The Abergelli Power Gas Fired Generating Station Order

5.2 Consultation Report Appendices – Volume A Appendices 1.A – 3.C

Planning Act 2008
The Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009

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Consultation Report Appendices – Volume A

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Appendix 1: General

Compliance Checklist

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
Planning Act 2008			
Section 42	**Duty to consultant - The applicant must consult the following about the proposed application:**		
	(a) such persons as may be prescribed;	Y	Phase 1 APL undertook statutory section 42 consultation with prescribed consultees from 13th October 2014 to 16th November 2014. The list of prescribed persons consulted on the Project is set out in Appendix 4.I I of the Consultation Report (Document Reference 5.2). Further details area in Section 6.4 of the Consultation Report (Document Reference 5.1.0) Phase 2 APL undertook statutory section 42 consultation with prescribed consultees from 16th January 2018 and 19th February 2018 (Phase 2 statutory consultation). Additional consultees were identified through extra due diligence by the project team, and for these consultees the consultation period was from 16th January 2018 to 27th February 2018. The list of prescribed persons consulted on the Project is set out in Appendix 9.G I of the Consultation Report (Document Reference 5.2). Further details area in Section 8.4 of the Consultation Report (Document Reference 5.1.0)
	(b) each local authority that is within Section 43;	Y	Phase 1 and Phase 2 APL undertook consultation with the following local authorities (all Category A), which have boundaries adjacent to City and County of Swansea Council (Category B): Carmarthenshire Council and Neath Port Talbot County Borough Council. Due to the administrative structure of local authorities in Wales, there are no Category C and D authorities. See Sections 6.4 and 8.4 of the Consultation Report (Document Reference 5.1.0) and Appendix 4.I I and Appendix 9.G

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			I of the Consultation Report (Document Reference 5.2).
	(C) the Greater London Authority if the land is in Greater London; and	N/A	Not Applicable – the site is not in Greater London.
	(d) each person who is within one or more of the categories set out in Section 44.	Y	Phase 1 Landowner consultees have been identified in accordance with Section 44 of the Planning Act 2008. Statutory section 42 consultation was undertaken with land interests between 13th October and 16th November (Section 3.6 / Appendix 4.I I of Consultation Report). Phase 2 Landowner consultees have been identified in accordance with section 44 of the Planning Act 2008. Statutory section 42 consultation was undertaken with land interests between 16th January 2018 to 19th February 2018. See Section 8.4 / Appendix 9.G I of Consultation Report (Document References 5.1.0 and 5.2).
Section 45	**Timetable for consultation under section 42**		
	(1) The applicant must, when consulting a person under section 42, notify the person of deadline for the receipt by the applicant of the person's response to the consultation.	Y	Phase 1 A notice, which included the deadline date of 16th November 2014 for receipt of responses by the applicant, was sent to all section 42 consultees on 13th October 2014 (Section 6.4 / Appendix 4.I I of Consultation Report). Phase 2 A notice, which included the deadline date of 19th February 2018 (and 27th February 2018 for the additional consultees) by the applicant, was sent to all section 42 consultees on 8th January 2018 (Section 8.4 / Appendix 9.G I of Consultation Report).
	(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the persons receives the consultation documents.	Y	Phase 1 Section 42 consultation lasted for a duration of 35 days – from 13th October to 16th November 2014. See Section 6.4 of the Consultation Report (Document Reference 5.1.0). Phase 2

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			Section 42 consultation lasted for a duration of 35 days – from 16th January to 19th February 2018. See Section 8.4 of the Consultation Report (Document Reference 5.1.0).
	(3) In subsection (2) "the consultation documents" means the documents supplied to the person by the applicant for the purpose of consulting the person.	Y	<u>Phase 1</u> The consultation documents supplied to section 42 consultees comprised: • a covering letter (Appendix 4.I.II and 4.I.III); • a copy of the 2014 PEIR NTS in English and Welsh (Appendix 4.C); • a CD or hard copy of the 2014 PEIR, comprising the main report and volume of figures. See Section 6.4 of the Consultation Report (Document Reference 5.1.0). The Consultation Report Appendices are in Document Reference 5.2. <u>Phase 2</u> The consultation documents supplied to section 42 consultees comprised: • a covering letter in English and Welsh (Appendix 9.G II and 9.G III); • a paper copy of the 2018 PEIR NTS in English (Appendix 9.H I); • a paper copy of the s47 consultation leaflet (Appendix 9.D I); • a CD containing an electronic copy of 2018 PEIR, Welsh language version of the NTS (Appendix 9.H II), the PEIR figures, the PEIR technical appendices and the No Significant Effects Report (Appendix 9.H.III) See Section 8.4 of the Consultation Report (Document Reference 5.1.0). The Consultation Report Appendices are in Document Reference 5.2.
Section 46	**Duty to notify Secretary of State of proposed application**		
	(1) The applicant must supply the Commission with such information in relation to the proposed application as the applicant would the supply the Commission for the purpose of complying with section 42 if the applicant were required by that section to consult the	Y	<u>Phase 1</u> A copy of the Section 42 consultation information was issued to the Planning Inspectorate on 6th October 2014. See Section 6.4 of the Consultation Report (Document Reference 5.1.0) and Appendix

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	Commission about the proposed application.		4.F of the Consultation Report Appendices (Document Reference 5.2). Phase 2 A copy of the Section 42 consultation information was issued to the Planning Inspectorate on 10th January 2018. See Section 8.4 and Appendix 9.I I of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.	Y	Phase 1 Information was issued to the Planning Inspectorate on 6th October 2014, prior to the commencement of Section 42 consultation on 13th October 2014. See Section 6.4 of the Consultation Report (Document Reference 5.1.0) and Appendix 4.F I (Document Reference 5.2) Phase 2 Information was issued to the Planning Inspectorate on 10th January 2018, prior to the commencement of Section 42 consultation on 16th January 2018. See Section 8.4 of the Consultation Report (Document Reference 5.1.0) and Appendix 9.I I (Document Reference 5.2)
Section 47	**Duty to consult local community**		
	(1) The applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of land.	Y	Phase 1 APL produced a Consultation Plan and Statement of Community Consultation (the 2014 SoCC) to outline the strategy for consultation. See Section 6.4 and Appendix 4.A II of the Consultation Report (Document References 5.1.0 and 5.2 respectively). Phase 2 APL produced a draft Statement of Community Consultation (Draft 2018 SoCC) to outline the strategy for the Phase 2 consultation (Appendix 9.A II). The draft 2018 SoCC was developed in consultation with CCS and the final version was published in English and Welsh on 2nd January 2018 (Appendix 9.B I and II). See Section 5.3 of the Consultation Report and Appendices (Document References 5.1.0 and 5.2 respectively).

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	(2) Before preparing the statement, the applicant must consult each local authority that is within section (43 (1) about what is to be in the statement.	Y	Phase 1 APL issued a draft of the Consultation Plan and SoCC to CCS on 31st July 2014. See Section 6.4 / Appendix 4.A II of the Consultation Report and Appendices (Document References 5.1.0 and 5.2). Phase 2 APL issued a draft of the SoCC to CCS on 8th November 2017 (Appendix 9.A I and II). The draft 2018 SoCC was developed in consultation with CCS and the final version was published in English and Welsh on 2nd January 2018 (Appendix 9.B I and II). See Section 8.4 and Appendix 9.A and 9.B of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(3) The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.	Y	Phase 1 APL issued the draft Consultation Plan and 2014 SoCC to the local authority with a request for comment within 28 days. See Section 6.4 and Appendix 4.A I of the Consultation Report and Appendices (Document References 5.1.0 and 5.2). Phase 2 APL issued the draft 2018 SoCC to the local authority with a request for comment within 28 days. See Section 8.4 and Appendix 9.A I of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(4) In subsection (3) "the consultation documents" means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2)	Y	Phase 1 The consultation documents supplied to the local authority comprised the draft Consultation Plan and draft 2014 SoCC. See Section 6.4 and Appendix 4.A II of the Consultation Report and Appendices (Document References 5.1.0 and 5.2). Phase 2 The consultation documents supplied to the local authority comprised the draft 2018 SoCC. See Section 8.4 and Appendix 9.A II of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(5) In preparing the statement, the applicant must have regard to any	Y	Phase 1

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3)		The draft Consultation Plan and SoCC were revised following initial comments received from the local authority during consultation. APL responded to formal comments from the local authority by revising and updating the SoCC to include CCS offices as a location at which consultation materials would be made available for inspection during the statutory consultation phase. The published SoCC is in Appendix 4.A of Document Reference 5.2. For further details, see Section 5.3 of the Consultation Report (Document References 5.1.0. <u>Phase 2</u> Pursuant to S47 of the PA 2008, the draft 2018 SoCC and 2018 SoCC Notice (Appendix 9.A) were issued to CCS for statutory consultation on 8th November 2017 (Stage 47, Table 5-2) via email, together with a summary note of 2014 consultation activities, a draft list of community organisations representing “hard to reach” groups to be contacted, and a draft list of consultation documents to be provided in Welsh language. APL revised and updated the 2018 SoCC and 2018 SoCC Notice in response to the comments received by CCS on 1st December 2017, to provide further clarity regarding the Project, document formats (as hard or electronic copies), which consultation documents would be provided in Welsh and the CCZ as requested. See Section 8.4 and Appendix 9.A of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(6) Once the applicant has prepared the statement, the applicant must publish it – (a) In a newspaper circulating the vicinity of the land, and (b) In such other manner as may be prescribed.	Y	<u>Phase 1</u> The 2014 SoCC Notice was published in English and Welsh in a local newspaper on 30th September 2014 and 7th October 2014 (see Appendix VII and VIII). The 2014 SoCC was made available on the Project website (www.abergellipower.co.uk), in local libraries and CCS council offices from 30th September 2014. See Section 6.4 of the Consultation Report and Appendix 4.A of the Appendices (Document References 5.1.0 and 5.2). <u>Phase 2</u>

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			The final 2018 SoCC Notice was published in both English and Welsh (Appendices 9.B I and 9.B II) in a local newspaper for two consecutive weeks on 2nd January 2018 (Appendix 9.B III) and 9th January 2018 (Appendix 9.B IV). The final 2018 SoCC for the Phase 2 consultation was published on the APL website (as above) on 2nd January 2018 and paper copies were made available for public viewing at five local libraries throughout the statutory consultation period (16th January 2018 to 19th February 2018). See Section 8.4 of the Consultation Report and Appendix 9.B of the Appendices (Document References 5.1.0 and 5.2).
	(7) The applicant must carry out consultation in accordance with the proposals set out in the statement.	Y	<u>Phase 1</u> Consultation was undertaken in accordance with the 2014 SoCC, as set out in Section 6.4 of the Consultation Report (Document Reference 5.1.0) and demonstrated in the 2014 SoCC Compliance Checklist (Appendix 4.B of Document Reference 5.2). <u>Phase 2</u> Consultation was undertaken in accordance with the 2018 SoCC, as set out in Section 8.4 of the Consultation Report (Document Reference 5.1.0) and demonstrated in the 2018 SoCC Compliance Checklist (Appendix 9.C of Document Reference 5.2).
Section 48	**Duty to publicise**		
	(1) The applicant must publicise the proposed application in the prescribed manner.	Y	<u>Phase 1</u> A notice publicising the Project was published in the London Gazette, a national newspaper (the Independent) and a local newspaper (South Wales Evening Post). The notice was published for a second week in the South Wales Evening Post. The notice was also sent to all section 42(a) and section 42(b) consultees and to any other consultee notified to the applicant. See Section 6.4 and Appendix 4.G of the Consultation Report and Appendices (Document References 5.1.0 and 5.2). <u>Phase 2</u> A notice publicising the Project was published once in the London Gazette (Appendix 9.F.IV), once in a national

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			newspaper (The Times) (Appendix 9.F.III) and twice in a local newspaper: South Wales Evening Post (Appendix 9.F.VI and 9.F.VII). See Section 8.4 and Appendix 9.F of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.	Y	Phase 1 The content of the notice included the deadline of 16th November 2014 for receipt of responses by the applicant. See Section 6.4 and Appendix 4.F V and 4.F VI of the Consultation Report and Appendices (Document References 5.1.0 and 5.2). Phase 2 The content of the notice included the deadline of 19th February 2018 for receipt of responses by the applicant. See Section 8.4 and Appendix 9.F I and 9.F II of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
Section 49	**Duty to take account of responses to consultation and publicity.**		
	(1) Subsection (2) applies where the applicant - (a) Has complied with sections 42,47, and 48, and (b) Proposes to go ahead with making an application for and order granting development consent (whether not in the same terms as the proposed application). (2) The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses. In subsection (2) "relevant response" means – (a) A response from a person consulted under section 42 that is received by the applicant	Y	Phase 1 APL has taken account of relevant responses received to consultation and publicity, as detailed in the following sections of the Consultation Report: • Non-statutory consultation with local community – Section 7.2 and Appendix 6.A of the Consultation Report; • Non-statutory consultation with key stakeholders – Section 7.2 of the consultation Report; • Section 47 consultation – Section 7.4 and Appendix 6.B of the Consultation Report; • Section 48 consultation – Section 7.4; • Section 42 consultation – Section 7.4 and Appendices 6.C and 6.D of the Consultation Report See Document References 5.1.0 and 5.2. Phase 2

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	(b) A response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or before the deadline imposed by section 45 in that persons case, (c) A response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48 (2) in relation to that publicity.		APL has taken account of relevant responses received to consultation and publicity, as detailed in the following sections of the Consultation Report: • Non-statutory consultation with local community – Section 9.2 and Appendix 7, 9.K and 10.A of the Consultation Report; • Non-statutory consultation with key stakeholders – Section 9.2 of the Consultation Report; • Section 47 consultation – Section 9.4 and Appendix 11.A of the Consultation Report; • Section 48 consultation – Section 9.4; • Section 42 consultation – Section 9.4 and Appendix 11.C of the Consultation Report See Document References 5.1.0 and 5.2.
Section 50	**Guidance about pre-application procedure**		
	(1) Guidance may be issued about how to comply with the requirements of this Chapter (2) Guidance under this section may be issued by the Commission or the Secretary of State. (3) The applicant must have regard to any guidance under this section	Y	<u>Phase 1 and Phase 2</u> APL undertook pre-application consultation and prepared the Consultation Report in accordance with the requirements of all relevant primary and secondary legislation, statutory guidance and non-statutory advice notes (Sections 6.2, 7.2, 8.4 and 10.1 of Document Reference 5.2).
The Infrastructure Planning (APFP) Regulations 2009			
Reg 3	**Prescribed consultees**		
	The persons prescribed for the purposes of section 42(a) (duty to consult) are those listed in column 1 of the table in Schedule 1 to these Regulations, who must be consulted in the circumstances specified in relation to each such person in column 2 of that table.	Y	<u>Phase 1</u> APL undertook statutory section 42 consultation with prescribed consultees from 13th October to 16th November 2014 for a period of 35 days (Section 6.4 of the Consultation Report). The list of prescribed persons consulted on the Project is set out in Appendix 4.G of the Consultation Report. <u>Phase 2</u> APL undertook a second phase of statutory section 42 consultation with prescribed

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			consultees from 16th January to 19th February 2018 for a period of 35 days (Section 8.4 of the Consultation Report). The list of prescribed persons consulted on the Project is set out in Appendix 9.G I of the Consultation Report.
Reg 4	(2) The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application— (a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated; (b) once in a national newspaper; (c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and (d) where the proposed application relates to offshore development— (i) once in Lloyd's List; and (ii) once in an appropriate fishing trade journal.	Y	<u>Phase 1</u> A notice publicising the Project was published in the London Gazette, a national newspaper (the Independent) and a local newspaper (South Wales Evening Post). The notice was published for a second week in the South Wales Evening Post. The notice was also sent to all section 42(a) and section 42(b) consultees and to any other consultee notified to the applicant. See Section 6.4 and Appendix 4.G of the Consultation Report and Appendices (Document References 5.1.0 and 5.2). <u>Phase 2</u> A notice publicising the Project was published once in the London Gazette (Appendix 9.F IV), once in a national newspaper (The Times) (Appendix 9.F III) and twice in a local newspaper: South Wales Evening Post (Appendix 9.F VI and 9.F VII). See Section 8.4 and Appendix 9.F of the Consultation Report and Appendices (Document References 5.1.0 and 5.2).
	(3) The matters which the notice must include are— (a) the name and address of the applicant; . (b) a statement that the applicant intends to make an application for development consent to the Commission; . (c) a statement as to whether the application is EIA development; . (d) a summary of the main proposals, specifying the location or route of the proposed development; . (e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at	Y	<u>Phase 1</u> The content of the published notice included all of the information required in sub-section (3) of Regulation 4 (Section 6.4 / Appendix 4.G of the Consultation Report). <u>Phase 2</u> The content of the published notice included all of the information required in sub-section (3) of Regulation 4 (Section 8.4 / Appendix 9.F of the Consultation Report).

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	the places (including at least one address in the vicinity of the proposed development) and times set out in the notice; . (f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i)); . (g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge; . (h) details of how to respond to the publicity; and . (i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published.		
The Infrastructure Planning (Environment Impact Assessment) Regulations 2009			
Reg 6	**Procedure for establishing whether environmental impact assessment is required**		
	(1) A person who proposes to make an application for an order granting development consent must, before carrying out consultation under section 42 (duty to consult) either— (a)request the Commission to adopt a screening opinion in respect of the development to which the application relates; or (b)notify the Commission in writing that the person proposes to provide an environmental statement in respect of that development. (2) A person who proposes to make a subsequent application must, before submitting that application—	Y	<u>Phase 1</u> An Environmental Impact Assessment (EIA) Scoping Report and a request for a Scoping Opinion was submitted on 26th June 2014 to the Planning Inspectorate, who acts on behalf of the Secretary of State. At the same time as the submission of the EIA Scoping Report to PINS, APL notified PINS of its intention to submit an ES as part of the Application for Development Consent (Section 6.3 and Appendix 3.A of the Consultation Report). An EIA Scoping Opinion was issued by PINS on August 1st 2014 (Section 6.3 and Appendix 3.B of the Consultation Report). The EIA Scoping Report provided an introduction to the Project, including a description of the Project at the time, the needs and benefits of the Project, an introduction to APL, the consenting regime and the EIA process. The main focus of the report set out the intended scope and content of the EIA to support the Application

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	(a)request the relevant authority to adopt a subsequent screening opinion in respect of the proposed development; or (b)notify the relevant authority in writing that the person proposes to provide an updated environmental statement in respect of the proposed development. (3) A request or notification under paragraph (1) must be accompanied by— (a)a plan sufficient to identify the land; (b)a brief description of the nature and purpose of the development and of its possible effects on the environment; (c)such other information or representations as the person making the request may wish to provide or make.		for Development Consent. The report also established the intention to assess the construction, operational and decommissioning phases of the Project. The Scoping Report also outlined a number of options that were under consideration at the time for the plant, potential electrical connection and potential gas connection. An explanation of the technology, the technical studies and optioneering undertaken to date and indicative dimensions were provided for each option. See Section 6.3 and Appendix 3.B of the Consultation Report for details (Document References 5.1.0 and 5.2). <u>Phase 2</u> APL contacted PINS on 28th September 2017 to discuss various matters relating to the Project, including the validity of the 2014 EIA Scoping Opinion (Appendix 3.B), as well as general Project updates, the consenting framework, consultation and draft application documents. This meeting informed the status of the previous Scoping Opinion for the purposes of the EIA for the Project. PINS confirmed that the 2014 Scoping Opinion remained valid, thereby informing future consultation on the Project. As a result of feedback received during Phase 1 consultation and Phase 2 non-statutory consultation, as well as further design and operational considerations, several changes were made to the Project for the Phase 2 statutory consultation (Table 8-2 and Section 8.4 of the Consultation Report). Further details are in Section 8.4 and Appendices 3.B II and 8.A (Document References 5.1.0 and 5.2).
Reg 10	**Consultation statement requirements**		
	The consultation statement prepared under section 47 (duty to consult local community) must set out — (a) whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and	Y	<u>Phase 1</u> The published 2014 SoCC, as shown in Appendix 4.A of the Consultation Report, noted that the Project is an EIA development and highlighted APL's intention to publish and consult on preliminary findings (Sections 6.2 and 6.3 and Appendix 4.A of the Consultation Report).

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	(b) if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.		Phase 2 The published 2018 SoCC, as shown in Appendix 9.B of the Consultation Report, noted that the Project is an EIA development and highlighted APL's intention to publish and consult on preliminary findings (Sections 8.3 / Appendix 9.B of the Consultation Report).
Reg 11	**Pre-application publicity under section 48 (duty to publicise)**		
	Where the proposed application for an order granting development, consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the applicant in accordance with regulation 9(1)(c).	Y	Phase 1 The notice publicising the Project was sent to all section 42(a) and section 42(b) consultees and to any other consultee notified to the applicant on 2nd October 2014 (Section 6.4.5 and Appendix 4.H of the Consultation Report). Phase 2 The notice publicising the Project was sent to all section 42(a) and section 42(b) consultees and to any other consultee notified to the applicant on 2nd January 2018 (Section 8.4 and Appendix 9.F of the Consultation Report).
DCLG: Guidance on pre-application process (January 2013)			
14	**During the pre-application stage applicants are required to:**		
	• notify the Secretary of State of the proposed application;	Y	Phase 1 APL notified the Secretary of State of the intention to submit an application on 8th October 2014 (Section 6.4 / Appendix 4.J of Consultation Report). Phase 2 APL notified the Secretary of State to publicise the intention to submit an application for Development Consent on 10th January 2018 (Section 8.4 / Appendix 9.I of Consultation Report).
	• identify whether the project requires an environmental impact assessment; where it does, confirm that they will be submitting an environmental statement along with the application, or that they will be seeking a screening opinion ahead of submitting the application;	Y	Phase 1 An Environmental Impact Assessment (EIA) Scoping Report and a request for a Scoping Opinion was submitted on 26th June 2014 to the Planning Inspectorate, who acts on behalf of the Secretary of State. At the same time the covering letter accompanying

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			the Scoping Report advised the Secretary of State that APL intends to submit an Environmental Statement as part of the DCO application (Section 6.3 / Appendix 3.A of Consultation Report). <u>Phase 2</u> APL met with the Planning Inspectorate on 28th September 2017 to discuss the validity of the 2014 EIA Scoping Opinion. The Planning Inspectorate confirmed that it was not necessary to revisit the 2014 EIA Scoping Report/Opinion and that the Scoping Opinion remained valid for the purposes of the EIA for the Project (Section 9.3 / Appendix 8.A of the Consultation Report).
	• produce a Statement of Community Consultation, in consultation with the relevant local authority or authorities, which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that Statement;	Y	<u>Phase 1</u> APL produced a Statement of Community Consultation (SoCC) in July 2014 to outline the strategy for consultation, following consultation with CCS (Section 6.4 / Appendix 4.A of Consultation Report). Consultation was undertaken in accordance with the 2014 SoCC, as set out in Section 6.4 of the Consultation Report and recorded in the 2014 SoCC Compliance Checklist (Appendix 4.B of the Consultation Report). <u>Phase 2</u> An additional 2018 SoCC was produced and consulted on for Phase 2 consultation (Section 8.4 / Appendix 9.A of Consultation Report). Phase 2 consultation was undertaken in accordance with the SoCC, as set in the 2018 SoCC Compliance Checklist (Appendix 9.C of Consultation Report).
	• make the Statement of Community Consultation available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land where the development is proposed, as required by section 47 of the Planning Act and Regulations8;	Y	<u>Phase 1</u> The 2014 SoCC Notice was published in English and Welsh in a local newspaper (South Wales Evening Post) on 30th September 2014, and again on 7th October 2014 (Section 6.4 / Appendix 4.A of Consultation Report). The SoCC was made available on the Project website, in local libraries and CSS's council offices from 30th September (Section 6.4 / Appendix 4.A of Consultation Report). <u>Phase 2</u> The 2018 SoCC Notice was published in English and Welsh in a local newspaper

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			(South Wales Evening Post) on 2nd January 2018, and once again on the 9th January 2018 (Section 8.4 / Appendix 9.B of Consultation Report). The SoCC was made available on the Project website, in local libraries and CSS's council offices from the 2nd January 2018 (Section 8.4 / Appendix 9.B of Consultation Report).
	• identify and consult statutory consultees as required by section 42 of the Planning Act and Regulations;	Y	<u>Phase 1</u> Section 42 consultation with prescribed consultees (comprising prescribed persons, local authorities and land interests) took place between 13th October and 16th November 2014 (Section 6.4 / Appendix 4.I of Consultation Report). The list of prescribed persons consulted on the Project is set out in Appendix 4.I of the Consultation Report. <u>Phase 2</u> As required by section 42 of the Planning Act and Regulations, consultation with prescribed consultees (comprising prescribed persons, local authorities, and land interests) requires a deadline of no less than 28 days' consultation. The Phase 2 S42 consultation commenced on 16th January 2018 and closed on 19th February 2018 (Section 8.4 / Appendix 9.G of Consultation Report). The list of prescribed persons consulted on the Project is set out in Appendix 9.G of the Consultation Report.
	• set a deadline of a minimum of 28 days by which responses to consultation must be received;	Y	<u>Phase 1</u> All consultation was undertaken with a deadline of a minimum of 28 days for receipt of responses: • Draft Consultation Plan and SoCC published on 31st July 2014 with a request for comment within 28 days (Section 6.4 / Appendix 4.A of Consultation Report); • Section 47 and Section 42 consultation commenced on 13th October 2014 and closed on 16th November 2014, representing a total duration of 35 days, in excess of the minimum 28-day statutory requirement (Section 6.4 / Appendices 4.D, 4.E and 4.I of Consultation Report); • Additional section 42 consultation took place between 26th January and 23rd

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			February 2015, in excess of the minimum 28-day statutory requirement (Section 6.4 / Appendix 4.I of Consultation Report) <u>Phase 2</u> All Phase 2 consultation was undertaken with a deadline of a minimum of 28 days for receipt of responses: • The 2018 SoCC was published in January 2018 with a request to comment exceeding the minimum statutory timescale of 28 days (Section 8.4 / Appendix 9.A of the Consultation Report) • Section 47 and Section 42 consultation commenced on 16th January 2018 and closed on 19th February 2018, representing a total duration of 35 days (Section 8.4 / Appendices 9.D, 9.E, 9.G, and 9.H of the Consultation Report).
	• have regard to relevant responses to publicity and consultation;	Y	<u>Phase 1</u> APL has taken account of relevant responses received to consultation and publicity, as detailed in the following sections of the Consultation Report and Appendices: • Non-statutory consultation with local community – Section 7.2 and Appendix 6.A of the Consultation Report; • Non-statutory consultation with key stakeholders – Section 7.2; • Section 47 consultation with local community – Section 7.4 and Appendix 6.B of the Consultation Report; • Section 48 consultation – Section 7.4; • Section 42 consultation – Section 7.4 and Appendices 6.C and 6.D of the Consultation Report. <u>Phase 2</u> APL has taken account of relevant responses received to consultation and publicity, as detailed in the following sections of the Consultation Report and Appendices: • Non-statutory consultation with key stakeholders – Section 9.2;

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			• Section 47 consultation with local community – Section 9.4 and Appendix 11.A of the Consultation Report; • Section 48 consultation – Section 9.4; • Section 42 consultation – Section 9.4 and Appendices 11.B and 11.C of the Consultation Report.
	• publicise the proposed application in accordance with Regulations;	Y	<u>Phase 1</u> In accordance with section 48 of the Planning Act 2008, a notice publicising the Project was published in the London Gazette, a national newspaper (the Independent) and a local newspaper (South Wales Evening Post). The notice was published for a second successive week in the South Evening Wales Post, in accordance with Regulation 4 of The Infrastructure Planning (APFP) Regulations 2009 (Section 6.4 / Appendix 4.G of the Consultation Report). The notice was also sent to all section 42(a) and section 42(b) consultees and to any other consultee notified to the applicant under Regulation 9 of the EIA Regulations (referred to as the "Regulation 9 consultees") in compliance with Regulation 11 (Section 6.4 / Appendix 4.G of Consultation Report). <u>Phase 2</u> In accordance with section 48 of the Planning Act 2008, a notice publicising the Project was published in the London Gazette (9th January 2018), the Times (9th January 2018), and the South Wales Evening Post (2nd January 2018). An additional notice was published for the second successive week in the South Evening Wales Post, in accordance with Regulation 4 of The Infrastructure Planning (APFP) Regulations 2009 (Section 8.4 / Appendix 9.F of the Consultation Report). The notice was also sent to all section 42(a) and section 42(b) consultees and to any other consultee notified to the applicant under Regulation 9 of the EIA Regulations (referred to as the "Regulation 9 consultees") in compliance with Regulation 11 (Section 8.4 / Appendix 9.G of Consultation Report).
	• prepare a consultation report and submit it to the Secretary of State.	Y	<u>Phase 1 and 2</u>

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			A Consultation Report (Document Reference 5.1.0) has been prepared and is submitted as part of the DCO Application to the Planning Inspectorate.
50	**When should consultation take place and how much is enough?**		
	To realise the benefits of early consultation on a project, it must take place at a sufficiently early stage to allow consultees a real opportunity to influence the proposals. But equally, consultees will need sufficient information on a project to be able to recognise and understand the impacts.	Y	Phase 1 APL consulted on the Project from an early stage (discussions with key stakeholders from January 2014 and exhibitions in June 2014 – Section 5.3) when options were still under consideration, and so a balance was sought between the availability of information and desire to gain local feedback (Section 6.2 / Appendix 2 of Consultation Report). Phase 2 During the Phase 2 consultation, APL chose again to undertake early informal non-statutory consultation to inform the local community, political representatives and other key stakeholders about the DCO application process for the Project resuming (under the new ownership of APL by Drax) and changes made to the Project since the end of the Phase 1 statutory consultation (Section 8.2 / 7.A of the Consultation Report).
51	Applicants will often also require detailed technical advice from consultees and it is likely that their input will be of the greatest value if they are consulted when project proposals are fluid, followed up by confirmation of the approach as proposals become firmer. In principle, therefore, applicants should undertake initial consultation as soon as there is sufficient detail to allow consultees to understand the nature of the project properly.	Y	Phase 1 APL undertook non-statutory consultation with key stakeholders, including CCS, on an ongoing basis from January 2014 to February 2015, as the proposals developed (Section 6.2 / Appendix 2 of Consultation Report). Subsequent statutory Section 42 consultation took place between October 2014 and November 2014 once the proposals had become firmer (Section 6.4 / Appendix 4.I of the Consultation Report). Phase 2 During the Phase 2 consultation, APL chose again to undertake non-statutory consultation with key stakeholders, including CCS, from April 2017 to January 2018 (Section 8.2 / Appendix 7.A of Consultation Report). Subsequent statutory Section 42 consultation took place between January 2018 and March 2018 (Section 8.4 / Appendices 9.G and 9.H of the Consultation Report).

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
52	To manage the tension between consulting early, but also having project proposals that are firm enough to enable consultees to comment, applicants are encouraged to consider an iterative, phased consultation consisting of two (or more) stages, especially for large projects with long development periods. For example, applicants might wish to consider undertaking informal early consultation at a stage where options are still being considered. This will be helpful in informing proposals and assisting the applicant in establishing a preferred option on which to undertake formal statutory public consultation.	Y	<u>Phase 1</u> Consultation on the Project was undertaken on a phased basis. APL undertook informal non-statutory consultation from an early stage (discussions with key stakeholders from January 2014 and exhibitions in June 2014) when options were still under consideration, and so a balance was sought between the availability of information and desire to gain local feedback to inform the proposals (Section 6.2 / Appendix 2 of the Consultation Report). Subsequent statutory consultation was undertaken from October 2014, once the proposals had developed (Section 6.4 / Appendix 4 of the Consultation Report). <u>Phase 2</u> The Phase 1 Statutory and Non-statutory consultation provided the Phase 2 consultation with initial feedback to feed into proposals. For Phase 2 consultation APL undertook informal non-statutory consultation from an early stage with the new options (Section 8.2 / Appendix 7.A of the Consultation Report). Subsequent statutory consultation was undertaken from January 2018 to March 2018, following several changes to the Project (Section 8.4 / Appendix 9 of the Consultation Report).
53	Where an iterative consultation is intended, it may be advisable for applicants to carry out the final stage of consultation with persons who have an interest in the land once they have worked up their project proposals in sufficient detail to identify affected land interests.	Y	<u>Phase 1</u> APL undertook additional consultation with additional land interests between 26th January and 23rd February 2015 (Section 6.4 / Appendix 4.I of Consultation Report). APL undertook a targeted information update with identified prescribed consultees between 26th January and 16th February 2015, following agreement of the proposed Access Road and updates to the Application boundary (Section 6.5 / Appendix 5.C of the Consultation Report). This consultation was undertaken following the conclusion of statutory section 47, 42 and 48 consultation and once the proposals had become sufficiently developed. <u>Phase 2</u> APL undertook additional Non-Statutory consultation from February 2018 to May 2018 following the Phase 2 Statutory consultation (Section 8.6 / Appendix 10.A of

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			the Consultation Report). APL held meetings, and corresponded via telephone and email, with statutory consultees and landowners that had raised queries and requested further clarification on the Project (Section 8.6 / Appendix 10.A of the Consultation Report). This consultation was undertaken following the conclusion of statutory section 47, 42 and 48 consultation.
54	The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the impacts. The Planning Act provides for a minimum 28 day period for consultation. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.	Y	<u>Phase 1</u> Section 47 and Section 42 consultation was undertaken from 13th October – 16th November 2014, representing a total duration of 35 days, in excess of the minimum 28-day statutory requirement (Section 6.4 / Appendices 4.D, 4.E, 4.I of the Consultation Report). The draft Consultation Plan and the 2014 SoCC were published on 31st July 2014 with a request for comment within 28 days, in accordance with the statutory requirement (Section 6.4 / Appendix 4.A of the Consultation Report). Additional Section 42 consultation took place between 26th January and 23rd February 2015, in accordance with the statutory requirement (Section 6.4 / Appendix 4.I of Consultation Report). These timescales are considered proportionate to the proposed nature of the Project. <u>Phase 2</u> Section 42 and Section 47 consultation was undertaken from 16th January 2018 to the 19th February 2018, representing a total duration of 35 days, in excess of the statutory minimum requirement of 28 days (Section 8.4 / Appendices 9.D, 9.E, 9.G and 9.H). The draft 2018 SoCC was published in November 2017. APL requested comments within the deadline of 28 days beginning with the day after the day on which the documents were received (Section 8.4 / Appendices 9.A and 9.B of the Consultation Report). Additional non-statutory consultation took place from February 2018 to May 2018.

