustic Good Practice Guide on the application of ETSU-R-97 (2013) which states that single lower fixed limits can be used where background noise levels do not vary significantly between amenity periods</p>

ID	Reference in Scoping Report	Issue	Comment
			<p>and night-time periods, with the agreement of the relevant authorities. The applicant is encouraged to liaise with RCTCBC on the approach to noise assessment.</p> <p>The ES should demonstrate compliance with ETSU-R-97 and clearly explain how significant impacts are identified.</p>
ID.60	12.5.15	Operational traffic.	It is agreed that operational traffic noise <b>can be scoped out</b> .
<b>Infrastructure and Other Issues</b>			
ID.61	13.1	Existing Infrastructure, Telecommunications and Broadcast Services.	The approach set out in the SR is considered appropriate. The applicant is also encouraged to consult NATS at Cardiff International Airport regarding aviation.
ID.62	13.2	Shadow Flicker.	The approach set out in the SR is considered appropriate. However, see section 6 of this Direction in relation to the application of ten rotor diameters as a cut off.
ID.63	13.3	Socio-Economics.	The approach set out in the SR is considered appropriate.
ID.64	13.4	Population and Human Health.	The approach set out in the SR is considered appropriate.
ID.65	13.5	Climate.	Susceptibility to Climate Change should be addressed in relevant chapters of the ES, such as Ecology and Ground Conditions. The ES should ensure that a comprehensive picture of such impacts is provided for the decision maker, including, as noted in the SR, an assessment of any peat loss. The intention to include a carbon calculation assessment is welcomed.

ID	Reference in Scoping Report	Issue	Comment
ID.66	13.6	Sustainable Resource Use.	It is agreed that a standalone chapter is not required for this aspect, which can be addressed as necessary in other relevant chapters of the ES.
ID.67	13.7	Major Accidents and Disasters.	<p>The approach set out in the SR is considered appropriate.</p> <p>The applicant's attention is drawn to comments received from the Coal Authority regarding the risks in relation to former mine workings and the need to adjust the location of development accordingly. As noted above, the ES should address this issue as appropriate.</p>

## 9. Other Matters

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

### 9.1 Habitats Regulation Assessment

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

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

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

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

### 9.2 SuDS Consent

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

### 9.1 The National Development Framework (Future Wales: the national plan 2040), Planning Policy Wales (PPW) 11, and the revocation of TAN 8

On [24 February 2021](#), the Welsh Government published the [National Development Framework](#) (NDF). The NDF has development plan status, forming the highest tier of the development plan hierarchy in Wales. Planning Policy Wales has been updated to [edition 11](#). TAN 8 was revoked on the same date.

G Bazzoni  
The Planning Inspectorate  
Planning & Environment Team  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

<b>My Ref/Fy Nghyf:</b>	<b>Your Ref/Eich Cyf:</b>	<b>Date/Dyddiad:</b>	<b>Please ask for/ Gofynnwch am:</b>
21/1312/36		17/11/2021	Matthew Farley [REDACTED]

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

**DATBLYGIAD** EIA Scoping Opinion – 7 turbine wind farm.  
**ARFAETHEDIG/  
PROPOSAL :**  
**LLEOLIAD** Land at Mynydd Y Glyn.  
**/LOCATION:**

I refer to your correspondence received on 24<sup>th</sup> September 2021 enclosing a scoping report, dated September 2021, for the Environmental Statement (ES) to accompany the forthcoming planning application for a 7 turbine wind farm at Mynydd Y Glyn, Rhondda.

Firstly, I would take the opportunity to thank you for extending the time period for comments due to delays with consultation responses, but would note that responses from all consultees have not been received at the time of writing. They will be forwarded on as/when they are received.

Having consulted statutory consultees, and other interested parties, I would advise that the scoping report is a comprehensive document that addresses the key issues

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**Nigel Wheeler B.Sc(Hons)**

Cyfarwyddwr Cyfadran – Ffyniant, Datblygu, a Gwasanaethau Rheng Flaen | Group Director – Prosperity, Development & Frontline Services

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We welcome correspondence in Welsh and corresponding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual.



associated with the proposed development and the potential consequences of allowing the development.

The document advocates a conventional and widely accepted approach to the preparation of an ES and is generally considered acceptable in what it aims to achieve. There are no obvious gaps in terms of the planning policies at both national and local level, and it takes a consistent approach to scoping the issues relevant to the consideration of the proposals, identifying key issues.

As such, the document is generally considered acceptable but we would however seek assurance in the first instance that the following requirements will be adequately addressed in the various topic areas:

- A statement of expertise
- Legislative and policy context and the methodological approach adopted in reassessing the likely significant environmental effects of the proposals
- The assessed effects of the proposals pre and post mitigation, and
- Where the assessed residual effects remain significant a conclusion on whether additional assessment may be required.

### **Landscape and Visual Impact Assessment**

Without wanting to go into the specifics of the issues at hand, we are aware that NRW have expressed some concerns regarding the approach and methodology adopted, and understand that they have provided these concerns to you directly (28/10/21). We would concur with NRW's comments and advise the developer has regard to NRW's concerns in finalising the details of the ES, or at least provide a response explaining why they do not agree with them.

### **Cultural Heritage & Archaeology**

The Council notes that Cadw and Glamorgan Gwent Archaeological Trust have been consulted in respect of the scoping opinion, but no responses have been received at the time of writing. It is expected however that both consultees would have conveyed their views to you independently. Should any responses be received they will be forwarded on.

## **Biodiversity**

In addition to the comments sent to you from NRW on 28/10/21, the Council's Ecologist would note that the site includes parts of two SINC's (Nos. 120 and 49) and is primarily a mosaic of upland blanket bog, acid and marshy grassland, areas of heath and bracken, some more improved grassland and old stone walls. There is a summary ecology document submitted with some site survey work (Phase I Walkover Survey, some bat work and habitat assessment for other species). The turbine locations are shown but no detail provided on any infrastructure requirements such as road access or grid connection provisions. This would be required.

The Ecology Report identifies the need for several further surveys (and in terms of bats it is noted that a further survey in 2021 has been planned although not submitted). The survey report rules out the need for more great crested newt (GCN) assessment on the basis of a negative DNA Survey findings together with only average or below average GCN habitat pond assessment. It is agreed that it is probably acceptable that further GCN assessment is not required, but while the report also discounts further dormouse work, that may need to be reconsidered if infrastructure works affect woodland or hedgerow habitats. Also, given the recent discovery of upland water vole populations in RCT, we do not agree that a Water Vole Survey is not necessary, and water vole assessment will be required.

In addition to the surveys identified in the ecology scoping report, we also consider that more vegetation assessment is needed (with Phase II Vegetation Surveys in areas of priority habitat) and given the sheep grazed acid grassland areas, Grassland Fungi Surveys will also be required.

In terms of birds, it is good to see that nesting and wintering bird assessment will be undertaken, however, additional species of potential concern will need to be included, including heron (which has heronries in the adjacent Coed Gelliwion forestry plantation), nightjars (which commonly breed in felled plantations in RCT and hunt on adjacent hillsides), and autumn passage movements of swallows and house martins (which funnel down the Rhondda Valley and can take short cut routes over the intervening hillsides).

In terms of bats, the commuting function of bats crossing the hillsides between valleys has been recorded through monitoring work on other windfarm sites in the area and has included possible autumnal hibernation roost movements. The presence of both lesser and greater horseshoe bats is noted, the latter is extremely rare in RCT.

In line with Policy AW8 of the RCT LDP a full ecological habitat and species assessment of an EIA standard will be needed. This will need to include:

- More detailed Phase I and Phase II Vegetation Survey
- Hedgerow/Woodland/Tree Surveys of routes affected by infrastructure connections (road or power grid)
- Ditch/Watercourse assessment
- Grassland Fungi Survey
- Nesting, wintering and passage bird use
- Bat roost, foraging and commuting use
- Badger Survey (plus possibly otter)
- Dormouse Survey if infrastructure connections affect hedgerows/woodlands
- Water Vole Survey
- Reptile/Amphibian Surveys

Also, in line with Policy AW8 and recent WG requirements for biodiversity net gain, a scheme of ecological mitigation and enhancement will be needed. This should include long-term habitat management and monitoring of key habitats (e.g. blanket bog/SINC habitats) and species through a Habitat Management Plan secured via S106 Agreement.

### **Water Environment & Ground Conditions**

The Coal Authority advise that areas of the site are located within the defined Development High Risk Area and therefore the site has been subject to past coal mining activity. Consequently, any ES should properly address the risks posed and access routes should be informed by the findings of appropriate site investigations, especially in relation to any on site mine entries and their associated zones of influence.

In addition to the comments sent to you from NRW on 28/10/21, the Council's Flood Risk Management team advise that the site is a Greenfield area as such the key element required to satisfy TAN15 will be the sites surface water discharge rates, both pre and post catchment discharge. The applicant should note that where the site is proposed on a Greenfield a like for like discharge rate will be required to reduce the inherent surface water.



Further, the applicant should be made aware of the requirement of Schedule 3 of the Flood and Water Management Act 2010, notably that the development will also be subject to the requirements of Part H of the Building Regulations and a separate SuDS application to the SAB.

### **Traffic and Transport**

The Council's Transportation Section advise that any future planning application would have to be supported by a Transport Statement relating to the construction, operation and dismantling phases, as well as a Traffic Management Plan.

### **Noise**

The approach to the consideration of noise and vibration appears acceptable in principle. The Council's Public Health and Protection Division have not indicated that the approach is in any way lacking or inadequate. However, if not already, it is recommended that Public Health Wales are consulted in respect of the planning application and their views taken account of.

### **Infrastructure and other issues**

A number of topics are covered under this heading and these are generally of a lesser concern and indeed will be dealt with under consultation with the relevant bodies concerned for the most part.

One further point to note however is that the ES does not appear to scope the potential impact to PROWs. The site is crossed by several PROWs and information on what consideration is being given to effected paths will be required. With new landscaping etc. to be provided the expectation is that these routes will become more popular with improved facilities and that they will serve as important crossing points for non-motorised users travelling in the area and wanting to access the countryside. As such full details of any impacts should be included within the ES.

Finally, the Welsh Government are advised that the LPA has been contacted by the Ministry of Defence in respect of this scoping opinion stating that they wish to make comments but none have been received at the time of writing. It is expected however that the consultee would have conveyed their views to you independently. Should any response be received it will be forwarded on.

Please note that the comments made in this scoping opinion relate to the content of the ES only and are made without prejudice to the determination of any future planning application.

I trust you will find the above helpful in progressing your deliberations on the proposed development and should you have any further concerns please do not hesitate to contact me

Yours sincerely,

Matthew Farley.  
Team Leader Planning Applications

Dear Ms Bazzoni

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

Potential DNS Application No: 3280378

Project Name: Mynydd y Glyn Wind Farm.

Site Address: Land known as Mynydd y Glyn in the Rhondda Valley.

Proposed Development: Construction of a wind farm of up to 7 wind turbines with associated infrastructures.

I am writing further to your consultation on the above matter received on the 24<sup>th</sup> September 2021.

I have attached responses received from the Council's Landscape Officer and the Highway Authority. The Highway Authority confirm there are no additional Highway considerations deemed necessary as the delivery route (via Swansea) will not materially impact CCBC.

The Council's Landscape Architect has requested additional viewpoints within Caerphilly County Borough in order to assist in assessing the potential visual impacts of the development. It is also requested that the Magnitude of Change within the Evaluation of Landscape and Visual Effects (as detailed in figure 5.4 within the scoping document) is broadened to include 'very high' as an additional magnitude of change. Full details of this request can be found in the attached email.

It is also noted that within the scoping document at paragraph 5.2.27 (Future baseline) it states "It is unlikely that the future baseline will alter markedly in the short to medium term as many of the potential forces for change within and around the site are in relative stasis, particularly with the reduction in renewable energy applications that has taken place in the past five years".

Whilst it is not disputed that in the last five years applications for wind turbines have reduced from the period before, there is some evidence that this may now be changing. This is based upon the volume of consultations received in 2021 for comments on under consideration Scoping Directions from Planning Inspectorate (and now PEDW) within the south Wales area. This appears to indicate there may be at least an uptick in such applications in the short to medium term. This would be consistent with the general thrust of National Planning Policy including the adoption of Future Wales and the general considerations around climate change and increased focus on decarbonisation.

It is highlighted in particular that one such consultation, subject to a recent Scoping Direction from PEDW, is the Twyn Hywl Wind Farm (Land at Eglwysilan common, north of Senghenydd, Caerphilly) which has the PINS/PEDW reference 3272053. That project located within the Caerphilly County Borough council and Rhondda Cynon Taff County Borough Council areas is of a very substantial scale (up to 20

wind turbines with a maximum tip height of 200m). It is unclear as to whether this would currently fall within the definition of “in planning” given the current status of the scheme. However a proposed project timescale has been made public on the project’s website

<https://twynhywelenergypark.wales/twyn%e2%80%afhywel%e2%80%afenergy-park-proposed-project-timeline/>

The timescale on the website highlights that a Development of National Significance application is targeted to be submitted in Summer 2022. Furthermore the timescale indicates that Public Exhibitions are planned for November 2021 and a recent news article appears to confirm this is going to occur:

<https://www.walesonline.co.uk/news/local-news/windfarm-senghenydd-caerphilly-rct-21960922>

This is therefore a significant potential windfarm scheme which has been subject to publicity and which whilst not currently subject to a formal DNS application, appears to be progressing to a likely submission within the next 12 months. The scale and position of the development is such that if it proceeds it is considered that it would be likely to have a significant cumulative impact together with the Mynydd Y Glyn Wind Farm subject to the current consultation. This matter is highlighted and PEDW are respectfully requested to consider whether asking for the impacts of the potential Twyn Hywl Wind Farm to be included within the assessment is proportionate in this instance.

I trust this response is of assistance but please contact me if you require any clarification.

Kind Regards,

Anthony

**Anthony Pyne**

Prif Gynllunydd | Area Principal Planner

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

Landscape Comments

Please find my comments below in relation to your request for observations on the attached scoping report.

**Viewpoints**

Having studied the information, notably Chapter 5 Landscape and Visual of the attached Scoping Report, the proposed Viewpoint from the trig point summit on Rhymney Valley Ridgeway Walk, Mynydd Mieu within the Caerphilly Borough is acceptable. However, I also recommend that the below areas / viewpoints are covered within the Caerphilly Borough, in order to gain a fuller understanding of the potential visual impacts.

- Caerphilly Common Trig Point within the South Caerphilly SLA, OS Grid ref 315261, 185538.

- From a location within the Gelligaer SLA and Historic Landscape.

## Determining the Significance of Effects

Table 5.4 Evaluation of Landscape and Visual Effects.

Table 5.4 Evaluation of Landscape and Visual Effects

Magnitude of Change	Landscape and Visual Sensitivity			
	High	Medium	Low	Negligible
High	Substantial	Substantial / Moderate	Moderate	Slight
Medium	Substantial / Moderate	Moderate	Slight	Slight / Negligible
Low	Moderate	Slight	Slight / Negligible	Negligible
Negligible	Slight	Slight / Negligible	Negligible	Negligible

The above table shows four differences of Magnitude of Change and Evaluation of Landscape and Visual Effect described, which means that there is a significant contrast between the descriptors of high and negligible, with intermediate categories effectively being limited to moderate and low. This does not reflect the complexity of the range of magnitude of change or L&V sensitivity. Therefore, I recommend five categories ranging from Negligible, Low, Medium, High to **Very High** are used and requires addressing.