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			These timescales are considered proportionate to the proposed nature of the Project.
55	Applicants are not expected to repeat consultation rounds set out in their Statement of Community Consultation unless the project proposals have changed very substantially. For example, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may well be needed. This may be necessary if, for example, new information arises which renders all previous options unworkable or invalid for some reason. When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors.	Y	<u>Phase 1</u> APL undertook additional section 42 consultation with additional identified land interests between 26th January 2015 and 23rd February 2015 (Section 6.4 / Appendix 4.I of the Consultation Report). APL undertook a targeted information update with identified prescribed consultees between 26th January and 16th February 2015, following agreement of the proposed Access Road and updates to the Application boundary (Section 6.4 / Appendix 5.C of the Consultation Report). Due to the minor extent of changes a repeat of full consultation was not considered necessary or proportionate. <u>Phase 2</u> APL undertook additional consultation with statutory consultees and landowners that had raised queries and requested further clarification on the Project (Section 8.6 / Appendix 10.A of the Consultation Report). Due to minor changes to the Project following the non-statutory and statutory consultation, a full additional consultation was considered not necessary.
56	Where a proposed application changes to such a large degree that the proposals could be considered a new application, the legitimacy of the consultation already carried out could be questioned. In such cases, applicants should undertake further re-consultation on the new proposals, and should supply consultees with sufficient information to enable them to fully understand the nature of the change and any likely significant impacts (but not necessarily the full suite of consultation documents), and allow at least 28 days for consultees to respond.	N/A	<u>Phase 1</u> Due to the minor extent of changes to the Application a repeat of full consultation was not considered necessary or proportionate. However, APL re-consulted with identified prescribed consultees via a targeted information update between 26th January and 16th February 2015, following agreement of the proposed Access Road and updates to the Application boundary (Section 6.4 / Appendix 5.C of Consultation Report). <u>Phase 2</u> Due to the minor extent of changes to the Application a repeat of full consultation was not considered necessary or proportionate. However, APL undertook additional consultation with statutory consultees and landowners that had raised queries and requested further clarification on the Project

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			(Section 8.6 / Appendix 10.A of the Consultation Report).
57	If the application only changes to a small degree, or if the change only affects part of the development, then it is not necessary for an applicant to undertake a full re-consultation. Where a proposed application is amended in light of consultation responses then, unless those amendments materially change the application or materially changes its impacts, the amendments themselves should not trigger a need for further consultation. Instead, the applicant should ensure that all affected statutory consultees and local communities are informed of the changes.	Y	<u>Phase 1</u> APL re-consulted with identified prescribed consultees via a targeted information update between 26th January and 16th February 2015, following agreement of the proposed Access Road and updates to the Application boundary (Section 3.7 / Appendix 5.C of Consultation Report). <u>Phase 2</u> APL held meetings, and corresponded via telephone and email, with statutory consultees and landowners that had raised queries and requested further clarification on the Project (Section 8.6 / Appendix 10.A of the Consultation Report).
58	Consultation should, however, also be fair and reasonable for applicants as well as communities. To ensure that consultation is fair to all parties, applicants should be able to demonstrate that the consultation process is proportionate to the impacts of the project in the area that it affects, takes account of the anticipated level of local interest, and takes account of the views of the relevant local authorities.	Y	<u>Phase 1</u> The Consultation Plan and SoCC defined consultation areas to reflect the location of the main population areas in the vicinity of the site that could be affected by the Project and where people may be expected to have the greatest interest in the Project (Section 6.4 / Appendix 4.A of the Consultation Report). Exhibitions were held at three locations within the vicinity of the site during non-statutory consultation (Section 6.2 / Appendix 2 of the Consultation Report) and at four locations within the defined consultation areas during statutory consultation (Section 6.4 / Appendix 4 of Consultation Report). CCS was consulted throughout the overall consultation process. All local authorities with boundaries adjacent to CCS were consulted as part of the EIA Scoping and section 42 consultation (Sections 6.3 and 6.4 / Appendices 3 and 4.I of Consultation Report). <u>Phase 2</u> Further to the 2014 SoCC published for Phase 1 consultation, APL produced a draft 2018 SoCC in November 2017 setting out the proposed methodology for how APL intended to consult people living and working in the vicinity of the Project (Section

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			8.4 / Appendices 9.A and 9.B of the Consultation Report). Exhibitions were held at four locations within the vicinity of the site, including Llangyfelach, Felindre, Clydach, and Tircoed (Section 8.4 / Appendix 9.D of the Consultation Report). CCS was consulted throughout the consultation process. All local authorities with boundaries adjacent to CCS were consulted as part of the statutory section 42 consultation (Section 6.4 / Appendix 9.G of the Consultation Report).
61	**The consultation report should:**		
	• Provide a general description of the consultation process undertaken;	Y	<u>Phase 1</u> A general description of the consultation process undertaken in Phase 1 is set out in Section 6 of the Consultation Report. <u>Phase 2</u> A general description of the consultation process undertaken in Phase 2 is set out in Section 8 of the Consultation Report.
	• Set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate;	Y	<u>Phase 1</u> Relevant primary and secondary legislation, statutory guidance and non-statutory advice notes are set out in Section 3 of the Consultation Report. A description of the consultation activities undertaken in accordance with these requirements is set out in Section 6 of the Consultation Report. <u>Phase 2</u> Relevant primary and secondary legislation, statutory guidance and non-statutory advice notes are set out in Section 3 of the Consultation Report. A description of the consultation activities undertaken in accordance with these requirements is set out in Section 8 of the Consultation Report.
	• Set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation;	Y	<u>Phase 1</u> The APL response to the Council's comments on the draft SoCC is set out in section 6.4 of the Consultation Report (also see Appendix 4.A of the Consultation Report).

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			Phase 2 The APL response to the Council's comments on the draft SoCC is set out in section 8.4 of the Consultation Report (also see Appendix 9.A of the Consultation Report).
	• Set out a summary of relevant responses to consultation (but not a complete list of responses);	Y	Phase 1 A summary of feedback received to non-statutory and statutory consultation is set out in Sections 7.2 – 7.5 of the Consultation Report (also see Appendix 6 of the Consultation Report). Phase 2 A summary of feedback received from the Phase 2 non-statutory and statutory consultation is set out in Sections 9.2 – 9.4 of the Consultation Report (also see Appendix 11 of the Consultation Report).
	• Provide a description of how the application was influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;	Y	Phase 1 A summary description of how the Project evolved following non-statutory and statutory consultation is set out in sections 10.2 – 10.5 of the Consultation Report (also see Appendix 6 of the Consultation Report). Phase 2 A summary description of how the Project evolved following non-statutory and statutory consultation is set out in sections 10.2 – 10.5 of the Consultation Report (also see Appendix 11 of the Consultation Report).
	• Provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultee on impacts;	Y	Phase 1 A summary explanation of how each consultation response has been considered by APL is provided in sections 10.2 – 10.5 of the Consultation Report. Appendices 6.A, 6.B, 6.D and 6.E of the Consultation Report provide a full explanation of how each consultation response has been considered by APL. Phase 2 A summary explanation of how each consultation response has been considered by APL is provided in sections 10.2 – 10.5 of the Consultation Report. Appendices 11.A and 11.C of the Consultation Report provide a full explanation of how each

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			consultation response has been considered by APL.
	• Where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant advice note published by the Inspectorate, provide an explanation for the action taken;	Y	Phase 1 An explanation of how APL has followed the advice of the local authority is provided in section 10.2 of the Consultation Report. APL undertook pre-application consultation and the production of the Consultation Report in accordance with the requirements of all relevant primary and secondary legislation, statutory guidance and non-statutory advice notes (Section 3.6 of the Consultation Report). Phase 2 An explanation of how APL has followed the advice of the local authority is provided in section 10.2 of the Consultation Report. APL undertook pre-application consultation and the production of the Consultation Report in accordance with the requirements of all relevant primary and secondary legislation, statutory guidance and non-statutory advice notes (Section 3.6 of the Consultation Report).
	• Be expressed in terms sufficient to enable the Secretary of State to fully understand how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters.	Y	Phase 1 The Consultation Report is written in a manner to allow full understanding of the consultation process undertaken. A Non-Technical Summary of the Consultation Report (Document Reference 5.1.1) has also been prepared in Welsh and is submitted as part of the DCO Application. Phase 2 The Consultation Report is written in a manner to allow full understanding of the consultation process undertaken. A Non-Technical Summary of the Consultation Report (Document Reference 5.1.1) has also been prepared in Welsh and is submitted as part of the DCO Application.
62	It is important that those who have contributed to the consultation are informed of the results of the consultation exercise; how the information received by applicants has been used to shape and influence the project; and how any outstanding issues will be addressed before an application is submitted to the Inspectorate.	Y	Phase 1 An explanation of how APL has taken each consultation response into account is summarised in sections 10.2 – 10.5 of the Consultation Report, and a complete explanation of Phase 1 feedback is provided in Appendices 6.A, 6.B and 6.D. APL will maintain ongoing engagement with the local community and key stakeholders following

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			submission of the DCO application, as well as throughout the construction, operational and decommissioning phases should a DCO be granted (Section 10.5). <u>Phase 2</u> An explanation of how APL has taken each consultation response into account is summarised in sections 10.2 – 10.5 of the Consultation Report, and a complete explanation of Phase 2 feedback is provided in Appendices 11.A and 11.C. APL will maintain ongoing engagement with the local community and key stakeholders following submission of the DCO application, as well as throughout the construction, operational and decommissioning phases should a DCO be granted (Section 10.5).
63	As with the consultation itself, it is likely that different audiences will require different levels of information. The local community may be particularly interested in what the collective view of the community is and how this has been taken into account. Consultees with technical information will require more detailed information on what impacts and risks have been identified, and how they are proposed to be mitigated or managed.	Y	<u>Phase 1</u> Different levels of information were provided to different audiences during the consultation process as considered appropriate: • Local community (non-statutory) – brochures (to take away) and information boards in English and Welsh provided, outlining: the proposal, developer, need for gas power generation, choice of site, community benefits, Environmental Scoping Report, timeline of activities, planning and consultation process (Section 6.2 / Appendices 2.A and 2.B of the Consultation Report). • Local community (statutory) – Non-Technical Summary (NTS) of the Preliminary Environmental Information Report (PEIR), in English and Welsh, the full PEIR document provided, and brochures (to take away) (Section 6.4 / Appendix 4.E of Consultation Report). • CCS and key stakeholders (non-statutory) – written notification of early project plans provided and a series of individual meetings and discussions held to discuss the proposals (Section 6.2 / Appendix 2.D of the Consultation Report). • Prescribed consultees (statutory) – leaflets; the SoCC, the Preliminary Environmental Information Report (PEIR), including Figures and

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
			Appendices; and PEIR NTS. All documents were available in English and Welsh (Section 6.4 / Appendix 4.I of Consultation Report). Phase 2 Different levels of information were provided to different audiences during the consultation process as considered appropriate: • Local community (statutory) – Leaflets (available in English and Welsh); 2018 PEIR; and the 2018 PEIR (available in English and Welsh) (Section 8.4 / Appendices 9.E and 9.H of the Consultation Report). • CCS and key stakeholders (non-statutory) – written notification of early project plans provided and a series of individual meetings and discussions held to discuss the proposals (Section 8.2 / Appendix 7.A of the Consultation Report). • Prescribed consultees (statutory) – A S42 covering letter; Leaflets; 2018 PEIR; 2018 PEIR NTS (available in English and Welsh); and the No Significant Effects Report (Section 8.4 / Appendix 9.H).
64	The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested. If helpful, this could be supplemented by events in the local area.	Y	Phase 1 and 2 A separate document Non-Technical Summary of the Consultation Report has been prepared, in Welsh (Document Reference 5.1.1), and is submitted as part of the DCO Application.
65	Response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant impacts, or whether a targeted response would be more appropriate. Applicants are also likely to have identified a number of key additional bodies for consultation and may need to	Y	Phase 1 An explanation of how APL has taken each consultation response into account is summarised in Sections 10.2 – 10.5 of the Consultation Report, and a complete explanation is provided in Appendices 6.A, 6.B and 6.D of the Consultation Report. APL will maintain on-going engagement with key stakeholders, the local community and local authorities and respond to queries in

Ref	Legislation/Guidance/Advice	Compliance	
		Y/N	Response
	continue engagement with these bodies on an individual basis.		relation to the Project as they arise (Section 10.5). <u>Phase 2</u> For Phase 2, an explanation of how APL has taken each consultation response into account is summarised in sections 10.2 – 10.5 of the Consultation Report, and a complete explanation is provided in Appendices 11.A and 11.C of the Consultation Report. APL will maintain on-going engagement with key stakeholders, the local community and local authorities and respond to queries in relation to the Project as they arise (Section 10.5).

Appendix 2: Phase 1 Non-statutory Consultation (prior to Phase 1 Statutory Consultation)

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A I Letter sent to locally elected representatives providing invitation to non-statutory exhibitions (9th June 2014) (English)

Address

9 June 2014

Dear

Abergelli Power Ltd wishes to develop a gas-fired power station on land at Abergelli Farm, south of Felindre, adjacent to the National Grid gas compressor station and to the north of the M4 motorway.

The proposed power station will be an ultra modern and clean, with low emissions and would help strengthen and secure energy supply in the UK. It would operate as a 'peaking plant' – producing power for no more than 1500 hours per year to back up intermittent energy generated from renewable sources, supporting the country's transition to a low carbon economy. Creating up to 299MW of power, it would have the capacity to generate enough electricity to power 400,000 homes.

As it would generate more than 50MW of energy, the proposed power station will require a Development Consent Order, an application for which will, in due course, be considered by the Planning Inspectorate on behalf of the Secretary of State for Energy & Climate Change. City and County of Swansea Council will be a key consultee in the process along with community councils in the vicinity, the local community and other local and national organisations and regulators.

Abergelli Power is a development company solely focused on taking forward the project at Abergelli Farm. It is owned by Watt Power (www.wattpowerltd.co.uk). The Watt Power management team has extensive experience of developing energy projects in the UK and overseas. The company is currently taking forward two similar power station projects in the UK: one in Hirwaun, Rhondda Cynon Taf, and one in Suffolk, south east England.

The project represents a £200m investment in the area and would deliver significant economic benefits. These would include a number of construction jobs along with long-term skilled employment, both directly and indirectly via the supply chain. Furthermore, we would like to consult with City & County of Swansea Council on options available to us to bring wider social and environmental benefits to the surrounding area.

As part of our preliminary assessment work, we have spoken with Planning and other officers at City & County of Swansea Council. Planning, environmental and technical assessments are on-going and no information has been placed in the public domain to date.

An initial phase of public information events to introduce the project is being held in the vicinity of the site. At these information events we will explain the development procedure and how the consultation process is expected to evolve. As the project is at an early stage, there will be no drawings, artists' impressions or models on display.

These information events will be at:

- Thursday, June 19 at Forge Fach Community Resource Centre, Hebron Road, Clydach, Swansea, SA6 5 EJ between 1pm and 7pm;

- Friday, June 20 at Felindre Welfare Hall, Felindre, Swansea, SA5 7NA between 1pm and 7pm; and

- Saturday, June 21 at Tircoed Village Hall, Y Cyswllt, Tircoed SA4 9QZ between 10am and 3pm.

We would like to extend an invitation to you and the members of the community council to come along between 12pm – 1pm on Thursday and Friday, or 9am and 10am on the Saturday, prior to the event being opened to the general public, where we will be happy to give you a personal briefing on the project. You may, of course, attend either of the events at another time that is convenient for you.

It is our intention to consult widely in the local area throughout the planning progress. Over the coming months we will liaise closely with City & County of Swansea Council and community councils in the area in addition to the local community.

We would also be grateful if you could afford us a brief meeting in the near future to provide further information and answer any questions you and the council may have. Please feel free to contact the project team by phone on 02920 814843 or by email at info@abergellipower.co.uk and a meeting can be arranged.

Yours sincerely

Norman Campbell
Project Manager
Abergelli Power Ltd.

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A II Letter sent to local councillors and key stakeholders (Welsh)

Address

9 Mehefin 2014

Ysgrifennaf i'ch hysbysu bod Abergelli Power Ltd yn ymchwilio i'r posibilrwydd o adeiladu gorsaf bŵer sy'n rhedeg ar nwy ar dir yn Fferm Abergelli, i'r de o Felindre, yn gyfagos i orsaf cywasgydd nwy'r Grid Cenedlaethol ac i'r gogledd o draffordd yr M4.

Pe'i caniateid a'i hadeiladid, byddai gan yr orsaf bŵer arfaethedig sy'n rhedeg ar nwy allyriadau isel, a byddai'n helpu i gryfhau ac i ddiogelu cyflenwad ynni'r Deyrnas Unedig drwy ddarparu cyflenwad wrth gefn i ategu ynni ysbeidiol a gynhyrchir o ffynonellau adnewyddadwy, yn bennaf gwynt ac ynni'r haul. Byddai'r gwaith cynhyrchu a'i seilwaith cysylltiedig yn cael eu cynllunio i weithredu'n hyblyg, hynny yw, heb fod yn gweithredu bob amser, a byddai'n cynhyrchu trydan am heb fod yn fwy na 1,500 o oriau'r flwyddyn. Byddai ganddo'r capasiti i gynhyrchu hyd at 299 megawat o drydan, sy'n ddigon i bweru 400,000 o gartrefi ar adegau o'r galw mwyaf. Byddai prosiect Abergelli Power yn cyfrannu at gymorth y Deyrnas Unedig i bontio i economi carbon isel.

Gan y byddai'n cynhyrchu mwy na 50 megawat o ynni, byddai ar yr orsaf bŵer arfaethedig angen Gorchymyn Caniatâd Datblygu, a byddai cais amdano'n cael ei gyflwyno a'i ystyried, maes o law, gan yr Arolygiaeth Gynllunio ar ran yr Ysgrifennydd Gwladol dros Ynni a Newid Hinsawdd. Byddai Cyngor Dinas a Sir Abertawe yn ymgynghorai allweddol yn y broses, ynghyd â chynghorau cymuned yn y cyffiniau, y gymuned leol a sefydliadau a rheolyddion lleol a chenedlaethol eraill.

Mae Abergelli Power yn gwmni datblygu sy'n canolbwyntio yn gyfan gwbl ar ddatblygu'r prosiect yn Fferm Abergelli. Watt Power (www.wattpowerltd.co.uk) yw ei berchennog. Mae gan dîm rheoli Watt Power brofiad helaeth o ddatblygu prosiectau ynni yn y Deyrnas Unedig a thramor. Mae'r cwmni ar hyn o bryd wrthi'n gweithio ar ddau brosiect gorsaf bŵer cyffelyb yn y DU: y naill yn Hirwaun, Rhondda Cynon Taf, a'r llall yn Suffolk, de-ddwyrain Lloegr.

Byddai'r prosiect yn cynrychioli buddsoddiad gwerth £200 miliwn yn yr ardal a byddai'n darparu buddion economaidd sylweddol. Byddai'r rhain yn cynnwys nifer o swyddi adeiladu ynghyd â swyddi crefftus dros yr hirdymor, yn uniongyrchol ac yn anuniongyrchol fel ei gilydd drwy'r gadwyn gyflenwi. Yn ogystal, hoffem ymgynghori â Chyngor Dinas a Sir Abertawe ar opsiynau sydd ar gael inni ddod â buddion cymdeithasol ac amgylcheddol ehangach i'r ardal o amgylch.

Fel rhan o'n gwaith asesu rhagarweiniol, rydym wedi siarad â'r swyddogion Cynllunio a swyddogion eraill yng Nghyngor Dinas a Sir Abertawe. Mae asesiadau cynllunio, amgylcheddol a thechnegol yn mynd rhagddynt ac nid oes dim gwybodaeth wedi'i rhoi ar gael i'r cyhoedd hyd yn hyn.

Mae digwyddiadau gwybodaeth cychwynnol i'r cyhoedd er mwyn cyflwyno'r prosiect yn cael eu cynnal yng nghyffiniau'r safle. Yn y digwyddiadau gwybodaeth hyn, gwnawn egluro gweithdrefn y datblygiad a sut y disgwylir i'r broses ymgynghori esblygu. Gan fod y prosiect yn ei gyfnod cynnar, ni fydd yna luniadau, argraffiadau arlunwyr na modelau'n cael eu harddangos.

Bydd y digwyddiadau gwybodaeth hyn ar:

- Ddydd Iau, 19 Mehefin yng Nghanolfan Adnoddau Cymunedol Forge Fach, Heol Hebron, Clydach, Abertawe, SA6 5 EJ rhwng 3yp a 7yh;

- Ddydd Gwener, 20 Mehefin yn Neuadd Les Felindre, Felindre, Abertawe, SA5 7NA rhwng 3yp a 7yh; a

- Dydd Sadwrn, 21 Mehefin yn Neuadd Bentref Tircoed, Y Cyswllt, Tircoed SA4 9QZ rhwng 10yb ac 1yp.

Hoffem estyn gwahoddiad ichi ddod draw rhwng 2yp – 3yp ddydd Iau a dydd Gwener, neu am 9yb a 10yb ar y dydd Sadwrn, cyn bod y digwyddiad yn cael ei agor i'r cyhoedd yn gyffredinol, lle y byddwn yn fwy na bodlon eich cyfarwyddo'n bersonol ynglŷn â'r prosiect. Gallwch, wrth gwrs, fynychu'r naill ddigwyddiad neu'r llall ar adeg arall sy'n gyfleus i chi.

Ein bwriad yw ymgynghori'n eang yn yr ardal leol drwy gydol y broses gynllunio. Dros y misoedd i ddod, byddwn yn cysylltu'n agos â Chyngor Dinas a Sir Abertawe a chynghorau cymuned yn yr ardal, yn ychwanegol ar y gymuned leol.

Byddem hefyd yn ddiolchgar pe gallech ganiatáu cyfarfod byr inni yn y dyfodol agos i ddarparu rhag o wybodaeth ac i ateb unrhyw gwestiynau y gall fod gennych. Cofiwch deimlo bod rhwydd hynt ichi gysylltu â thîm y prosiect drwy ffonio 02920 814843 neu drwy anfon e-bost at info@abergellipower.co.uk a gellir trefnu cyfarfod.

Yr eiddoch yn gywir

Norman Campbell
Rheolwr Prosiectau
Abergelli Power Ltd.

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A III Distribution list of letter sent to local Councillors and key stakeholders providing invitation to non-statutory exhibitions

Non-Statutory Consultation – Distribution List of letter sent to local Councillors and Key Stakeholders providing invitation to non-statutory exhibitions

Title	Name	Surname	Role
Mr	Richard	Henderson	Clerk to Mawr Community Council
Mr	Philip	Owen	Mawr Development Trust
Mr	David	Jenkins	Clerk to Llangyfelach Community Council
Mr	Stewart	McCulloch	Clerk to Clydach Community Council
Mr	P	Newman	Clerk to Pontlliw and Tircoed Community Council
Mr	Martin	Caton	MP - Member for Gower
Mrs	Edwina	Hart	AM - Member for Gower
Ms	Bethan	Jenkins	AM - Member for South Wales Central
Mr	Peter	Black	AM - Member for South Wales Central
Ms	Suzy	Davies	AM- Member for South Wales Central
Mr	Byron	Davies	AM - Member for South Wales Central
Mrs	Sian	James	MP - Member for Swansea East
Mr	Mike	Hedges	AM - Member for Swansea East
Cllr.	Ioan	Richard	Councillor for Mawr
Cllr.	Gareth	Sullivan	Councillor for Llangyfelach
Cllr.	John	Davies	Councillor for Morriston
Cllr.	Robert	Francis - Davies	Councillor for Morriston
Cllr.	Yvonne	Jardine	Councillor for Morriston
Cllr.	Andrea	Lewis	Councillor for Morriston
Cllr.	Rob	Stewart	Councillor for Morriston
Cllr.	Paulette	Smith	Councillor for Clydach
Cllr.	Gordon	Walker	Councillor for Clydach
Cllr.	Wendy	Fitzgerald	Councillor for Penllergaer

Cllr.	David	Phillips	Leader of City & County of Swansea Council
Cllr.	Nick	Bradley	City & County of Swansea Council Cabinet Member for Regeneration

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A IV Letter sent to local households and businesses (English)

June 2014

Public exhibitions about a proposal to build a gas-fired power station.

Dear Resident,

I am writing to inform you that Abergelli Power Ltd is investigating the possibility of building a gas-fired power station on land at Abergelli Farm, south of Felindre, adjacent to the National Grid gas compressor station and to the north of the M4 motorway.

There are three information events planned locally which will provide information about the proposals. Members of the project team will be on hand to answer any questions you may have and feedback forms will be available.

These information events will be on:

Thursday, June 19 at Forge Fach Community Resource Centre, Hebron Road, Clydach, Swansea, SA6 5EJ between 3pm and 7pm

Friday, June 20 at Felindre Welfare Hall, Felindre, Swansea, SA5 7NA between 3pm and 7pm

Saturday, June 21 at Tircoed Village Hall, Y Cyswllt, Tircoed SA4 9QZ between 10am and 1pm

The proposed gas-fired power station would be an ultra modern and clean facility with low emissions. If permitted and built, it would help strengthen and secure the UK's energy supply by providing back-up to intermittent energy that is generated from renewable sources (primarily wind and solar). The generating plant and its related infrastructure would be designed to operate flexibly (i.e. not always running) and would generate electricity for no more than 1,500 hours per year. It would have the capacity to generate up to 299MW of electricity, enough to power 400,000 homes at times of greatest demand and would contribute to the UK's transition to a low carbon economy. The Abergelli Power project would represent an investment of £200m and create both skilled and unskilled jobs during its construction and operations.

Abergelli Power is a UK-based energy development company solely focused on taking forward the project at Abergelli Farm. It is owned by Watt Power (www.wattpowerltd.co.uk) and aims to produce electricity for homes and businesses in Wales and elsewhere in the UK.

Abergelli Power considers consultation with the local community very important. We want to provide information about the proposed plans and the views of the local community will be an important factor in the development of the proposal. We have spoken with City and County of Swansea Council and preliminary planning, environmental and technical assessments are on-going.

At the forthcoming exhibitions, we will share information about these studies and other apsects of the project including the planning and statutory public consultation process. We hope that you will be able to attend. If not, detailed information on the project is available on the project website at www.abergellipower.co.uk. If you have any questions about the proposal, please do not hesitate to contact us by phone or in writing, see details below.

Sincerely

Norman Campbell
Project Director
Abergelli Power Ltd

PLEASE CONTACT US IF YOU NEED A LARGE PRINT VERSION OF THIS LETTER

Web: www.abergellipower.co.uk
Email: info@abergellipower.co.uk
Tel: 0131 350 3380

Post: Freepost RTEY-JYYB-ERSR,
Abergelli Power Ltd,
49 York Place, Edinburgh EH1 3JD

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A V Letter sent to local households and businesses (Welsh)

Mehefin 2014

Arddangosfeydd cyhoeddus ynghylch cynigiad i adeiladu gorsaf bŵer sy'n rhedeg ar nwy.

Annwyl Breswylydd

Ysgrifennaf i'ch hysbysu bod Abergelli Power Ltd yn ymchwilio i'r posibilrwydd o adeiladu gorsaf bŵer sy'n rhedeg ar nwy ar dir yn Fferm Abergelli, i'r de o Felindre, yn gyfagos i orsaf cywasgydd nwy'r Grid Cenedlaethol ac i'r gogledd o drafforddd yr M4.

Mae yna dri digwyddiad gwybodaeth wedi'u cynllunio'n lleol fydd yn darparu gwybodaeth am y cynigion. Bydd aelodau o dîm y prosiect wrth law i ateb unrhyw gwestiynau y gall fod gennych, a bydd ffurflenni adborth ar gael.

Bydd y digwyddiadau gwybodaeth hyn ar:

Ddydd Iau, 19 Mehefin yng Nghanolfan Adnoddau Cymunedol Forge Fach, Heol Hebron, Clydach, Abertawe, SA6 5EJ rhwng 3yh a 7yh

Ddydd Gwener, 20 Mehefin yn Neuadd Les Felindre, Felindre, Abertawe, SA5 7NA rhwng 3yh a 7yh

Ddydd Sadwrn, 21 Mehefin yn Neuadd Bentref Tircoed, Y Cyswllt, Tircoed SA4 9QZ rhwng 10yb a 1yh

Byddai'r orsaf bŵer arfaethedig sy'n rhedeg ar nwy yn gyfleuster tra modern a glân ag allyriadau isel. Pe'i caniateid a'i hadeiladid, byddai'n helpu i gryfhau ac i ddiogelu cyflenwad ynni'r Deyrnas Unedig drwy ddarparu cyflenwad wrth gefn i ategu ynni ysbeidiol a gynhyrchir o ffynonellau adnewyddadwy (yn bennaf gwynt ac ynni'r haul). Byddai'r gwaith cynhyrchu a'i seilwaith cysylltiedig yn cael eu cynllunio i weithredu'n hyblyg (hynny yw, heb fod yn gweithredu bob amser) a byddai'n cynhyrchu trydan am heb fod yn fwy na 1,500 o oriau'r flwyddyn. Byddai ganddo'r capasiti i gynhyrchu hyd at 299 megawat o drydan, sy'n ddigon i bweru 400,000 o gartrefi ar adegau o'r galw mwyaf, a byddai'n cyfrannu at gymorth y Deyrnas Unedig i bontio i economi carbon isel. Byddai prosiect Abergelli Power yn cynrychioli buddsoddiad gwerth £200 miliwn ac yn creu swyddi crefftus a swyddi di-grefft fel ei gilydd yn ystod ei gyfnod adeiladu a'i gyfnod gweithredu.

Mae Abergelli Power yn gwmni datblygu ynni sydd wedi'i leoli yn y Deyrnas Unedig, sy'n canolbwyntio'n gyfan gwbl ar ddatblygu'r prosiect yn Fferm Abergelli. Watt Power (www.wattpowerltd.co.uk) sy'n berchennog arno a'i nod yw cynhyrchu trydan ar gyfer cartrefi a busnesau yng Nghymru ac mewn mannau eraill yn y Deyrnas Unedig.

Mae Abergelli Power yn ystyried bod ymgynghori â'r gymuned leol yn bwysig iawn. Mae arnom eisiau darparu gwybodaeth am y cynlluniau arfaethedig, a bydd barn y gymuned leol yn ffactor pwysig wrth ddatblygu'r cynigiad. Rydym wedi siarad â Chyngor Dinas a Sir Abertawe ac mae asesiadau cynllunio, amgylcheddol a thechnegol rhagarweiniol yn mynd rhagddynt.

Yn yr arddangosfeydd sydd ar ddod, byddwn yn rhannu gwybodaeth am yr astudiaethau hyn ac agweddau eraill o'r prosiect, yn cynnwys y broses gynllunio a'r broses ymgynghori cyhoeddus statudol. Gobeithiwn y byddwch yn gallu mynychu. Os na fyddwch yn gallu, mae gwybodaeth fanwl am y prosiect ar gael ar wefan y prosiect yn www.abergellipower.co.uk. Oes gennych unrhyw gwestiynau am y cynigiad, cofiwch beidio â phetruso cyn cysylltu â ni, os gwelwch yn dda, drwy ffonio neu drwy ysgrifennu; gweler y manylion isod.

Yr eiddoch yn gywir

Norman Campbell
Cyfarwyddwr Prosiectau
Abergelli Power Ltd

CYSYLLTWCH Â NI, OS GWELWCH YN DDA, OS OES ARNOCH ANGEN FERSIWN PRINT BRAS O'R LLYTHYR HWN.

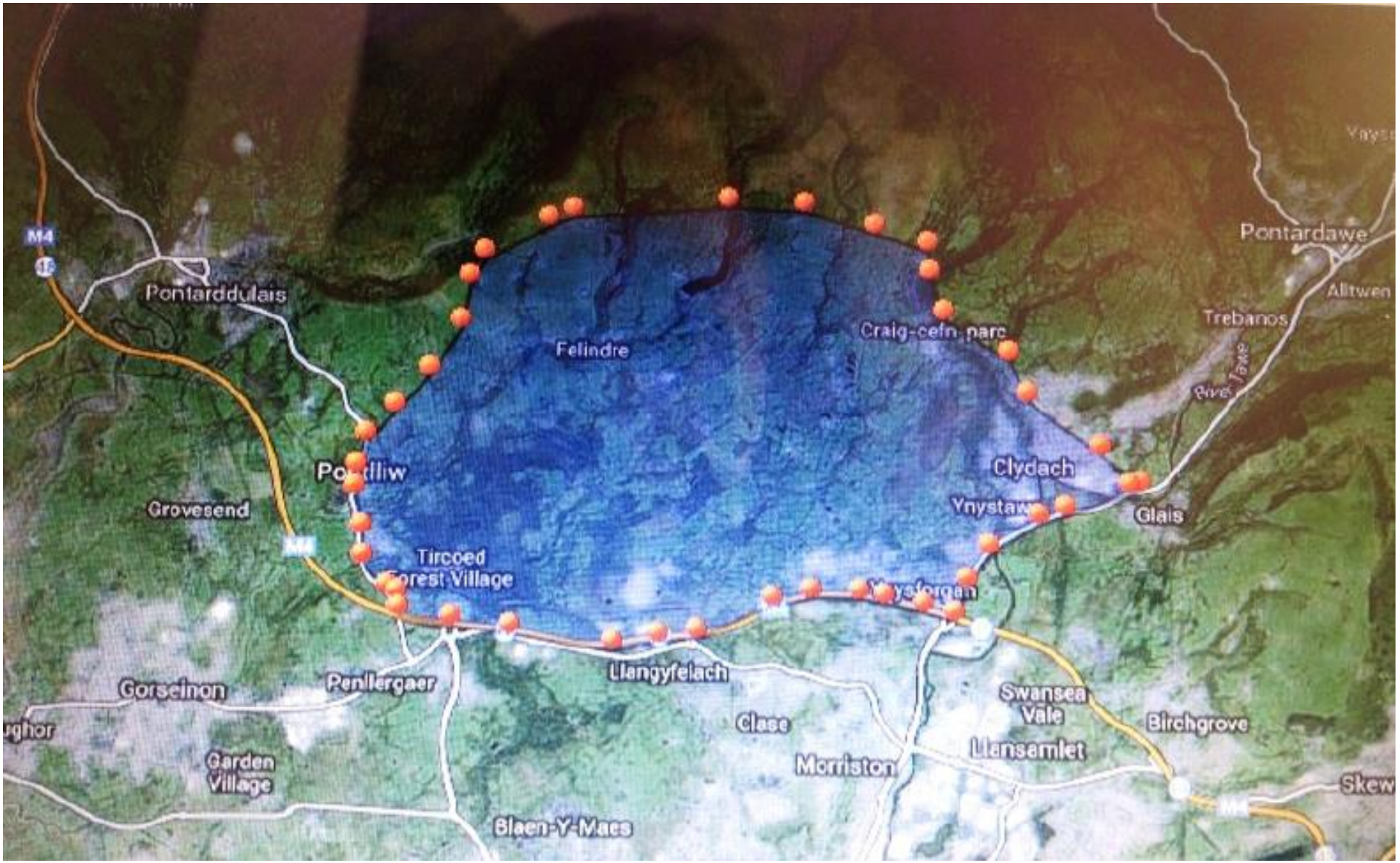
Gwe: www.abergellipower.co.uk
E-bost: info@abergellipower.co.uk
Ffôn: 0131 350 3380

Trwy'r Post: Freepost RTEY-JYYB-ERSR,
Abergelli Power Ltd,
49 York Place, Edinburgh EH1 3JD

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A VI Distribution list for local households and businesses

Distribution area map for letter sent to local households and businesses providing invitation to non-statutory exhibitions


M4
Pontarddulais
Felindre
Craig-cefn-parc
Pontardawe
Trebanos
Clydach
Ynystawe
Glais
Grovesend
Tircoed
Forest Village
Llangyfelach
Gorseinon
Penllergaer
Clase
Morriston
Swansea
Vale
Llansamlet
Birchgrove
Garden
Village
Blaen-Y-Maes

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A VII Letter sent to shops and community venues enclosing poster advertising non-statutory exhibitions (13th June 2014) (English/Welsh)

ADDRESS

13 June 2014

Dear Sir/Madam,

Re: Plans for a new gas-fired power station near Felindre

As you may be aware, Abergelli Power has announced proposals to build a gas-fired power station on land at Abergelli Farm, south of Felindre, adjacent to the National Grid Gas Compressor Station, and to the north of the M4 motorway. The proposed power station could produce up to 299 megawatts (MW) of electricity and inject tens of millions of pounds into the south west Wales economy.

Consultation is a very important part of the planning process and Abergelli Power will engage with local communities before applying for development consent to build the power station

I am writing to ask for your help in raising awareness of planned information days we will be holding to inform local people about the proposed power station.

We have sent more than 5000 letters to households and businesses in the area, but would appreciate it if you could display the enclosed posters in a prominent location so that as many members of the community as possible are aware of the opportunity to attend an information event.

More detailed information on the project is available on the project website at www.abergellipower.co.uk, and if you have any questions about the proposal, please do not hesitate to contact us on 0800 958 9015.

Thanking you in advance.

Yours faithfully

13 Mehefin 2014

Annwyl Syr/Fadam

Par: Cynlluniau ar gyfer gorsaf bŵer newydd sy'n rhedeg ar nwy ger Felindre

Fel y gallwch fod yn ymwybodol, mae Abergelli Power wedi cyhoeddi cynigion i adeiladu gorsaf bŵer sy'n rhedeg ar nwy ar dir ar Fferm Abergelli, i'r de o Felindre, gerllaw Gorsaf Cywasgydd Nwy'r Grid Cenedlaethol, ac i'r gogledd o draffordd yr M4. Gall yr orsaf bŵer arfaethedig gynhyrchu hyd at 299 megawat (MW) o drydan a chwistrellu degau o filiynau o bunnau i economi de-orllewin Cymru.

Mae ymgynghori'n rhan bwysig iawn o'r broses gynllunio, a bydd Abergelli Power yn ymgysylltu â chymunedau lleol cyn ymgeisio am ganiatâd datblygu i adeiladu'r orsaf bŵer.

Ysgrifennaf i ofyn am eich cymorth i godi ymwybyddiaeth o ddiwrnodau gwybodaeth sydd ar y gweill y byddwn yn eu cynnal i hysbysu pobl leol am yr orsaf bŵer arfaethedig.

Rydym wedi anfon mwy na 5000 o lythyrau i aelwydydd a busnesau yn yr ardal, ond byddem yn gwerthfawrogi pe gallech ddangos y posteri amgaeedig mewn lleoliad amlwg fel bod cynifer o aelodau'r gymuned â phosibl yn ymwybodol o'r cyfle i fynychu digwyddiad gwybodaeth.

Mae gwybodaeth fanylach am y prosiect ar gael ar wefan y prosiect yn www.abergellipower.co.uk, ac os oes gennych unrhyw gwestiynau am y cynigiad, cofiwch beidio â phetruso cyn cysylltu â ni ar 0800 958 9015, os gwelwch yn dda.

Gan ddiolch o flaen llaw.

Yr eiddoch yn gywir

Norman Campbell
Project Manager, Abergelli Power
Cyfarwyddwr Prosiectau, Abergelli Power Ltd

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A VIII List of shops and community venues to whom letter was sent enclosing poster advertising non-statutory exhibitions

List of shops and community venues to whom letter was sent enclosing poster advertising non-statutory exhibitions

Venues
Cwmtawe Dental Practice Ltd
The Laurels Dental Practice
The Masons Arms
The Buck Inn
The Village Tavern
The New Inn
The Headteacher, Clydach Primary School
The Headteacher, Craigcefnparc Primary School
The Headteacher, Craigfelen Primary School
The Headteacher, Penllergaer Primary School
The Headteacher, Pontlliw Primary School
The Headteacher, St Joseph's Catholic Primary
The Headteacher, Ysgol Gynradd Gymraeg Felindre
The Headteacher, Ysgol Gynradd Gymraeg Gellionnen
Capel y Nant Methodist Church
Diocese of Menevia, St Benedict
St. Davids Church, Penllergaer,
Bev's Shop
CWM Stores
The Co-operative Food
Sunnybank Mini Market

Londis
Clair's Convenience Store
Night & Day

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A X APL press release providing notification of non-statutory exhibitions (11th June 2014)

Jonathan Sebbage

From: Reece Emmitt
Sent: 11 June 2014 10:29
Subject: £200m power station proposal is announced

Hi,

Please see below news from Abergelli Power, who are today announcing a proposal to build a £200m gas fired power station to the north of Swansea.