Regards

**Richard Bryan CMLI**

Pensaer Tirwedd | Landscape Architect

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

## Highways Comments

Hi, Anthony

We have no comments to make on this one, the delivery route from the Port of Swansea (detailed on Page 121) doesn't impact on our infrastructure at all.

Kind regards

Lisa Cooper Peiriannydd Cynorthwyol | Assistant Engineer Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

Judith Jones BA (Hons), BTP, MRTPI  
Prif Swyddog Cynllunio a Gwasanaethau Cymdogaeth  
Chief Officer Planning & Neighbourhood Services

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We welcome calls in Welsh



Cyngor Bwrdeistref Sirol  
**MERTHYR TUDFUL**  
**MERTHYR TYDFIL**  
County Borough Council

f.a.o. Giulia Bazzoni  
Planning & Environment Team  
Planning Inspectorate

Via email: [dns.wales@planninginspectorate.gov.uk](mailto:dns.wales@planninginspectorate.gov.uk)

Dyddiad/Date: 20<sup>th</sup> October 2021

Ein Cyf / Our ref: Scoping Opinion/2021

Eich Cyf / Your ref: 3280378

Gofynnwch am / Please ask for: David Cross

Llinell Uniongyrchol / Direct Line: [REDACTED]

e-bost / e-mail: [REDACTED]

Dear Sir/Madam

**Mynydd y Glyn Wind Farm - Scoping Direction for a Potential DNS Application by: Pennant Walters Ltd**

**Site Address: Land known as Mynydd y Glyn in Rhondda Valley**

**Proposed Development: Construction of a wind farm of up to 7 wind turbines with associated infrastructure**

I write in regards to your letter dated 24<sup>th</sup> September 2021, which seeks advice on the scope of the EIA for the above mentioned proposed wind farm development. Consideration has been given to the information provided in the Environmental Impact Assessment Scoping Report.


The Environmental Impact Assessment Scoping Report represents a detailed assessment of the likely issues associated with the proposed development that demonstrates a structured approach to dealing with the potential impacts. Furthermore, the report appropriately identifies the key subject areas that need to be addressed.

In respect of the Landscape and Visual Impact Assessment (LVISA), regard should be given to the potential impacts on Gelligaer Common, which lies within 10km of the development and is a registered Landscape of Special Historic Interest. It is also designated (Gelligaer and Taf Bargod) as a Special Landscape Area in the Merthyr Tydfil Replacement Local Development Plan. The cumulative assessment should not only consider the impacts where the development would be visible in relation to other turbines, but should also consider other vantage points where there would be an increased awareness of wind turbines visible from the same location but in multiple locations. For example, there may be long distant panoramic views from Gelligaer Common Landscape of Special Historic Interest towards the development. There are already a number of wind turbines visible from the summit at Pengarnbugail in various direction that have some impact on the broad uninterrupted views. In this respect, the cumulative assessment should consider the capacity of the landscape to absorb additional turbine of various scales within the landscape from such vantage points.

I trust this advice is of some assistance. Please don't hesitate to contact the planning officer David Cross should you require any further information.

Yours sincerely

[REDACTED]

 JUDITH JONES  
CHIEF OFFICER PLANNING & NEIGHBOURHOOD SERVICES

Merthyr Tudful  
... lle i fod yn falch ohono

Merthyr Tydfil  
... a place to be proud of





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

Giulia Bazzoni  
The Planning Inspectorate  
Planning & Environment Team  
Crown Building  
Cathays Park  
Cardiff  
CF10 3NQ

**Date:** 3 November 2021  
**Officer:** Davina Powell  
**Your Ref:** 3280378  
**Our Ref:** 21/20420/SCO

Dear Sir/Madam,

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

**Proposal:** "Construction of a wind farm of up to 7 wind turbines with associated infrastructures."  
**Address:** Mynydd Y Glyn Wind Farm.

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

Thank you for your consultation received 24 September 2021 regarding the above. We have had correspondence which has agreed an extension of time for a response until 5<sup>th</sup> November 2021.

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

**The Proposed Development**

Up to 7 wind turbines of up to 180m maximum tip height along with associated infrastructures which includes substation and transformer housing, temporary construction compounds and temporary site offices, crane pads and cabling and access track.

It is noted that the PINS letter dated 24<sup>th</sup> September 2021 suggests the project is located in Gwynedd Council and Denbighshire County Council however it would appear that the project is in fact within Rhondda Cynon Taff County Borough Council area but is located around 15km away from the Brecon Beacons National Park Authority boundary (at its closest point).

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

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

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

We have the following comments on the Mynydd y Glyn Wind Farm EIA Scoping Report dated September 2021:

1. We note the applicant is proposing to prepare a Landscape and Visual Impact Chapter as part of the Environmental Impact Assessment process which is welcomed.
2. Cumulative chapter - as raised above, the National Park Authority has recently been consulted on a number of new wind farm proposals on the fringes of the National Park boundary and the Authority has concern regarding their cumulative impact. A list has been provided above. Given this proliferation, we would argue that all existing, consented and submitted turbines within the identified radius need to be considered.
3. It would appear the Zone of Theoretical Visibility has been calculated on the mid-range blade tip? If this is the case, this does not seem appropriate given the turbines could have a 180m blade tip.
4. Presumably the Zone of Theoretical Visibility (ZTV) will change following the finalisation of the turbine layout. Therefore we reserve our consideration of the appropriateness of the viewpoints once further detail has been provided on these. It is noted that 17 viewpoints are currently identified in total, with 1 (no. 17) viewpoint being within the National Park boundary. It is noted these are all proposed to be photomontages.
5. The legal and policy context should refer to the current Brecon Beacons National Park Management Plan (2015-2020). This is the document which sets out the Special Qualities of the National Park. Planning Policy Wales (PPW) requires that the special qualities of designated areas are given weight in the development planning and development management process. Therefore this document (as well as the Special Qualities) will need to be carefully considered as part of the Environmental Impact Assessment process. It is noted that the National Park's Supplementary Planning Guidance on Landscape is not a draft - it is an adopted version. It would also be relevant for the EIA to reference the International Dark Sky Reserve as well as associated lighting policy and Supplementary Planning Guidance.
6. It is unclear whether any assessment is proposed to be undertaken regarding glint and glare. The National Park Authority would be supportive of some consideration being given to glint and glare.

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

Yours faithfully,



Tracy Nettleton  
Planning and Heritage Manager



***Yr ydym yn croesawu gohebiaeth yn y Gymraeg. Bydd unrhyw ohebiaeth yn y Gymraeg yn cael ei ateb yn y Gymraeg a ni fydd unrhyw gyswllt trwy gyfrwng y Gymraeg yn arwain at oedi yn y mater sy'n cael ei drin.***  
***We welcome correspondence in Welsh. Any correspondence in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in the matter being dealt with.***

Dear Planning Inspectorate,

Pre Planning - Land known as Mynydd y Glyn in the Rhondda Valley  
Construction of a wind farm of up to 7 wind turbines with associated infrastructures.

The Welsh Government as Highway Authority for the A470 Trunk Road would not wish to comment on the scope of the EIA.

We would however like to bring to the applicants attention, when a full planning application for the works is submitted, we would request that any permission granted by the authority shall include the following condition (as a minimum);

1. AILs associated with the development shall be delivered strictly in accordance with an AIL Traffic Management Plan (AILTMP) which has been submitted to and approved in writing by the Local Planning Authority. In this respect, the AILTMP shall be prepared in consultation with the Welsh Government as Welsh trunk road highway authority and Rhondda Cynon Taf Council as the local highway authority prior to the commencement of any works. The AILTMP 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) management and maintenance of layover areas, junctions, passing places, public rights of way and welfare facilities while AIL deliveries take place;
  - c) details of temporary signage;
  - d) details of any alterations to any works that are carried out to enable AIL movements;
  - e) evidence of trial runs that mimic the movement of the worst case AILs along the access route;
  - f) number and size of AILs, including loaded dimensions and weights;
  - g) number and composition of AIL convoys, including anticipated escort arrangements;
  - h) methodology for managing trunk road traffic during AIL deliveries, including identification of passing places and holding areas as necessary;
  - i) convoy contingency plans in the event of incidents or emergencies;
  - j) estimated convoy journey durations and timings along the route, including release of forecast traffic queues;
  - k) swept path analysis modelling the movement of the worst case AILs at all potential horizontal and vertical constraints along the access route;
  - l) proposals for the temporary or permanent modifications required to the highway or its associated infrastructure along the access route and details of how this would be managed;
  - m) plans for the reinstatement of any temporary works after completion of the construction phase;
  - n) 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;

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

If you have any further queries, please forward to the following Welsh Government Mailbox [Lgc\\_development\\_control-south@gov.wales](mailto:Lgc_development_control-south@gov.wales)

Regards

Rhodri

**Peiriannydd Ffyrdd / Route Engineer**

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

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

ebost/email:  
southeastplanning@cyfoethnaturiolcymru.gov.uk

28/10/2021

Annwyl Syr/Madam / Dear Sir/Madam,

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

**BWRIAD / PROPOSAL: CONSTRUCTION OF A WIND FARM OF UP TO 7 WIND  
TURBINES WITH ASSOCIATED INFRASTRUCTURES**

**LLEOLIAD / LOCATION: MYNYDD Y GLYN IN THE RHONDDA VALLEY**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 24.09.21.

We have reviewed the document '*Mynydd y Glyn Wind Farm, Environmental Impact Assessment Scoping Report*' dated September 2021 by Wood Group UK Limited.

Based on the information submitted we provide the following advice in relation to protected species, designated sites, water environment, flood risk and landscape with regard to matters to be scoped into the Environmental Impact Assessment (EIA) and included in the Environmental Statement due to likely significant effects from the scheme.

### **Protected Species**

In general the Environmental Statement for this development should include sufficient information to enable the determining body to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals. Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short, medium and long term; permanent and temporary; positive and negative, and construction, 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 Environmental Statement (ES), the proposed scheme should be described in detail in its entirety. This description should cover construction, operation and decommissioning phases as appropriate 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;

## Illustrations within the Environmental Statement

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.

## Description of Biodiversity

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

## **Key Habitats**

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

We note that the site was assessed in July 2020 and that table 7.3 of the report indicates the habitats present on site.

## **Protected Species**

### Site Surveys

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

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

We note and welcome that bats, great crested newts, dormice, otters and water voles are scoped in to the ES. We provide additional comments on some of these species below:

### Bats

We welcome that bats will be scoped into the assessment. We advise that bat surveys accord with the following guidance: [Bats and onshore wind turbines - survey, assessment and mitigation | NatureScot](#) We note and welcome the bat surveys that were undertaken in 2020.

We also note the proposals for further survey in 2021 as set out in section 6.1 of the Bat Survey Report, including the use of automated detector surveys between April and June 2021 to account for where turbines have been moved or added since the 2020 surveys. We advise that these surveys also cover the autumn period; for a scheme of <10 turbines, all known turbine locations should be surveyed and assessed across the whole season that bats are active.

### Great Crested Newts (GCN)

From the PEA report we note that a total of 4 ponds were assessed for their potential to support GCN, although this is at odds with Table 7.1 of the EIA scoping report which refers to a total of '*20 ponds within the site and within 500m of the site*'.

The PEA report states that the four identified ponds were subject to HSI assessment and reports on the results of two of the ponds – P1 and P3 - even though P3 was dry at the time of the survey. We question whether one of these results is actually from P4. Table 7.1 of the EIA scoping report states that a total of '*20 ponds within the site and within 500m of the site were sampled through eDNA surveys*'.

There is considerable disparity between the two reports in terms of numbers of ponds surveyed, and a query remains on the reported results of the surveys. On the basis of the information provided, it is difficult to agree that this species should be scoped out of the Environmental Statement (ES).

We advise the ES provides clarity on the number and the location of the waterbodies assessed, the methodologies that each waterbody was subjected to, and ensures that the results are reported accurately.

### Otters

We note the comments regarding otters in Table 7.3 of the scoping report. We advise that the built development is appropriately buffered from all watercourses on site, and that appropriate measures are included in the ES to avoid impacts on otters from construction activities and from pollution.

### Water Voles

We note the results of the extended Phase 1 survey which considered the presence of water voles within and adjacent to the site and, in view of the results of the survey, the proposals to scope out this species. We offer no further comment.

### Impact Assessment

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

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

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

### Bats

We advise that an impact assessment is provided for all bat species recorded on site, not only the high risk species.

### Mitigation

We note that some collision risk assessment has been undertaken on the bat data obtained to date with some of the high risk species at high or medium risk of collision with some of the wind turbines.

We therefore advise that the ES set out all of the measures that the scheme will put in place to reduce these impacts. This could include measures such as the siting of turbines, buffering the built development from the nearest woodland/hedgerow/wetland features, feathering the turbine blades or turbine curtailment.

We advise that the ES also confirms whether the turbines will incorporate or be linked to a SCADA system which will be able to identify potentially higher risk weather conditions for bat collisions and be able to regulate the wind turbine activity accordingly.

### **EPS Licence**

Where a European Protected Species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from NRW. The ES must include consideration of the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended). One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'. These requirements are also translated into planning policy through Planning Policy Wales (PPW) and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The local planning authority will take them into account when considering the EIA where a European Protected Species is present.

## Birds

8.3.3 of the scoping report states ‘There are no Special Protected Areas (SPAs) or Ramsar sites within 20 km of the Site boundary.’ The 20km search area buffer used for the Cumulative Landscape and Visual Impact Assessment (Figure 5.5) includes part of the Severn Estuary SPA, this site therefore needs to be scoped in for completeness.

### **Table 8.4** Summary of proposed baseline survey programme for ornithology.

Overall we agree with the proposed survey work and welcome the commitment to two years of data collection for vantage point surveys and raptor surveys. However, we note that this does not appear to be the case for the walk over surveys. We would recommend all surveys are carried out for two years and would seek clarity as to why the walk over surveys are only being represented by one year’s worth of data.

### Breeding Raptor Surveys – Goshawk, Red Kite, Peregrine

Reference is made to a baseline survey, however, no details of the survey have been presented. As such there is no information as to how these differ from the surveys carried out for these receptors this year and whether the results will be comparable.

### Vantage Points

We have not assessed the viewsheds of the vantage points, as these do not appear to have been provided. This may be particularly important given that the turbines’ placement will be in three discrete groups. We therefore seek clarity on the viewshed of each vantage point and whether each turbine grouping was subject to the same level of survey.

Overall, although we agree with the approach of impacts, however, without further survey we cannot rule out Likely Significant Effects on bird species at this stage and therefore advise Ornithology to be scoped into the ES.

### **Local Biodiversity Interests**

We recommend that the developer consults the Local Authority’s Ecologist on the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan, and 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).

### **Statutory Designated Sites**

The scoping report states that there are two Special Areas of Conservation (SAC) within a 10km radius of the proposed development. Given the lack of impact pathways (as cited in the scoping report), it is unlikely there will be significant effects on Blackmill Woodlands SAC and Cardiff Beechwoods SAC. Therefore these can be scoped out of the ES.