Any queries, please do get in touch

Best
Reece

Reece Emmitt
Abergelli Power Press Office
t. 02920 814843

###

£200m power station proposal is announced

Abergelli Power Ltd pledges full consultation with local communities

11 June 2014

Abergelli Power Ltd, a UK energy project developer, today announces proposals to build a gas-fired power station on land at Abergelli Farm, south of Felindre, adjacent to the National Grid Gas Compressor Station and to the north of the M4 motorway. The proposed power station could produce up to 299 megawatts (MW) of electricity and inject tens of millions of pounds into the south west Wales economy.

The company will consult with local people and organisations before applying for permission to build the power station. The proposed project would support 150 jobs during the construction and commissioning period, and up to 15 new full time, skilled jobs when operational.

The proposed project would have low emissions and would help strengthen and secure the UK's energy supply by providing back up to intermittent energy that is generated from renewable sources – primarily wind and solar. The power station and its related energy infrastructure would be designed to operate flexibly (i.e. not always running) and would produce electricity for no more than 1,500 hours per year.

Consultation is a very important part of the planning process and Abergelli Power will engage with local communities before applying for development consent to build the power station. An initial phase of public information events to introduce the project will be held at the following local venues:

- **Thursday, June 19 at Forge Fach Community Resource Centre, Hebron Road, Clydach, Swansea, SA6 5 EJ between 3pm and 7pm;**

- **Friday, June 20 at Felindre Welfare Hall, Felindre, Swansea, SA5 7NA between 3pm and 7pm; and**

- **Saturday, June 21 at Tircoed Village Hall, Y Cyswllt, Tircoed SA4 9QZ between 10am and 1pm.**

Members of the Abergelli Power project team will be on hand at these events to explain the how the proposals will be taken forward and how the consultation process is expected to evolve. Consultation with local communities and organisations, including City & County of Swansea Council as well as the community councils in the vicinity of the site, will be a part of the consenting process for the project, alongside the detailed environmental impact assessments and technical studies that will be undertaken over the coming months.

People and local businesses in the area are being notified of the exhibitions by letter and via an advertisement in the local press. Information about the project and Abergelli Power can also be viewed online via www.abergellipower.co.uk

Abergelli Power proposes to take gas from the nearby National Gas Transmission System and use it to generate electricity. This energy will feed into the National Grid, which also runs very close to the site. The power station will produce up to 299MW of electricity, enough to supply the equivalent of around 400,000 homes, at times when demand is highest.

Norman Campbell, Abergelli Power's project director said:

"This power station will be an ultra modern and clean facility and a very significant investment in the local economy. We will do our utmost to ensure that the power plant will cause the minimum disturbance locally, during construction and subsequent operation. Its operation will be subject to stringent environmental and emission regulations.

"We will seek to maximise local economic benefit where we can, both during construction and operations.

He added: *"Before seeking permission to build the plant, there will be an extensive consultation process with City & County of Swansea Council and with local people and interest groups. This is extremely important to us, as we want to explain our plans in detail and listen to what people have to say."*

Mr Campbell said that Swansea City Council and the Welsh Government had been briefed on the proposal. Following consultation and feedback from communities and interest groups, Abergelli Power intends to submit an application for a Development Consent Order to the UK's Planning Inspectorate in early 2015 with a final decision taken by the Secretary of State for Energy and Climate Change. Additional consents, including planning permissions, may also be required for elements of the project.

Abergelli Power is a development company solely focused on taking forward the project at Abergelli Farm. It is owned by Watt Power (www.wattpowerltd.co.uk). The Watt Power management team has extensive experience of developing energy projects in the UK and overseas. The company is currently taking forward two similar power station projects in the UK: one in Hirwaun, in Rhondda Cynon Taf and one in Suffolk, south east England.

Subject to the consultation and planning process and financing, the power station could enter commercial operation by 2020.

Ends

For further information contact the Abergelli Power press office on 02920 814843 or alternatively email info@abergellipower.com

Notes to editors:

Abergelli Power Ltd (APL) (www.abergellipower.co.uk) has been established by Watt Power Ltd. (WPL). WPL has been established to develop a portfolio of flexible gas fired generation assets to support the UK Government drive to a low carbon economy. Stag Energy provides the resources through a management

services agreement with WPL. Stag Energy was founded in 2002 and the company draws on a depth of experience with a team that has created and delivered over 10,000 MW of power generation and related infrastructure projects across the globe, of which 2,500 MW was delivered in the UK.

Stag Energy / WPL are committed to the development of well sited, sustainable energy projects that are designed to meet the specific needs of the evolving UK energy market. They recognise the need to balance commercial issues with the environmental benefits and concerns of energy projects and believe this can be responsibly delivered at a local level.

They are also committed to acting in a socially and environmentally responsible manner. As part of this policy, they will ensure that the views and concerns of the local community are addressed, and that the Power Project and supporting infrastructure is designed and developed to the highest quality, safety and environmental standards.

For further details please visit: http://www.stagenergy.com/ or http://www.wattpowerltd.co.uk/

Appendix 2.A: Phase 1 Non-Statutory Consultation with the Local Community: Advertising and Publicity

2.A XI Non-statutory exhibition newspaper advert (published in South Wales Evening Post on 12th June 2014)

Runners race in for fun

Geraint Thomas

ALMOST 500 people crossed the line to finish this year's LC Swansea Bay 5K.

The races started with the under 11s One Mile Challenge, with former Welsh rugby international Paul Thorburn firing the starting pistol, and was followed by the main LC 5K race which was one of the busiest races to date.

A spokesman for the event said: "A big congratulations must go to the Abertawe Bro Morgannwg Health Board who had more than 200 entrants raising money for various charities and getting fit in the process.

"Everyone completed the event with a smile on their face no matter what their finishing time, especially the members of Ilan for All Ninth who easily won the largest team prize and seemed to have cheerful runners everywhere you looked!"

Youngsters will have another chance to wear their running shoes on Tuesday when this year's LC Primary School Run takes place.

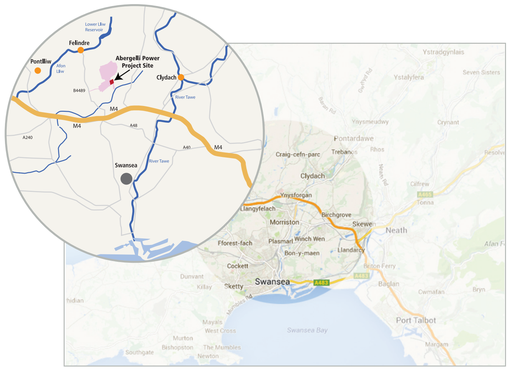
The spokesman added: "Hopefully all Swansea primary school children will turn out in great numbers to help their school claim part of the £1,000 on offer for the school with the greatest number of runners at the event.

"The fun starts at 5pm with first races at 6pm starting with nursery then all school years through to year six."

Appendix 2.B: Phase 1 Non-Statutory Consultation with the Local Community: Exhibition Materials

2.B I Phase 1 Exhibition Boards (English)

Proposal for a gas-fired power station
Abergelli Farm



Abergelli Power Ltd proposes to develop a gas-fired power station on land at Abergelli Farm, southeast of Felindre and adjacent to the National Grid Gas Compressor Station

The power station, if consented and built, will:

- Generate up to 299 MW of electricity, enough to power the equivalent of 400,000 homes
- Run no more than 1500 hours per year
- Use the very latest and most efficient power generating technology
- Burn natural gas to generate electricity that is delivered into the National Grid
- Create up to 150 construction jobs
- Create up to 15 full time jobs during its 25 year lifetime
- Represent a £200 million investment into the local area

Subject to public consultation, planning and financing, the power station could commence operation in 2019/2020.

Who is Abergelli Power?

Abergelli Power is an energy development company dedicated to the Abergelli Power project and is owned by Watt Power Ltd.

Watt Power has a strong commitment to safety, the environment and the communities within which it operates. It is presently taking forward two similar projects – one in south Wales, the other in Suffolk.

Abergelli Power will work closely with local communities as the proposals for the power station evolve.

The need for gas generation:

- New gas-fired power stations like Abergelli Power will underpin the UK's energy security and help ensure there is no shortfall in generating capacity
- Gas provides essential back-up to power generation from intermittent renewable sources like wind
- Abergelli Power is designed to operate flexibly to respond quickly to short-term variations in demand and intermittent wind generation output
- Modern gas-fired power stations emit 50% less carbon dioxide than existing coal plant – a significant contribution to reducing UK carbon emissions

Why Abergelli Farm?

1. Proximity to the national gas and electricity transmission networks
2. Located in National Grid's strategic area for new electricity generation

Community benefits

Abergelli Power is proposing a £200 million project which represents a substantial investment in the area and would deliver significant economic benefits for a period of at least 25 years, including:

- Creation of up to 150 jobs during a two year construction period
- Creation of up to 15 permanent skilled jobs for on-going operation and maintenance of the facility
- Potential business opportunities for local suppliers

Abergelli Power will consult with the local authority on ways to bring wider social and environmental benefits to the surrounding area.

Environment:

- The proposed power station will help ensure that the UK meets its low carbon emission targets
- It will be designed and developed to high quality, safety and environmental standards
- Robust efforts will be made to minimise impact on local environment during construction and operation

Planning and Consultation

Given its electrical output exceeds 50 MW, the project is classified as a Nationally Significant Infrastructure Project and an application must therefore be submitted to the Planning Inspectorate for a Development Consent Order. Once submitted, the application will be considered over a six month examination period by the Planning Inspectorate, on behalf of the Secretary of State for Energy and Climate Change.

The City and County of Swansea Council will be a key consultee along with local community councils and other local and national organisations.

Public consultation is an integral part of the planning process. Local residents, businesses and other local interest groups will be consulted before any applications are made and their views will help shape the final application.

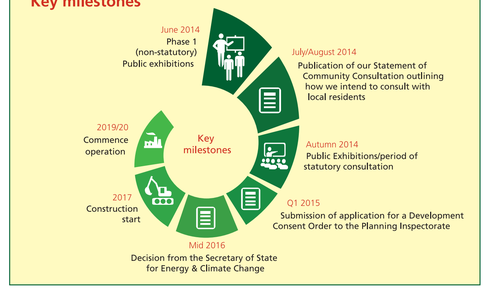
Prior to submission of any application, there will be thorough consultation. This current phase of non-statutory consultation (Phase 1) will be followed by a period of statutory consultation (Phase 2).

An Environmental Scoping Report is being prepared to identify the scope of information required to complete the application for a Development Consent Order. It will be available on our website and on the Planning Inspectorate's website.

A detailed Environmental Impact Assessment (EIA) will be made. It will consider a range of issues including:

- Air and water quality
- Emissions
- Noise
- Landscape and visual impact
- Local ecology, archaeology and heritage
- Transport

Key milestones



For more information, please visit

www.abergellipower.co.uk

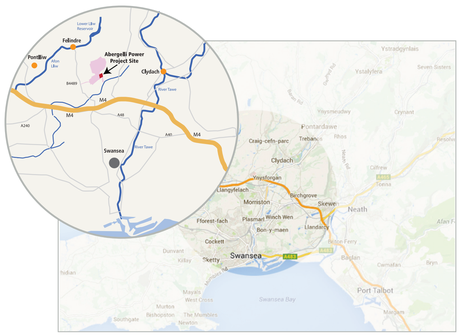
Or contact us via

Phone: 0131 550 3380
Post: Abergelli Power Ltd. c/o Watt Power, 49 York Place, Edinburgh EH1 3JD
Freepost RTEY-JYYB-ERSR, Abergelli Power Ltd, 49 York Place, Edinburgh EH1 3JD
Email: info@abergellipower.co.uk

Appendix 2.B: Phase 1 Non-Statutory Consultation with the Local Community: Exhibition Materials

2.B II Phase 1 Exhibition Boards (Welsh)

Cynigiad ar gyfer gorsaf bŵer sy'n rhedeg ar nwy
Fferm Abergelli



Mae Abergelli Power Cyf. yn cynnig datblygu gorsaf bŵer sy'n rhedeg ar nwy ar dir ar Fferm Abergelli, i'r de-ddwyrain o Felindre a gerllaw Gorsaf Cywasgydd Nwy'r Grid Cenedlaethol.

Bydd yr orsaf bŵer, pe'i caniateid a'i hadeiladid, yn:

- Cynhyrchu hyd at 299 megawat o drydan, digon i bweru'r hyn sy'n gyfwerth â 400,000 o gartrefi
- Gweithredu am heb fod yn fwy na 1500 o oriau'r flwyddyn
- Defnyddio'r dechnoleg cynhyrchu pŵer ddiweddaraf un a'r fwyaf effeithlon
- Llosgi nwy naturiol i gynhyrchu trydan a ddanfonir i'r Grid Cenedlaethol
- Creu 150 o swyddi adeiladu
- Cyflogi 15 o bobl yn ystod ei rychwant oes o 25 o flynyddoedd
- Cynrychioli buddsoddiad gwerth £200 miliwn yn yr ardal leol

Yn amodol ar ymgynghori â'r cyhoedd, cynllunio ac ariannu, gallai'r orsaf bŵer ddechrau gweithredu yn 2019/2020.

Pwy yw Abergelli Power?

Mae Abergelli Power yn gwmni datblygu ynni sydd wedi'i neilltuo i brosiect Abergelli Power, a Watt Power Ltd yw ei berchennog. Mae gan Watt Power ymrwymiad cryf i ddiogelwch, i'r amgylchedd ac i'r cymunedau lle mae'n gweithredu. Mae ar hyn o bryd yn datblygu dau brosiect cyffelyb - y naill yn Ne Cymru a'r llall yn Suffolk. Bydd Abergelli Power yn gweithio'n agos â chymunedau lleol wrth i'r cynigion ar gyfer yr orsaf bŵer esblygu.

Yr angen am gynhyrchu nwy:

- Bydd gorsafoedd newydd i gynhyrchu nwy, fel Abergelli Power, yn tanategu sicrwydd ynni'r Deyrnas Unedig ac yn helpu i sicrhau nad oes yna ddiffyg mewn capasiti cynhyrchu
- Mae nwy'n darparu cyflenwad wrth gefn hanfodol i ategu pŵer a gynhyrchir o ffynonellau adnewyddadwy ysbeidiol fel gwynt
- Mae Abergelli Power wedi'i ddylunio i weithredu'n hyblyg i ymateb yn gyflym i amrywiadau byrdymor mewn galw ac mewn allbwn ysbeidiol gan bŵer gwyntt
- Mae gorsafoedd pŵer modern sy'n rhedeg ar nwy yn allyrru 50% yn llai o garbon deuocsid na gweithfeydd glo presennol - sef cyfraniad sylweddol tuag at leihau allyriadau carbon y Deyrnas Unedigs

Pam Fferm Abergelli?

1. Ei hagosrwydd at y rhwydweithiau trawsyrru nwy a thrydan cenedlaethol
2. Mae wedi'i leoli yn ardal strategol y Grid Cenedlaethol ar gyfer cynhyrchu trydan newydd.

Buddion Cymunedol

Mae Abergelli Power yn brosiect gwerth £200 miliwn sy'n cynrychioli buddsoddiad sylweddol yn yr ardal, a byddai'n darparu buddion economaidd sylweddol am gyfnod o 25 o flynyddoedd o leiaf:

- Creu oddeutu 150 o swyddi yn ystod cyfnod adeiladu o 2 flynedd
- Creu 15 o swyddi crefftus parhaol ar gyfer gweithredu a chynnal a chadw'r cyfleuster yn barhaus
- Potensial ar gyfer cyfleoedd busnes i gyflenwyr lleol

Bydd Abergelli Power yn ymgynghori â'r awdurdodau lleol ynglŷn â ffyrdd o ddod â buddion cymdeithasol ac amgylcheddol ehangach i'r ardal o amgylch.

Yr Amgylchedd:

- Bydd yr orsaf bŵer arfaethedig yn helpu i sicrhau bod y Deyrnas Unedig yn cyrraedd ei thargedau ar gyfer allyriadau carbon isel
- Bydd yn cael ei dylunio a'i datblygu hyd at Safonau ansawdd, diogelwch ac amgylcheddol uchel
- Gwneir ymdrechion cadarn i leihau hyd yr eithaf ar yr effaith ar yr amgylchedd lleol yn ystod adeiladu a gweithredu

Cynllunio ac Ymgynghori

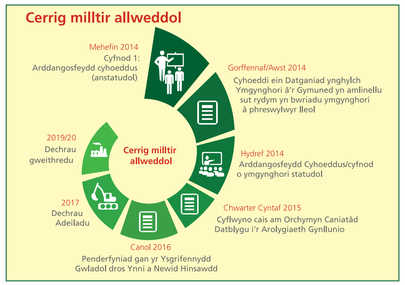
O ystyried bod ei allbwn trydanol yn uwch na 50 megawat, caiff y prosiect ei gategoreiddio fel Prosiect Seilwaith Cenedlaethol ei Arwyddocâd, ac felly mae'n rhaid cyflwyno cais i'r Arolygiaeth Gynllunio am Orchymyn Caniatâd Datblygu. Unwaith y bydd wedi'i gyflwyno, bydd y cais yn cael ei ystyried dros gyfnod archwilio o chwe mis gan yr Arolygiaeth Gynllunio, ar ran yr Ysgrifennydd Gwladol dros Ynni a Newid Hinsawdd.

Bydd Cyngor Dinas a Sir Abertawe yn ymgynghorai allweddol, ynghyd â chynghorau cymuned lleol a sefydliadau lleol a chenedlaethol eraill.

Mae ymgynghori â'r cyhoedd yn rhan annatod o'r broses gynllunio. Ymgynghorir â phreswylwyr a busnesau lleol a grwpiau buddiant lleol eraill cyn y gwneir unrhyw geisiadau, a bydd eu barn yn helpu i lunio'r cais terfynol.

Cyn y cyflwynir unrhyw gais, bydd yna ymgynghori trylwyr. Dilynir y cyfnod hwn o ymgynghori anstatudol (Cyfnod 1) gan gyfnod o ymgynghori statudol (Cyfnod 2).

Mae yna Adroddiad Cwmpasu Amgylcheddol yn cael ei baratoi i nodi



rhychwant y wybodaeth sydd ei hangen i gwblhau'r cais am Orchymyn Caniatâd Datblygu. Bydd ar gael ar ein gwefan ac ar wefan yr Arolygiaeth Gynllunio.

Gwneir Asesiad manwl o'r Effaith Amgylcheddol (EIA). Bydd yn ystyried ystod o faterion, yn cynnwys:

- Ansawdd aer a dŵr
- Allyriadau
- Sŵn
- Tirwedd ac effaith weledol
- Ecoleg, archeoleg a threftadaeth leol
- Trafnidiaeth

I gael mwy o wybodaeth, ewch i

www.abergellipower.co.uk

Neu cysylltwch â ni, os gwelwch yn dda, trwy

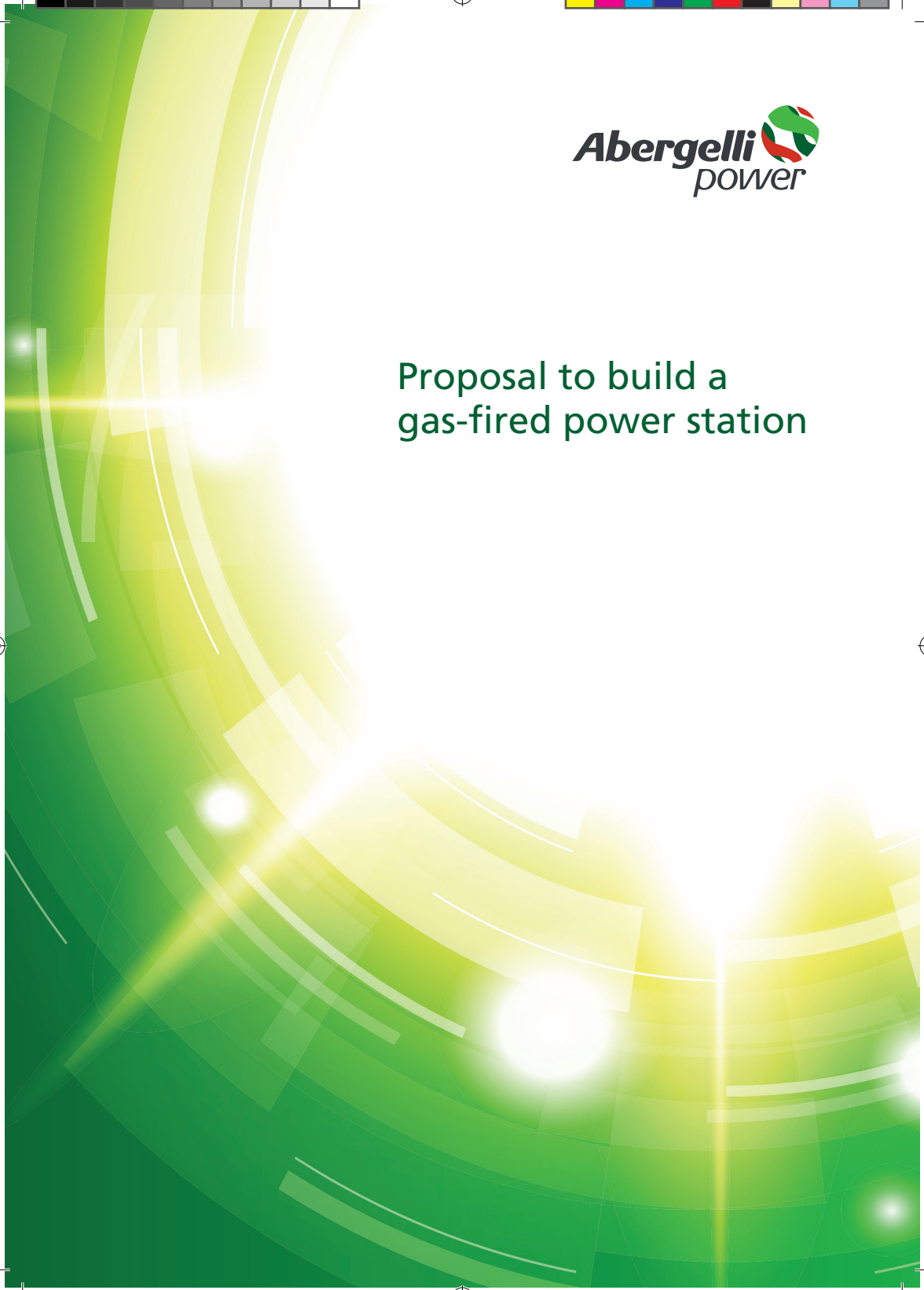
Ffonio: 0131 550 3380

Anfon Llythyr: Abergelli Power Ltd. c/o Watt Power, 49 York Place, Edinburgh / Caeredin EH1 3JD
Freepost RTEY-JYYB-ERSR, Abergelli Power Ltd, 49 York Place, Edinburgh / Caeredin EH1 3JD

Anfon E-bost: info@abergellipower.co.uk

Appendix 2.B: Phase 1 Non-Statutory Consultation with the Local Community: Exhibition Materials

2.B III Leaflet available at non-statutory exhibitions (English)



Abergelli power

Proposal to build a gas-fired power station

Abergelli Power

Abergelli Power Ltd ('Abergelli Power') proposes to develop a gas-fired power station and connections to the electricity and gas networks on land at Abergelli Farm, south of Felindre, adjacent to the National Grid Gas Compressor Station and to the north of the M4 motorway. The proposed power station would be capable of generating up to 299 MW of electricity, enough to power the equivalent of 400,000 homes at times when demand is greatest. Using the latest and most efficient power generating technology, it will burn natural gas to generate electricity that is delivered into the National Grid. Due to its size, the Abergelli Power project would be a Nationally Significant Infrastructure Project and as such it would require a Development Consent Order (DCO).

Subject to public consultation, planning and financing, the power station could commence operations in 2019/20. It would create up to 150 jobs during construction, up to 15 full time skilled jobs once operating and contribute to the local economy during its 25 year lifetime.

Prior to submission of any DCO application for the Abergelli Power project, there will be a two-stage consultation process: non-statutory consultation (Phase 1) followed by a period of statutory consultation (Phase 2). This leaflet forms part of the Phase 1 non-statutory consultation. Statutory consultation is expected to take place in the autumn of 2014 and will be advertised well in advance.

An application for the Abergelli Power project is expected to be submitted in Q1 2015. If accepted, the application would then be examined by the Planning Inspectorate over the course of 2015 with a decision from the Secretary of State for Energy and Climate Change likely to be issued in early to mid-2016.

Who is Abergelli Power?

Abergelli Power is an energy development company dedicated to the Abergelli Power project and is owned by Watt Power Ltd (www.wattpowerltd.co.uk).

The development team at Watt Power Ltd ("Watt Power") has a long track record of developing successful energy infrastructure projects in the UK and overseas. The company aims to develop a portfolio of flexible gas-fired power stations in this country that can support the UK's drive to a low carbon economy.

Watt Power is taking forward two similar power projects elsewhere in the UK: one at Hirwaun near Aberdare in south Wales (Hirwaun Power) and the other near Eye in Suffolk (Progress Power). Both projects have had their applications for a DCO accepted by the Planning Inspectorate and are entering an examination phase within the next few months.

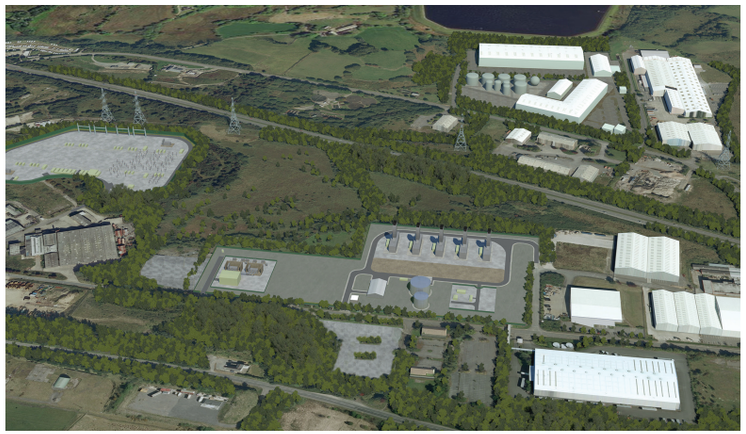
Watt Power has a strong commitment to the environment, safety and the communities within which it operates. Abergelli Power wishes to work closely with local communities as its proposals for the power project evolve.

The Need For Gas Generation

Gas is affordable, reliable and flexible and is acknowledged by the Government as being essential to the transition to a low-carbon economy and to retain the country's energy security, as many coal and oil-fired power stations in the UK have closed or will do so over the next few years. Many ageing nuclear power stations will also close and whilst new nuclear stations are proposed, these are not expected to enter operation until after 2025.

In addition, gas provides essential back-up to power generation from renewable sources, primarily wind power, which is increasing but intermittent.

New gas-fired power stations, like the one proposed in Abergelli, will underpin the UK's energy security and help ensure there is no shortfall in the country's generating capacity.



Indicative drawing of Watt Power's proposed project at Hirwaun

The proposed power station will be designed to operate flexibly (i.e. not "always on") so that it can respond quickly and efficiently to short-term variations in customer demand and the intermittent output from onshore and offshore wind power. The power station will run no more than 1500 hrs per year.

Modern, gas-fired power stations are among the most efficient forms of electricity generation. They emit at least 50% less carbon dioxide than existing coal-fired plants and can therefore make a significant contribution to the reduction of the UK's carbon emissions.

Why Abergelli Farm?

We consider the site to be one of the very best in the UK. It has two key advantages:

1. Proximity to the national gas and electricity transmission networks
2. Located in National Grid's strategic area for new electricity generation

Community benefits

Abergelli Power is proposing a £200m project which represents a substantial investment in the area and would deliver significant economic benefits for a period of least 25 years, including:

- Creation of up to150 jobs during a two year construction period
- Creation of up to 15 permanent skilled jobs for on-going operation and maintenance of the facility
- Potential business opportunities for local suppliers and contractors

Abergelli Power will be discussing how best to bring wider social and environmental benefits to the surrounding area with the local authority and other bodies.

Environment

An Environmental Scoping Report has been prepared to identify the scope of information that Abergelli Power intends to include in the Environmental Impact Assessment for the project. This document will be available on our website, as well as on the website of the Planning Inspectorate.

A detailed Environmental Impact Assessment (EIA) will be undertaken in accordance with legislation, statutory guidance and best practice and will form part of the application for development consent for the Abergelli Power project.

The EIA will consider a range of issues:

- Air and water quality
- Noise
- Transport
- Emissions
- Landscape and visual impact
- Local ecology, archaeology and heritage

A preliminary environmental information report will also be published during the Phase 2 statutory consultation.

Planning and Consultation

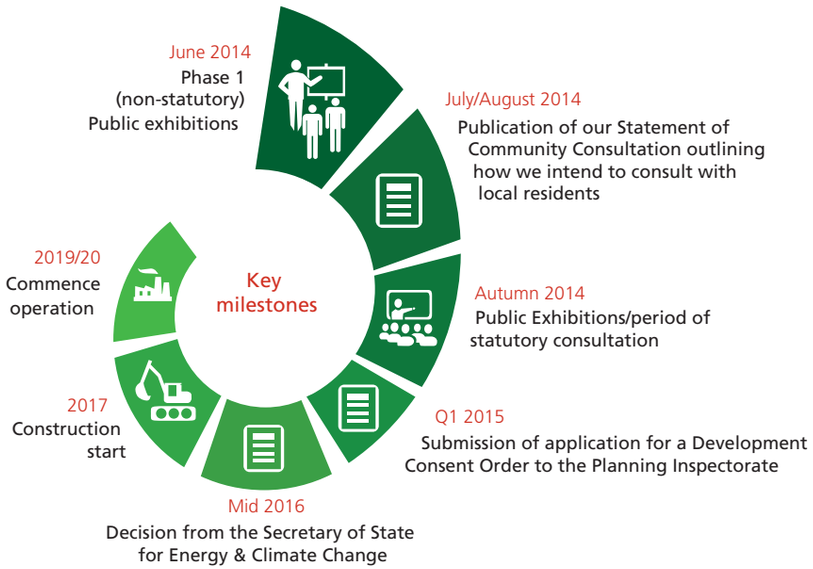
The proposed power station will require development consent approval under the Planning Act 2008.

Given its electrical output exceeds 50 MW, the Project is classified as a Nationally Significant Infrastructure Project and must therefore submit an application for a DCO. Once submitted, the application will be considered over a six month examination period by the Planning Inspectorate, on behalf of the Secretary of State for Energy and Climate Change. The final decision on the application will be made by the Secretary of State, following a recommendation made by the Planning Inspectorate.

The decision on the DCO application will not be made by the local authority. However, the City and County of Swansea Council will be a key consultee in the consenting process along with local community councils and other local and national organisations.

Public consultation is an integral part of the planning process. Local residents, businesses and other local interest groups will be consulted before an application for the Abergelli Power project is made and their views will help shape the final application for development consent.

Key Milestones:



Your views

We would welcome your views on the Abergelli Power project, including any comments or concerns that you may have. This is Phase 1 of the consultation process. You will also be able to express your views in Phase 2. As well as participating in Phases 1 and 2 of the consultation process, you will have the opportunity to participate in the Examination of the Abergelli Power project DCO application, following the application's submission and acceptance.

For more information,
please visit www.abergellipower.co.uk

Or contact us via:

Phone: 0131 550 3380

Post: Abergelli Power Ltd c/o Watt Power,
49 York Place, Edinburgh EH1 3JD

Freepost: RTEY-JYYB-ERSR, Abergelli Power Ltd,
49 York Place, Edinburgh EH1 3JD

Email: info@abergellipower.co.uk

Appendix 2.B: Phase 1 Non-Statutory Consultation with the Local Community: Exhibition Materials

2.B IV Leaflet available at non-statutory exhibitions (Welsh)

Cynigiad i adeiladu gorsaf bŵer sy'n rhedeg ar nwy

Abergelli Power

Mae Abergelli Power Cyf. ('Abergelli Power') yn cynnig datblygu gorsaf bŵer sy'n rhedeg ar nwy a chysylltiadau i'r rhwydweithiau trydan a nwy ar dir ar Fferm Abergelli, i'r de o Felindre, gerllaw Gorsaf Cywasgydd Nwy'r Grid Cenedlaethol, ac i'r gogledd o drafforddd yr M4. Byddai'r orsaf bŵer arfaethedig yn gallu cynhyrchu hyd at 299 megawat o drydan, sy'n ddigon i bweru'r hyn sy'n gyfwerth â 400,000 o gartrefi ar adegau pan fo galw ar ei uchaf. Gan ddefnyddio'r dechnoleg cynhyrchu pŵer ddiweddaraf a fwyaf effeithlon, bydd yn llosgi nwy naturiol i gynhyrchu trydan sy'n cael ei ddanfon i'r Grid Cenedlaethol. Oherwydd ei faint, byddai prosiect Abergelli Power yn Brosiect Seilwaith Cenedlaethol ei Arwyddocâd ac o'r herwydd, byddai'n rhaid iddo gael Gorchymyn Caniatâd Datblygu.

Yn amodol ar ymgynghori â'r cyhoedd, cynllunio ac ariannu, gall yr orsaf b ŵer ddechrau gweithrediadau yn 2019/20. Byddai'n creu hyd at 150 o swyddi yn ystod y cyfnod adeiladu, hyd at 15 o swyddi crefftus amser llawn unwaith y bydd yn weithredol, ac yn cyfrannu tuag at yr economi lleol yn ystod ei rychwant oes o 25 o flynyddoedd.

Cyn y cyflwynir unrhyw gais am Orchymyn Caniatâd Datblygu ar gyfer prosiect Abergelli Power, bydd yna broses ymgynghori dau gam: ymgynghori anstatudol (Cyfnod 1), a ddilynir gan gyfnod o ymgynghori statudol (Cyfnod 2). Mae'r daflen hon yn ffurfio rhan o ymgynghori anstatudol Cyfnod 1. Disgwylir y bydd ymgynghori statudol yn digwydd yn hydref 2014 a chaiff ei hysbysebu ymhell o flaen llaw.

Disgwylir y cyflwynir cais ar gyfer prosiect Abergelli Power yn chwarter cyntaf 2015. Os caiff ei dderbyn, byddai'r cais wedyn yn cael ei archwilio gan yr Arolygiaeth Gynllunio yn ystod 2015, gyda phenderfyniad gan yr Ysgrifennydd Gwladol dros Ynni a Newid Hinsawdd yn debygol o gael ei gyhoeddi rhwng dechrau a chanol 2016.

Pwy yw Abergelli Power?

Mae Abergelli Power yn gwmni datblygu ynni sydd wedi'i neilltuo i brosiect Abergelli Power, ac mae Watt Power Ltd (www.wattpowerltd.co.uk) yn berchennog arno.

Mae gan y tîm datblygu yn Watt Power Ltd ("Watt Power") record hirfaith o ddatblygu prosiectau seilwaith ynni llwyddiannus yn y Deyrnas Unedig a thramor. Nod y cwmni yw datblygu portffolio o orsafoedd pŵer hyblyg sy'n rhedeg ar nwy yn y wlad hon a all gynorthwyo ymgyrch y Deyrnas Unedig i gael economi carbon isel.

Mae Watt Power yn datblygu dau brosiect pŵer cyffelyb mewn mannau eraill yn y Deyrnas Unedig: y naill yn Hirwaun ger Aberdâr yn Ne Cymru (Hirwaun Power), a'r llall ger Eye yn Suffolk (Progress Power). Mae ceisiadau'r ddau brosiect am Orchymyn Caniatâd Datblygu wedi cael eu derbyn gan yr Arolygiaeth Gynllunio ac maent yn dechrau ar gyfnod archwilio o fewn yr ychydig fisoedd nesaf.

Mae gan Watt Power ymrwymiad cryf i'r amgylchedd, i ddiogelwch ac i'r cymunedau lle maent yn gweithredu. Dymuna Abergelli Power weithio'n agos â chymunedau lleol, fel mae'u cynigion ar gyfer y prosiect pŵer yn esblygu

Yr Angen am Gynhyrchu Nwy

Mae nwy'n fforddiadwy, yn ddibynadwy ac yn hyblyg ac fe'i cydnabyddir gan y Llywodraeth fel rhywbeth sy'n hanfodol i'r pontio i economi carbon isel ac i sicrhau sicrwydd ynni'r wlad, gan fod llawer o orsafoedd pŵer sy'n rhedeg ar lo a gorsafoedd pŵer sy'n rhedeg ar olew yn y Deyrnas Unedig wedi cau neu'n mynd i gau dros yr ychydig flynyddoedd nesaf. Bydd llawer o orsafoedd pŵer niwclear sy'n heneiddio hefyd yn cau, ac er bod gorsafoedd niwclear newydd yn cael eu cynnig, ni ddisgwylir y bydd y rhain yn dechrau gweithredu tan ar ôl 2025.

Yn ychwanegol, mae nwy'n darparu cyflenwad wrth gefn hanfodol i ategu'r pŵer a gynhyrchir o ffynonellau adnewyddadwy, yn bennaf pŵer gwynt, sy'n cynyddu serch ei fod yn ysbeidiol.

Bydd gorsafoedd pŵer newydd sy'n rhedeg ar nwy, fel yr orsaf bŵer a gynigir yn Abergelli, yn tanategu sicrwydd ynni'r Deyrnas Unedig ac yn helpu i sicrhau nad oes yna ddiffyg o ran capasiti cynhyrchu y wlad.

Llun dangosol o brosiect arfaethedig Watt Power yn Hirwaun

Llun dangosol o brosiect arfaethedig Watt Power yn Hirwaun

Bydd yr orsaf bŵer arfaethedig yn cael ei chynllunio i weithredu'n hyblyg (hynny yw, nid "yn gweithredu bob amser") fel y gall ymateb yn gyflym ac yn effeithlon i amrywiadau byrdymor yn y galw gan gwsmeriaid a'r allbwn ysbeidiol o bŵer gwynt atraeth ac alltraeth. Ni fydd yr orsaf bŵer yn weithredol am fwy na 1500 o oriau'r flwyddyn.

Mae gorsafoedd pŵer modern, sy'n rhedeg ar nwy ymysg y dulliau mwyaf effeithlon o gynhyrchu trydan. Maent yn allyrru o leiaf 50% yn llai o garbon deuocsid na gweithfeydd presennol sy'n rhedeg ar lo, a gallant felly wneud cyfraniad sylweddol tuag at leihau allyriadau carbon y Deyrnas Unedig.

Pam Fferm Abergelli?

Ystyriwn fod y safle yn un o'r goreuon yn y Deyrnas Unedig. Mae ganddo ddwy fantais allweddol:

1. Agosrwydd at y rhwydweithiau trawsyrru nwy a thrydan cenedlaethol
2. Mae wedi'i leoli yn ardal strategol y Grid Cenedlaethol ar gyfer cynhyrchu trydan newydd

Buddion Cymunedol

Mae Abergelli Power yn cynnig prosiect gwerth £200 miliwn sy'n cynrychioli buddsoddiad sylweddol yn yr ardal, a byddai'n darparu buddion economaidd sylweddol am gyfnod o 25 o flynyddoedd o leiaf, yn cynnwys:

- Creu hyd at 150 o swyddi yn ystod cyfnod adeiladu o ddwy flynedd
- Creu hyd at 15 o swyddi crefftus parhaol ar gyfer gweithredu a chynnal a chadw'r cyfleuster yn gyson
- Y potensial ar gyfer cyfleoedd busnes i gyflenwyr a chontractwyr lleol

Bydd Abergelli Power yn trafod â'r awdurdod lleol a chyrff eraill sut orau i ddod â buddion cymdeithasol ac amgylcheddol ehangach i'r ardal o amgylch.

Yr Amgylchedd

Mae yna Adroddiad Cwmpasu Amgylcheddol wedi'i baratoi i nodi'r rhychwant o wybodaeth y mae Abergelli Power yn bwriadu'i chynnwys yn yr Asesiad o'r Effaith Amgylcheddol ar gyfer y prosiect. Bydd y ddogfen hon ar gael ar ein gwefan, yn ogystal ag ar wefan yr Arolygiaeth Gynllunio.

Cynhelir Asesiad manwl o'r Effaith Amgylcheddol, yn unol â deddfwriaeth, canllawiau statudol ac arfer gorau, a bydd yn ffurfio rhan o'r cais am ganiatâd datblygu ar gyfer prosiect Abergelli Power.

Bydd yr Asesiad o'r Effaith Amgylcheddol yn ystyried ystod o faterion:

- Ansawdd aer a dŵr
- Sŵn
- Trafnidiaeth
- Allyriadau
- Tirwedd ac effaith weledol
- Ecoleg, archeoleg a threftadaeth leol

Bydd yna adroddiad gwybodaeth amgylcheddol rhagarweiniol hefyd yn cael ei gyhoeddi yn ystod Cyfnod 2 yr ymgynghori statudol.

Cynllunio ac Ymgynghori

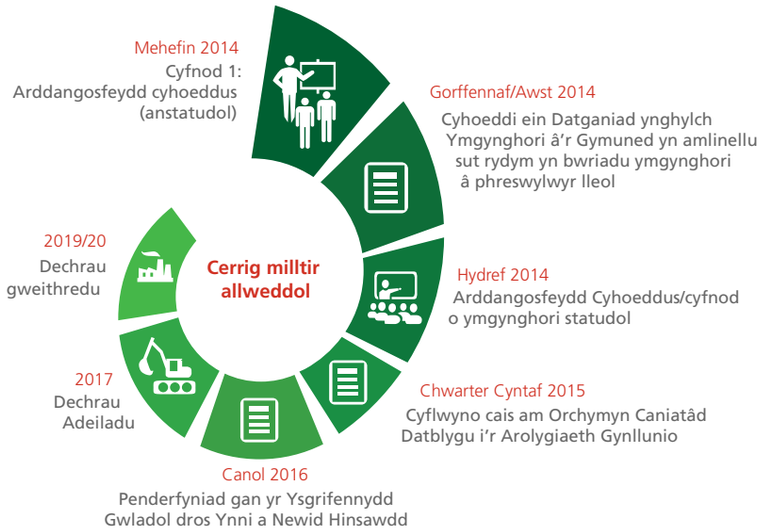
Bydd yn rhaid i'r orsaf bŵer arfaethedig gael cymeradwyaeth caniatâd datblygu o dan Ddeddf Gynllunio 2008.

Gan fod ei allbwn trydanol yn fwy na 50 megawat, mae'r prosiect wedi'i gategoreiddio fel Prosiect Seilwaith Cenedlaethol ei Arwyddocâd a bydd yn rhaid iddo felly gyflwyno cais am Orchymyn Caniatâd Datblygu. Unwaith y bydd wedi'i gyflwyno, bydd y cais yn cael ei ystyried dros gyfnod archwilio o chwe mis gan yr Arolygiaeth Gynllunio, ar ran yr Ysgrifennydd Gwladol dros Ynni a Newid Hinsawdd. Gwneir y penderfyniad terfynol ar y cais gan yr Ysgrifennydd Gwladol, yn dilyn argymhelliad a wnaed gan yr Arolygiaeth Gynllunio.

Nid yr awdurdod lleol fydd yn gwneud y penderfyniad ar y cais am Orchymyn Caniatâd Datblygu. Fodd bynnag, bydd Cyngor Dinas a Sir Abertawe yn ymgynghorai allweddol yn y broses ganiatadau, ynghyd â chynghorau cymuned lleol a sefydliadau lleol a chenedlaethol eraill.

Mae ymgynghori â'r cyhoedd yn rhan annatod o'r broses gynllunio. Ymgynghorir â phreswylwyr a busnesau lleol a grwpiau buddiant lleol eraill cyn y gwneir cais ar gyfer prosiect Abergelli Power, a bydd eu barn yn helpu i lunio'r cais terfynol am ganiatâd datblygu.

Cerrig milltir allweddol:



Eich barn

Byddem yn croesawu'ch barn ynglŷn â phrosiect Abergelli Power, yn cynnwys unrhyw sylwadau neu bryderon a all fod gennych. Dyma Gyfnod 1 y broses ymgynghori. Gallwch hefyd fynegi'ch barn yng Nghyfnod 2. Yn ogystal â chymryd rhan yng Nghyfnodau 1 a 2 y broses ymgynghori, cewch y cyfle i gymryd rhan yn yr Archwiliad o'r cais am Orchymyn Caniatâd Datblygu ar gyfer prosiect Abergelli Power, ar ôl i'r cais gael ei gyflwyno a'i dderbyn.

I gael mwy o wybodaeth, ewch i:
www.abergellipower.co.uk

Neu cysylltwch â ni, os gwelwch yn dda, trwy:

Ffonio: 0131 550 3380

Anfon Llythyr: Abergelli Power Ltd. c/o Watt Power, 49 York Place,Edinburgh / Caeredin EH1 3JD
Freepost RTEY-JYYB-ERSR, Abergelli Power Ltd, 49 York Place,
Edinburgh / Caeredin EH1 3JD

Anfon E-bost: info@abergellipower.co.uk

Appendix 2.B: Phase 1 Non-Statutory Consultation with the Local Community: Exhibition Materials

2.B V Feedback form available at non-statutory exhibitions (English)

Public Exhibition – Feedback Form

Proposed power station at Abergelli Farm

Questionnaire

Thank you for attending this exhibition. We would welcome your views on our outline proposals to develop a gas-fired power station at Abergelli Farm. We would also like to keep in touch with you as the project develops.

If you would like to be kept informed, please fill in your preferred contact details.

Name: _____

Address: _____

Email: _____

If you do NOT want us to contact you, we would appreciate you leaving us just your postcode so that we can gauge the approximate locations of people who attended today.

Postcode: _____

Age bracket (please tick)

Under 25 ☐ 25-45 ☐ 45 – 60 ☐ Over 60 ☐

Gender

Male ☐ Female ☐

How did you travel here today?

Foot ☐ Bike ☐ Car ☐ Public transport ☐

Which exhibition did you attend?

Clydach, June 19th ☐ Felindre, June 20th ☐ Tircoed, June 21st ☐

How did you hear about this exhibition? (please tick one or more)

Poster ☐ News item in newspaper or other local media ☐ Advertisement in newspaper ☐ Letter ☐ Word of mouth ☐

Which local papers and magazines do you read?

South Wales Evening Post ☐ South Wales Guardian ☐ Western Mail ☐ Wales on Sunday ☐

Other _____ None of these ☐

Bearing in mind the project is at a very early stage, did our staff answer your questions and listen to your points of view?

Yes ☐ Somewhat ☐ Not really ☐ No ☐

Is there anything you would like to see done differently at the next round of exhibitions?

_____

_____

_____

How do you feel about this outline proposal to build a gas-fired power station at Abergelli Farm?

Supportive ☐ Neutral ☐ Undecided ☐ Opposed ☐

Based on the information at today's event, what comments would you like to make about our proposal?

_____

_____

_____

What further information would you like to be made available about this project?

_____

_____

_____

Abergelli Power is committed to ensuring that the project will create jobs and broader benefits to the community. How would you like to see us supporting the local community?

Supporting local education ☐ Supporting local environmental initiatives ☐

Supporting sporting or cultural events in the area ☐ Other _____

At an appropriate time, we plan to set up a Community Liaison Group which will be kept informed by Abergelli Power of developments with this project – would you like to be a part of it?

Yes ☐ No ☐

Are you a business interested in future business opportunities with the power station? If yes, please provide details:

_____

_____

_____

Would you be interested in future employment opportunities at the plant? If yes, please provide details:

_____

_____

_____

For more information, please go to www.abergellipower.co.uk or email info@abergellipower.co.uk

Thank you.

Norman Campbell, Project Director, Abergelli Power.

Questionnaire form FREEPOST reply Address:

Freepost RTEY-JYYB-ERSR, Abergelli Power Ltd, 49 York Place, Edinburgh EH1 3JD

Appendix 2.B: Phase 1 Non-Statutory Consultation with the Local Community: Exhibition Materials

2.B VI Feedback form available at non-statutory exhibitions (Welsh)

Arddangosfa Gyhoeddus – Ffurflen Adborth

Gorsaf bŵer arfaethedig yn Fferm Abergelli

Holiadur

Diolch am fynychu'r arddangosfa hon. Byddem yn croesawu eich barn ar ein cynigion amlinellol i ddatblygu gorsaf bŵer sy'n rhedeg ar nwy yn Fferm Abergelli. Hoffem hefyd gadw mewn cysylltiad â chi fel mae'r prosiect yn datblygu

Os hoffech gael eich hysbysu'n rheolaidd, cwblhewch drwy roi'r manylion cysylltu sydd amgenach gennych, os gwelwch yn dda.

Enw: _____

Cyfeiriad: _____

E-bost: _____

Os NAD oes arnoch eisiau inni gysylltu â chi, byddem yn gwerthfawrogi petaech yn gadael ond eich cod post inni fel y gallwn amcangyfrif bras leoliadau pobl a fynychodd heddiw.

Cod Post: _____

Dosbarth oedran (ticiwch, os gwelwch yn dda)

O dan 25 ☐ 25-45 ☐ 45 – 60 ☐ Dros 60 ☐

Rhyw

Gwryw ☐ Benyw ☐

Sut y teithioch yma heddiw?

Cerdded ☐ Beic ☐ Cerbyd ☐ Cludiant cyhoeddus ☐

Pa arddangosfa y gwnaethoch ei mynychu?

Clydach, y 19eg o Fehefin ☐ Felindre, y 20eg Fehefin ☐ Tircoed, yr 21ain o Fehefin ☐

Tircoed, yr 21ain o Fehefin (ticiwch un neu fwy, os gwelwch yn dda)

Poster ☐ Eitem newyddion mewn papur newydd neu gyfryngau lleol eraill ☐ Hysbyseb mewn papur newydd ☐ Llythyr ☐

Llafar gwlad ☐

Which local papers and magazines do you read?

South Wales Evening Post ☐ South Wales Guardian ☐ Western Mail ☐ Wales on Sunday ☐

Arall _____ Nid yr un o'r rhain ☐

O ystyried bod y prosiect yn ei gyfnod cynnar iawn, a wnaeth ein staff ateb eich cwestiynau a gwrando ar eich safbwyntiau?

Do ☐ Rhywfaint ☐ Ddim mewn gwirionedd ☐ Naddo ☐

A oes yna rywbeth yr hoffech ei weld yn cael ei wneud yn wahanol yn y cylch nesaf o arddangosfeydd?

_____

_____

_____

Sut ydych yn teimlo am y cynigiad amlinellol hwn i adeiladu gorsaf bŵer sy'n rhedeg ar nwy yn Fferm Abergelli?

Cefnogo ☐ Niwtral ☐ Heb benderfynu ☐ Gwrthwynebud ☐

Yn seiliedig ar y wybodaeth yn nigwyddiad heddiw, pa sylwadau yr hoffech eu gwneud am ein cynigiad?

Pa wybodaeth yn rhagor yr hoffech gael ei rhoi ar gael am y prosiect hwn?

Mae Abergelli Power wedi ymrwymo i sicrhau y bydd y prosiect yn creu swyddi a buddion ehangach i'r gymuned. Sut yr hoffech ein gweld yn cefnogi'r gymuned leol?

Cefnogi addysg leol ☐ Cefnogi mentrau amgylcheddol lleol ☐

Cefnogi digwyddiadau chwaraeon neu ddiwylliannol yn yr ardal ☐ Arall _____

Ar adeg briodol, bwriadwn sefydlu Grŵp Cyswllt â'r Gymuned fydd yn cael ei hysbysu'n rheolaidd am ddatblygiadau gyda'r prosiect hwn gan Abergelli Power – a hoffech fod yn rhan ohono?

Hoffwn ☐ Na hoffwn ☐

A ydych yn fusnes sydd â diddordeb mewn cyfleoedd busnes yn y dyfodol gyda'r orsaf bŵer? Os ydych, rhowch fanylion, os gwelwch yn dda:

A fyddai gennych ddiddordeb mewn cyfleoedd gwaith yn y dyfodol yn y gwaith? Os byddai, rhowch fanylion, os gwelwch yn dda:

I gael mwy o wybodaeth, a fyddech cystal â mynd i www.abergellipower.co.uk neu anfonwch e-bost at info@abergellipower.co.uk

Diolch.

Norman Campbell, Cyfarwyddwr Prosiectau, Abergelli Power.

Questionnaire form FREEPOST reply Address

Freepost RTEY-JYYB-ERSR, Abergelli Power Ltd, 49 York Place, Edinburgh / Caeredin EH1 3JD

Appendix 2.C: Phase 1 Non-Statutory Consultation with the Local Community: Media Coverage

2.C I Local print media coverage – Western Mail article (12th June 2014)

Business in Wales
Western Mail
Editor SION BARRY 029 2024 3749 www.walesonline.co.uk/business

Plans for new power station at Swansea

Chris Kelsey
Assistant head of business
chris.kelsey@walesonline.co.uk

An energy developer has announced plans to build a new gas-fired power station north of Swansea.

Abergelli Power is proposing to build the power station on land at Abergelli Farm, south of Felindre, north of the M4 motorway and around a mile from Morriston Hospital.

The power station will produce up to 299MW of electricity, enough to supply the equivalent of around

say."

Abergelli Power said the project would have low emissions and would help strengthen the UK's energy security by providing back up power to the intermittent energy that is generated from renewable sources such as wind and solar power.

Computer-generated image showing a proposed gas-fired power station (centre of image) at Hirwaun, proposed by Hirwaun Power. A similar scheme is now proposed north of Swansea

Norman Campbell, Abergelli Power's project director said: "This power station will be an ultra-modern and clean facility and a very significant investment in the local economy.

"We will do our utmost to ensure that the power plant will cause the minimum disturbance locally, during construction and subsequent operation. Its operation will be subject to stringent environmental and emission regulations.

"We will seek to maximise local economic benefit where we can, both during construction and operations."

He added: "Before seeking permission to build the plant, there will be an extensive consultation process with City and County of Swansea Council and with local people and interest groups. This is extremely important to us, as we want to explain our plans in detail and listen to what people have to

designed to operate flexibly and will produce electricity for no more than 1,500 hours per year.

Abergelli Power will take gas from the nearby gas transmission system and use it to generate electricity. This energy will feed into the National Grid, which also runs very close to the site. The company will consult with local people and organisations before applying for permission to build the power station. The proposed project could support 150 jobs during the construction and commissioning period, and up to 15 full-time jobs when operational.

Mr Campbell said that Swansea Council and the Welsh Government had been briefed on the proposal. Abergelli Power will submit an application to the Planning Inspectorate in early 2015. If approved, and subject to financing, the power station could enter commercial operation by 2020.

19 to June 21 at Clydach, Felindre and Tircoed. Members of the Abergelli Power project team will be on hand to explain how the proposals will be taken forward and how the consultation process is expected to evolve.

Detailed environmental impact assessments and technical studies will be undertaken over the coming months.

Abergelli Power is a development company which has been set up to take forward the project at Abergelli Farm. It is owned by Watt Power which has extensive experience of developing energy projects in the UK and overseas.

Watt Power is currently taking forward two similar power station projects in the UK, one at Hirwaun in Rhondda Cynon Taf and one at Eye Airfield in Suffolk. An application for the Hirwaun project is awaiting examination by the Planning Inspectorate.

Appendix 2.C: Phase 1 Non-Statutory Consultation with the Local Community: Media Coverage

2.C II Online media coverage – BBC News article (11th June 2014)

11 June 2014 Last updated at 13:03

Share

£200m gas power station proposed for Swansea

The company is planning a similar project at Hirwaun in Rhondda Cynon Taf, with the plans pictured above

A £200m gas-fired power station capable of powering up to 400,000 homes could be built near Swansea under new plans.

Abergelli Power wants to build the plant at Felindre, just north of the M4.

It would offer a back-up energy supply to compliment wind and solar power sources - operating for about 1,500 hours a year, say the firm.

The company said 150 jobs would be created during construction and 15 full-time jobs once it was operating.

It is also planning a similar project at Hirwaun in Rhondda Cynon Taf.

The company said it plans a series of consultations with local people before applying for development consent.

UK decision

Norman Campbell, Abergelli Power's project director said: "This power station will be an ultra modern and clean facility and a very significant investment in the local economy.

"We will seek to maximise local economic benefit where we can, both during construction and operations."

The plant would be classed as a 299 megawatts station, which means the final decision on granting planning permission would lie with the UK government.

Abergelli Power, which is owned by Scottish based firm Watt Power, says it will ask the UK Planning Inspectorate for a development consent order in 2015, after consultations with Swansea council and the Welsh government.

A final decision on approving the project would be made by the UK Energy Secretary.

Related Stories

Swansea lagoon 'mistake' says MP

More on This Story

Related Stories

Swansea lagoon 'mistake' says MP 16 MAY 2014, SOUTH WEST WALES

Related Internet links

Appendix 2.C: Phase 1 Non-Statutory Consultation with the Local Community: Media Coverage

2.C III Media Coverage – Online media coverage - South Wales Evening Post article (11th June 2014)

Plans to build £200 million power station at Felindre near the M4

By SWEPGRoberts | Posted: June 11, 2014

This image shows a gas-fired power station (grey L-shape in the centre) for a site in Hirwaun. A similar one has been proposed for Felindre by Abergelli Power.

Comments (5)

PROPOSALS to build a £200 million power station on land near Felindre have been revealed.

UK energy project developer Abergelli Power Ltd has announced plans to build the development on land at Abergelli Farm, next to the National Grid Gas Compressor Station and to the north of the M4.

The power station will produce up to 299MW of electricity, enough to supply the equivalent of around 400,000 homes, at times when demand is highest.

The proposed project would support 150 jobs during the construction and commissioning period, and up to 15 new full time, skilled jobs when operational.

RELATED CONTENT

Multi-million pound Baglan power station still on hold

Road paves future for Prenergy power station plans in Port Talbot

Solar farm approved by Swansea Council for Abergelli Farm, Felindre

The proposed project would have low emissions and would be designed to operate flexibly — for example would not always be running — and would produce electricity for no more than 1,500 hours per year.

An initial phase of public information events to introduce the project will be held over the next week.

Norman Campbell, Abergelli Power's project director said: "Before seeking permission to build the plant, there will be an extensive consultation process with Swansea Council and with local people and interest groups.

"This is extremely important to us, as we want to explain our plans in detail and listen to what people have to say."

Following consultation and feedback from communities and interest groups, Abergelli Power intends to submit an application for a Development Consent Order to the UK's Planning Inspectorate in early 2015 with a final decision taken by the Secretary of State for Energy and Climate Change.

Subject to the consultation and planning process and financing, the power station could enter commercial operation by 2020.

Upcoming public information events:

• Thursday, June 19 at Forge Fach Community Resource Centre, Hebron Road, Clydach, Swansea, SA6 5 EJ between 3pm and 7pm.

• Friday, June 20 at Felindre Welfare Hall, Felindre, Swansea, SA5 7NA between 3pm and 7pm.

• Saturday, June 21 at Tircoed Village Hall, Y Cyswllt, Tircoed SA4 9QZ between 10am and 1pm.

Appendix 2.C: Phase 1 Non-Statutory Consultation with the Local Community: Media Coverage

2.C IV Media Coverage – Online media coverage – Insider Media Limited article (12th June 2014)

Plans unveiled for £200m Swansea power station

Last updated: 12th Jun 2014 at 08:33am
Keyword tags: Abergelli Power, Norman Campbell, Planning Inspectorate, Swansea, Watt Power

Plans have been unveiled to build a £200m gas-fired power station to the north of Swansea.

Development company Abergelli Power, which is owned by energy project developer Watt Power, is proposing to build a facility that can produce up to 299MW of electricity.

Abergelli says the station near Felindre, north of the M4, would produce enough to power about 400,000 homes.

The scheme would support 150 jobs during the construction phase and up to 15 full-time jobs when the power plant becomes operational.

Abergelli Power plans to operate the power station flexibly rather than allowing it to run all the time. As a result, it is envisaged that the plant would produce electricity for no more than 1,500 hours per year.

Norman Campbell, Abergelli Power's project director, said: "This power station will be an ultra-modern and clean facility and a very significant investment in the local economy.

"We will do our utmost to ensure that the power plant will cause the minimum disturbance locally, during construction and subsequent operation. Its operation will be subject to stringent environmental and emission regulations.

"We will seek to maximise local economic benefit where we can, both during construction and operations."

Abergelli Power hopes to submit an application for a development consent order to the UK's Planning Inspectorate in early 2015. The final decision on whether or not the project can proceed would then be taken by the energy secretary.

However, additional planning consents may also be required for parts of the scheme. It is hoped the power station could be ready to start by 2020.

Appendix 2.C: Phase 1 Non-Statutory Consultation with the Local Community: Media Coverage

2.C V Media Coverage – Online media coverage – Wales Online article (11th June 2014)

Revealed: Plans for new gas-fired power station in Swansea area

Jan 11, 2014 11:19 | By Chris Kelsey | 0 Comments

Up to 299 megawatts (MW) of electricity could be produced at energy plant and inject tens of millions of pounds into the south west Wales economy

Computer-generated image showing the gas-fired power station (centre of image) at Hirwaun, similar to the one proposed for Abergelli

An energy developer has announced plans to build a new gas-fired power station north of Swansea.

Abergelli Power is proposing to build the power station on land at Abergelli Farm, south of Felindre, adjacent to the National Grid Gas Compressor Station and to the north of the M4 motorway.

The proposed power station could produce up to 299 megawatts (MW) of electricity and inject tens of millions of pounds into the south west Wales economy.

The company will consult with local people and organisations before applying for permission to build the power station. The proposed project could support 150 jobs during the construction and commissioning period, and up to 15 full time, skilled jobs when operational.

Abergelli Power said the project would have low emissions and would help strengthen and secure the UK's energy supply by providing back up to intermittent energy that is generated from renewable sources, primarily wind and solar.

The power station and its related energy infrastructure would be designed to operate flexibly and would produce electricity for no more than 1,500 hours per year.

Abergelli Power is to public consultation meetings from June 19-21 at Clydach, Felindre and Tircoed.

Members of the Abergelli Power project team will be on hand to explain the how the proposals will be taken forward and how the consultation process is expected to evolve.

Consultation with local communities and organisations, including City & County of Swansea Council as well as the community councils in the vicinity of the site, will be a part of the consenting process for the project, alongside the detailed environmental impact assessments and technical studies that will be undertaken over the coming months.

People and local businesses in the area are being notified of the exhibitions by letter and via an advertisement in the local press. Information about the project and Abergelli Power can also be viewed online via www.abergellipower.co.uk

Abergelli Power proposes to take gas from the nearby National Gas Transmission System and use it to generate electricity. This energy will feed into the National Grid, which also runs very close to the site.

The power station will produce up to 299MW of electricity, enough to supply the equivalent of around 400,000 homes, at times when demand is highest.

Norman Campbell, Abergelli Power's project director said: "This power station will be an ultra modern and clean facility and a very significant investment in the local economy. We will do our utmost to ensure that the power plant will cause the minimum disturbance locally, during construction and subsequent operation. Its operation will be subject to stringent environmental and emission regulations.

"We will seek to maximise local economic benefit where we can, both during construction and operations.

He added: "Before seeking permission to build the plant, there will be an extensive consultation process with City and County of Swansea Council and with local people and interest groups. This is extremely important to us, as we want to explain our plans in detail and listen to what people have to say."

Mr Campbell said that Swansea City Council and the Welsh Government had been briefed on the proposal. Following consultation and feedback from communities and interest groups, Abergelli Power intends to submit an application to the Planning Inspectorate in early 2015 with a final decision taken by the Secretary of State for Energy and Climate Change.

Additional consents, including planning permissions, may also be required for elements of the project.

Abergelli Power is a development company solely focused on taking forward the project at Abergelli Farm. It is owned by Watt Power which has extensive experience of developing energy projects in the UK and overseas.

The company is currently taking forward two similar power station projects in the UK, one in Hirwaun in Rhondda Cynon Taf and one in Suffolk.

Subject to the consultation and planning process and financing, the power station could enter commercial operation by 2020.

Appendix 2.D: Phase 1 Non-Statutory Consultation with the Local Community: Media Coverage

2.D: I Minutes of meeting with CCS (20th January 2014)

MEETING WITH SWANSEA COUNCIL TO DISCUSS PROPOSAL AT ABERGELLI FARM, FELINDRE

20 Jan 2014

Attendees: Phillip Holmes, Ryan Thomas, Paul Mellor (Swansea Council planning dept)

Simon Lyons

Nick Johnson

Summary

After introductions had been made Stag Energy explained its history in developing power projects, its current interest in 300MW peakers and talked at briefly through the slides prepared for the half hour meeting.

On the whole PH RT and PM seemed neither enthusiastic nor condemning of our proposal. The meeting was only scheduled for half an hour and not much information was gleaned from the officers.

Specifics

PH said that sustainable development was important to Swansea council and mentioned that we might want to talk to Sybil Crouch – a cabinet member in the Sustainability department. NJ explained that this type of peaking plant is an essential part of the movement to a low carbon energy industry.

PH said that their LDP is not yet implemented (expected 2 years).

RT and PM informed Stag Energy that as well as the business park being developed on the former Tin Works, there is also expected to be 1-2000 new homes built to the west of it. All agreed that given that Stag Energy's proposed development site is to the East of the substation and compressor station there should not be any conflict between them.

PM expressed concerns regarding the visual impact from the M4 of Stags proposed development. NJ said mentioned that the visual impact would probably be no great than that of the existing NG infrastructure.

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: II Minutes of meeting with CCS (29th April 2014)

Meeting Report

Date of Meeting	Tuesday 29th April 2014
Location	Civic Centre, Swansea
Subject	Introduction to the proposed project
Present	Norman Campbell (NJC) – Stag Energy Nick Johnson (NJ) – Stag Energy Reece Emmitt (RE) – WEPR Phil Holmes (PH) – City & County of Swansea (CCS) Head of Regeneration and Planning Ryan Thomas (RT) – CCS Area Development Control Manager
Duration of meeting	40 minutes

Areas of discussion	Action
NJC thanked PH and RT for agreeing to meet and introduced himself. He explained his background and the role Stag Energy and Watt Power (WPL) in the development of Abergelli Power Limited (APL). He outlined WPL's plans to develop power generation assets and the status of the four active projects. He also summarised WPL's business plan in terms of the 'peaking plant' design and the capacity mechanism/capacity auction, and how this affected project timelines for WPL projects that had already been applied for as well as APL and Millbrook Power Limited. RE introduced himself and his role within the APL project as first point of contact for local media and the local community. NJ reminded PH of their previous meeting at the site search phase and outlined his role within the project team. PH indicated that he was head of the planning service at CCS, and outlined what functions they provided. RT indicated that he was a Development Control Manager responsible for the area and would be a point of contact for APL as the project progressed.	

NJ provided a project update from when he had met PH last. He indicated that the same site that had been discussed previously had been selected – at Abergelli Farm – and APL are in the process of finalising a land option agreement with the landowner. NJ talked through a potential layout of the site – but indicated that this was just indicative, using the same components from the two WPL projects that had already been applied for. APL layout could be different. He added that the land take allowed for significant flexibility in design, and in particular the number of generating sets to be used. NJ said that additional to the land take for the APL project itself there was an area set aside for laydown during construction. NJC added that APL would be, like other WPL projects, proceeding with the Rochdale Envelope approach, which will allow APL to retain as much flexibility as possible in producing the power required by commitments made during the capacity auction. NJ summarised the findings of the Phase 1 habitat survey work and indicated that while no red flags had been identified some recommendations had been made regards species specific work for Phase 2. NJ added that an EIA scoping report was practically complete and was in the process of internal review. He remarked that any delay in the timeline (that he would shortly Provide) would not come from non-finalised documents, but rather from lack of agreement on the land option.	
RT indicated that there is an ecology department within CCS and he would pass on the details to NJ. NJ outlined the associated developments required for APL. He indicated that multiple gas connection routes had been identified – and that these would all be below ground pipes. He explained that while it may seem logical to connect into the National Grid compressor station, National Grid are not	Details for CCS ecology to be passed on to NJ

keen on that approach – and all of the prospective gas connections will connect into the gas network. In terms of the electrical connection, he stated that while no exact route options had been identified, an area of opportunity had been outlined. This would result in connection to the substation in the area and because of the limited length would more than likely be underground – although the EIA had also considered the possibility of overhead lines. NJ touched on the access options that were being considered – through Abergelli Farm to the north – which would use existing infrastructure, or through National Grid substation and compressor station – which would require a small amount of additional track to be laid. NJC indicated that the devolution settlement meant that there were differences in the PA2008 in England and Wales – in that associated infrastructure such as grid and network connections were usually the purview of local planning authorities. However, HPL had worked very closely alongside PINS and due to the limited length of the connection routes PINS had agreed that the connections could be considered integral to the project and consented as part of the DCO. APL propose to adopt the same approach. RT indicated that he was aware of the difference in the PA2008 in Wales – and HPL/APL approach/proposed approach was different to that adopted by Tidal Lagoon Swansea Bay Ltd. NJ briefly ran through the pre-application timeline, and RE outlined the consultation programme that would be planned. He summarised non-statutory and statutory consultation and touched on the methods that were adopted for HPL and WPL proposed to take forward for APL. RE indicated the differences between non-statutory/statutory consultation regards content of consultation material, and summarised how APL would work to agree a SoCC with CCS. Copies of consultation	

material prepared for HPL were provided to indicate the type of material proposed. RE queried how PH would like APL to engage with the local elected members. PH indicated that Tidal Lagoon Swansea Bay Ltd had held drop in sessions and presentations for councillors. RE said that APL would be prepared to do whatever PH would recommend. PH indicated that he would suggest that CCS handle the initial briefing in advance of APL going public, and that APL offer to meet/brief the local councillors as a follow up. NJC indicated that's he would be meeting AMs and MPs shortly too. NJ returned to the timelines and outlined post DCO application milestones. He indicated that a bid into the electricity capacity auction would bind APL into producing energy four years hence, and providing the successful conclusion of the DCO application, construction would begin in 2017 and power would be delivered by 2020 at the latest. NJC added that a 3 year construction period was conservative, and 1 year could be seen as a 'float' – so depending on market conditions, power could be generated by 2019 if appropriate. He also indicated that an electrical connection was a key driver of this timeline and WPL would shortly be beginning conversations with National Grid. NJC queried if PH or RT had any concerns or issues with the proposals. PH said that the community may feel unsettled by infrastructure developments – with several new solar farms planned and in various phases of construction, as well as a controversial wind farm. RT suggested that locals may be slightly wary and feel 'pressured' by the developments. RE and NJ indicated that it is important to consider the energy mix when looking at projects like this. RE outlined that a plant such as this would complement wind and solar developments.NJ added that as coal plants	APL to prepare briefing note for councillors.

come offline schemes such as this would be essential to back up the increased proportion of renewable generation. PH added that locals felt that the area in question should become part of the AONB – and that the landscape of the area was deserving of such a designation, despite the existing infrastructure. RT said that a key concern would be visual impact and queried the size of the stacks. NJC indicated that they would be comparatively small in the range of 30-35m although a final decision would be based on a variety of issues including dispersion of emissions. PH mentioned APL proposed sites relationship with allocations in the LDP and in particular the old tinplate works (a strategic employment and commercial site) and several strategic allocations for housing to the north of Swansea. CCS would be keen to ensure that there was no impact on those sites from APL. NJC, NJ, and RE thanked PH and RT for meeting them and indicated that if they had any queries they should feel free to get in touch.	

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: III Meetings and Correspondence – Minutes of meeting with Welsh Water (29th April 2014)

Meeting Report

Date of Meeting	Tuesday 29th April 2014
Location	Welsh Water (WW), Cardiff
Subject	Discussion of WW 66 inch water main through APL site
Present	Norman Campbell (NJC) – Stag Energy Nick Johnson (NJ) – Stag Energy Jeremy Wilson (JW) – WW Senior Project Engineer Anthony McKenna (AM) – WW Project Engineer
Duration of meeting	30 minutes

Areas of discussion	Action
NJC thanked AM and JW for agreeing to meet and gave some background information regarding WPL. He gave a brief description of the HPL project with reference to the culvert that was discovered there at a late stage of the DCO application preparation. JW was interested and as an aside agreed to check what information WW hold regarding the culvert. NJ then introduced WPL's site Abergelli Farm, Felindre. He explained the proximity to WW's water treatment works to the north of the site and more importantly the water main that bisects the development site itself. He explained that as far as WPL saw the situation there were two options; either plan the site around the existing infrastructure or reroute it. JW and AM stressed that critical strategic nature of the pipe and explained that they thought that they would be in favour of working around the pipe. NJ explained that there is ample space at the site to construct the 'units' that make up the project and leave 12 m for access on either side of the pipe, but that some crossings would have to be made for vehicles and or connections. JW did not think that would be an issue. Mention was made of the three NTS gas pipelines that we recently installed crossing the water main. NJC stated that land	

and marine who were responsible for the installation had informed him that auger drilling underneath the water main had been used so as not to disturb it. JW enquired whether or not the facility (and hence part of their pipe) would be within a locked compound, explaining that WW do not normally agree to that. NJC explained that it would be within a compound but that it would be manned 24 hrs. JW thought that given the unusual nature of this development, that arrangement should be fine.	
NJC explained that because of the way the DCO planning procedure works, WW will be a statutory consultee given that they own assets within the site. NJ agreed that WW would be updated on any aspects of the design of the project.	APL to keep WW updated on project development
AM agreed to unearth all information that WW have regarding the pipe (e.g. depth of burial, age, condition etc.). JW added that sometime the best information comes from 'men on the ground' and agreed to enquire among some engineers that he know as to further details.	WW to prepare a dossier containing all relevant information about the water main.

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: IV Meetings and Correspondence – Briefing note issued to locally elected representatives (6th June 2014)

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BACKGROUND

Delivering Energy for the Future

Abergelli Power Ltd, a subsidiary business of Watt Power Ltd, wishes to build a gas-fired power generation plant on land adjacent to the National Grid compressor station at Abergelli Farm, south of Felindre, to the north of the M4 motorway (the 'Abergelli Power project')

The power generation plant, if consented, would run no more than 1,500 hours per year, providing back-up to other sources of power, including onshore and offshore wind energy generation that is intermittent.