The report states there are two Sites of Special Scientific Interest (SSSI) as being within 2km of the proposed development namely Nant Gelliwion Woodlands and Rhos Tonyrefail. Given the lack of impact pathway for any effects on the features for which Nant Gelliwion Woodlands is notified, we are again in agreement with the decision to scope out this site from more detailed assessment as part of the ES.

Rhos Tonyrefail SSSI, as stated in the report, is located much closer to the proposed development site. The potential for effects on Rhos Tonyrefail SSSI from the proposed development must be fully assessed as part of the ES. Given that the Marsh Fritillary butterfly is integral to the special interest of Rhos Tonyrefail SSSI we would not agree that assessment of impacts of the development on marsh fritillaries can be scoped out for further assessment in the ES as is stated on page 59. Therefore we advise this is scoped in to the ES.

While it is noted that surveys for the larval foodplant Devil's Bit Scabious in May and July 2020 did not find the flower on the site of the proposed development itself, being a species which exists in a metapopulation (and given proximity of local records both within and outside the SSSI boundary), potential impacts from the scheme as a whole including any access routes, ancillary development, temporary storage areas, routes of any required services, site compounds, laydown areas etc. must be assessed. We would also add that areas of flower-rich habitat in close proximity to marsh fritillary breeding areas, even if they do not contain devil's bit scabious plants could potentially be valuable as nectaring areas.

#### Access Route

We note that *Site Access 2.3.8* describes an access route off Collenna Road and across Access Land adjacent to Rhos Tonyrefail SSSI. This is contrary to the map presented *Figure 1.1 – Site Location and surrounding settlements*. There are a number of Marsh Fritillary records (outside the SSSI boundary) where this access would cross and the development in this area should be assessed in the context of impacts on their supporting habitat.

## **Water Environment**

### **Site Hydrology and Hydrogeology**

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

### **Surface and Subsurface Water Drainage**

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

We consider that a hydrological features survey should form part of the ES, extending to 500m beyond the site boundary. This should include springs and locations of any private water supplies. The report should also identify the main water courses and associated catchment or sub-catchment boundaries. The key principles for development should be to protect site hydrology, in particular through maintenance of existing surface water features and hydrological regime.

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

The ES should consider how the layout of the proposed development (including associated development) could impact on surface and subsurface drainage while identifying appropriate mitigation measures.

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

## Peat

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

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

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

It is important to avoid the drying out of peat largely because it can result in the release of CO<sub>2</sub> which is contrary to what needs to be achieved with respect to carbon reduction targets. Drying out of peatland can occur through:

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

The following should therefore be scoped into the ES:

- An investigation focused on groundwater and the relationship of groundwater levels to areas of peatland and wet heath, proposed turbine locations, springs and any private water supplies. The groundwater level information should be used to help inform how the numerous springs that exist both within the development site boundary but also along what appears to be a spring line along the western portion of the proposed development area, function. There is potential that springs may dry out if the operational windfarm has not considered potential alterations to the natural hydrodynamics that currently support the springs and which allow them to function. Groundwater levels should be investigated with appropriately positioned monitoring wells including proposed turbine locations through the use of dataloggers as these would provide real-time continuous data of groundwater levels across the site. A Groundwater Monitoring Plan should therefore be provided within the ES.

- An assessment of private water supplies both within the development site boundary but also within the 500m buffer from the development site boundary. It is possible that disturbance of the higher ground which defines the proposed development area may negatively impact upon the functionality of wells and springs located hydraulically downgradient. This impact may be both flow denigration but also water quality deterioration, the latter notably occurring when sediments are released and impact upon water turbidity.

Turbine foundations, access road and cable trench all have the possibility of negatively impacting upon shallow groundwater and shallow drainage flow paths. This should be considered within the ES.

A typical turbine excavation could be 22m in diameter and approximately 7m deep, although the depths required will be influenced by the particular ground materials/conditions present. Baseline groundwater conditions therefore have the potential to be interfered with by the turbine excavations, notably through dewatering. This should be considered within the ES.

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

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

## Flood Risk

9.2.21 of Chapter 9 'Water Environment' of the scoping report states '*The NRW mapping for flood risk from rivers and the sea (Figure 9.2) shows that the Proposed Development site lies entirely in Flood Zone 1.*' And 9.2.22 states '*NRW Development Advice Map shows that the Proposed Development site is located in Flood Zone A.*' Based on this, any fluvial flood risk to the site or flooding elsewhere as a result of the development is very low and we are of the view that all information within the scoping report has been appropriately considered at this stage.

We note 9.3.3 states that '*Whilst the Proposed Development lies entirely within Flood Zone A, a Flood Consequence Assessment (FCA) will be produced in accordance with the TAN15 as the site of the Proposed Development covers an area of approximately 200 ha and has the potential to result in new/severed flow pathways and concentration/redirection of surface water runoff. The FCA will demonstrate how flood risk to the Proposed Development and any potential to increase flood risk to third parties due to the Proposed Development, will be managed over its lifetime. As part of this, the effects of climate change will be given due consideration. The FCA will include an outline surface water*

*drainage strategy, which will ensure that surface water runoff from the Proposed Development is managed and attenuated on site, so that the risk of flooding is not increased off- site. The most suitable surface water drainage strategy for the Proposed Development will be ascertained by undertaking a high-level SuDS Assessment considering the SuDS hierarchy.'*

We will comment on an FCA if submitted with the planning application. We highlight that TAN 15 and the Development Advice Map (published in 2004) are being replaced and that the new TAN 15 and Flood Map for Planning is available to allow local planning authorities, developers, planning consultees and the public to prepare for when they come into force. The changes will then come into effect on **Wednesday 1 December 2021** and from this date onwards, applications will be determined based on the new TAN 15 and Flood Map for Planning. We therefore advise you to consider how this change may affect the submission of your formal planning application.

### Permits

There appears to be a number of ordinary watercourses located close to the site. Any consents/permits should be sought from for the Local Authority.

### **Landscape**

Our advice relates to the potential impacts on the Brecon Beacons National Park.

The proposal is for up to 7 wind turbines and associated infrastructure, located approx. 15km from the boundary of the National Park boundary to the north at its closest point. The likely turbine blade tip height would be 170-180m and a height of 175m has been used for Scoping of initial effects. At this height the turbines would require aviation lighting. The proposal lies on the summit and upper slopes in area of upland grazing land at Mynydd y Glyn in the Rhondda. The open upland reaches high points of 377 and 375m AOD at two summits of the steep-sided hill.

The proposal lies adjacent to but outside of a Pre-Assessed Areas for Wind Energy, as defined under Policy 17 of Future Wales: The National Plan 2040.

### **Scoping Report - Chapter 5 Landscape and Visual Impact Assessment (LVIA)**

**5.1.1** states that a Night-time Lighting Assessment and Cumulative LVIA would be carried out. We agree that these assessments would be required.

**5.2.2** refers to search and study areas using NRW's LANDMAP Guidance Note 46 and the use of LANDMAP in the LVIA. This guidance is appropriate to the assessment.

**5.2.3** states that the Search Area and Study Area would be 23km from the site boundaries, based on NRW Guidance Note 46. Guidance Note 46 recommends a Search Area of 23-26km for turbines 146-175m and a 20-24km Study Area for turbines of this size. We advise that a Search Area of 26km and Study Area of 24km should be used, based on this guidance.



**5.2.4** of the report considers that significant landscape effects on LANDMAP Aspect Areas are highly unlikely over 10km. We consider that the LVIA findings would indicate whether significant landscape effects occur beyond 10km.