The Abergelli Power project would cover an area of approximately eight hectares. If built, the plant will generate up to 299 MW which is sufficient power to supply the equivalent of 400,000 homes at times when demand is greatest, and employ up to 15 permanent management and maintenance staff.

Subject to consultation, planning and financing, the power generation plant would enter commercial operation in 2018/19.

FREQUENTLY ASKED QUESTIONS

Site location & environment

Why do you want to build at Abergelli Farm?

After various studies across the country over the past four years, we consider Abergelli to be an ideal site location. It has key advantages, including close proximity to the national gas and electricity distribution networks, and location withinan area identified as suitable for energy infrastructure

What steps will you take to preserve the local environment?

Every effort will be made to minimise the project's impact on the local environment, both during its construction and operation phases. Its design and the steps to mitigate its impacts, such as screening and landscaping, will form a major part of the consultation and planning process.

Where will the gas pipeline and electricity connections be routed?

We are currently assessing the options available to us. The site is close to the National Grid gas and electricity networks. The connection routes will be determined following conceptual design, environmental impact studies and consultation with statutory bodies

and the local community be consulted on, prior to any application for development consent being submitted.

What is the footprint of the power station? Will it be noisy? What height will the stack(s) be?

The site for the project covers an area of approximately eight hectares though the footprint of the power generation plant compound itself would be approximately five hectares.

There will be up to five stacks (chimneys) in the power generation plant, each up to 60m in height. The noise produced during operation of the power plant will be strictly limited by the requirements of the Development Consent Order (similar to planning conditions) which will be enforced by the local authority and limits set by the Natural Resources Wales (NRW). These limits will comply with latest guidance and standards (e.g. BS4142).

Detailed noise modelling will be undertaken to ascertain the current background noise levels. Then typical noise levels from a gas-fired plant will be modelled to determine the likely impacts. Mitigation measures will be developed to limit these impacts to an acceptable level.

Emissions will also be strictly monitored under NRW guidelines.

Will there be an increase in traffic?

There will be HGV traffic movements during the approximate two year construction phase but these would be routed to minimise congestion, noise and dirt in the local area.
Once operational, there will be a negligible increase in traffic movements, principally station staff (up to 15 people) travelling to and from work.

Is it going to smell?

The combustion of natural gas in a power station does not produce any noticeable odour.

Will there be any emissions from the power station?

There will be no visible plume from the stacks. The emissions from the stack will be strictly limited by NRW as part of an operational environmental permit, and will not cause harm to people or the environment.

Who is Abergelli Power Ltd and have they built a gas-fired power station elsewhere?

Abergelli Power Ltd is the name of the project company. It is owned by Watt Power Ltd whose team has developed power generation projects and other energy assets in the UK and overseas. Watt Power is currently taking forward similar generation projects in the UK: one near Eye in Suffolk, the other near Hirwaun in South Wales. Both of these projects have been accepted for examination by the Planning Inspectorate. Abergelli Power Ltd, and the

project, are not connected to the three solar park proposals recently granted planning permission in the local area.

Gas generation

Why do we need new gas-fired power stations?

Gas is affordable, reliable and flexible. It is acknowledged by the Government as being essential to a low-carbon economy and to retain the country's energy security, as many coal and oil-fired power stations in the UK are set to close down over the next few years, as well as number of ageing nuclear power stations. Whilst new nuclear stations such as Hinkley and Sizewell C have been proposed, they are unlikely to enter service until after 2025.

In addition, gas provides essential back-up to power generation from renewable resources, primarily wind power, which is an increasingly prevalent but intermittent source of energy.

New gas generation plants, like the one proposed for Abergelli, will underpin energy security and help ensure there is no shortfall in the country's generating capacity. In short, gas is the transitional fuel in the Government's drive to a low carbon economy.

How often will the power station operate?

Our proposed scheme is designed to operate as a "flexible" plant, being called into operation when National Grid requires additional generation capacity to meet customer demand, often on a temporary, short-term basis. The plant will rarely operate for long periods of time and will operate for no more than 1,500 hours per year.

What are the main obstacles for Abergelli Power to build the station?

The main challenges will be obtaining regulatory consent (such as the development consent order (DCO) needed under the Planning Act 2008) and finance, especially given the regulatory uncertainty around the UK's energy market.

We are confident that through a thorough consultation process, which gives the local community the chance to inform the design of the project, and the mitigation measures that will be applied once the environmental impact assessment process has been completed, that the project should be consented. In addition, we believe that the regulatory and commercial environments will enable our project to be financed.

What about safety of the power project?

Gas fired power stations in this country have an excellent safety record, and we do not consider there to be any issues of concern with our site and the neighbouring energy facilities.

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Planning & Consultation

Who is the planning authority?

As the project will generate more than 50 MW of energy, and its importance to the country's energy security, a Development Consent Order (DCO) application under the Planning Act 2008 will be submitted to the National Infrastructure team of the Planning Inspectorate. The Planning Inspectorate will have a clear timescale to adhere to in considering the DCO application and making recommendations to the Secretary of State for Energy & Climate Change – who has responsibility for making the final decision on the application. However, the local authority is a key consultee in the planning and consultation process, along with the community councils in the vicinity and other local organisations.

Will local people be consulted?

Yes, public consultation is an integral part of the planning process. Local people will be consulted in two phases before any DCO application is made and their views will help shape the final form of our application. The first phase of consultation is in June where outline information is shared about the project with local residents and the second phase will take place in the autumn of 2014. The local community will have various opportunities and means to consider our proposals as part of the DCO process.

Exhibitions will be held in the area during both phases of consultation and we will also make it easy for anyone to communicate with us via letter, e-mail, telephone or in person.

What about the environmental impact of the power station?

An Environment Impact Assessment will be undertaken to assess the likely significant environmental effects of the Abergelli Power project. This process will consider a range of issues including noise, air emissions, ecology, visual impact, heritage/archaeology and transport. The EIA will form a central part of the Development Consent Order (DCO) application and must comply with national and local policies and guidelines. A preliminary environmental information report (PEIR) will be consulted on prior to the DCO application being submitted. A full Environmental Statement will accompany the application for development consent.

When do you expect to submit a Development Consent Order application?

We anticipate submitting an application for the project in Q1 of 2015, but this is dependent on the outcomes of the Environment Impact Assessment (EIA) and various other pieces of work.

When could you expect to start construction? And operation?

This will depend on the planning process and financing. Ideally, we would wish to start construction in 2018 and for the plant to start operating in 2019/2020.

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Local economic benefit

How will the power station benefit the local area?

The power station can bring a range of benefits to the area during both the construction and operational phases.

Construction will take around two years and will provide job opportunities for approximately 150 skilled and semi-skilled workers. The plant is expected to have an operational life of 25 years during which time up to 15 full time positions will be required at the plant with around 50-80 jobs supported in the local community in facility maintenance and other lines of work. In addition, the facility will make a major contribution to local business rates and will be an active participant in the local community. A detailed socio-economic impact study will be submitted as part of the planning application (via the Environmental Statement).

How will the scheme benefit the area?

The significance of long-term investment, the benefits of the construction phase (for example, opportunities for local sub-contractors) and the creation of skilled permanent jobs should not be underestimated. New power projects in the UK have been shown to have a beneficial “ripple” effect for local economies. We hope that our scheme will complement and encourage investment in the Felindre Business Park which lies 1 km to the south-west. As an investor and employer we would expect to play an active part in the region. We will liaise with City and County of Swansea Council on ways to bring wider social and environmental benefits to the surrounding area.

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: V Meetings and Correspondence – Minutes of meeting with Llangyfelach Community Council (17th July 2014)

Meeting Report

Date of Meeting	Thursday 17th July 2014
Location	Llangyfelach Church Hall
Subject	Introduction to the proposed project
Present	Norman Campbell (NJC) – Stag Energy Dermot Scanlon (DS) – Peter Brett Associates Reece Emmitt (RE) – WEPR Members of Llangyfelach Community Council
Duration of meeting	30 minutes

Areas of discussion	Action
NJC thanked the council for agreeing to meet APL. Each member of the council introduced themselves as did NJC, DS and RE. NJC provided an update on the project and the developments to date. He highlighted the issues that are being worked on at the moment, in particular the connection routes and the access road. DS briefly outlined the Scoping Report and the process followed by PINS in advance of them issuing a Scoping Opinion. He also outlined the process of responding to this, and who had been issued with a copy. He outlined the process that would follow, with the Scoping Report, Scoping Opinion, and the preparation, and consultation upon, preliminary environmental information (PEI) set out in a PEI Report (PEIR). The Council Clerk asked about any potential community benefit. NJC said that that was something that was being considered. A councillor asked for an outline of the scope of the plant. NJC responded, detailing the proposals and explaining where a peaking plant would fit in the future energy mix. He outlined the advantages of SCGT in this situation and how and when it would be called upon by National Grid. He also detailed the	

electricity Capacity Mechanism that APL would be bidding in to. He outlined the flexibility that the plant offered, and how APL were proposing and consenting a plant that could accommodate up to five stacks and up to five gas turbines as a worst case scenario which would be assessed within the EIA. He indicated that depending on the Capacity Mechanism penalties, the number of turbines could reduce from five. A councillor asked how many of this type of peaking plant would be required nationwide. NJC indicated that it could probably be in the region of 30 based on current forecasts, and that Watt Power – the parent company of APL, were progressing APL, along with HPL in Hirwaun, PPL in Suffolk and MPL in Bedfordshire. A councillor queried the exact location of the site. Was it in the Llangyfelach ward? RE indicated that it was in the Mawr ward, to the east of the compressor station. DS indicated to the councillors where the proposed plant was. A councillor asked about access. What were the two proposed access routes? RE indicated that APL were looking at two potential routes – one across National Grid land from the east, and other from the Rhyd y Pandy Road to the north. A councillor queried the choice of the site. Why had Abergelli Farm been chosen? NJC outlined the site search process and why Abergelli Farm has been chosen – in particular the proximity to the gas National Transmission System (NTS) and the electricity substation. A councillor raised a concern about the visual impact of the plant. NJC outlined the work that would be involved in assessing the visual impact – and in particular the photomontages. He highlighted the fact that there would be two assessments done – one in the summer and one in the winter to show the difference in foliage and allow APL to develop the most appropriate mitigation. The councillor added that when the National Grid compressor station was built they were told that tree	

planting would mean they couldn't see anything – that wasn't the case. NJC reaffirmed APL's commitment to mitigating and minimising visual impact where possible. A councillor questioned the height of the stacks. NJC indicated that the determination of the stacks was an iterative process based on emissions and air quality. While that work was ongoing at the moment he indicated that he anticipated the stacks would be approximately of the order of 35m. A councillor queried the location of the stacks on the image that APL supplied in the exhibition booklet. RE clarified that the stacks were to the north of the site and part of the gas turbine generator buildings. The Clerk asked about the diameter of the stacks. NJC said that it was a difficult question to answer – as design refinement was still ongoing and there was no agreement on who the turbine manufacturer would be. However, he imagined it would be of the order of 6-10m. A councillor stated that the project was close to Moriston Hospital. Were we aware of this? DS indicated that we were and that it had also been raised as an issue in the consultation that we had carried out. DS added that this was the sort of thing APL wanted feedback on when the councils respond to the Scoping Report. DS questioned if there was anything additional that the council thought APL had missed, or should be looked at? A councillor asked about the consultation. What was the response so far? The Clerk additionally asked why no information day had been held in Llangyfelach? RE explained that the round of consultation carried out already was non statutory and informal – and the decision had been made to hold the information days in venues to the north of the M4 and in the communities closest to the site. He added that while letters had not been delivered door to door in Llangyfelach, they had been sent to the CC and to the county councillors, and the area had been made aware of the consultation events via media coverage. RE outlined the process of drafting	

a SoCC and its review by CCS. He also indicated that in the formal, statutory round of consultation Llangyfelach would be included – would have an information day and would receive the letter drop. In terms of the response from the community, RE indicated that it had been broadly split 3 ways – those supporting, undecided, or not supporting. He added that key concerns raised included visual impact and access to the site. A councillor raised a question on cumulative impact with other infrastructure in the area – including the gas compressor station and the substation. He also asked if we were aware of the proposed housing development and business park planned by CCS for the old Felindre Tinplate Works. DS explained that the cumulative assessment was something that we would be looking at as part of the assessment work APL would be doing. He stated that APL were aware of the proposed developments – although there did seem to be some uncertainty (on house numbers, for example) and would be looking to discuss these issues when meeting with CCS the following day. DS reiterated that now is the time to get issues aired and ensure they are considered and taken account of in the PEIR. NJC, DS, and RE thanked the Council for meeting them and indicated that if they had any queries they should feel free to get in touch.	

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: VI Meetings and Correspondence – Minutes of meeting with CCS (18th July 2014)

Meeting Report

Date of Meeting	Friday 18th July 2014
Location	Civic Centre, Swansea
Subject	Update on the proposed Abergelli Power Project
Present	Norman Campbell (NJC) – Stag Energy Dermot Scanlon (DS) – Peter Brett Associates Reece Emmitt (RE) – WEPR Ryan Thomas (RT) - City and County of Swansea (CCS) Ian Davies (ID) - City and County of Swansea David Owen (DO) – City and County of Swansea
Duration of meeting	90 minutes

Areas of discussion	Action
Introductions DS thanked RT and colleagues for agreeing to meet, set out the proposed agenda, and the team introduced themselves. **APL project overview** NJC explained the background of Watt Power Limited (WPL) and their proposed developments in the UK including Hirwaun Power Limited (HPL) and the proposed development of Abergelli Power Limited (APL). He summarised WPL's business plan in terms of the 'peaking plant' concept. Noted that the choice of site for the APL project lies in its proximity to the gas National Transmission System and the electricity gird/substation **Feedback from informal consultation** Informal, non-statutory consultation was undertaken over the period 19-21 June 2014. The principal issues raised relate to the visual impact of the project and construction effects, primarily construction traffic access to the site. In terms of the response from the community, this is broadly split 3 ways: those supporting,	

undecided, or not supporting.

RT noted that objections to other energy projects in the area (wind and solar farms) had been made by residents groups.

It is noted that the decision had been made to hold the information days in venues to the north of the M4 and in the communities closest to the site. Feedback received during the informal consultation indicated that Llangyfelach should be specifically included and, in the formal, statutory round of consultation, Llangyfelach will be included. This was confirmed to members of Llangyfelach Community Council at a meeting on Thurs 17 July 2014.

Noted that the project has also been in contact with Welsh Water and NRW.

DCO programme
The DCO process was discussed and the following milestone set out:

- Formal submission of draft SoCC to CCS: end July 2014
- Receipt of EIA Scoping Opinion from PINS: 7 Aug 2014
- Formal public consultation and publication of Preliminary Environmental Information Report (PEIR): October 2014
- Submission of DCO application: late Feb/early Mar 2015

Draft Statement of Community Consultation (SoCC)
A 'working draft' of the SoCC was issued to CCS prior to the meeting and the contents were discussed.

Two areas specifically highlighted for CCS input were:

- Identifying 'hard to reach' groups – RT advised that the Community Involvement and Consultation element of the Local Development Plan process may have relevant information. Also, the CCS media section may be able to provide information

• Deposit locations for the SoCC and PEIR – RT advised that the Civic Centre need not be used as this duplicated the Central Library location. Also discussed if a suitable local location within the CCZ might be found eg District Housing Office or 'One Stop Shop'. CCS to advise.	RT
DS to issue the outstanding plans from the SoCC (Location Plan and Community Consultation Zone)	DS
EIA Scoping Report The Scoping Report was issued at the end of June 2014 with the Scoping Opinion received from PINS on 1 Aug 2014. A copy of those organisations sent a copy of the report was passed to CCS. The broad content of the report was discussed, key points as follows: • VIA zones • other consultees • cumulative effects	
Noted that detailed comments would be provided in the Scoping Opinion. APL to follow up with list of information requirements following receipt of the Opinion.	DS
Noted that RT is main point of contact	
Planning Performance Agreement (PPA) The principle of a PPA was discussed. It was agreed that APL will send a draft letter setting out details.	NJC
The team thanked the Council for meeting them and indicated that if they had any queries they should feel free to get in touch.	

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: VII Meetings and Correspondence – Minutes of meeting with Pontlliw and Tircoed Community Council (5th August 2014)

Meeting Report

Date of Meeting	Tuesday 5th August 2014
Location	Tircoed Community Centre
Subject	Introduction to the proposed project
Present	Norman Campbell (NJC) – Stag Energy Reece Emmitt (RE) – WEPR Members of Pontlliw & Tircoed Community Council
Duration of meeting	40 minutes

Areas of discussion	Action
NJC thanked the council for agreeing to meet APL. Each member of the council introduced themselves as did NJC and RE NJC provided an update on the project and the developments to date. He highlighted the issues that are being worked on at the moment, in particular the connection routes and the access road. He outlined the most recent developments – the submission of the Scoping Report and the receipt, from PINS, of the Scoping Opinion. He added that this was the time that our assessment methods were being reviewed and tested. Running through the schedule, NJC indicated that APL would be issuing the PEIR around October time, and that would include our initial conclusions on the potential impact that our proposals may have. This would inform our final design, our EIA, and the ES that would accompany the DCO application. NJC added that APL would be looking to submit the DCO in Q1 2015 (Feb/March time), and with the acceptance period, examination and decision making periods a decision would be made in mid 2016. NJC explained APL/WPL business model, and how the timeframe was driven by the Electricity Capacity Mechanism. A Councillor asked where APL were on the	

grid connection. Would there be overhead lines; would the connection be in the Swansea west substation? NJC clarified that the electricity connection would be to the substation adjacent to the site, Swansea North Substation, and connection would be likely through an underground cable. There would be an application made to the National Grid for a connection, which would take 6 months for them to determine, APL would then receive a grid connection offer. The Councillor continued by asking if the electricity connection was 'not a problem'. NJC indicated that it wasn't – it may be expensive but it was not difficult, although we were now relying on National Grid. He added that the gas connection was equally straightforward. It was a little further away but not a huge distance. The clerk queried the decision to develop a power station on this site. NJC stated that WPL had looked at more than 800 sites in the UK from 4 years ago when they had seen the demand for peaking plant within the future energy mix. In considering potential sites they looked at things like connections to the electricity and gas networks (of which both this site and the site in Hirwaun were ideal) but also any planning limitations, ecology, flooding and the like. This allowed WPL to identify prospective sites. Additionally, there was the price of connection from National Grid which indicated where they wanted/needed extra generation assets to be located. Taken together, this area, and Abergelli Farm in particular, was ideal for the development of a new power station. A councillor asked if there was any relationship or interaction between APL and the Tidal Lagoon. NJC indicated that there was not. The two projects were proceeding down the same DCO process, but there was no interface at all between the project teams. He added however that schemes like the Tidal Lagoon and other renewable energy projects were	

what drove the need for peaking plants like APL in regards to intermittency of supply – especially the increasing number of wind energy projects and solar farms. He also outlined the difference between SCGT as would be used at a peaking plant and a conventional gas fired power station that would use CCGT, and why SCGT was advantageous in this case. NJC outlined how National Grid would call on APL, and how the penalty structure was still being worked out by government – and that would drive decision making on the final design, which was why the application had to be made under a 'Rochdale Envelope' approach and would be flexible – especially in relation to the number of generating equipment sets and associated stacks. He clarified that in all APL assessment work, the 'worst case' scenario has been assessed – this included five gas turbine generators, five stacks at their maximum height etc. This means that whatever configuration is chosen, APL are confident every potential impact has been assessed. A councillor asked about emissions. They said that this was very important to both Tircoed and Pontlliw villages. NJC began by saying that that the fuel for APL will be no different from the gas that is piped into houses. The emissions would be comparative to what comes out of a boiler exhaust on the side of a house – with no visible plume but at most a shimmer or a heat haze. Generating equipment of this sort was already in place at the gas compression station. NJC added that part of the work that was going on at the moment was definition on the height of the stacks, which would determine the dispersion of emissions, and that as part of the application, a Health Impact Assessment would be produced. RE stated that gas was an incredibly clean burning fossil fuel, but a fossil fuel none the less. The generating equipment would be similar to that that powers aircraft and that	

because of the type of equipment (SCGT) the exhaust would be very hot, which would result in it achieving a significant altitude before dispersion – and this was part of the work being done on the definition of the stacks height. A councillor asked about efficiency, considering the comparison to the household boiler. NJC indicated that in the concept of a peaking plant, efficiency is not particularly significant, and a rapid spool up time (which SCGT supply) is more significant. The efficiency would be of the order of 30-40%, but this is less important because of the short periods of time the plant would be operational for. A councillor asked how emissions are worked out? NJC explained how the air quality assessment is done, and that emissions modelling is done through topographical modelling. A councillor asked how emissions would be controlled and monitored. NJC indicated that this was an issue for NRW through the environmental permitting process. He added that PINS ideally like developers to run the DCO process and the environmental permitting process simultaneously but this is difficult. APL will be submitting a 'shadow' application to NRW so they are aware of what we are proposing and this will satisfy PINS, A councillor asked about Morriston Hospital. Were we aware of its proximity? Both NJC and RE indicated that they were – and that this had been raised at previous meetings with stakeholders and the local community. This would be taken into account in environmental assessments and the local university health board would be a key consultee as part of the formal, statutory consultation process. A councillor queried the lifespan of the proposed project, and what would happen after that period?	

NJC indicated that the lifespan of the project was 25 years. After that the DCO states that it is decommissioned and removed. Dependent on the requirements of the energy network etc at the time it may be repowered but that would require a separate consent. A councillor queried the job numbers. NJC stated that there would be up to 15 full time equivalent employees. While the facility would be highly automated it would still be required to be maintained and manned 24 hours a day 7 days a week. A councillor asked how long the construction period would be. NJC indicated that it varies site to site, but it would be approximately 24 months – but dependent on final design adopted this could be quicker. A councillor asked when the project would be operational? NJC stated that government drove this – and National Grid would want power to be generated from the site by 2020 if APL enters the capacity mechanism as planned. NJC moved on to access during construction and operation, adding that it was something that had been raised a concern during the informal consultation. He indicated that APL preferred a route off the M4 at J46 and through National Grid land, and were beginning conversations with regarding this. The alternative access would be from the north off the Rhyd y Pandy Road, and although this would be assessed it was not something that APL wanted to do. A councillor asked a question about noise. Would the plant be noisy? RE reiterated that there are existing turbines of this kind at the gas compression station that are currently operational – so if the community cannot hear them they will not hear APL. NJC added that there will be insulation and soundproofing in place – but	

also that it would be important to remember that the plant would only be operational at peak times of day – in the morning and the evening – and only very briefly, meaning noise wasn't as a big an issue as it would be on a baseload plant. A councillor queried if there was any link between APL and the new Viridor EfW facility in Cardiff Bay? RE stated that there wasn't. A councillor asked what the status was with HPL? NJC indicated that the project was approximately a year ahead of APL, and that it was just entering the examination phase. A councillor queried information on air quality. Where would more information be available? NJC stated that information on air quality would be contained in the PEIR. NJC and RE thanked the Council for meeting them and indicated that if they had any queries they should feel free to get in touch.	

Appendix 2D: Phase 1 Non-Statutory Consultation: Meetings and Correspondence

2.D: VIII Meetings and Correspondence – Minutes of meeting with Welsh Water (9th October 2014)

PARSONS BRINCKERHOFF

MINUTES

Date:	9th October 2014
Venue:	Welsh Water Offices, Baglan Industrial Park, Port Talbot
Meeting Title:	Potable/Service Water Pipeline Protection
Contract No:	287521B
Purpose:	To discuss and agree the requirements for any protection methods/working in the close vicinity of the potable/service water main. Obtain original/archive Welsh Water "as-built" drawing records and design reports. To open discussions to adapt the HPL protective provisions relating to Welsh Water assets that could be impacted by the project.

Attendees:		
	Rhidian Clement	Welsh Water (WW)
	Norman Campbell	Stag Energy
	Kevin Walmsley	Parsons Brinckerhoff (PB)
	Ryan Broughton	Parsons Brinckerhoff (PB)

Item

1. INTRODUCTIONS

2. PROJECT UPDATE

The project schedule and the indicative site layout were presented to WW. The road access route options were explained along with any interactions with the pipeline.

An easement width of 50m centred on the expected position of the pipeline is included in the layout.

The three legs of Feeder 28 of gas National Transmission System cross the WW service/potable water pipeline north of the Abergelli site. WW were unaware of the crossing method used when installing the three 1200mm gas pipelines.

WW stated that in their view the southwest access road caused the least disruption.

3. POTABLE/SERVICE WATER PIPELINE DETAILS

WW stated the pipeline archives are incomplete. The exact route and depth of the water pipeline is not known. A pipeline condition report dated April 2000 is available and can be shared with Stag Energy/PB.

The pipeline was completed in approximately 1973/4. Cathodic protection is not installed (contrary to previous minutes). Depth of cover over the water pipeline is believed to be 1-1.5m on average.

Two further crossings of this pipe are proposed by separate projects and in these cases the pipeline position has been verified by hand digging a slit trench.

4. ACTIONS

- WW to forward a copy of the Hyder Report regarding the pipeline condition/inspection. If possible WW to include details of the alignment.

Item

- WW to find out if the pipeline will be replaced during the design life of the power plant (25 years) within the same corridor. This could have an impact on the Easement/Wayleave requirements and provisions imposed on Abergelli Power Ltd. by WW. Such provisions are to be clearly reflected in the proposed site layout for the power plant.

- WW to establish what records they have for the recently completed NTS Feeder 28 gas main crossing points from the National Grid gas compressor station adjacent to Swansea North substation. 3 x 1200mm dia. gas mains were installed. Planning submission, geotechnical information, drawings and calculations.

- PB to investigate publically available information regarding the NTS feeder and gas compressor plant construction.

- WW offered to dig a slit trench in the area of the power plant to determine the precise location of the pipeline and depth(s) of cover below existing ground. Stag Energy to consider requesting this service from WW. PB suggests that the scope of the investigation is extended to include the proposed access road from the North from the junction with the public highway to the Power Plant area. This would ensure the design of the access road ensures the WW water pipeline is not affected.

- WW to establish what protective measures, if any, were used by National Grid in the crossing of the 24' cast iron water main with the Swansea North 400kV substation access road.

DISTRIBUTION: Attendees

Copies to: Adam Heffill, Stag Energy

AbergelliSCGT@pbworld.com

Appendix 3: Phase 1 EIA Scoping Consultation

Appendix 3.A: Phase 1 APL EIA Scoping Request

3.A I Letter to PINS enclosing EIA Scoping Report and Regulation 6 Notification (25th June 2014)

Your ref:

Our ref: DS/APL

25th June 2014

Peter Brett Associates LLP
16 Brewhouse Yard
Clerkenwell
London, EC1V 4LJ

T: 07876 576287
E: dscanlon@peterbrett.com

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Sir/Madam

Re: Abergelli Power Station,

Land adjacent to the National Grid compressor station at Abergelli Farm, south of Felindre, Wales
Scoping request and notification under Regulation 6(1) (b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations) (as amended).

On behalf of Abergelli Power Limited (APL), please find enclosed four paper copies of the Abergelli Power Project (APP) Environmental Impact Assessment Scoping Report together with an electronic version on compact disk. APL seek a formal written opinion from the Secretary of State on the information to be included in the Environmental Statement. Also enclosed is a distribution list showing who has received copies of the Environmental Impact Assessment Scoping Report for their information.

The Power Generation Plant component of the APP constitutes a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 and therefore an application for a Development Consent Order (DCO) is proposed to be made to the Secretary of State.

The proposed Gas Connection is integral to the Power Generation Plant is included in the DCO application. The proposed Electrical Connection is integral and is also included. APL confirms that all components of the APP included in the DCO application will be assessed, including cumulatively.

On behalf of Abergelli Power Limited (APL), please also accept this letter as formal notification to the Secretary of State under Regulation 6(1)(b) of the EIA Regulations that APL proposes to provide an Environmental Statement as part of its Development Consent Order (DCO) application for the Abergelli Power Project. The project comprises the Power Generation Plant, Gas Connection and an Electrical Connection.

It is hereby confirmed that it is proposed to include the above components within an application for a DCO. These are also being subject to environmental impact assessment, including cumulatively.

We also request a list of consultation bodies under Regulation 9(1)(a).

Should you require any further information, please do not hesitate to contact the undersigned.

Yours faithfully,

Dermot Scanlon
Director of Environmental Planning

For and on behalf of Peter Brett Associates LLP
16 Brewhouse Yard, Clerkenwell, London, EC1V 4LJ
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e dscanlon@peterbrett.com
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Appendix 3.A: Phase 1 APL EIA Scoping Request

3.A II EIA Scoping Report

Abergelli Power Limited

ABERGELLI POWER PROJECT

Environmental Impact Assessment Scoping Report

June 2014

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Figures

Glossary

Abergelli Power Limited (APL)	A special purpose vehicle which has been established by Watt Power Limited (WPL) to develop the Project.
Above Ground Installation (AGI)	The Above Ground Installation incorporates the minimum offtake connection (MOC) facility, which would be owned by National Grid, and a Pipeline Inspection Gauge (PIG) Trap Facility (PTF), owned by APL. The AGI forms part of the Gas Connection and is located within the Gas Connection Opportunity Area.
Above Ordnance Datum (AOD)	Ordnance Datum is the vertical datum used by Ordnance Survey as the basis for deriving height of ground level on maps. Topography may be described using the level in comparison to 'above' ordnance datum.
Access Road	The proposed purpose built access road from the public highway to the Generating Equipment Site. It is located within the Power Generation Plant Site.
agriculture	Section 336(1) of the Town and Country Planning Act 1990 defines agriculture as including: • Horticulture, fruit growing, seed growing, dairy farming; • The breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land); • The use of land as grazing land, meadow land, osier land, market gardens and nursery grounds; and • The use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.
Agricultural Land Classification (ALC)	The ALC provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system.
air pollutants	Amounts of foreign and/or natural substances occurring in the atmosphere that may result in adverse effects on humans, animals, vegetation and/or materials.
Air Quality Management Area (AQMA)	A defined area by virtue of Section 82(3) of the Environment Act 1995, where it appears that the air quality objectives prescribed under the UK Air

	Quality Strategy will not be achieved. In these areas, a Local Authority must designate Air Quality Management Areas, within which an Action Plan can be proposed to secure improvements in air quality so that prescribed air quality objectives can be achieved.
Air Quality Sensitive Receptors	People, property or designated sites for nature conservation that may be at risk from exposure to air pollutants that could potentially arise as a result of the Project.
amenity	The preferable features of a location which contribute to its overall character and the enjoyment of residents or visitors.
Ancient Woodland	Ancient woodland is defined as an area that has been wooded continuously since at least 1600 AD. Ancient Woodland is divided into ancient semi-natural woodland and plantations on ancient woodland sites. Both types of stand are classed as ancient woods.
Applicant	Abergelli Power Limited (APL)
Area of Outstanding Natural Beauty (AONB)	An area designated by Natural England under the National Parks and Access to the Countryside Act 1949 by virtue of being a precious landscape whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them.
Archaeological Desk Based Assessment	An assessment of the known or potential archaeological resource within a specified area or site on land, inter-tidal zone or underwater. It consists of a collation of existing written, graphic, photographic and electronic information in order to identify the likely character, extent, quality and worth of the known or potential archaeological resource in a local, regional, national or international context as appropriate.
archaeological interest	Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Balance of Plant	All infrastructure required to support Gas Turbine Generators within the Generating Equipment Site and includes: stacks; Air Cooled Condensers (ACC)/ cooling plant; demineralised water tank; raw/ fire water tank; administration/ workshop/ control building and gas receiving facility.
baseline	Environmental conditions at specific periods of

	time, present on, or near a site, against which future changes may be measured or predicted.
biodiversity	Abbreviated form of 'biological diversity' referring to variability among living organisms from all sources including, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part.
Biodiversity Action Plan (BAP)	Plans which set specific, measurable, achievable, realistic and time bound conservation targets for species and habitats. The UK BAP is the UK Government's response to the Convention on Biological Diversity (CBD) signed in 1992. More information is available at www.ukbap.org.uk.
British Standards (BS)	The display of a British Standard number shows that the manufacturer claims to have made the produce in accordance with British Standard. A standard is a published document that contains a technical specification or other precise criteria designed to be used consistently as a rule or definition. Standards are designed for voluntary use and do not impose any regulations. However, laws and regulations may refer to certain standards and make compliance with them compulsory. Sometimes BS will be accompanied by the letters EN and/or ISO. These mean that the standard was developed as a European (EN) or International (ISO) standard and then adopted by the UK as a British Standard.
Carbon Monoxide (CO)	A colourless, odourless and tasteless gas that is produced from the partial oxidation of carbon containing compounds.
Combined Cycle Gas Turbine (CCGT)	Gas plant technology system comprising Gas Turbine(s) fuelled by natural gas, a Heat Recovery Steam Generator(s) utilising heat from the Gas Turbine exhaust gases, and a steam turbine plant with associated condensing system.
Combined Heat and Power (CHP)	A cogeneration power station capable of supplying power to the National Grid and also heat to local heat users (such as industry or leisure) through a direct connection to waste heat/steam produced as part of the combustion process.
Conceptual Site Model	The objective of constructing a Conceptual Site Model is to record all the potential pollutant linkages between the source of contamination and the receptors, i.e. the reasonably possible ways in which the receptors may experience

	exposure and consequent adverse effects.
Conservation Area	An area of special environmental or historical importance that is protected from changes by law by statutory designation.
Construction Environmental Management Plan (CEMP)	Strategic document setting out best practice methods to minimise environmental impacts (including dust) during construction.
consultation	Procedures for assessing public, landowner and statutory consultee opinion about a plan or major development proposal including seeking the views of affected neighbours or others with an interest in the Project or affected land
contamination	Where land has been affected by contamination it may present a risk to humans, ecosystems, water quality and property.
cropmarks	A mark that is produced by the effect of underlying archaeological or geological features influencing the growth of a particular crop.
Cultural Heritage	The legacy of physical artefacts and intangible attributes of a group or society inherited from past generations, maintained in the present and bestowed for the benefit of future generations. Cultural heritage includes both physical culture (such as buildings, monuments, landscapes, books, works of art and artefacts) as well as intangible culture (such as folklore, traditions, language and knowledge).
cumulative effects	The summation of effects that result from changes caused by a development in conjunction with other reasonably foreseeable development that is either consented but not yet constructed or is in the process of seeking consent.
Desk Based Assessment (DBA)	Research based primarily on database and internet data gathering methods.
Development Consent Order (DCO)	A Development Consent Order (DCO) is made by the Secretary of State (SoS) pursuant to the Planning Act 2008 (PA 2008) to authorise a Nationally Significant Infrastructure Project (NSIP).
Development Consent Order Application (DCO Application)	The Application for a DCO made to the SoS under section 37 of the PA 2008 in respect of the Project, required pursuant to section 31 of the PA 2008 because the Project constitutes an NSIP under section 14(1)(a) and section 15 PA 2008 by virtue of being an onshore generating station in

	England or Wales of 50 MWe capacity or more.
Development Plan Documents (DPD)	Development plan documents (DPD) include the core strategy, allocations, proposals map and action area plans.
dust	Fine particles of solid materials capable of being re-suspended in air and settling only slowly under the influence of gravity where it may cause nuisance.
Electrical Connection	The Electrical Connection will comprise all the necessary elements to enable power to be exported from the Generating Equipment to the NETS. It includes new electrical circuits proposed as either underground cable or overhead lines and cable terminal chambers on the GIS (Gas Insulated Switchgear) circuit at the point where the underground cable or overhead line emerges to facilitate its connection into the NETS. The Electrical Connection is located within the Electrical Connection Opportunity Area.
Electrical Connection Opportunity Area	The area being investigated for the location of the Electrical Connection.
emission	A material that is expelled or released to the environment. Usually applied to gaseous or odorous discharges to the atmosphere.
Environmental Impact Assessment (EIA)	A systematic means of assessing a development project's likely significant environmental effects undertaken in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.
Environmental Statement (ES)	Statutory report summarising the findings of an environmental impact assessment.
features (landscape feature or element)	A component part of the landscape (e.g. hedgerow, wood, stream)
findspot	Location of individual or groups of archaeological artefacts.
Flood Consequences Assessment (FCA)	A desk based study which considers the contributing factors and predicts / quantifies the risk of flooding to and from a proposed development and also identifies a water level in the event of flooding.
Flood Zone	An area identified, through modelling, that is at risk of flooding from rivers or the sea, to varying levels of magnitude and frequency. There are four classifications for flood zones as defined in the Technical Advice Note 15: Development and