**5.2.5** of the report considers that significant effects on visual receptors are highly unlikely over 10km, but the scope includes visual receptors with particularly high sensitivity at distances of 10-23km. High sensitivity receptors have the potential to be significantly affected at greater distances, which informs the guidance on search and study areas in Guidance Note 46.

**5.2.6** states that consideration would be given to all 5 LANDMAP Aspect Areas, the Brecon Beacons National Park Management Plan and draft Supplementary Planning Guidance (SPG) on Landscape Character and Heads of the Valleys Smaller Scale Wind Turbine Development Landscape and Sensitivity Study Final Report. These documents are appropriate, but it should be noted that the National Park's SPG Landscape and Development 2014 is now available on the Brecon Beacons National Park's website.

**5.2.18** refers to the Guidance Note 46 filtering process which advises the retention of all LANDMAP historic landscape and visual and sensory aspect areas at filter 3 within the Study Area and the retention of those outside that may be highly visually sensitive up to the Search Area. Filter 3 areas are outstanding and high under question 40 for Historic Landscape and under overall evaluation, scenic quality (question 46) or character (question 48) for Visual and Sensory.

**5.2.20** refers incorrectly to the Carn y Cefn Wind Farm.

**5.2.27** states that the future baseline is unlikely to alter, particularly due to the reduction in renewable energy applications in the past 5 years. We do not agree with this statement. Given the changing policy context and climate emergency and the number of wind farm applications at scoping, combined with the increasing height of the technology, we consider that the future baseline has the potential to alter substantially.

**5.3.4** refers to the Scottish Natural Heritage (SNH) wind farm guidance and Guidance Note 46, which are appropriate to the LVIA.

**Table 5.2** Proposed LVIA Viewpoints includes one viewpoint from the National Park (Viewpoint 17, A4059 north of Penderyn (recreational receptors and vehicle-users). The Zones of Theoretical Visibility (ZTV) indicates visibility across this open upland area including the slopes of Cadair Fawr/Cefn Cadlan (public footpath and open access land) and Mynydd-y-Glog (open access land). It is not certain whether the selected viewpoint is the most representative, although it is clearly the most accessible. The viewpoint lies within Landscape Character Area 3 Fforest Fawr, as defined in the National Park's SPG Landscape and Development 2014. Within this area tranquillity, remoteness and wildness, long views and dark night skies are important landscape qualities. Guidance includes to reduce the visual impact of wind turbines beyond the National Park boundary. These special landscape qualities should be considered in the assessment of effects on receptors at this viewpoint.

**5.3.10** states that the cumulative assessment should be limited to within 23km, to accord with the LVIA Study Area. We do not agree with this and consider that the Cumulative Landscape and Visual Impact Assessment (CLVIA) Search Area should be slightly larger than the LVIA Study Area, in order to include existing and proposed large wind farms within the area to the south of the National Park. We suggest a CLVIA Search Area of at least 26km, to coincide with the LVIA Search Area guide under Guidance Note 46.

Schemes at scoping and pre-application may need to be scoped in if they are determined prior to this scheme. The applicant should rescope their ES through the EIA process to ensure the latest baseline information is being used. EIA scoping is an iterative process.

We agree that single turbines over 10km can be scoped out.

The report states that a small part of the National Park lies within the Study Area and that the proposal would be seen with numerous other turbines in the baseline, therefore there is minimal potential for significant landscape effects. This may be the case, although there is the potential for cumulative effects and an assessment from Viewpoint 17, or nearby, would aid the assessment of effects on the National Park.

**5.4.3 and 5.4.11** refers to Guidelines for Landscape and Visual Impact Assessment 3 (GLVIA3) and SNH Wind Farm guidance. These are considered appropriate.

**5.4.11** refers to the night-time assessment from 3 local viewpoints (viewpoints 1, 2 and 4) and states there would be no impact beyond 10km. Some evidence to support this statement would be helpful. It should be noted that the National Park is an International Dark Sky Reserve and that many of the upland areas outside the National Park also benefit from low degrees of light pollution. NRW has recently commission evidence on Dark Skies in Wales [Natural Resources Wales / New map casts light on Wales' dark skies](#)

**14.1** states that the National Park has been scoped out due to minimal potential for landscape effects. However viewpoint 17 is included, and in our opinion, should be assessed, given the sensitivities of the designation.

**Appendix 5.1, 1.5.16** notes that due to the large number of other wind energy developments in the CLVIA, overall cumulative effects may be greater than primary or additional effects of the proposal. We agree that this may be the case, hence the need for a thorough cumulative assessment.

**1.8.9** refers to a viewpoint at Craig- y-Fan Du, however, this is not included in the assessment.

The use of wirelines and photomontages, in line with Landscape Institute Technical Guidance Note (TGN) 06/19 and SNH Visual representation of wind farms (2017), is acceptable. We advise that, in accordance with Landscape Institute TGN 06/19, Visual Representation of Development Proposals, Type 4 representations with photomontages should be provided for viewpoints within the National Park, given the sensitivities. Cumulative photomontages/wirelines should also be produced illustrating cumulative effects on the National Park. Viewpoints from dark areas of landscape should be included as appropriate, not only from lit roads and settlements.

## Non- EIA Advice to the Developer

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

## Other Matters

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

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

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

Yn gywir / Yours faithfully

## **Annabelle Evans**

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





Llywodraeth Cymru  
Welsh Government

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Planning inspectorate Wales  
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Cathays Park  
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[PEDW.infrastructure@gov.wales](mailto:PEDW.infrastructure@gov.wales)

Eich cyfeirnod  
Your reference

3280378

Ein cyfeirnod  
Our reference

DH

Dyddiad  
Date

26 October 2021

Llinell uniongyrchol  
Direct line

Ebost  
Email:

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

Dear Sir/Madam

### **Mynydd y Glyn Wind Farm**

Thank you for your letter of 24 September 2021 requesting EIA Scoping opinion in respect of the above proposed development of national significance (DNS).

#### Advice

In general we agree with the contents of this chapter but, in our opinion, there is a need to consider the impact of the proposed development on the setting of all nationally designated historic assets, including listed buildings of all grades, located inside 5km of the proposed development boundary.

The national policy and Cadw's role in planning are set out in Annex A.

#### Assessment

This is a scoping opinion as to the contents of an Environmental Impact Assessment (EIA) that will be submitted in support of an application for the proposed Mynydd y Glyn Wind Farm that will be determined by Welsh Ministers following the Development of National Significance procedures.

A scoping report prepared by Wood Group has been submitted with the request for the scoping opinion, with Chapter 6 concerning historic environment. In general we agree with the contents of this chapter but, in our opinion, there is a need to consider the impact of the proposed development on the setting of all nationally designated historic assets, including listed buildings of all grades, located inside 5km of the proposed development boundary.

To assist the developer we have produced at Annex B, a list of designated historic assets located inside 5km which potentially will have views to the proposed windfarm, using the information provided in the submitted ZTV. We would expect a stage 1 assessment following the guidance given in "The Setting of Historic Assets in Wales" to be carried out for all of these designated heritage assets, which will determine the need,

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiae h yn Gymraeg ac yn Saesneg.  
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



if necessary, for stages 2 to 4 to be carried out for specific heritage assets. It is recommended that the results of the stage 1 assessment should be included as an appendix to the EIA, to demonstrate that all designated heritage assets have been considered.

The proposed windfarm is partly located inside the boundaries of the registered Rhondda landscape of special historic interest. The scoping report indicates that an assessment of the significance of the impact of development on the historic landscape (ASIDOHL2) following the guidance given in the “Guide to Good Practice on Using the Register of Landscapes of Historic Interest in the Planning and Development Process” will be included in the EIA. We agree that this is the appropriate methodology for determine this impact and can confirm that Cadw will curate this assessment and be able to assist in identifying historic landscape character areas that should be included in it.

Section 6.5.4 of the scoping report indicates that a walkover survey will be carried out. We strongly recommend that any walkover survey is carried out after the results of the desk-based research, including the study of the Lidar datasets, have been completed so that any information produced from that work can be checked on the ground.

The potential need for archaeological evaluation should not be discounted at this time, in case the extent nature and importance of any archaeological features identified during the desk-top work and walkover survey needs intrusive investigation.

The benefits of carrying out a geophysical survey of the areas surrounding the proposed turbine bases should also be considered to aid in any micro sting of these structures.

Finally, there may be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Glamorgan Gwent Archaeological Trust.

Yours sincerely,

Denise Harris  
Diogelu a Pholisi/ Protection and Policy

## **Annex A**

### Our role

Details about our role in the DNS process are available [online](#).

### National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Conservation Principles for the Sustainable Management of the Historic Environment in Wales, Technical Advice Notes and related guidance.

PPW ([Chapter 6 – The Historic Environment](#)) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

## Annex B

Within 5km ZTV (blade tip):

### **Scheduled Monuments**

GM015 Pontypridd Bridge  
GM064 Tomen y Clawdd  
GM074 Llantrisant Castle  
GM219 Lle'r Gaer  
GM267 Pen-y-Coedcae Roman Camp  
GM280 The Beacons Round Barrows  
GM323 Carn-y-Wiwer Cairnfield & Platform Houses  
GM406 Tarren Deusant Sculptured Rock & Spring  
GM437 Ventilation Furnace, Trehafod  
GM459 Hetty Pit  
GM507 Y Garreg Siglo Bardic Complex  
GM510 Ring Cairn and Two Standing Stones on Coedpenmaen Common

### **Registered Historic Parks and Gardens**

PGW (Gm) 3(RCT) Pontypridd: Ynysangharad Park (grade II)

### **Registered Historic Landscapes**

HLW (MGI) 5 The Rhondda

### **Listed Buildings**

13117	Ebenezer Welsh Independent Chapel	II*
13118	Forecourt and terrace walls with lamp standard, railings and gates at Ebenezer Chapel	II
13119	Former Lewis Merthyr Colliery lamproom and fan house	II*
13120	Former Lewis Merthyr Colliery Bertie pithead, headframe, tram circuit and tippler	II*
13121	Former Lewis Merthyr Colliery Trefor pithead and headframe	II*
13122	Former Lewis Merthyr Colliery Trefor winding engine house	II*
13123	Former Lewis Merthyr Colliery fanhouse	II
	Former Lewis Merthyr Colliery Bertie winding engine house	II*
13124	Former Engine House at Llwynypia Colliery Site	II
13125	Trefnyddion Bethania Calфинаidd	II
13127		

13129	Cymmer Independent Chapel (also known as Hen Capel Y Cymmer) ,29 Graig-yr-Helfa Road,Glyntaff,,MID	II
13490	GLAMORGAN ,30 Graig-yr-Helfa Road,Glyntaff,,MID	II
13491	GLAMORGAN	II
13492	Glyntaff Round House ,32 Graig-yr-Helfa Road,Glyntaff,,MID	II
13493	GLAMORGAN	II
13497	Pontypridd Bridge	I
13503	Castellau House	II*
13515	Hetty Engine House	I
13516	Troedrhiwtrwyn Farm The Pontypridd Museum (formerly Tabernacle Baptist Chapel)	II
13520	Baptist Chapel)	II
13521	Telephone Call-box ,4-8,Church Street,Pontypridd,Pontypridd,MID	II
13522	GLAMORGAN,CF37 2TH	II
13523	Old Market Hall	II
13524	The Criterion Public House	II
13528	Market Chambers	II
13532	Municipal Buildings	II*
13535	Former Mission Hall	II
13536	Toll House Cottage	II
13537	Cwm Coke Works Northern Cooling Tower	II*
13538	Cwm Coke Works Southern Cooling Tower Garage at Ynysmaerdy Farm (formerly part of Llantrisant Colliery)	II*
15837	Llantrisant Colliery) Hay barn at Ynysmaerdy Farm (former winding engine house of Llantrisant Colliery)	II
15838	engine house of Llantrisant Colliery)	II
15839	Engine Hall of former Llantrisant Colliery Cow Shed at Ynysmaerdy Farm (formerly stores of Llantrisant Colliery)	II
15840	of Llantrisant Colliery)	II
15841	Revetment wall of former Llantrisant Colliery	II
15842	Reservoir of former Llantrisant Colliery	II
15843	Explosives store of former Llantrisant Colliery	II
16877	Y Felin Wynt Tower	II
17110	Church of St John Revetment wall, doorways and railings to Mount Pleasant	II
17111	Pleasant	II
17112	,22,Hannah Street,Porth,Porth,,CF39 9RB	II
17113	,23,Hannah Street,Porth,Porth,,CF39 9RB	II
17114	,25,Hannah Street,Porth,Porth,,CF39 9RB	II

17115	Evan Howells Butchers Shop	II*
17116	Former Empire Cinema	II
17117	Gateway to Welsh Hills Works	II
17118	Public Library	II
17119	Calfaria Welsh Calvinistic Chapel and bordering railings, gates and piers	II
17120	War Memorial	II
17121	Church of St Paul	II
17122	Bronwydd House and attached front terrace	II
17123	Entrance gate piers and railings to Bronwydd Entrance gate piers and railings to Bronwydd	II
17124	Park	II
17125	Statue to William Evans in Bronwydd Park	II
17126	Former Lewis Merthyr Colliery chimney	II
17127	Lower Eirw bridge	II
17128	Bridge over Cwm Hafod Ysgoldy Ebenezer attached to left of Ebenezer	II
17332	Welsh Independent Chapel	II*
17333	Ainon Welsh Baptist Chapel	II
18170	Statue of Sir Archibald Hood	II
18268	Trealaw Cemetery Chapel	II
18269	Monument to William Evans	II
18270	Monument to David Evans	II
18271	Monument to Daniel Thomas	II
18805	St David's Presbyterian Church and Hall	II
18806	Eglwysbach Surgery (formerly Capel Goffa)	II
20748	Cefn Mabley Farmhouse	II
23523	Parish Hall	II
23942	Church of St Illtyd, St Gwynno and St Dyfodwg	II*
23943	The Guildhall	II
23944	Church of St Michael and All Angels Penuel Presbyterian Church of Wales including	II*
23945	forecourt walls and railings	II
23946	The Malthouse	II
23947	Llantrisant House	II
23948	Castellau Congregational Chapel Gates, piers, boundary walls and bridge at	II
23949	Castellau Congregational Chapel	II
23951	New Inn ,2,Yr Allt and adjoining property to	II
23952	left,Llantrisant,Pontyclun,,CF72 8EF	II
23953	Ysgol Gyfun Bryn Celynnog	II
23954	Parish Offices	II