	Flood Risk: • Zone A: Considered to be at little or no risk of fluvial or tidal/coastal flooding; • Zone B: Areas known to have been flooded in the past evidenced by sedimentary deposits; • Zone C: Based on Environment Agency extreme flood outline, equal to or greater than 0.1% (river, tidal or coastal); • Zone C1: Areas of the floodplain which are developed and served by significant infrastructure, including flood defences; and • Zone C2: Areas of the floodplain without significant flood defence infrastructure.
Gas Connection	A new underground gas Pipeline connection and Above Ground Installation (AGI) to bring natural gas to the Generating Equipment from the Gas National Transmission System (NTS) or Local Transmission System (LTS). The Gas Connection is located within the Gas Connection Opportunity Area.
Gas Connection Opportunity Area	The area being investigated for specific route corridor options for the Gas Connection.
Gas Turbine Generators	Between one and five Simple Cycle Gas Turbine (SCGT) generators (as proposed in the Power Generation Plant) which utilise the combustion of gas and air to generate hot gases that are routed across turbine blades, which generate rotational forces that turn an electrical generator. The exhaust gases are discharged directly to the stack without providing heat for a secondary steam cycle. Each Gas Turbine Generator may constitute one or two gas turbines venting to a single stack. The Gas Turbine Generators form part of the Generating Equipment and are located within the Generating Equipment Site.
Generating Equipment	Gas Turbine Generators and balance of the plant which are located on the Generating Equipment Site.
Generating Equipment Site	The site where the Generating Equipment is located.
groundwater	Water occurring in the ground which can be reasonably attributed to relatively geologically recent recharge and which can be reasonably considered to be wholesome (potable) unless it has been contaminated (altered) by anthropogenic activity.

habitat	The environment in which populations or individual species live or grow.
Heavy Goods Vehicle (HGV)	A mechanically propelled road vehicle that is of a construction primarily suited for the carriage of goods or burden of any kind and designed or adapted to have a maximum weight exceeding 3,500 kilograms when in normal use and travelling on a road laden.
hectare	A unit of area (10,000 m^2 / 2.471 acres).
heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets identified by the local planning authority (including local listing).
historic environment	All aspects of the environment resulting from the interaction between people and places through time including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped, planted or managed flora. Those elements of the historic environment that hold significance are called heritage assets.
Historic Environment Record (HER)	The repository for all archaeological and historical information relating to a county or district.
Historic Parks and Gardens	A register of historic parks and gardens of particular historic importance.
hydrology	The movement, distribution and quality of water throughout the earth.
impact	A physical or measurable change to the environment attributable to the Project.
kilometre (km)	Measurement of distance (1000 metres).
kilovolt (kV)	Measurement of the amount of electric potential energy.
landscape assessment	An umbrella term for description, classification and analysis of the landscape.
landscape character	The distinct and recognisable pattern of elements that occurs consistently in a particular type of landscape, and how this is perceived by people. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement.
landscape effects	Change in the elements, characteristics,

	character and qualities of the landscape as a result of development. These effects can be positive or negative.
Laydown Area	The area required during construction for storing materials and equipment. It is located within the Power Generation Plant Site.
Listed Building	The Secretary of State compiles a list of buildings of special architectural or historic interest for the guidance of local planning authorities in the exercise of their planning functions under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning Act 1990. Buildings are graded as follows: • Grade I – Buildings of exceptional interest; • Grade II* - Particularly important buildings of more than special interest; and • Grade II – Buildings of special interest.
Local Nature Reserve (LNR)	A site of importance for wildlife, geology, education or public enjoyment. Some are also nationally important Sites of Special Scientific Interest. Local Nature Reserves must be controlled by the local authority through ownership, lease or agreement with the owner.
Local Transmission System (LTS HP Pipeline)	The LTS distributes the gas supply from the NTS to the locations where the load requirement is required, generally in smaller pipelines (<24”/600 mm diameter) operating at lower pressure (<50 barg).
magnitude	A combination of the scale, extent and duration of an effect.
metre (m)	Measurement of length.
mitigation measures	Actions proposed to prevent, reduce and where possible offset significant adverse effects arising from the whole or specific elements of a development.
millimetre (mm))	Measurement of size.
Minimum Offtake Connection (MOC)	A connection that will offtake gas directly from the National Transmission System. The MOC forms part of the AGI and therefore the Gas Connection. It is located within the Gas Connection Opportunity Area.
National Grid Electricity Transmission System (NETS)	A high-voltage electric power transmission network connecting power stations and major substations and ensuring that electricity

	generated anywhere in England, Scotland and Wales can be used to satisfy demand elsewhere.
National Park	A national park is an area designated for its special landscape rich in character and distinctiveness, wildlife history and heritage.
National Policy Statement (NPS)	Overarching policy designated under the PA 2008 concerning the planning and consenting of NSIPs in the UK.
National Transmission System (NTS)	A network of gas pipelines throughout the United Kingdom that supply gas to large industrial customers from natural gas terminals situated on the coast, and also gas distribution companies which lead indirectly to homes.
Nationally Significant Infrastructure Project (NSIP)	The Project constitutes a Nationally Significant Infrastructure Project (NSIP) by virtue of s.14(1)(a) and s.15 of the PA 2008 which include within the definition of a NSIP any onshore generating station in England or Wales of 50 MW capacity or more.
Nitrous Oxides (NO_x)	Gases produced during combustion, including nitric oxide (NO) and nitrogen dioxide (NO_2).
noise	Noise defined as unwanted sound, is measured in units of decibels, dB. The range of audible sounds is from 0dB to 140 dB. Two equal sources of sound, if added together will result in an increase in level of 3 dB i.e 50dB + 50dB = 53 dB. Increases in continuous sound are perceived in the following manner: • 1dB increase – barely perceptible • 3dB increase – just noticeable • 10dB increase – perceived as twice as loud
Noise Sensitive Receptor (NSR)	Principally houses (existing or for which planning consent is being sought / has been given) and any building used for long-term residential purposes (such as a nursing home).
Non-Technical Summary (NTS)	A report which briefly describes the main points discussed in the Environmental Statement in a clear manner, without the use of technical jargon and phraseology.
particulate matter	Solid particles or liquid droplets suspended or carried in the air.
peaking plant	Peaking plants are operated when there is a stress event.
Phase 1 Habitat Survey	An ecological survey technique that provides a

	standardised system to record vegetation and wildlife habitats. It enables a basic assessment of habitat type and its potential importance for nature conservation.
photomontage	A type of visualisation or illustration that is based on photographs and that simulates the likely appearance of a proposed development in the photographic view. Photomontages are used as illustrations of the professional judgement of a landscape professional as to the significance of the effect of a project on landscape and visual receptors.
PIG Trap Facility (PFT)	PIG traps allow PIGs to be inserted into and removed from a pipeline which is to undergo a "pigging" program and which is likely to be under pressure. The PFT forms part of the AGI and therefore the Gas Connection. It is located within the Gas Connection Opportunity Area.
Pipeline Inspection Gauge (PIG)	Means a device to perform various maintenance operations on a pipeline.
Pipeline	The new underground gas pipeline connection proposed as part of the Gas Connection which is located within the Gas Connection Opportunity Area.
Planning Act 2008 (PA 2008)	UK legislation which passes responsibility for examining Development Consent Order (DCO) Applications for NSIPs to the Planning Inspectorate, who will examine applications and make recommendations for a decision by the relevant Secretary of State (the Secretary of State for Energy and Climate Change in the case of energy NSIP applications).
Preliminary Environmental Information Report (PEIR)	The report that provides information referred to in Part 1 of Schedule 4 of the EIA Regulations (information for inclusion in Environmental Statements) which has been compiled by the Applicant; and is reasonably required to assess the environmental effects of the development (and of any associated development).
Power Generation Plant	A SCGT gas fired 'peaking' power generating plant capable of providing up to 299 MW comprising: the Generating Equipment; Access Road; and temporary Laydown Area. It will be located within the Power Generation Plant Site.
Project	The Power Generation Plant, Electrical Connection and Gas Connection located on the

	Project Site.
Project Site	The entire area covered by or required in order to deliver the Project.
public right of way (PROW)	A right of passage by the public over the surface of the land without impediment. Public Rights of Way include public footpaths, bridleways and byways open to all traffic as well as Restricted Byways.
receptor	A component of the natural, created or built environment such as a human being, water, air, a building, or a plant that has the potential to be affected by the Project.
Reciprocating Gas Engine (RGE)	An engine that employs the expansion of hot gases to push a piston within a cylinder, converting the linear movement of the piston into the rotating movement of a crankshaft to generate power.
residual effects	Those effects of a development that cannot be mitigated following implementation of mitigation proposals.
Restricted Byways	Rights of way along which it is legal to travel by any mode (including on foot, bicycle, horse-drawn carriage etc.) but excluding 'mechanically propelled vehicles'.
Rochdale Envelope	The Rochdale Envelope allows for a project to evolve over a number of years, within clearly defined parameters. The EIA takes account of the need for such evolution, within those parameters, and reflects the likely significant effects of such a flexible project in the ES.
ruderal	Plant species typical of the early stages of colonisation of disturbed ground, often short-lived species, or the community formed by a collection of such species in recently disturbed habitat.
Scheduled Monument	A building included in the Schedule of Monuments compiled under Section 1 of the Ancient Monuments, and Archaeological Area Act 1979. Scheduled Monuments have statutory protection under this Act (Section 2) and an application for Scheduled Monument Consent must be made to the Secretary of State for Culture, Media and Sport if work to a Scheduled Monument is proposed.
Scoping	An exercise undertaken pursuant to regulation 8 of the Infrastructure Planning (Environmental

	Impact Assessment) Regulations 2009 to determine the topics to be addressed within the Environmental Statement.
Screening	Consideration as to whether an environmental impact assessment is required for a project.
Secretary of State (SoS)	The decision maker for a NSIP application and head of a government department.
Simple Cycle Gas Turbine (SCGT)	Gas plant technology system comprising Gas Turbine(s) fuelled by natural gas. The hot exhaust gases are routed directly to the stack without passing through a secondary steam turbine. The generating technology used for the Power Generation Plant.
Site of Importance for Nature Conservation (SINC)	Sites of Importance for Nature Conservation are usually selected within a local authority area and support both locally and nationally threatened wildlife. Many sites will contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP).
Site of Special Scientific Interest (SSSI)	A site statutorily notified under the Wildlife and Countryside Act 1981 (as amended) as being of special nature conservation or geological interest. SSSIs include wildlife habitats, geological features and landforms.
Special Area of Conservation (SAC)	Areas of protected habitats and species as defined in the European Union's Habitats Directive (92/43/EEC).
Special Protection Area (SPA)	Sites classified in accordance with Article 4 of the EC Birds Directive (79/409/EEC) which came into force in April 1979. They are classified for rare and vulnerable birds (as listed on Annex 1 of the Directive), and for regularly occurring migratory species.
Special Purpose Vehicle	A legal entity created to fulfil the specific purpose of developing projects.
species	A group of interbreeding organisms that seldom or never interbreed with individuals in other such groups, under natural conditions; most species are made up of subspecies or populations.
stress event	A surge in demand for electricity associated with a particular event (e.g. where may people across the country boil kettles following the end of a popular television programme or where there is a sudden drop in power being generated from plants which are constantly operational (e.g. a

	sudden outage).
Sustainable Drainage System (SuDS)	Sustainable management practices designed to control the rate and quality of surface water runoff into receiving waters, for example the use of swales and wetlands as buffers, as opposed to conventional drainage practices.
topography	The natural or artificial features, level and surface form of the ground surface.
Transport Assessment (TA)	A quantitative assessment of transport effects of construction and operational phases of the Project.
United Kingdom	The territory of the United Kingdom
visual amenity	The value of a particular area or view in terms of what is seen.
visual effect	Change in the appearance of the landscape from available viewpoints as a result of development.
Watt Power Limited (WPL)	Watt Power Limited was established to develop flexible gas fired generation assets to support the UK Government drive to a low carbon economy. WPL has set up Abergelli Power Limited (APL), a Special Purpose Vehicle to develop the Project.
Zone of Theoretical Visibility (ZTV)	Areas from which a specified element of a development may be visible.

1 Introduction

1.1 Overview

1.1.1 This document is the Environmental Impact Assessment (EIA) Scoping Report for the Abergelli Power Project (hereafter referred to as the 'Project') which sets out the proposed scope and content of the EIA to support the Development Consent Order (DCO) Application and the method by which it is intended to be carried out. The report has been prepared by Orbis Energy Limited on behalf of Abergelli Power Limited (APL).

1.1.2 The Project as shown on Figure 1 would comprise:

- A new **Power Generation Plant** in the form of a Simple Cycle Gas Turbine (SCGT) gas fired peaking power generating station fuelled by natural gas and capable of providing an electrical capacity of up to 299 Megawatts (MW) comprising:
  - The **Generating Equipment** including the Gas Turbine Generators and Balance of Plant which are located on the **Generating Equipment Site**;
  - A new purpose built **Access Road** either from the Rhyd-y-pandy Road to the north (**Access Road – Option 1**) or the B4489 to the west (**Access Road – Option 2**) to the Generating Equipment Site; and
  - During construction a temporary construction compound (the **Laydown Area**).
- A new **Gas Connection** to bring natural gas to the Generating Equipment from either the National Transmission System (NTS) or the Local Transmission System (LTS), which is located within the **Gas Opportunity Area**; and
- A new **Electrical Connection** to export power from the Generating Equipment to the National Grid Electricity Transmission System (NETS) for distribution to homes and businesses which is located within the **Gas Connection Opportunity Area**.

1.1.3 The Generating Equipment, Access Road and Laydown Area are together known as the **Power Generation Plant**, and are located within the **Power Generation Plant Site**.

1.1.4 The Power Generation Plant, Gas Connection and Electrical Connection are all integral to the generation of electricity and together are referred to as the '**Project**'. The land upon which the Project would be developed, or which would be required in order to facilitate the development of the Project, is referred to as the '**Project Site'**.

1.1.5 The Project would be situated on farmland located north of Swansea in the City and County of Swansea, approximately 1 km southeast of Felindre, 760

m west of Llwyncelyn and 1.4 km north of Llangyfelach. The approximate centre of the Project Site lies at grid reference is 265284, 201431.

1.1.6 The Project is described in more detail in Section 3, including the options currently under consideration for the Access Road, Gas Connection and Electrical Connection.

1.2 Need for and Benefits of the Project

1.2.1 There is considerable national need for this type of development, acknowledged at all levels of Government policy. National planning policy supports the need for new electricity infrastructure due to the current ageing and inevitable closure of older coal fired power plants and the likely increase in demand for electricity over the coming decades.

1.2.2 The overarching National Policy Statement for Energy (NPS EN-1)[1] states that 'gas will continue to play an important role in the electricity sector – providing vital flexibility to support an increasing amount of low-carbon generation and to maintain security of supply' (paragraph 3.6.2).

1.2.3 Gas is a reliable fuel source. It is acknowledged by the Government as being essential to a low-carbon economy and to underpin the country's energy security. In addition, gas peaking plants such as the Project provide back-up to power generation from renewable sources, particularly wind power, which is an increasingly prevalent but intermittent energy source. Modern gas fired power plants are among the most efficient and cleanest forms of electricity power generation.

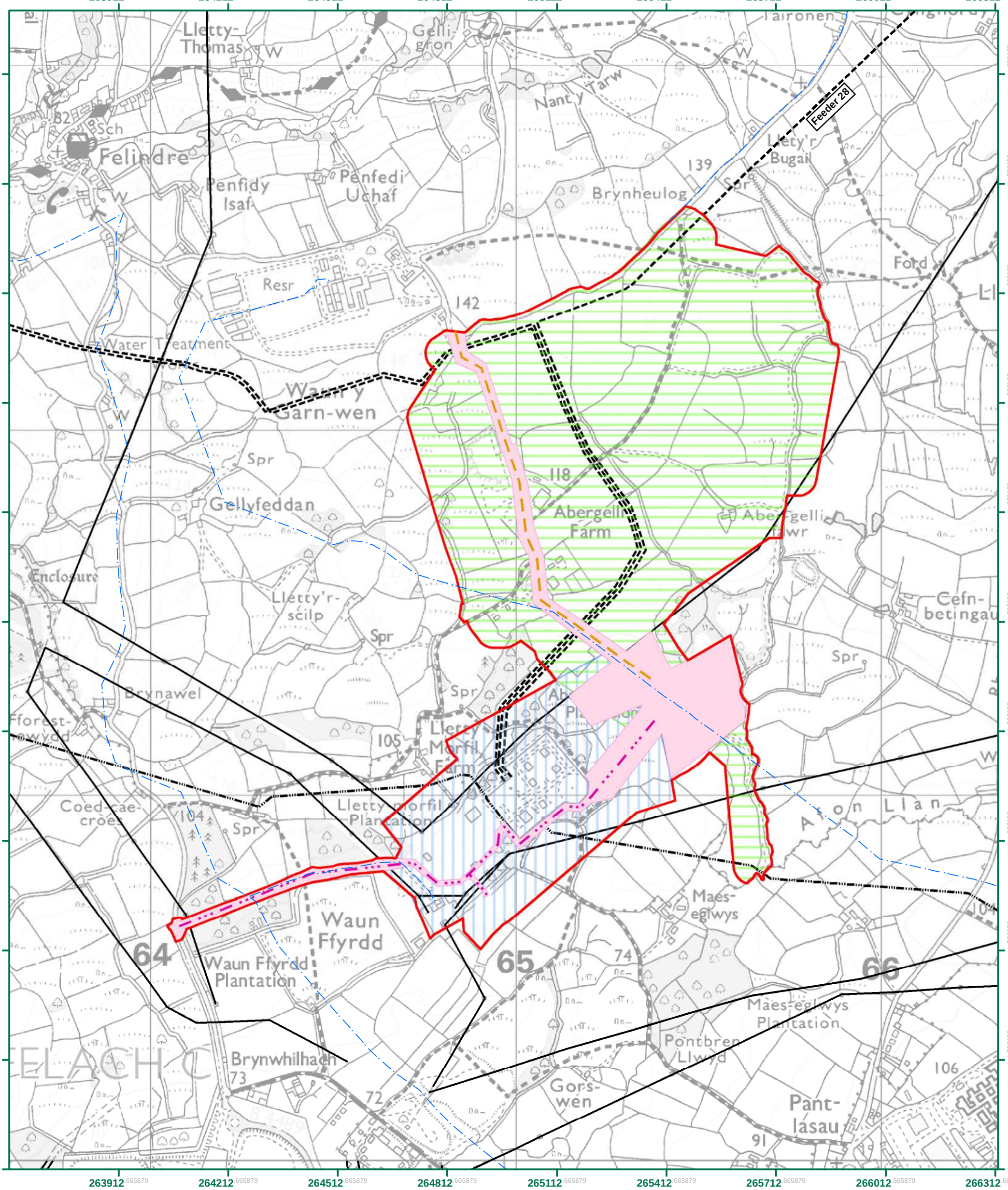
1.2.4 At present, thermal peaking capacity in the UK is relatively small due to the nature of the electricity generation mix on the NETS. There is therefore a clear and significant requirement for further capacity to meet the projected need for reactive/flexible generation. A dedicated gas fired peaking plant such as the Project could allow for the rapid provision of reserve capacity to the NETS, thus playing a role in meeting the energy requirements of the UK going forward.

1.3 The Applicant

1.3.1 The Project Applicant is Abergelli Power Limited (APL). APL is an energy development company established for the Project by Watt Power Limited (WPL).

1.3.2 WPL has been established to develop flexible gas fired generation assets to support the UK Government drive to a low carbon economy. Stag Energy provides the resources through a management services agreement with WPL. Stag Energy was founded in 2002 and the company draws on a depth of experience within a team that has created and delivered over 10,000 MW of power generation and related infrastructure projects across the globe, of which 2,500 MW was delivered in the UK.

[1] Department of Energy and Climate Change (July 2011) Overarching National Policy Statement for Energy (EN-1)

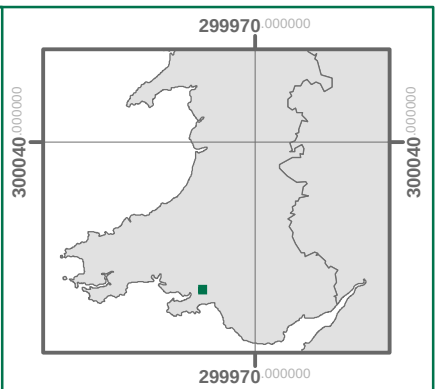


- Proposed Draft DCO Site Boundary
- Access Road Option 1
- Access Road Option 2
- Power Generation Plant Site
- Electrical Connection Area of Opportunity
- Gas Connection Area of Opportunity
- Existing 400kV Overhead Line
- Existing NTS Pipeline
- Existing LTS HP Pipeline
- Existing Water Pipeline

Data Sources

Abergelli power

Figure 1: Project Site Plan



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1.3.3 WPL currently has two other 299 MW projects being brought forward through the planning process. They are Progress Power Ltd at Eye Airfield in Suffolk (www.progresspower.co.uk) and Hirwaun Power Ltd at Hirwaun in South Wales (www.hirwaunpower.co.uk). Both projects are now in the pre-examination phase following acceptance of the DCO Applications by the Planning Inspectorate.

1.3.4 Similarly, Stag Energy provides resources to the Gateway Storage Company Ltd, which is developing an offshore salt cavern gas storage facility in the East Irish Sea. The project has been consented by the UK Government, the Marine Management Organisation and the local planning authority (Barrow-in-Furness Borough Council, Cumbria). Further information on the project is available at www.gatewaystorage.co.uk.

1.3.5 WPL is committed to the development of assets to support the UK Government's drive to a low carbon economy. APL recognises the need to balance commercial issues with the environmental benefits and concerns of energy projects and believes this can be responsibly delivered at a local level. The Project and supporting infrastructure will be designed and developed to high quality, safety and environmental standards.

1.3.6 Further information on the companies is provided at http://www.abergellipower.co.uk or http://www.wattpowerltd.co.uk.

1.4 The Consenting Regime and EIA Process

The Planning Act 2008

1.4.1 In England and Wales, an onshore electricity generating station is considered to be a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 (PA 2008) if its generating capacity is more than 50 MW. As the proposed Power Generation Plant would have a generating capacity of at least 50 MW, and up to 299 MW, it would be classified as a NSIP under Section 14(1)a and Section 15(2) of the PA 2008. Under Section 31 of the PA 2008, development consent is required for development that is or forms part of a NSIP and therefore a DCO Application will be made to the Secretary of State (SoS).

Requirement for an EIA and Notification under Regulation 6(1)(b)

1.4.2 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations)[2] and regulation 5(2)(a) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009[3] impose procedural requirements, in particular, the carrying out of EIA in relation to DCO Applications. All development in Schedule 1 (Schedule 1 development) requires EIA to be carried out. Development in Schedule 2 (Schedule 2 development) requires an EIA to be carried out if the project is likely to have significant effects on the environment.

[2] The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 No. 2263
[3] The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 No. 2264

1.4.3 The Project has been identified as a Schedule 1 development and therefore the Applicant intends to carry out an EIA for the Project in accordance with the EIA Regulations. The findings of the EIA will be summarised in an Environmental Statement (ES) which along with the scoping opinion will be submitted alongside the DCO Application.

Consultation Strategy

1.4.4 A consultation strategy will be implemented in accordance with Sections 42, 47 and 48 of PA 2008 and its associated secondary legislation which will allow the local community, statutory consultees and interested parties, including persons with an interest in any land that is affected by the DCO Application, to comment on and input into the planning and development process. All representations made during the consultation process will be considered carefully and APL will have regard to all relevant responses prior to submission of the DCO Application. The outputs generated from the formal statutory consultation will be summarised in a consultation report, submitted alongside the DCO Application.

1.4.5 A Statement of Community Consultation (SoCC) will be agreed with the City and County of Swansea Council before being published. The SoCC will set out how APL intends to consult with the local community in accordance with Section 47 of the PA 2008 throughout the preparation of the DCO Application.

1.4.6 APL has already commenced some preliminary discussions with various departments of City and County of Swansea Council and, where relevant, the outcome of these consultations has informed this report.

1.5 Purpose of the Scoping Report

1.5.1 This Scoping Report represents APL's formal notification to the SoS under regulation 6(1)(b) of the EIA Regulations. The report sets out the proposed scope and content of the EIA to support the DCO Application and the method by which it is intended to be carried out.

1.5.2 On behalf of the SoS, the Planning Inspectorate (PINS) is requested to acknowledge the regulation 6 notification and confirm that the Project is an EIA development in accordance with regulation 4(2)(a) of the EIA Regulations. In addition, PINS is requested to provide a Scoping Opinion on the possible significant environmental effects of all elements of the Project, the proposed methodologies to assess the impacts, and the proposed structure of the Environmental Statement (ES) (as presented in Sections 4 and 5 of this report).

1.5.3 PINS and consultees are also invited to highlight any additional issues that they believe should be addressed within the EIA, and to identify any sources of information that may be of interest to APL and the EIA team.

1.6 Content of the Scoping Report

1.6.1 The Scoping Report is set out as follows:

- Chapter 1 introduces the Project and the Applicant and outlines the consenting regime, the need for and benefits of the Project, and the consultation strategy;
- Chapter 2 provides a brief description of the planning policy background and regulatory framework in which the Scoping Report has been prepared;
- Chapter 3 provides a more detailed description of the Project, Project Site and surrounding area;
- Chapter 4 provides a high level overview of the proposed scope of the EIA;
- Chapter 5 describes the content and assessment methodology of each of the impact sections in detail; and
- Chapter 6 provides a summary and conclusion of the report; and
- Appendix 1 provides the Preliminary Ecological Appraisal.

2 Regulatory and Policy Background

2.1 Introduction

2.1.1 This chapter summarises the main regulatory and policy framework that is relevant to the Project at international, national and local levels.

2.1.2 A comprehensive review of potentially relevant policy and evidence will be undertaken during the pre-application process. A detailed description of the planning policy background and its relevance to the Project will be provided in the Planning Statement, which will be produced as a separate document to support the DCO Application. A summary of the impacts of the Project on relevant and important planning policy will be discussed more fully within the Preliminary Environmental Information Report (PEIR), ES and other documents submitted for examination in support of the DCO Application.

2.2 European Union (EU)

2.2.1 The EU Directives of particular relevance to the Project with respect to environmental requirements are listed below:

- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the EIA Directive)[4];
- Directive 2003/35/EC of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (the Public Participation Directive)[5];
- Directive 2010/75/EU of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (the Industrial Emissions Directive (IED))[6];
- Directive 1992/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)[7];
- Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the Birds Directive)[8]; and
- Directive 2008/50/EC of 21 May 2008 on ambient air quality and cleaner air for Europe (the Ambient Air Quality Directive)[9].

[4] European Council Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the EIA Directive)
[5] European Council Directive 2003/35/EC of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (the Public Participation Directive)
[6] European Council Directive 2010/75/EU of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (the Industrial Emissions Directive (IED))
[7] Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive)
[8] Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive)
[9] Directive 2008/50/EC of 21 May 2008 on ambient air quality and cleaner air for Europe (the Ambient Air Quality Directive)

2.3 Overview of Decision Making under the Planning Act 2008 and Policy Context

2.3.1 The Project is categorised as a NSIP and will be examined by PINS with the decision on the DCO Application made by the SoS under the regime established by the PA 2008 as described in Chapter 1.

2.3.2 As set out in NPS EN-1 (Overarching National Policy Statement for Energy), 'this NPS, when combined with the relevant technology-specific energy NPS, provides the primary basis for decisions' (Paragraph 1.1.1). The decision-maker 'should start with a presumption in favour of granting consent to applications for energy NSIPs' (paragraph 4.1.2) and on the basis that the urgent national need for such projects is settled.

2.3.3 Decisions must also be taken by the SoS having regard to the local impact reports and any other matters which the SoS 'thinks are both important and relevant to its decision' (Section 104 of the PA 2008), which may include Planning Policy Wales, Development Plan Documents (DPDs) or other documents in the Local Development Framework (LDFs).

2.4 National Policy Statements

2.4.1 PA 2008 required new policy to inform decisions on NSIPs in England and Wales. Policy for such infrastructure is set out in National Policy Statements (NPS). Those that are potentially relevant to the consideration of the DCO Application are:

- The Overarching National Policy Statement for Energy (NPS EN-1);
- The National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (NPS EN-2) [10];
- NPS EN-4 National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines[11]; and
- NPS EN-5 National Policy Statement for Electricity Networks Infrastructure[12].

2.5 Welsh Planning

Planning Policy Wales (Edition 6, February 2014) (PPW) and Associated Technical Advice Notes (TAN)[13]

2.5.1 'Planning Policy Wales' (PPW) sets out the land use planning policies of the Welsh Assembly Government (WAG) and is supplemented by 21 topic based Technical Advice Notes (TANs). TANs prescribe the government's

[10] Department of Energy and Climate Change (July 2011) National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)
[11] Department of Energy and Climate Change (July 2011) National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipeline (EN4)
[12] Department of Energy and Climate Change (July 2011) National Policy Statement for Electricity Networks Infrastructure
[13] Welsh Government (February 2014) Planning Policy Wales Edition 6

policies on various planning issues that shape the preparation of development plans. The principles and objectives of TANs prescribe the overarching national guidance for specific individual environmental topics. Both the PPW and TANs are material considerations in determining planning applications under the Town and County Planning Act 1990 regime. It may be determined that these policy documents are relevant and important under the PA 2008 regime.

2.5.2 Potentially relevant TANs to the Project are:

- TAN 5: Nature Conservation and Planning;
- TAN 6: Planning for Sustainable Rural Communities;
- TAN 11: Noise;
- TAN 12: Design;
- TAN 15: Development and Flood Risk; and
- TAN 18: Transport.

2.6 Local Planning Policy

The City and County of Swansea Unitary Development Plan (UDP)[14]

2.6.1 The City and County of Swansea Unitary Development Plan (UDP) was adopted on 10th November 2008. It is the most up to date Development Plan covering the administrative area within the City and County of Swansea and is used in the determination of planning applications. The UDP sets out a range of policies and proposals relating to future development, and deals with the use and conservation of land and buildings within the City and County up to 2016.

2.6.2 Its purpose is to promote sustainable development, protect the environment, facilitate regeneration and support community planning by ensuring that sufficient land is available for all development needs (for housing, industry etc.) and that the allocations are well located in terms of environmental, social and economic aspirations.

2.6.3 The UDP has allocated the land within the Project Site for coal (R2) as well as sand and aggregate resource management (R4).

Swansea Local Development Plan

2.6.4 The Unitary Development Plan (UDP) is to be replaced within the next few years by the Swansea Local Development Plan (LDP). The Preferred Strategy was published in July 2013[15] for consultation. The Local Development Preferred Strategy is a strategic level planning document that

[14] The City and County of Swansea (November 2008) The City and County of Swansea Unitary Development Plan adopted November 2008
[15] The City and County of Swansea (July 2013) Preferred Strategy

sets out the broad approach being taken to ensure the City and County of Swansea is developed in a sustainable manner over the period to 2025.

2.7 Other Relevant Policy and Guidance

2.7.1 The following are considered to be potentially relevant policy and guidance in considering the potential impact of the Project:

- The Electricity Market Reform (2012)[16];
- A Low Carbon Revolution: Wales' Energy Policy Statement (2010)[17];
- Environment Strategy for Wales (2006)[18];
- The UK Climate Change Risk Assessment (CCRA) (2012)[19];
- Gas Generation Strategy (2012)[20];
- National Infrastructure Plan (2013)[21];
- Annual Energy Statement (2013)[22]; and
- Energy Wales – A Low Carbon Transition[23].

[16] Department of Energy and Climate Change (May 2012) Electricity Market Reform: Policy Overview
[17] Welsh Assembly Government (March 2010) A Low Carbon Revolution – The Welsh Assembly Government Energy Policy Statement
[18] Welsh Assembly Government (May 2006) Environment Strategy for Wales
[19] Department for Environment, Food and Rural Affairs (January 2012) UK Climate Change Risk Assessment: Government Report
[20] Department of Energy and Climate Change (December 2012) Gas Generation Strategy
[21] HM Treasury (December 2013) National Infrastructure Plan 2013
[22] Department of Energy and Climate Change (October 2013) Annual Energy Statement 2013
[23] Welsh Government (March 2012) Energy Wales: A Low Carbon Transition

3 Project Description

3.1 Project Site

3.1.1 The Project Site would be situated on pastoral fields north of Swansea in the City and County of Swansea, approximately 1 km southeast of Felindre, 760 m west of Llwyncelyn and 1.4 km north of Llangyfelach. The farmland is currently used for sheep and horse grazing as well as horse training and breeding. The western extent of the Project Site encompasses National Grid's two 400kV electrical substations and Felindre Gas Compressor Station. In addition areas within the Project Site have in the past, been subject to a variety of permissions for mineral extraction, inert landfill and other commercial activities.

3.1.2 The Power Generation Plant Site would be located primarily within fields used for grazing bounded by a mixture of drainage ditches, fencing and defunct hedgerows with substantial gaps in them. There is an existing farm road at the northern end of Access Road – Option 1. The Generating Equipment Site and Laydown Area are divided into two areas by a soft surface horse training track known as 'the gallops' with a block of broadleaved woodland to the east classified as Ancient Woodland and a Site of Importance for Nature Conservation (SINC). There are also further blocks of woodland to the west where Access Road – Option 2 is located. The land within the Generating Equipment Site is at approximately 90 m above Ordnance Datum (AOD) and gently slopes down towards the south.

3.1.3 The Gas Connection would lie within the Opportunity Area identified on Figure 1 and would either be located to the north, northwest or south of the Generating Equipment Site crossing grazing fields bound by hedgerows and ditches as well as a public footpath. The fields are interspersed by small deciduous copses, some of which are classified as Ancient Woodland and SINCs to the north, northeast and northwest of the Generating Equipment Site, as identified on Figure 3.

3.1.4 The Electrical Connection would lie within the Opportunity Area identified in Figure 1 and would be located to the southwest of the Generating Equipment Site passing through grass fields and the Aber-gelli-fach plantation which is partially designated as a SINC.

3.1.5 The Project Site would be accessed from Junction 46 of the M4 either from: the north via the Rhyd-y-pandy Road; or from the west via the B4489 as shown on Figure 2.

Surrounding Area

3.1.6 The area surrounding the Project Site is rural with a substantial amount of utilities infrastructure in the area. A gas NTS Pipeline, and water pipelines cross the Project Site and there is also a network of electricity pylons which lead to and from National Grid's two 400kV electrical substations to the southwest of Abergelli Farm. Furthermore a Water Treatment Works is

located immediately to the northwest while the Cefn Betingau Solar Park is located to the east of Project Site.

3.1.7 The closest residential dwellings to the Project Site are:

- Abergelli Farm, located within the Project Site;
- Abergelli fawr, located within the Project Site;
- Cefn-betingau approximately 400 m to the west; and
- Maes-eglwys approximately 176 m to the southwest.

3.1.8 Within the Project Site there is a small landfill and the remains of Aber-gelli Colliery, both of which are located north of Abergelli Farm.

3.1.9 Other features of the area include a number of existing public footpaths, bridleways and tracks located in and around the Project Site, linking it to the wider area. In addition within the Project Site there are a number of springs with their associated streams and drainage ditches which discharge into the Afon Llan.

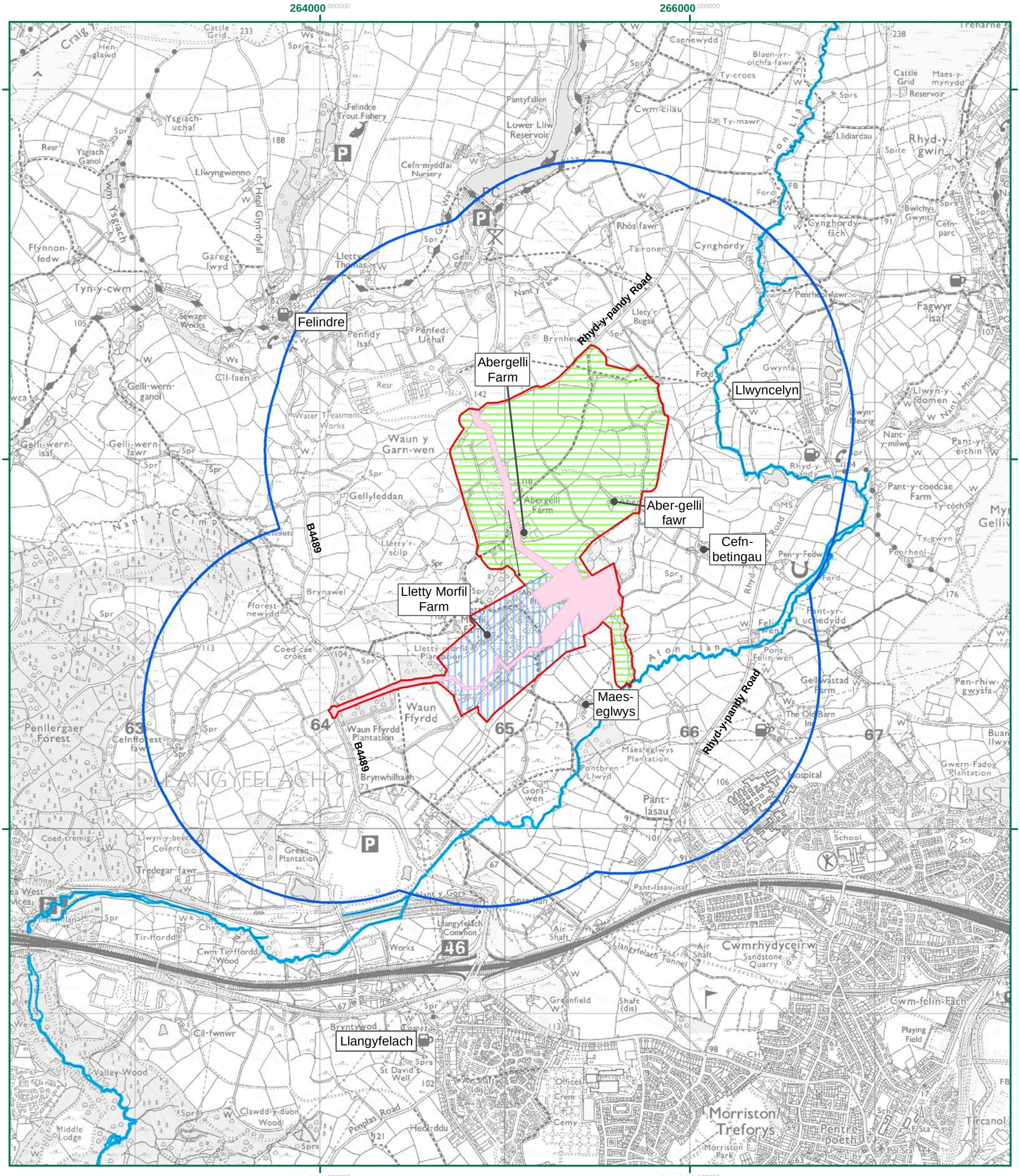
3.2 Description of the Project

3.2.1 The elements of the Project are described below. The description is based on a 'Rochdale Envelope' approach (i.e. a single project with a range of parameters). The scope of each of the technical assessments described in Chapter 5 has been based on the parameters provided below. Assessing a worst case realistic configuration from within the parameters enables an assessment of the 'worst case' likely significant environmental effects within each technical assessment. Each technical chapter within the PEIR and ES will identify which parameters represent the 'worst case' for that topic. It is acknowledged that the parameters may be refined during the design process for the Project and following consultation. If this occurs the modified parameters will be described and taken into account within the PEIR and ES as appropriate.

3.3 Power Generation Plant

3.3.1 The Power Generation Plant would be designed as a peaking plant fired by natural gas supplied by a new underground gas pipeline connecting the Power Generation Plant to the existing NTS. It would have a capacity of up to 299 MW (enough to power the equivalent of 400,000 homes).

3.3.2 As a peaking plant, the Generating Equipment would operate for up to 1,500 hours per year. Peaking plants are required to operate when there is a 'stress event'. This occurs when there is a surge in demand for electricity associated with a particular event (e.g. where many people across the country boil kettles following the end of a popular television programme) or where there is a sudden drop in power being generated from plants which are constantly operational (e.g. a sudden outage). Peaking plants also help to 'balance out' the grid at other times of peak electricity demand and help to support the grid at times when other technologies (e.g. renewable energy



Project Site

Power Generation Plant Site

Electrical Connection Opportunity Area

Gas Connection Opportunity Area

1km Study Area Around the Project Site

Features Of Interest

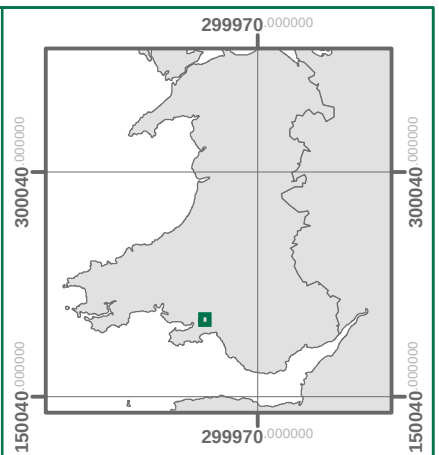
Water Resources

Afon Llan

Data Sources

Abergelli power

Figure 2:
Features of Interest



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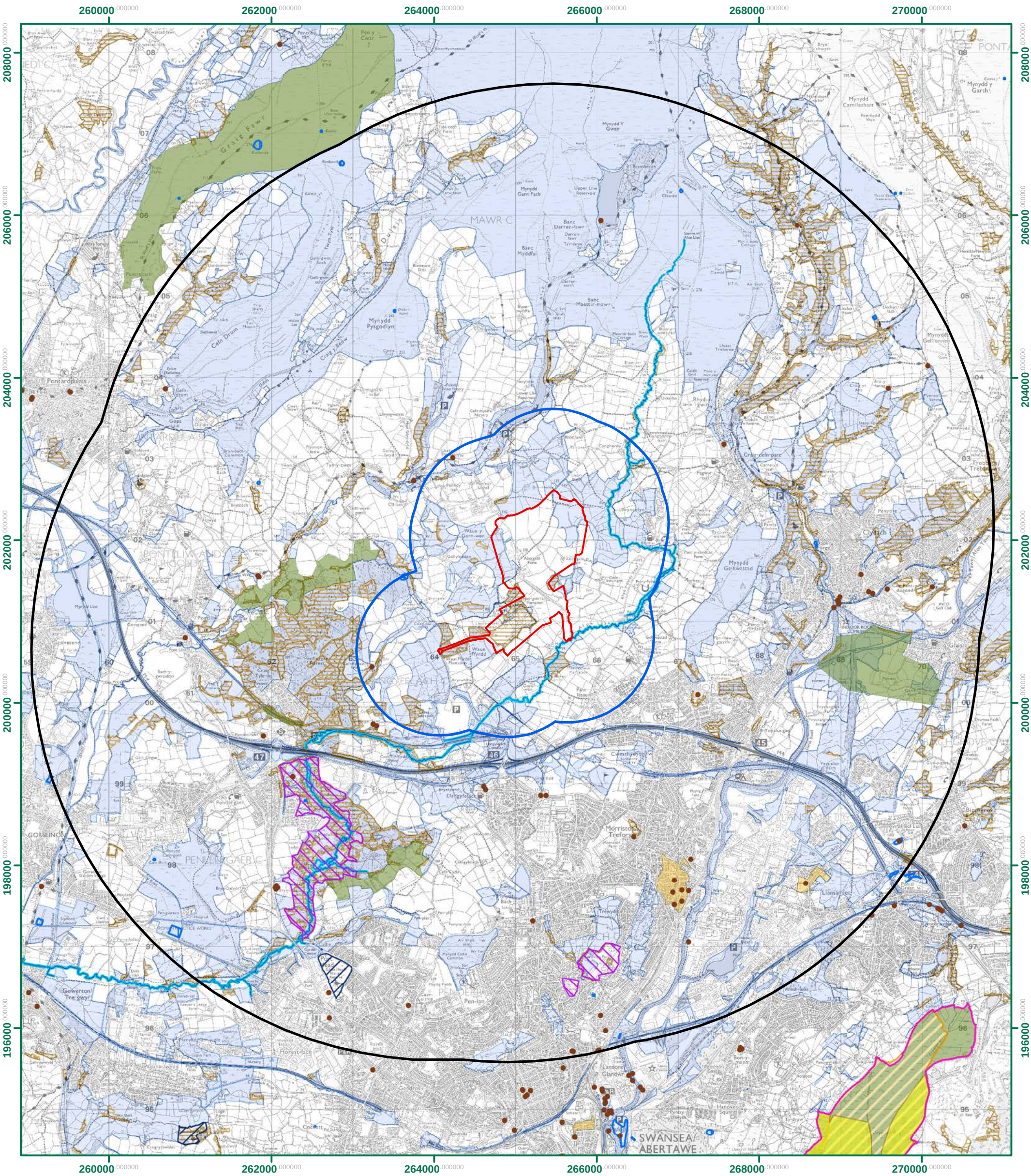

Figure 3:
Indicative Environmentally Sensitive Receptors

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Project Number: P1079

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Data Sources

sources, such as wind and solar farms) cannot generate electricity due to their intermittent operation and reliance on weather conditions.

3.3.3 Given these parameters, it has been determined that a Simple Cycle Gas Turbine (SCGT) plant is the preferred and most appropriate technology choice for the Project.

SCGT Plant

3.3.4 There are several alternative types of SCGT plant available to generate up to 299 MW. SCGT plants often use aero-derivative gas turbines (i.e. turbines derived from aeronautical applications), primarily because of their suitability for frequent start-ups, flexibility, high efficiency and high-availability maintenance techniques. For the aero-derivative case, APL envisages using three, four or five individual aero-derivative turbine generators to achieve 299 MW.

3.3.5 However, 'industrial' type gas turbines can also be used which are typically larger and often more suited to longer operational hours. They offer similar efficiency but less fast loading flexibility. Industrial gas turbines differ from aeronautical designs in that the casings, rotors and blading are of heavier construction. For the industrial gas turbine case, it is anticipated that one or two individual industrial gas turbine generators will be used to achieve 299 MW.

3.3.6 The main equipment in a SCGT is a Gas Turbine Generator, comprising the following components:

- Inlet air filter;
- Air compressor;
- Combustion chamber;
- Power turbine(s); and
- Exhaust silencer.

3.3.7 Air on entering the gas turbines, would be compressed and natural gas injected into the air. The natural gas would then burn in the combustion chamber producing hot, high pressure gases. The gas would then expand across the blades of the gas turbine driving the electrical generators to produce electricity.

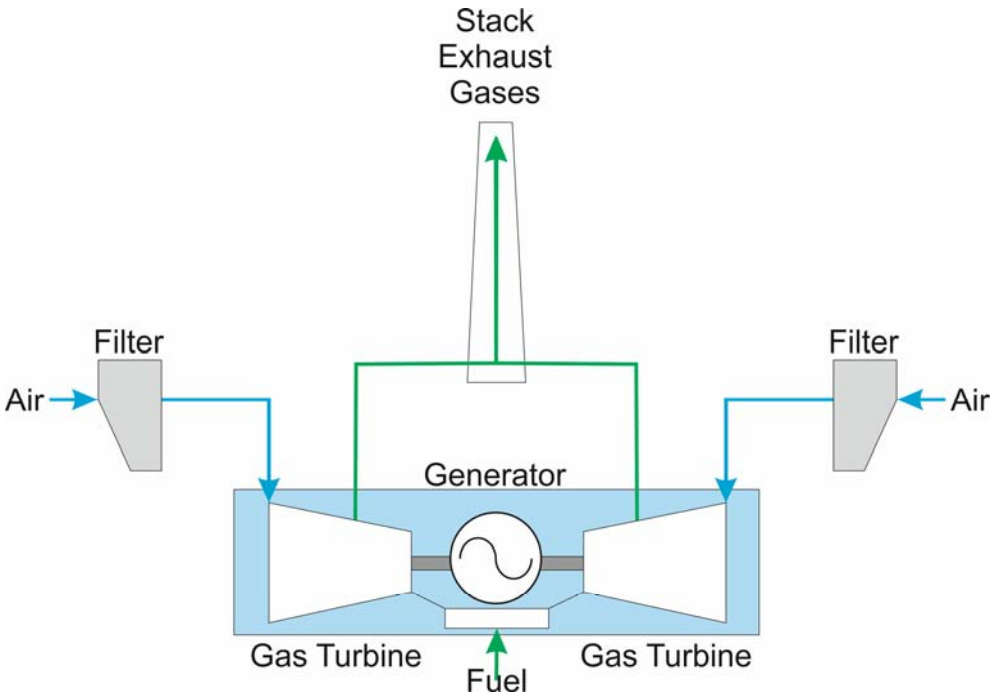
3.3.8 The waste gases and heat produced from this process would then be released to the atmosphere via between one and five stacks (chimneys). The stack(s) would contain equipment which will reduce emissions released to the atmosphere.

3.3.9 A stack height sensitivity study will be undertaken for the Project to determine the minimum stack height for the Gas Turbine Generators, required for adequate dispersion of emissions and to meet legislative air quality targets. This height would apply to all technology choices, as

discussed above, and would not be dependent on the number of units present at the Generating Equipment Site.

3.3.10 The DCO Application will therefore be flexible enough using the Rochdale Envelope approach to allow APL to achieve a 299 MW project by building between one to five Gas Turbine Generators, with up to five exhaust gas flue stacks. Figure 4 shows a simple schematic of SCGT operation.

Figure 4: Schematic of SCGT Operation



Laydown Area

3.3.11 A temporary laydown area for the storage of plant and equipment during construction would be provided adjacent to the Generating Equipment Site as shown in Figure 1. It is not proposed that land would be required for a permanent maintenance/laydown area during operation.

Access Road

3.3.12 A new purpose built Access Road would be constructed within the Power Generation Plant Site. Two options are being considered for access to the Generating Equipment Site from Junction 46 of the M4. Access Road - Option 1 is from the north via the Rhyd-y-pandy Road and the existing access road west of Brynheulog past Abergelli Farm which would need to be extended to the Generating Equipment Site, as shown on Figure 1.

3.3.13 Access Road - Option 2 is from the west via the B4489, along the access road to National Grid's two 400kV electrical substations and Felindre Gas Compressor Station and then along a purpose built Access Road to be constructed, across undeveloped land to the Generating Equipment Site as shown on Figure 1.

Dimensions

3.3.14 The maximum area for the Generating Equipment Site would be in the order of 6 ha. The Generating Equipment may be sited in a number of locations within the wider Generating Equipment Site depending on its final design. The Generating Equipment Site may also be reduced in size during the design process with any changes acknowledged in the PEIR and/or ES.

3.3.15 Table 3.1 provides indicative dimensions for the main plant items which would be present at the Generating Equipment Site.

Table 3.1: Indicative Dimensions of Main Plant Items

Plant Item	Indicative Dimensions (m)
Stacks (dimensions)	Up to 60 m (height) and up to 10 m (diameter)
Stack (number)	Up to 5 stacks
Gas Turbine Generators (plant dimensions)	Up to 90 m (length) x up to 150 m (width) x up to 20 m (height)
ACC/Cooling (plant dimensions)	Up to 60 m (width) x up to 60 m (width) x up to 10 m (height)
Demineralised water tank	Up to 23 m (diameter) x up to 16 m (height).
Raw/fire water tank	Up to 15 m (diameter) x up to 18 m (height).
Administration/ workshop/ control building	Up to 30 m (length) x up to 23 m (width) x up to 6m (height)
Gas Receiving Facility (GRF)	Up to 50 m (width) x up to 50 m (length) x up to 3 m (height)

Construction, Operational and Decommissioning Timescales

3.3.16 Construction and commissioning of the Project would take approximately 22 months. The main works associated with the construction phase would be the removal of hardstanding, excavation and site levelling for new foundations, potential piling (if required) and the laying of the Gas and Electrical Connections.

3.3.17 The Power Generation Plant would be designed to have an operational life of 25 years, after which time it would be decommissioned or re-powered depending on the nature of the electricity market and energy mix at the time. For the purposes of the EIA, it would be assumed that the Power Generation Plant would be decommissioned.

3.3.18 Decommissioning would comprise the removal of all Power Generation Plant items and restoration of the Project Site to a similar condition compared to before the construction of the Project. This process would also take approximately 22 months. It is likely that some underground structures, including the Gas and Electrical Connections (if an underground Electrical Connection is implemented) may be capped and left in situ to avoid any adverse environmental impacts associated with their removal. Due regard would be paid to all best practice guidelines and legislation on decommissioning of projects which are relevant at the time of the decommissioning activities. Where possible, items of plant would be recycled or reused.

Carbon Capture Readiness (CCR) and Carbon Capture and Storage (CCS)

3.3.19 At up to 299MW, the Project would be below the threshold set out in Directive 2009/31/EC[24] and National Policy Statement EN-1 and EN-2 for when operators of combustion plants are required to have assessed the feasibility of: a storage site, transport facilities and economic considerations of the capture of carbon dioxide (CO_2) produced as a result of the combustion process. Therefore it is not considered necessary to assess the viability of CO_2 capture or include it further in this report.

3.4 Gas Connection

3.4.1 The Gas Connection would be in the form of a new underground gas pipeline connection (the Pipeline) and above ground installation (AGI) and is required to connect the Generating Equipment to the existing high pressure NTS or the LTS HP Pipeline in order to provide a reliable supply of fuel.

Gas Connection Opportunity Area

3.4.2 A Gas Connection Feasibility Study was undertaken in March 2014 to define and evaluate the options available for connecting the Generating Equipment to a suitable source of fuel gas. This identified Feeder 28 of the NTS or a nearby LTS HP Pipeline as possible connection points. The location of these in relation to the Project Site is shown on Figure 1.

3.4.3 At present, investigations to identify specific route corridor options to the NTS or LTS HP Pipelines are still ongoing. It is anticipated that the Gas Connection would be situated within the Gas Connection Opportunity Area which extends north and south from the Generating Equipment Site as shown on Figure 1. The Gas Connection Opportunity Area comprises large pastoral fields bounded by hedgerows and ditches which slope down towards the south and are interspersed by areas of woodland (some of which are classified as Ancient Woodland and SINCs) and areas of wet grassland (some of which are designated as SINCs) as shown on Figure 3. There are also a group of springs to the north of Aber-gelli fawr which feed

[24] Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006

into Afon Llan close to the LTS HP Pipeline. The feeder for the NTS which feeds into and out of the Felindre Gas Compressor Station crosses through the Project Site between the Gas Compressor Station and Abergelli Farm.

3.4.4 Specific connection options will be explored and further refined to a single Gas Connection Route prior to submission of the DCO Application. Due regard will be paid to relevant factors including environmental, planning, safety, engineering and constructability. Further details of the options being considered will be provided to consultees when they are available and the selected option will be assessed in the PEIR and ES that will be submitted in support of the DCO Application.

Connection to the NTS or LTS HP Pipeline

3.4.5 Connection of the Pipeline to the NTS or LTS HP Pipeline would require two Above Ground Installations (AGIs) to be installed which will include: a Minimum Offtake Connection (MOC) facility, which would be owned by National Grid Company (NGC); and a PIG Trap Facility (PTF) which will be owned by APL.

3.4.6 The MOC (approximately 40 x 30 m) would contain:

- Remotely operable valve (ROV);
- Control and instrumentation kiosk; and
- Electrical supply kiosk.

3.4.7 The PTF (approximately 40 x 30 m) would contain:

- PIG launching facility;
- Emergency control valve (possible);
- Isolation valve;
- Control and instrumentation kiosk; and
- Electrical supply kiosk.

3.4.8 Termination of the Gas Connection would be at a PTF on the Generating Equipment Site. A further facility known as the Gas Receiving Facility (GRF) would be situated downstream of the PTF within the Generating Equipment Site. The PTF would contain the following equipment:

- PIG receiving facility;
- Emergency control valve (possible); and
- Isolation valves.

3.4.9 The GRF would contain the following equipment:

- Metering, heating, filtering, compression and pressure regulation equipment;
- Isolation valve;
- Electricity supply kiosk; and
- Control and instrumentation kiosks.

3.4.10 The PTF and GRF would be sited close to each other and if possible they will be joined on a single plot.

3.5 Electrical Connection

3.5.1 The Electrical Connection will comprise all the necessary elements to enable power to be exported from the Generating Equipment to the NETS such as new electrical circuits (either in the form of an underground cable or overhead line).

3.5.2 A grid connection assessment was undertaken for the Project Site in March 2014 in order to define and evaluate the options available for connecting the Generating Equipment to the NETS. The most suitable point of connection is currently anticipated to be a cable terminal chamber on the Gas Insulated Switchgear (GIS) circuit at the point where the underground cable or overhead line emerges to facilitate its connection into the NETS.

3.5.3 If the connection is via an underground export cable then a Sealing End Compound (SEC) would be required. It is possible that the SEC would be required off site from the Generating Equipment Site depending on the configuration of the Electrical Connection.

Electrical Connection Opportunity Area (Underground or Overhead)

3.5.4 Specific route corridor options for the Electrical Connection have not been identified at present, with options being investigated within an area referred to as the Electrical Connection Opportunity Area to the southwest of the Generating Equipment Site as shown on Figure 1.

3.5.5 The area comprises gently sloping pastoral land grazed by sheep and horses with areas of wet grassland to the east and scrub and deciduous woodland to the west. Some of these areas are designated as SINCs with areas of the woodland also classified as Ancient Woodland, as shown on Figure 3. The field boundaries are delineated by fences with defunct hedgerows and drainage ditches. The nearest residential properties to the Electrical Connection Opportunity Area are Lletty Morfil, Abergelli Farm and Maes-eglwys. There is one public right of way within the area which follows the boundary of the Felindre Gas Compression Station.

3.5.6 Two existing National Grid double circuit 400kV overhead lines are located on an approximate southwest-northeast alignment through the Project Site.

3.5.7 Specific connection options will be explored and further refined to a single Electrical Connection route prior to submission of the DCO Application. Due

regard will be paid to relevant factors including environmental, planning and feasibility. Further details of the options being considered will be provided to consultees when they are available and the selected option will be assessed in the PEIR and ES that will be submitted in support of the DCO Application.

3.6 Project Site Selection/Design Evolution

3.6.1 The choice of site for the Power Generation Plant has been carefully considered with various sites and a number of relevant factors looked at during this process in accordance with paragraph 4.4.1 of the NPS EN-1 and NPS EN-2. Key factors included in the selection of the Power Generation Plant Site are:

- It is in close proximity to a suitable Electrical Connection point;
- It is in close proximity to a suitable Gas Connection point;
- It is in a developed setting dominated by the Felindre Gas Compressor Station and National Grid's two 400kV electrical substations ; and
- It has a well-developed road network and access to the Project Site.

3.6.2 The final choice of the Gas and Electrical Connection routes would be selected following further consultation and a more thorough assessment of constraints and environmental impacts.

3.6.3 In terms of design evolution of the Project, the following technology options were originally considered for the 299 MW Power Generation Plant: SCGT plant; Combined Cycle Gas Turbine (CCGT) plant; and Reciprocating Gas Engines (RGE) plant.

3.6.4 SCGT is considered to be the most suitable technology choice for generating up to 299 MW as a peaking plant at the Project Site based on the following environmental, technical and feasibility considerations:

- Visual impact: SCGT plant require shorter stack(s) compared to CCGT plant and therefore are less visually intrusive in views from the surrounding environment;
- Water resources: the water requirement of a SCGT plant is significantly lower than for a CCGT plant;
- Noise and available space: noise levels from a SCGT plant would typically be lower than for an RGE plant. A larger number of RGE units would be required at the Generating Equipment Site to generate up to 299 MW. Spatially this may not be possible;
- Financial: based on the current electricity market, it is essential that the Power Generation Plant of the size proposed will be particularly cost effective, as it will be called upon to operate flexibly to balance out the National Grid and meet changing demands of customers. SCGT plants are better suited to this type of operational regime; and

- Start up times: SCGT plants are able to start up and shut down much quicker than similar sized CCGT plants and are, therefore, better suited to meeting variable demands.

3.6.5 The potential for using CHP opportunities with these technologies was also considered. However it is not technically or economically feasible with a SCGT peaking power station because the profile for the generation of electrical energy from the station cannot be guaranteed to coincide with the required heat demand profile of any potential customer.

3.6.6 A more detailed appraisal of the Project Site selection process and design evolution would be set out in the PEIR and ES.

4 Scope and Structure of the EIA

4.1 Introduction

4.1.1 This Chapter describes the proposed scope and structure for the EIA that will be undertaken to support the DCO Application in accordance with the EIA Regulations. The key output of the EIA process is ultimately the ES, which sets out the likely significant environmental effects of the Project. The ES will enable PINS, consultees and the SoS to understand the anticipated environmental impacts and effects of the Project.

4.1.2 To allow for a precautionary approach, the assessments in the ES will be based on a realistic worst case scenario specific to each topic based on the Rochdale Envelope parameters as described in Chapter 3.

4.2 Overall ES Structure

4.2.1 Table 4.1 sets out the proposed structure of the ES. A number of supporting documents will also be submitted to the SoS as part of the DCO Application. These are summarised in Table 4.2.

Table 4.1: Proposed ES Structure

Section	Description
Introduction	Providing: • A brief introduction to the Applicant; • A high level description of the Project; • A description of the consenting regime; and • A description of the purpose and structure of the ES.
Project Description	Detailed description of the Project and how the different aspects (i.e. Power Generation Plant, Electrical Connection and Gas Connection) are interconnected/ interrelated. Outline of the proposed construction methods and indicative programme, including working hours etc.
Site Description	Description of the current and future site settings and surroundings of the Project Site.
Project Development and Alternatives	To include an account of: • Project Site Selection; • Alternative technology options for the Power Generation Plant; • Alternative layout/design options for the Power Generation Plant; and

Section	Description
	• Assessment of alternatives for the Gas and Electrical Connection route corridors.
EIA Assessment Methodology	Detailing the assessment methodology that the EIA has followed.
ES – Main Impact Sections	The following chapters will present the results of the EIA that has been undertaken: • Air Quality; • Noise and Vibration; • Ecology; • Water Quality and Resources; • Geology, Ground Conditions and Agriculture; • Landscape and Visual; • Traffic, Transport and Access; • Cultural Heritage and Archaeology; and • Socio-Economics. The planning policy context and results of the indirect, secondary and cumulative impact assessment of the Project will be provided within each chapter listed above.
Conclusion	This chapter will present the conclusions of the residual effects of the Project as well as indirect, secondary and cumulative impact assessment of the Project.
ES Volume 2	Containing technical appendices
ES Volume 3	Containing all figures associated with the ES
Non-Technical Summary	Providing a summary of the main findings of the ES in easy to understand, non-technical language

Table 4.2: Supporting Environmental Documents to the DCO Application

Document Name	Description
Design and Access Statement	Providing details on the main access and egress routes to the Project Site and the design process and philosophy that have been followed in developing the Project.
Flood Consequences	Providing details on the risk to the Project Site from flooding and risks elsewhere that could be

Document Name	Description
Assessment	caused by the Project.
Planning Statement	Describing the planning policy background and demonstrating that the Project is in compliance with the relevant NPSs and other relevant and important considerations.
Consultation Report	Consolidating all consultations that have taken place throughout the Project, and how issues raised have been addressed.
No Significant Effects Report or Habitat Regulations Assessment	Depending on the potential for impacts on designated European sites, a Habitat Regulations Assessment or a No Significant Effects Report may be required subject to consultation with Natural Resources Wales (NRW), City and County of Swansea and PINS. This will draw on the Ecology chapter of the ES (described in Section 5.5 below).

4.3 Cumulative Assessment

4.3.1 In accordance with the EIA Regulations, the EIA will take into account other developments in the vicinity of the Project Site and will consider the cumulative impacts associated with these development in-conjunction with the Project. Developments considered within the cumulative assessment include those that are:

- In the process of being built;
- Permitted application(s) but not yet implemented;
- Submitted application(s) not yet determined;
- Projects on the National Infrastructure's programme of projects;
- Projects identified in the relevant development plan (and emerging development plants – with appropriate weight being given as they move closer to adoption) recognising that information on the relevant proposals will be limited; and
- Projects identified in other plans and programmes (as appropriate) which set the framework for future development consents/approvals, where such development is reasonably likely to come forward.

4.3.2 At present, it is anticipated that the following developments will be considered as part of the cumulative assessment.

- Planning Application 2013/0795 – Installation of four 5 kW wind turbines 120.7 m to tip and associated infrastructure at Myle Coch Mawr;

- Planning Application 2013/0135 – Installation of ground mounted array of solar panels, inverter substations and 2.4 m high fencing on land at Abergelli Farm. This development would be located within the Gas Connection Opportunity Area on the Project Site.

- Planning Application 2013/1639 (Rhyd-y-pandy Solar Park) – Construction of 7 MW solar park consisting of installation of up to 28,250 photovoltaic panels and up to six inverter/transformer cabins, a single control building and provision of security fencing.

4.3.3 Further to these individual planning applications, proposed development within the Swansea Vale Development Area will also be considered for assessment of any significant cumulative impacts. Swansea Vale is situated approximately 5 km from the Project Site and extends to some 190 ha south of a railway line and the M4.

4.3.4 In addition during the EIA other developments may be identified if more information becomes publicly available.

4.3.5 Any views on the inclusion of any particular cumulative scheme will be welcome as part of the Scoping Opinion.

5 Detailed Description of ES Impact Sections

5.1 Introduction

5.1.1 This chapter provides a description of the proposed EIA. It addresses each proposed ES technical chapter and describes the current understanding of the baseline conditions and assessment methodology for each discipline that will determine the likely significant environmental effects of the Project. Potential mitigation measures have also been identified where appropriate, although these will be set out in detail in the ES. Consultees are invited to comment on the methodologies within their scoping responses.

5.1.2 Although the sections below deal with the Project as a whole, it is anticipated that the ES technical chapters will be sub-divided allowing the assessment of effects during the construction, operation and decommissioning phases, description of mitigation measures and residual effects to be addressed separately for the Power Generation Plant, Gas Connection and Electrical Connections as well as together for the overall Project. Cumulative effects will be assessed for the Project as a whole.

5.1.3 The sections described are set out in the following list:

- Air Quality (5.3);
- Noise and Vibration (5.4);
- Ecology (5.5);
- Water Quality and Resources (5.6);
- Geology, Ground Conditions and Agriculture (5.7);
- Landscape and Visual (5.8);
- Traffic, Transport and Access (5.9);
- Cultural Heritage and Archaeology (5.10); and
- Socio-Economics (5.11).

5.2 Significance Criteria

5.2.1 The significance of environmental effects resulting from the construction, operation and decommissioning of the Project will generally be categorised using a series of matrices. These will be developed to describe the sensitivity of receptors and resources which have the potential to be impacted by the Project and the magnitude of any impacts that are likely to arise. The sensitivity of receptors and resources and magnitude of impact will be cross-referenced to give an overall significance of effect for any potential impact. Where it is not possible to quantify impacts, qualitative assessments will be carried out, based on available knowledge and professional judgement.

5.2.2 In order to provide a consistent approach and enable comparison of effects upon different environmental components, the assessments will generally follow the structure and use the terminology outlined below in Tables 5.1 to 5.3. However for some sections, significance criteria may need to differ depending on the assessment methodology used. Each technical chapter of the ES will clearly identify and explain any specific criteria used as well as defining what constitutes a significant impact and/or effect.

5.2.3 Potential mitigation measures described in the ES will include embedded mitigation through design/standard control measures (which will be used to produce an initial assessment of impact) and any further specific mitigation required (which will be taken into account to produce an assessment of residual impacts).

Table 5.1: Determining Receptor Sensitivity

Sensitivity	Example
Very High	Internationally designated sites (e.g. Ramsar, Special Protection Area, World Heritage Site)
High	Nationally designated sites (e.g. Sites of Special Scientific Interest (SSSI), designated landscape, National Parks, Principal Aquifers).
Medium	Regionally designated ecology, heritage sites, secondary aquifers, minor watercourses
Low (or lower)	Locally designated ecology, heritage sites, areas of hardstanding, brownfield land, industrial site, low ecological value.
Negligible	No sensitivity to change

Table 5.2: Determining Magnitude of Impact

Magnitude		Example
Major	Adverse	A permanent or long term adverse impact on the integrity and value of an environmental attribute or receptor
	Beneficial	Large scale or major improvement of resource quality; extensive restoration or enhancement; major improvement of attribute quality
Moderate	Adverse	An adverse impact on the integrity and/or value of an environmental attribute or receptor, but recovery is possible in the medium term and no permanent impacts are predicted
	Beneficial	Benefit to, or addition of, key characteristics, features, or elements or improvement of

Magnitude		Example
		attribute quality
Minor	Adverse	An adverse impact on the value of an environmental attribute or receptor, but recovery is expected in the short term and there would be no impact on its integrity
	Beneficial	Minor benefit to, or addition of key characteristics, features or elements; some beneficial impact on attribute or a reduction in the risk of a negative impact occurring
Negligible	Adverse	Very minor loss
	Beneficial	Very minor benefit
No change		No change would be perceptible, either positive or negative

Table 5.3: Determining Significance of Effect

		Magnitude of Impact				
		No Change	Negligible	Minor	Moderate	Major
Receptor Sensitivity	Very High	Neutral	Slight	Moderate	Large	Very Large
	High	Neutral	Slight	Moderate	Large	Large
	Medium	Neutral	Slight	Slight	Moderate	Large
	Low	Neutral	Slight	Slight	Slight	Moderate
	Negligible	Neutral	Neutral	Neutral	Neutral	Neutral

5.3 Air Quality

Introduction

5.3.1 The air quality assessment will consider potentially significant air quality impacts and effects caused by the construction, operation and decommissioning of the Project on sensitive human and ecological receptors in and around the vicinity of the Project Site. Potential effects could include those that result from dust during construction and decommissioning and stack emissions during operation of the Gas Turbine Generators.

Baseline

5.3.2 Existing ambient air quality and baseline conditions will be reviewed using available air quality monitoring data and the most recent local authority publications published in accordance with their duties under the Environment Act 1995[25]. The assessment will include particular consideration of: designated Air Quality Management Areas (AQMAs); any relevant previous studies undertaken in the area; the location of sensitive receptors (including designated ecological sites and Morriston Hospital); and other significant sources of emissions.

5.3.3 The nearest AQMA is Swansea Air Quality Management Area 2010 which is in the Lower Swansea Valley encompassing the areas of Hafod, Sketty and Fforestfach[26]. It is approximately 4.5 km from the Project Site and has been declared primarily on the basis of traffic related NO_2.

5.3.4 Felindre Gas Compressor Station is present within the Project Site and occasionally flares and therefore the emissions will be considered as part of the baseline conditions. Further consultation will be sought with The City and County of Swansea Council and National Resources Wales (NRW) to determine a definitive list of significant emission sources to consider as part of the air quality assessment.

5.3.5 The existing air quality concentrations at sensitive ecologically designated sites will be obtained from DEFRA[27]. The existing acid and nutrient nitrogen deposition rates will be obtained from the UK Air Pollution Information System (UK APIS).[28]

5.3.6 Statutory ecologically designated sites within 10 km of the Project Site include:

- Caeau Afon Gwili Site of Special Scientific Interest (SSSI);
- Cefn Gwrhyd, Rhydyfro SSSI;
- Coed Cwm Du, Cilmaengwyn SSSI;
- Burry Inlet Ramsar Site and Special Protection Area (SPA);
- Burry Inlet and Loughor Estuary SSSI;
- Carmarthen Bay and Estuaries Special Area of Conservation (SAC);
- Crymlyn Bog Ramsar, SAC and SSSI;
- Crymlyn Bog and Pant y sais National Nature Reserve (NNR);
- Crymlyn Burrows SSSI;

[25] Environment Act 1995
[26] www.swansea.gov.uk
[27] http://uk-air.defra.gov.uk/
[28] http://www.apis.ac.uk/

- Earlswood Road Cutting and Ferryboat Inn Quarries SSSI;
- Fairwood, Pengwern and Welshmoor Commons SSSI;
- Blackpill, Swansea SSSI;
- Cilybebyll SSSI;
- Gwrhyd Meadows SSSI;
- Caeau Nant Garenig SSSI;
- Fforest Goch Bog SSSI;
- Frondeg SSSI;
- Graig Fawr, Potnardulais SSSI;
- Hafod Wennol Grasslands SSSI;
- Nant y Crimp SSSI;
- Pant-y-sais SSSI;
- Penplas Grasslands SSSI;
- Rhosydd Castell-du and Plas-y-bettws SSSI.

5.3.7 Non-statutory ecological sites within 2 km of the Project Site include:

- Waun Garn Wen SINC;
- Llety-Morfil SINC;
- Llangefelach Common SINC;
- Felindre Grasslands SINC;
- Pant Lasau SINC;
- Rhyd-Y-Pandy Valley and Grassland SINC;
- Rhos Fawr SINC;
- Cilfaen SINC;
- Cefn Forest Stream SINC;
- Middle Llan SINC;
- Llangyfelach Golf Course and Surrounds SINC;
- Mynydd Gelli-wasted SINC;
- Lower Lliw Resivoir SINC;

- Middle Lliw SINC;
- Penllergaer Forest SINC;
- Penllergaer to Llangefelch Tunnel railway line SINC;
- Mynydd Bach Common SINC;
- M4 Corridor SINC;
- Cwm Rhydyceirw to Birchgrove Railway SINC;
- Cwm Clydach SINC;
- Lougher to Penllegaer Railway Line SINC; and
- Banc Darren Fawr SINC; and
- Cwm Nant-Ddu SINC.

5.3.8 Residential receptors within 1 km of the Project Site include those within the nearby settlements of Morriston, Pant-lasau, Llwyncelyn and Felindre. In addition there are also isolated dwellings and farmsteads outside of the settlements including but not exclusive to:

- Aber gelli fawr;
- Abergelli Farm;
- Cefn-betingau;
- Maes-eglwys;
- Lletty Morfil Farm;
- Felin-wen;
- Pont Felin-wen;
- Pontbren Llwyd;
- Gors-wen;
- Llety'r Bugall;
- Brynheulog;
- Taironen;
- Penfedi Uchaf;
- Penidy Isaf;
- Gellyfedden;
- Rhos fawr;

- Brynawel;
- Brynwhilhach; and
- Lletty'r-scil.

Assessment

5.3.9 The assessment methodology will be agreed in consultation with the Environmental Health Officer (EHO) at City and County of Swansea Council and NRW.

5.3.10 The emissions of dust during the construction and decommissioning phases of the Project will be assessed in accordance with 'Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance' (IAQM, 2012)[29] and the Department for Transport 'Design Manual for Roads and Bridges (DMRB) Volume 11 Section 3, Part 1: Air Quality' and the associated DMRB Screening Method, developed by the Highways Agency[30]. The significance of the potential impacts identified will be determined based on the sensitivity of the identified receptors within the potential zones of influence outlined in the IAQM Guidance.