	Water Pump including surrounding revetment	
23955	walls	II
24274	Capel y Ton	II
24275	Bingo Hall	II
24276	Treferig Isha	II
24277	Llanilid	II
24278	War Memorial	II
24279	Castellau Ganol	II
24280	Pant y Ddraenan	II
24281	Ty'n y Bryn	II
24282	Tonyrefail School	II
24283	Entrance Gates & Piers at Tonyrefail School	II
24370	Barn and cow house at Ynysmaerdy Farm	II
	Memorial to Evan and James James at	
24841	Ynysangharad Park	II*
24842	Drinking Fountain	II
24843	National Westminster Bank	II
	Pontypridd United Church including attached	
24844	second hall	II
24846	Muni Arts Centre	II
	,10,Market Street,Pontypridd,Pontypridd,,CF37	
24847	2ST	II
24848	White Bridge (also known as Berw Bridge)	II*
24849	Taff Vale Railway Viaduct over River Taff	II
24851	Market Tavern Hotel	II
	Newbridge Chainworks Canal Basin on the	
24855	Glamorganshire Canal	II
	Bridge over Glamorganshire Canal W of	
24856	Newbridge Chainworks basin	II
	Lock Chambers 31 & 32 with attached walls,	
24857	Glamorganshire Canal	II
24858	Welch Regimental War Memorial	II
24859	St Catherine's Church Parish Rooms	II
24860	Church of St Catherine	II*
	Memorial to Richard Crawshay in churchyard of	
24861	Church of St Mary	II
24862	Gates and gate piers to Church of St Mary	II
24863	Church of St Mary	II
24864	Glamorgan Centre for Art & Design	II
24871	Fan House at Hetty Shaft	II*
24872	Headframe at Hetty Shaft	I
24873	Trehafod Memorial Hall and Institute	II
24874	Coed y Lan Comprehensive Lower School,	II

	including rear science block and gymnasium	
24877	Libanus Welsh Baptist Church	II
24886	Pig Sty at Berthlwyd Farm	II
24888	Railway Bridge over Sardis Road	II
24890	Memorial to John Thomas (Ieuan Ddu) in churchyard of Church of St Mary	II
24891	Lido at Ynysangharad Park	II
24892	,7,Church Street,Pontypridd,Pontypridd,,CF37 2TH	II
24893	,8,Church Street,Pontypridd,Popntypridd,,CF37 2TH	II
24894	,9,Church Street,Pontypridd,Pontypridd,,CF37 2TH	II
24895	,10,Church Street,Pontypridd,Pontypridd,,CF37 2TH	II
24896	The Arcade	II
24897	Le Crazy Croissant	II
24898	La Chop	II
24899	Pets Corner	II
24913	Lloyds TSB Bank, Market Square branch	II
80882	Former Stable adjoining 2 Yr Allt	II
87767	Statue of Dr William Price	II



**From:** NSIP Applications <NSIP.Applications@hse.gov.uk>  
**Sent on:** Friday, October 1, 2021 9:27:32 AM  
**To:** dns.wales <dns.wales@planninginspectorate.gov.uk>  
**CC:** NSIP Applications <NSIP.Applications@hse.gov.uk>  
**Subject:** CEMHD4 - DNS - Mynydd y Glyn Wind Farm - EIA Scoping Consultation Part 1  
- HSE Response

Dear Giulia

Thank you for your email dated 24 September 2021 consulting HSE on the EIA Scoping Consultation for the proposed Mynydd y Glyn Wind Farm Development of National Significance (DNS). Please see HSE's response below:

#### **HSE's land use planning advice**

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

With reference to the proposed development redline area, shown in **Figure 1.1: Site Boundary** (March 2021) [Reference: **Mynydd y Glyn Wind Farm, Environmental Impact Assessment Scoping Report, Wood Group UK Limited – September 2021**], the proposed project/development does not currently fall within the consultation distances of any Major Hazard Installation(s) or Major Accident Hazard Pipeline(s).

Please note, if prior to the granting of a development consent order for this proposed development, Hazardous Substances Consent is granted for a Major Hazard Installation or there is notification of a Major Accident Hazard Pipeline within or in the vicinity of the development, HSE reserves the right to revise its advice.

##### **Would Hazardous Substances Consent be needed?**

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

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.  
Further information on HSC should be sought from the relevant Hazardous Substances Authority.

##### **Explosives sites**

There are no licensed explosive sites in the vicinity so HSE has no comment to make in this regard.  
Regards

*Monica*

Monica Langton  
NSIP Consultation Team  
CEMHD  
1.2 Redgrave Court  
Bootle



The Coal  
Authority



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

For the Attention of: Giulia Bazzoni – Case Officer  
Rhondda Cynon Taff County Borough Council

**[By Email: [dns.wales@planninginspectorate.gov.uk](mailto:dns.wales@planninginspectorate.gov.uk)]**

19 October 2021

Dear Giulia

**EIA Scoping Opinion: 3280378 Mynydd y Glyn Wind Farm**

**Construction of a wind farm of up to 7 wind turbines with associated infrastructures; land known as Mynydd Y Glyn, in the Rhondda Valley**

Thank you for your consultation letter of 24 September 2021 seeking the views of the Coal Authority on the EIA Opinion for the above development proposal.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

**The Coal Authority Response:**

The proposed EIA development is located within the defined Development High Risk Area; the site has therefore been subject to past coal mining activity.

In accordance with the agreed risk-based approach to development management in Development High Risk Areas, past coal mining activities within the site should be fully considered as part of the Environmental Statement (ES); this should take the form of a risk assessment, together with any necessary mitigation measures.

The Coal Authority notes the information from Wood Group UK Ltd, which confirms the ES will address coal mining legacy, which will be considered in a geo-environmental study. This is considered to be the equivalent of a Coal Mining Risk Assessment to meet National policy requirements, which we assume will be used to inform the relevant chapter of the ES.

## Consideration of Coal Mining Issues in the ES

There are a number of coal mining legacy issues that can potentially pose a risk to new development and therefore should be considered as part of an Environmental Statement for development proposals within coalfield areas:

- The location and stability of abandoned mine entries
- The extent and stability of shallow mine workings
- Outcropping coal seams and unrecorded mine workings
- Hydrogeology, minewater and minegas

In addition, consideration should be afforded as part of development proposals and the ES to the following:

- If surface coal resources are present, whether prior extraction of the mineral resource is practicable and viable
- Whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings during site investigation or development work

## Coal Mining Information

Information on these issues can be obtained from The Coal Authority's Property Search Services Team (Tel: 0845 762 6848 or via The Coal Authority's [website](#)) or book an appointment to visit The Coal Authority's Mining Records Centre in Mansfield to view our mining information (Tel: 01623 637 233).

The Coal Mining Risk Assessment should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies can be found at: <https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

Guidance on how to produce a Coal Mining Risk Assessment and a template which the "competent body" can utilise is also contained at: <https://www.gov.uk/planning-applications-coal-mining-risk-assessments>

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

In accordance with our consultation requirements, we look forward to receiving the planning application and Environmental Statement for comment in due course.

I trust this is acceptable, please do not hesitate to contact me if you require any additional information or would like to discuss this matter further.

Yours sincerely

*Chris MacArthur*

**Chris MacArthur** *B.Sc.(Hons), DipTP, MRTPI*  
**Planning Liaison Manager**

Disclaimer

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

Rhondda Cynon Taf County Borough Council  
Sardis House  
Sardis Road  
Pontypridd  
CF37 1DU

**Date: 14/10/2021**  
**Our Ref: PLA0060369**  
**Your Ref: 3280378**

Dear Sir,

**Site: Land known as Mynydd y Glyn in the Rhondda Valley, RCT.**

**Development: Scoping Opinion Construction of a wind farm of up to 7 wind turbines with associated infrastructures.**

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We have examined the Scoping Opinion report prepared in respect of the above development, and on the basis that the Environmental Statement has regard to the impact of the proposed development on the foul, surface water, and combined sewer network, together with the potable water supply network, we have no comments to offer.

Notwithstanding the above, as of 07/01/2019, we remind that this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It would therefore be recommended that the developer engage in consultation with Rhondda Cynon Taff County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

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

If you have any queries, please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

Please quote our reference number in all communications and correspondence.

Yours faithfully,

**Maria Evans**  
**Development Control Officer**  
**Developer Services**



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We welcome correspondence in  
Welsh and English

Dŵr Cymru Cyf, a limited company registered in  
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Rydym yn croesawu gohebiaeth yn y  
Gymraeg neu yn Saesneg

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