5.3.11 The air quality assessment for the operational phase will follow the Environment Agency documents 'Horizontal Guidance Note H1 – Annex (f): Air Emissions'[31] and the Environment Agency Air Quality Modelling and Assessment Unit (AQMAU) 'Air dispersion modelling report requirements (for detailed air dispersion modelling)'[32]. The conversion of NO_x to NO_2, as applicable for the protection of human health under the UK Air Quality Standards Regulations 2010[33], will adopt the approach outlined in the AQMAU Guidance Note 'Conversion Ratios for NO_x and NO_2' (2006)[34].

5.3.12 As a peaking plant, the operation of the Generating Equipment will be limited through the permitting regime to 1500 hours per annum. The assessment will, therefore, be based on the operation of the Generating Equipment, at full load, for 1500 hours per annum.

5.3.13 The atmospheric emissions from the operation of the Generating Equipment will be quantified by obtaining information from relevant plant suppliers. Where two or more suppliers are being considered, a realistic worst case scenario will be used to ensure flexibility. However, only plant that meet national emissions limits will be considered.

5.3.14 The atmospheric dispersion modelling will be performed using the Cambridge Environmental Research Consultants (CERC) Air Dispersion

[29] IAQM (2012)Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance
[30] Highways Agency (various dates) Design Manual for Roads and Bridges (DMRB) Volume 11.
[31] Environment Agency (December 2011) Horizontal Guidance Note H1 – Annex (f): Air Emissions
[32] Environment Agency Air Quality Modelling and Assessment Unit (undated) Air dispersion modelling report requirements (for detailed air dispersion modelling)
[33] The Air Quality Standards Regulations 2010
[34] Environment Agency Air Quality Modelling and Assessment Unit (2006) Guidance Note 'Conversion Ratios for NO_x and NO_2'

Modelling Software (ADMS 5.0). An air dispersion model will be set up that considers the effects of terrain and buildings (as appropriate to the location of the Generating Equipment), together with the most recent available meteorological data covering a consecutive five year period (e.g. 2009 to 2014, inclusive) in accordance with current guidance.

5.3.15 The modelling assessment will estimate the mass concentration of NO_x and CO at sensitive receptors using the emission limits as specified in Part 2 of Annex V to the IED. Initial screening runs will be undertaken to determine an acceptable stack height suitable for adequate dispersion based on predicted maximum short term and long term ground level concentrations. Detailed atmospheric dispersion modelling will then be undertaken on the basis of the selected stack height.

5.3.16 The results of the detailed dispersion modelling will be presented as isopleths, and compared with background levels and relevant standards and guidelines (i.e. the Air Quality Standards Regulations 2010). Direct comparison will be made between the long-term and short-term process contributions from the Generating Equipment, the predicted environmental concentrations of relevant substances (i.e. process contribution plus background levels) and the limits and objectives within the relevant Air Quality Standards Regulations 2010. Where appropriate, the significance of the potential impact will be determined using the criteria set out in the 'Development Control: Planning for Air Quality' (EPUK, 2010) in conjunction with the Environment Agency Horizontal Guidance Note H1 – Annex (f).

5.3.17 The abatement of emissions will be discussed in relation to application of Best Available Techniques (BAT), in accordance with the Environment Agency Sector Guidance Note for Combustion Activities (EPR 1.01)[35] and the UK's position with regards to the on-going review of the EU IPPC Reference Document on BAT for Large Combustion Plants[36]. Should additional mitigation prove to be necessary, the severity of impact, frequency of emissions and the resultant environmental risk associated with any residual impact will be examined.

5.3.18 Changes in air quality levels for NO_x will be assessed with respect to ecology for the European and nationally designated habitat sites within 10 km of the Project Site (including, but not necessarily limited to, those identified above). The non-statutory habitat sites within 2 km of the Project Site will also be considered. An assessment of the increased deposition of both nutrient nitrogen and acid due to nitrogen will also be carried out at the statutory (both EU and UK) designated sites in accordance with the methodologies described in the Environment Agency AQMAU 'AQTAG06 Technical Guidance on detailed modelling approach for an appropriate assessment for emissions to air'[37].

[35] Environment Agency (March 2009) How to comply with your environment permit. Additional guidance for Combustion Activities (EPR 1.01)
[36] European Commission (July 2006) Integrated Pollution Prevention and Control, Reference Document on Best Available Techniques for Large Combustion Plants
[37] Environment Agency AQMAU (October 2011) AQTAG06 Technical guidance on detailed modelling approach for an appropriate assessment for emissions to air

5.3.19 It is considered that there would not be any noticeable odours associated with the operation of the Generating Equipment at or beyond the boundary of the Generating Equipment Site and therefore it is not considered necessary to undertake a detailed assessment of odour.

5.3.20 The operation of the Gas and Electrical Connections would not produce any significant emissions and therefore these elements of the assessment during operation have been scoped out.

Potential Mitigation Measures

5.3.21 An outline Construction Environmental Management Plan (CEMP) will be drafted and appended to the ES which will set out best practice methods of limiting dust on site during construction and decommissioning.

5.3.22 During operation, the Generating Equipment would operate as a peaking plant, with operations limited to 1,500 hours per year. This operating limit will be set out in the site permit and will not be exceeded. In addition, embedded mitigation measures will include: incorporating stack(s) of sufficient height to achieve adequate dispersal of pollutants; and using flue gas cleaning equipment if required to ensure that all emissions are within concentrations permitted by legislation and guidance.

5.3.23 The need or otherwise for further, project specific mitigation measures will be addressed within the ES chapter.

5.4 Noise and Vibration

Introduction

5.4.1 In accordance with Section 5.11 of NPS EN-1, a noise and vibration assessment will consider potentially significant noise and vibration impacts and effects caused by the construction, operation and decommissioning of the Project on Noise Sensitive Receptors (NSRs) in and around the vicinity of the Project Site

Baseline

5.4.2 The Project Site would be sited within pastoral fields interspersed by scrub and deciduous woodland in a rural area with the National Grid's two 400kV electrical substations and Felindre Gas Compressor Station in the western extent of the Project Site. There are currently no sources of significant noise or vibration within close proximity to the Project Site other than that associated with nearby agricultural activities, Team Force Swansea Paintball Centre and a skip hire business as well as the M4 motorway approximately 1.5 km to the south. National Grid's two 400kV electrical substations and Felindre Gas Compressor Station are assumed to operate within agreed thresholds.

5.4.3 The closest NSRs within 1 km of the Project Site include those within the nearby settlements of Morriston, Pant-lasau, Llwyncelyn and Felindre. In

addition there are also isolated dwellings and farmsteads outside of the settlements including but not exclusive to:

- Aber gelli fawr;
- Abergelli Farm;
- Cefn-betingau;
- Maes-eglwys;
- Lletty Morfil Farm;
- Felin-wen;
- Pont Felin-wen;
- Pontbren Llwyd;
- Gors-wen;
- Llety'r Bugall;
- Brynheulog;
- Taironen;
- Penfedi Uchaf;
- Penidy Isaf;
- Gellyfedden;
- Rhos fawr;
- Brynawel;
- Brynwhilhach; and
- Lletty'r-scil.

Assessment

5.4.4 The assessment methodology will be agreed with the EHO at the City and County of Swansea Council.

5.4.5 Construction and decommissioning noise and vibration assessments of the Project will be undertaken following the guidance in British Standard (BS) 5228[38]. The assessment will be undertaken as a desk study and shall involve:

- Identification of construction and decommissioning activities that produce significant noise and vibration;

[38] British Standards Institute (2009) BS 5228-1: Code of practice for noise and vibration control on construction and open sites

- Identification of NSRs within 100 m of construction and decommissioning activities; and
- Prediction of noise and vibration using the methodology contained within BS5228.

5.4.6 The exact construction and decommissioning methodologies are unlikely to be defined until the construction contractor is appointed, which is likely to be after the submission of the DCO Application. However, in the absence of this information, an outline construction programme will be developed based on knowledge and experience of other similar developments. Additionally, the typical make up of construction equipment at each stage of the project programme will be ascertained in the same way. For ground improvement works (e.g. piling) the noise and vibration assessment will pay due regard to the ground conditions at the Generating Equipment Site. Where uncertainties exist, realistic worst case assumptions will be used.

5.4.7 The quantification of impacts shall be undertaken by comparison with agreed project criteria or limits either from previous schemes and relevant guidance and standards such as BS5228, BS6472[39] and BS7385[40], or local legislative requirements. The desk study shall outline suitable measures for the mitigation of construction and decommissioning impacts, and an assessment of residual impacts and effects.

5.4.8 Operational noise will be assessed using the methodology from a combination of: BS4142[41]; BS8233[42]; and WHO Guidelines for Community Noise[43]. The likelihood of complaints about noise from industrial developments will be predicted using the following criteria from BS4142:

- When subtracting the background level from the rating level, the greater the difference, the greater the likelihood of complaints;
- A difference of around +10 dB or more indicates that complaints are likely;
- A difference of around +5 dB is of marginal significance; and
- If the rating level is more than 10 dB below the measured background noise level then this is a positive indication that complaints are unlikely.

5.4.9 The guidance contained in BS8233 will also be used to assess the effects on indoor ambient noise levels in living rooms and bedrooms of NSRs when they are unoccupied.

[39] British Standards Institute (2008) BS 6472: Part 1 Guide to human exposure to vibration in buildings
[40] British Standards Institute (1993) BS 7385: Part 2 Evaluation and measurement for vibration in buildings. Guide to damage levels from groundborne vibration
[41] British Standards Institute (1997) BS 4142: 1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas
[42] British Standards Institute (2014) BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
[43] World Health Organisation (1999) Guidelines for Community Noise

5.4.10 The WHO 'Guidelines for Community Noise' provides health-based guidance on suitable noise levels intended to avoid or minimise community annoyance by noise. The guidance provides guideline noise levels for both indoor and outdoor areas.

5.4.11 It is proposed that the study area for the noise assessment of operational effects shall be defined as the region within 1 km of the Project Site. All sensitive receptors, such as residential properties, hospitals, schools, etc. within the study area shall be identified in the assessment.

5.4.12 A baseline noise survey will then be undertaken in the vicinity of the Project Site to establish the current baseline noise levels. The locations for the baseline noise survey (i.e. locations of the nearest NSRs) will be agreed in advance with the EHO.

5.4.13 Following baseline noise measurements, a noise model will be produced using Cadna software (3-dimensional noise propagation software) which will model the measured baseline levels at NSRs, together with sound power levels of proposed plant (obtained from relevant suppliers). Where sound power levels for proposed plant are not available, suitable data will be substituted, although a realistic worst case scenario would always be considered. The noise model will highlight the main noise sources and the associated noise levels at the NSR locations. Contour plots will also be produced clearly showing noise levels at the Project Site, NSRs and surrounding areas.

5.4.14 If the model shows that there is potential for a significant effect to be generated by noise from any of the NSRs, the level of required noise mitigation would be specified, and measures that could be used to achieve this level of mitigation will be incorporated into the model, to provide a 'with mitigation' scenario.

5.4.15 The ES section will be compiled using the Institute of Acoustics (IoA) / Institute for Environmental Management (IEMA) draft document 'Guidelines for Noise Impact Assessment'[44].

5.4.16 The operation of the Gas Connection is not anticipated to cause any significant increase in background noise or vibration and therefore this element has been scoped out of the assessment.

5.4.17 Operational noise from the Electrical Connection has been scoped out as there would be no significant effects associated with the potential for a low level electrical hum emanating from an overhead line option, if one is required. In addition if a SEC is required, any low level electrical hum associated with the infrastructure will not be perceptible at the NSRs and therefore this has also been scoped out of the assessment.

[44] IEMA/IOA Working Party (2002) Consultation Draft Guidelines for Noise Impact Assessment

Potential Mitigation Measures

5.4.18 An outline CEMP will be drafted and appended to the ES which will set out best practice methods of limiting noise and vibration on site during construction and decommissioning.

5.4.19 During operation, mitigation measures could include the use of silencers on the loudest plant items within the Generating Equipment.

5.5 Ecology

Introduction

5.5.1 An ecology assessment will consider potentially significant impacts and effects caused by the construction, operation and decommissioning of the Project on ecological resources and receptors in and around the vicinity of the Project Site.

Baseline

5.5.2 The Project Site is predominantly on pastoral farmland, mostly agriculturally improved but with significant areas of marshy grassland and interspersed by woodland and scrub. Some of the marshy grassland qualifies as a Section 42 habitat 'purple moor-grass and rush pastures' (under the Natural Environment and Rural Communities Act 2006 (NERC)[45]) and is designated as SINCs. Furthermore areas of the woodland qualify as Section 42 habitat 'lowland mixed deciduous woodland', some of which is also classified as Ancient Woodland and SINCs. The Ancient Woodland and SINCs are shown on Figure 3.

5.5.3 The fields are grazed by horses and sheep and are largely bounded by fences running along the line of defunct hedgerows with large gaps. There are numerous watercourses on site, mostly in the form of ditches or streams along field boundaries. There is a potential for bats, great crested newts, dormice, otters, water voles, reptiles, badger, woodland and farmland bird species and terrestrial and aquatic invertebrates to be located within these habitats. Full details of the habitats located within the Project Site and the potential for protected species and species of conservation importance are provided in Appendix A.

5.5.4 A desk based assessment (DBA) and Extended Phase 1 Habitat Survey was undertaken at the Project Site during Spring 2014 (see Appendix A). The purpose of the assessment and survey were to:

- Identify the main habitats present at the Project Site;
- Identify the sensitive ecological receptors (e.g. statutory designated sites) in the vicinity of the Project Site;

[45] Natural Environment and Rural Communities Act 2006

- Assess the potential of the Project Site to support protected species; and
- Provide recommendations for further assessment works (e.g. Phase 2 Protected Species Surveys).

5.5.5 The following European Sites are within 10 km of the Project Site:

- Burry Inlet Ramsar Site and SPA;
- Carmarthen Bay and Estuaries SAC; and
- Crymlyn Bog Ramsar Site and SAC.

5.5.6 The following statutory protected SSSIs (for nature conservation) and LNRs are located within a 5 km radius of the Project Site as shown on Figure 3:

- Nant y crimp SSSI;
- Penplas grasslands SSSI; and
- Cadle Heath LNR.

5.5.7 The following SINCs are located within 2 km radius of the Project Site as shown on Figure 3:

- Waun Garn Wen SINC;
- Llety-Morfil SINC;
- Llangefelach Common SINC;
- Felindre Grasslands SINC;
- Pant Lasau SINC;
- Rhyd-Y-Pandy Valley and Grassland SINC;
- Rhos Fawr SINC;
- Cilfaen SINC;
- Cefn Forest Stream SINC;
- Middle Llan SINC;
- Llangyfelach Golf Course and Surrounds SINC;
- Mynydd Gelli-wasted SINC;
- Lower Lliw Resivoir SINC;
- Middle Lliw SINC;
- Penllergaer Forest SINC;

- Penllergaer to Llangefelch Tunnel railway line SINC;
- Mynydd Bach Common SINC;
- M4 Corridor SINC;
- Cwm Rhydyceirw to Birchgrove Railway SINC;
- Cwm Clydach SINC;
- Lougher to Penllegaer Railway Line SINC; and
- Banc Darren Fawr SINC; and
- Cwm Nant-Ddu SINC.

5.5.8 Appendix A provides the full records of the protected species and species of conservation concern within 1 km of the Project Site. The main ecological value of the Project Site lies with the marshy grassland or 'purple moor-grass and rush pastures', 'ponds' and the 'Lowland mixed deciduous woodland' which are all Section 42 habitats under the NERC Act and are located within SINCs.

Assessment

5.5.9 In accordance with NPS EN-1 (paragraph 5.3.3) the Ecological Impact Assessment (EcIA) will provide an assessment of any potentially significant effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. Furthermore opportunities will be taken, where practicable, to conserve and enhance biodiversity and geological conservation interests. NPS EN-1 also requires that lighting effects will be considered on sensitive ecological receptors.

5.5.10 Based on the results of the extended Phase 1 Habitat Survey, the following Phase 2 protected species surveys are currently being carried out on and surrounding the Project Site.

Bats

5.5.11 A roped-access tree survey is being carried out for trees to be removed or modified that have been identified as having potential to support roosting bats. Where the potential for bats to roost in a surveyed tree is confirmed then emergence/re-entry (at dusk and/or dawn) survey will be carried out to confirm the likely use of the tree by roosting bats, and the status of any roost present.

5.5.12 In addition bat activity surveys are being carried out across the Project Site in accordance with the guidance provided by Hundt (2012)[46] which involves walked transect routes carried out monthly between April and October and

[46] Hundt, L. (2012) Bat Surveys: Good Practice Guidelines. 2nd Edition. Bat Conservation Trust, London

an automated survey using static bat detectors. These surveys will determine the species of bats present on the Project Site as well as the spatial distribution and relative activity levels of these species.

Great Crested Newts

5.5.13 Preliminary pond surveys (Habitat Suitability Assessment) indicated that there are a number of ponds within 250 m of the Project Site which are potentially suitable for great crested newts. An additional four to six surveys are being undertaken between mid-March to mid-June to establish presence or absence and to estimate population size if great crested newts are found during the surveys. More detail on the methodology is provided in Appendix A.

Dormouse

5.5.14 A dormouse survey is being undertaken following a methodology based on those prescribed in best practice guidance (Bright et al, 2006)[47]. The surveys involve the use of dormouse boxes in areas of woodland and nest tubes in cluttered environments where boxes cannot be used. The survey is designed to detect the presence or absence of dormice.

Otter and Water Vole

5.5.15 A survey for water voles and otters along the banks of the water courses is being carried out in accordance with best practice guidelines (Chanin (2003)[48] and Strachan et al., (2011)[49] respectively). Signs that water voles may be present will be indicated by the presence of feeding remains, characteristic grass lawns, burrows, runs, footprints, latrines and droppings. Signs that otters may be present will be indicated by the presence of spraints and footprints.

Reptiles

5.5.16 A reptile survey is being carried out on the Project Site to establish the presence/absence of reptiles, the species present and the approximate population size. The survey uses artificial refuges (e.g. roofing felt and tin) to aid in the detection of reptiles and assessment of their distribution and abundance, following good practice guidance, including that set out in the Herpetofauna Worker's Manual (Gent & Gibson, 2003[50]) and Reptile Survey Guidance (Froglife, 1999[51]).

[47] Bright, P. W, Morris, P. A and Mitchell-Jones, A (2006) Dormouse Conservation Handbook, 2nd Edition. English Nature, Peterborough.
[48] Chanin P (2003) Monitoring the Otter *Lutra lutra*. Conserving Natura 2000 Rivers Monitoring Series No. 10, English Nature, Peterborough.
[49] Strachan, R., Moorhouse, T, and Gelling, M. (2011). The Water Vole Conservation Handbook. WILDCRU, Abingdon.
[50] Gent, A.H. & Gibson, S.D. (2003). Herpetofauna Workers' Manual. JNCC, Peterborough.
[51] Froglife (1999). Reptile survey: an introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife Advice Sheet 10. Froglife, Halesowen.

Badgers

5.5.17 All potential habitats within and surrounding the Project Site are being surveyed to search for and record characteristic signs of badger activity, including: setts, latrine pits, foraging holes, badger hair and paw prints following best practice guidance (Neal and Cheesman, 1996[52]). Potential habitat includes areas of woodland, scrub and hedgerows. If the Gas Connection Route Corridor, once chosen, potentially requires the closure of any badger setts then a badger bait marking survey will be carried out between early September and mid-October.

Breeding birds

5.5.18 The breeding bird survey focuses on the farmland birds (occurring both within the Project Site and a buffer of up to 50 m). Their territories are being mapped using surveys based on the British Trust for Ornithology's Common Bird Census (CBC) methodology with an initial site visit carried out in mid-April, followed by additional visits in May and June.

Terrestrial and Aquatic Invertebrates

5.5.19 The block of marshy grassland to the west of Abergelli Farm, will be surveyed for marsh fritillary butterflies following standard methods[53] for walking transects during late May/June looking for adults and larval webs during mid-August to mid-September.

5.5.20 A survey of Lepidoptera (notably moths) will be undertaken in the woodland within the Project Site in late spring and mid-summer. The survey will involve two night-time moth surveys using Skinner or Robinson moth traps fitted with mercury vapour bulbs. Any species hard to identify from external markings alone, and those requiring further confirmation, will be retained and dissected if necessary to ascertain their identity with the use of a stereoscopic microscope.

5.5.21 Beetle assemblages in the woodland within the Project Site will be sampled using a method following the Natural England (ISIS) protocol (Drake et al, 2007)[54] via hand searches, sweep netting and pitfall trapping. Subsequent laboratory identification will be required for many of the specimens collected.

5.5.22 In order to determine the assemblage of aquatic invertebrates present on Project Site, the flowing ditches and ponds will be surveyed if a Water Framework Directive Report is required (refer to Section 5.6).

5.5.23 Kick-sampling for aquatic invertebrates will be undertaken at selected locations along ditches or streams. Furthermore the water chemistry status will be determined for watercourses by extracting a single water sample at three locations within as well as upstream and downstream of the Project

[52] Neal, E and Cheeseman, C (1996) Badgers. T & AD Poyser Natural History Ltd. London.
[53] http://www.ukbms.org/Downloads/UKBMS%20Ng2%20-%20Marsh%20Frit%20Webs%20guidance%20notes.pdf
[54] Drake, C.M., Lott, D.A., Alexander, K.N.A. and Webb K (2007) Surveying terrestrial and freshwater invertebrates for conservation evaluation. Natural England Research Report NERR005. Natural England, Peterborough.

Site. Samples will be dispatched to a UKAS accredited laboratory for subsequent analysis.

5.5.24 The national pond monitoring survey protocol will be adhered to for surveying ponds which involves timed netting and searches for invertebrates in summer (but may also cover spring and autumn).

Invasive Species

5.5.25 A walkover survey of the Project Site will be carried out to map all locations where Japanese knotweed and Himalayan balsam are growing. This will be done within the period June - July when both species are most in evidence.

Assessment

5.5.26 Following the completion of the surveys, reports will be produced, detailing the extent to which the species are present, the likely impacts that the elements of the Project would have on the species and habitats and the potential mitigation measures that could be employed to reduce impacts to an acceptable level.

5.5.27 The EcIA will be undertaken in accordance with the relevant guidance including the Guidelines for Ecological Impact Assessment (Institute of Ecology and Environmental Management (IEEM), 2006)[55]. The potential effects will also be assessed against and informed by national and local planning guidance including the PPW and TANs as well as National and Local Biodiversity Action Plans. Consultation will be undertaken with NRW and City and County of Swansea Council to identify any particular issues of concern.

Habitats Regulation Assessment

5.5.28 The Conservation of Habitats and Species Regulations 2010 (as amended) [56] require an assessment to be made as to whether the Project, either alone or in combination with other plans or projects could have a likely significant effect on European sites including SPAs, SACs and Ramsar Sites. Within 10 km of the Project Site lie Burry Inlet Ramsar Site and SPA; Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC.

5.5.29 Consultation with the City and County of Swansea Council will determine the requirement for a screening exercise, in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended). The screening exercise will identify any likely impacts of the Project upon the above European Sites, either alone or in combination with other plans and projects, and consider whether the impacts are likely to be significant.

5.5.30 If screening concludes there may be likely significant effects on the special features for which the European Sites are classified or designated then a report will be provided with the DCO Application showing the European Sites

[55] Institute of Ecology and Environmental Management (IEEM) (June 2006) Guidelines for Ecological Impact Assessment in the United Kingdom
[56] Conservation of Habitats and Species Regulations 2010 (as amended)

that may be affected together with sufficient information to enable the decision maker to make an appropriate assessment, if required. If screening concludes there is no likely significant effect on a European Site sufficient information will be provided with the DCO Application in the form of a 'No Significant Effects Report' to allow the Competent Authority to assess and review the information and make its own determination that there are no likely significant effects and be satisfied there is no significant residual effect.

Potential Mitigation Measures

5.5.31 An outline CEMP will be drafted and appended to the ES which will set out best practice methods of limiting effects on ecology and biodiversity during construction and decommissioning. If necessary, further, specific mitigation measures will include the consideration for provision of new habitat to suitably replace any habitat areas which would be permanently lost through development of the Project.

5.6 Water Quality and Resources

Introduction

5.6.1 An assessment on the effects on water quality and resources will consider all of the potentially significant impacts and effects caused by the construction, operation and decommissioning of the Project.

5.6.2 The chapter will also provide a summary of the main issues and risks posed to and from flooding identified during the Flood Consequences Assessment (FCA) which will be submitted as a separate document as part of the DCO Application. The FCA will take the form of a qualitative assessment based on existing NRW data and consultation with the NRW and Lead Local Flood Authority (LLFA). Additionally, potential impacts on hydrogeology will be assessed as part of the chapter describing geology, ground conditions and agriculture (outlined in Section 5.7 of this Scoping Report).

Baseline

5.6.3 The main watercourse that traverses the area is Afon Llan which flows in a south-westerly direction to the west and south of the Project Site, through Swansea into Swansea Bay. In addition, there are a number of ordinary watercourses in the form of springs, streams and drainage ditches within the Project Site that ultimately flow into Afon Llan. The location of Afon Llan is shown on Figure 2.

5.6.4 The streams, ponds and ditches within the Gas and Electrical Connection Opportunity Areas will be carefully considered during the process of identifying the Gas and Electrical Connection Route Corridors. The design process will aim to minimise crossings or interactions with water bodies where practical.

5.6.5 Historical and current maps will be studied to identify abstraction points and licences in the area as well as the course of any former watercourses which may have been underground or culverted in the past.

Assessment

5.6.6 In accordance with NPS EN-1 the assessment will account for the existing status of, and impacts of the Project on water quality, water resources and physical characteristics of the water environment including any potential eutrophication impacts. The assessment will be undertaken using a risk based approach to determine the level of potential impacts by using a Source-Pathway-Receptor model to identify which receptors could realistically be impacted by a given action. This will include any sources of pollution that have the potential to impact on surface water bodies.

5.6.7 All aspects of supply, demand and disposal of water and process effluents will be addressed for the construction, operational and decommissioning phases. Furthermore the disposal of surface water drainage and the process effluents will be discussed with a view to maximising the opportunities for water recovery and re-use as far as is practicable.

5.6.8 Potential discharge locations for site surface waters and process waste waters will be identified and a site drainage plan, which may incorporate a sustainable drainage system (SuDS) will be discussed at a high level.

5.6.9 There are not anticipated to be any significant impacts on key water bodies resulting from the Project through physical works to them. It is also not anticipated that water will be directly abstracted or discharged to or from any of these sources during construction, operation or decommissioning of the Power Generation Plant.

5.6.10 Where projects are away from, or unlikely to interact with any water courses, it is likely that a Water Framework Directive (WFD) Report will be scoped out. However, if NRW does require the inclusion of a WFD Report, it would form an Appendix to the ES.

5.6.11 During construction of the Gas Connection and the Electrical Connection (if in the form of an underground cable), best working methods will be utilised at all water crossings to ensure that there are no adverse impacts on flow or drainage and that no contamination is allowed to enter the water bodies. Effects during operation and decommissioning are unlikely to occur or be significant and therefore have been scoped out.

5.6.12 If an overhead line is used for the Electrical Connection, there will be no need for any permanent water crossings or interaction with water bodies of any kind. However any temporary water crossings required during construction will be assessed.

Potential Mitigation Measures

5.6.13 Mitigation measures will be designed in accordance with BS6031[57], BS8004[58], as well as CIRIA C649[59] and C648[60]. An outline CEMP will be drafted and appended to the ES which will set out best practice methods of limiting impacts on water quality and resources during construction and decommissioning. Measures would include: siting stockpiles a minimum distance from watercourses to avoid pollution runoff; and adhering to best practice working guidelines to avoid spillages near watercourses.

5.6.14 Where the Gas Connection and Electrical Connection (in the form of an underground cable or construction vehicles during installation of overhead lines) would cross a water body, various crossing techniques would be considered. These may include trenchless techniques such as horizontal directional drilling, particularly for larger water bodies, or temporary bunding and over-pumping where flows are lower.

5.6.15 Additionally, during construction, operation and decommissioning, silt traps and oil interceptors would be placed in drains on site. No untreated surface or waste waters would be allowed to drain into water bodies during construction, operation or decommissioning. SuDS would be used if found to be required.

5.6.16 During all phases of the Project all aqueous process effluents would be discharged via the plant drainage systems in accordance with NRW limits. The use of biocides would be optimised to ensure that the least amount possible is required.

5.6.17 All oil and chemical storage tanks and areas where drums are stored would be surrounded by an impermeable bund sized to contain 110% of capacity. In addition multiple tanks or drums would be within bunds sized to contain the greater of 110% of the capacity of the largest tank or 25% of the total tank's contents.

5.6.18 During operation, NRW would set limits on the quality of water that is discharged from the Power Generation Plant under an Environmental Permit. The need, or otherwise for further, specific mitigation measures will be determined through the EIA process.

5.7 Geology, Ground Conditions and Agriculture

Introduction

5.7.1 An assessment on the effects of geology, ground conditions and agriculture will consider potentially significant impacts and effects caused by the construction, operation and decommissioning of the Project. It will also detail the baseline conditions in terms of ground and groundwater contamination

[57] British Standard Institute (2009) BS 6031:2009 Code of Practice for Earthworks
[58] British Standard Institute (1986) BS 8004: 1986 Code of Practice for Foundations
[59] CIRIA (2006) C649 Control of water pollution from linear construction projects Site Guide
[60] CIRIA (2006) C648 Control of water pollution from linear construction projects Technical Guidance

and the risks posed to human health particularly in relation to future site users.

Baseline

5.7.2 The Project Site is located in an area where the geology is characterised by boulder clay and the underlying Grovesend Beds, Upper Carboniferous sandstones and thin coals[61]. These are overlain by glacial sand and gravel, alluvium and some peat. Overlying this geology are raw gley and brown soils. There are no aquifers or groundwater protection zones in the vicinity of the Project Site.

5.7.3 The agricultural land classification for the land within and surrounding the Project Site is grade 4 (poor quality agricultural land)[62] and is dominated by improved grassland fields used for grazing sheep and horses. In addition within the Project Site, are located a disused coal mine, a landfill as well as small areas of marshy grassland and woodland copses interspersing the improved grassland to the north and east.

Assessment

5.7.4 The assessment will be underpinned by the DEFRA/EA publication Contaminated Land Report 11, 2004, 'Model Procedures for the Management of Land Contamination'[63] and associated subsequent guidance.

5.7.5 The assessment approach will be undertaken with a clear understanding of the following:

- Previous land uses – through a review of historical maps;
- Underlying ground conditions – thorough review of BGS maps, a review of previous site investigations (where available) and by undertaking geotechnical investigations where deemed necessary; and
- Existing physical baseline conditions through a site walkover survey and review of a Landmark Envirocheck Report.

5.7.6 The Landmark Envirocheck Report (or equivalent) will identify groundwater vulnerability, sites designated for geological importance, details of any previous pollution events, details of landfills, waste management sites and Control of Major Accident Hazards (COMAH) sites within the Project Site and surrounding area.

5.7.7 A conceptual site model approach will be used to assess the risks posed by contaminants to sensitive receptors using a Source-Pathway-Receptor model, based on the following:

[61] http://www.ccw.gov.uk/landmap
[62] Department for Environment Food and Rural Affairs (1988) Agricultural Land Classification of England. Archive.defra.gov.uk
[63] Department for Environment Food and Rural Affairs and Environment Agency (2004) Contaminated Land Report 11, 2004, Model Procedures for the Management of Land Contamination

- Source – potential source of contamination;
- Pathway – means by which contamination can reach and impact upon a receptor; and
- Receptor – that which may be adversely affected by the presence of contamination.

5.7.8 Desk studies will identify potential environmental and geotechnical liabilities associated with the Project, including an assessment of potential impacts of previous uses of the Project Site and surrounding area. This will enable the identification of any potential environmental and geotechnical risks, and the design of a focussed and cost efficient intrusive investigation (if required).

5.7.9 In undertaking the desk studies, all available information on the Project Site and surrounding area will be reviewed to establish local ground conditions and the environmental settings. Furthermore, consultation will be held with the City and County of Swansea Council and the NRW to obtain any other environmental records available for the Project Site, and to further refine the assessment methodology.

5.7.10 A site walkover will be undertaken of the Project Site and immediate surrounding areas. This will help ensure all potential source, pathway and receptor linkages for potential contamination issues have been identified.

5.7.11 Based on the findings of the desk studies, site walkovers and preliminary risk assessment, recommendations will be provided for any further intrusive investigation work required to satisfy current standards and guidance and fill any data gaps identified to fully inform the assessments of environmental and geotechnical risks or liabilities.

5.7.12 Using the information obtained, suitable remediation strategies will be developed to render the Project Site ready for development. These will include estimates of the types and volumes of waste material that will need to be removed from the Project Site prior to development.

5.7.13 Additionally, an assessment will be made of the amount of agricultural land, if any, that may become sterilised by the Gas and Electrical Connections. Should an overhead Electrical Connection be considered, the same methodology will be used, although it is considered likely that the potential impact on geology, ground conditions and agriculture would be significantly less than for a buried connection.

Potential Mitigation Measures

5.7.14 An outline CEMP will be drafted and appended to the ES which will set out best practice methods of limiting impacts during construction and decommissioning. Embedded mitigation measures would include adherence to good practice guidelines and could potentially involve the following:

- Any additional soil materials that are to be imported to the Project Site would be required to have certification of their chemical

concentrations to ensure that contaminative materials are not being introduced to the area;

- In order to further limit disturbance, the site access tracks would be constructed first to allow movement of vehicles around the Project Site on areas of soft-standing;
- Any vegetation, topsoil and subsoil would be removed to expose a suitable sub-grade. Any soils, sub-soils or aggregate suitable for reuse would be stockpiled on impermeable liners;
- Soils which are to be reused onsite would be tested for contamination and geotechnical suitability. This would form part of a site waste management strategy which would be drafted prior to construction and would focus on the re-use, recycling and reduction of waste spoil;
- Surface water, perched waters or groundwater from dewatering operations would not be discharged to surface water bodies, foul or surface water drains without the appropriate consents from the local water or sewage company and / or NRW. The disposal of this effluent would be the responsibility of the principal construction contractor. If necessary, this water would be tanked off-site for disposal at a suitable facility;
- All foundations would be appropriately specified to resist chemical attack from soils or groundwater; and
- Foundations would also be designed so as not to present a preferential pathway for contaminant migration, if present at the Project Site.

5.8 Landscape and Visual Impact

Introduction

5.8.1 A landscape and visual impact assessment will consider potentially significant impacts and effects caused by construction, operation and decommissioning of the Project. The assessment will establish:

- A clear understanding of the Project Site and its wider landscape setting, identifying the landscape character, resources, value and sensitivity to the development;
- An assessment of the composition, character and aesthetic value of views from visual receptors including occupiers of residential properties and people using amenity landscapes, and the sensitivity of views;
- The nature of the different development scenarios and mitigation measures; and

- The likely significant direct and indirect effects of the Project on the landscape resource (i.e. landscape elements and character) and on visual receptors.

Baseline

5.8.2 The Project Site is located within an area of lowland rolling farmland known locally as the 'Welsh Gower'. It is within an essentially rural landscape, criss-crossed by networks of minor roads, overhead wires on steel pylons and other utilities infrastructure.

5.8.3 The Welsh Gower was historically part of the Lordship of Gower, but is now separated physically and perceptibly from the historic area. It consists largely of moorland, with any settlements of size - Craig Cefn Parc and Pontarddulais - on the southern fringes. Economic activity is confined largely to upland farming and forestry, although there is a commercial fishery and two large reservoirs to the north of the Project Site. The area also contains extensive evidence of human exploitation and occupation over millennia, with a proliferation of cairns and earthworks, evidence of a Roman fort and marching camps.

5.8.4 The area around the Project Site is rural in character, although there is a large amount of utilities infrastructure in the area due to its close proximity to Swansea. Gas and water pipelines cross the Project Site and there is also a network of electricity pylons southwest of Abergelli Farm, which lead to and from Felindre Gas Compressor Station and National Grid's two 400kV electrical substations. Furthermore a Water Treatment Works is located immediately to the northwest while Cefn Betingau Solar Park is operational to the east of the Project Site.

5.8.5 Amongst this wider landscape, the Project Site is located within open gently sloping grass fields used for grazing sheep and horses interspersed by woodland copses, some of which are classified as Ancient Woodland as shown on Figure 3.

5.8.6 Residential receptors within 1 km of the Project Site include those within the nearby settlements of Morriston, Pant-lasau and Llwyncelyn, Felindre. In addition there are also isolated dwellings and farmsteads outside of the settlements including but not exclusive to:

- Aber gelli fawr;
- Abergelli Farm;
- Cefn-betingau;
- Maes-eglwys;
- Lletty Morfil Farm;
- Felin-wen;
- Pont Felin-wen;

- Pontbren Llwyd;
- Gors-wen;
- Llety'r Bugall;
- Brynheulog;
- Taironen;
- Penfedi Uchaf;
- Penidy Isaf;
- Gellyfedden;
- Rhos fawr;
- Brynawel;
- Brynwhilhach; and
- Lletty'r-scil.

Assessment

5.8.7 The assessment will be carried out in accordance to NPS EN-1 using the methodology set out in the Guidelines for Landscape and Visual Impact Assessment (Landscape Institute and Institute of Environmental Management and Assessment, 3rd Edition, 2013)[64] and Countryside Council for Wales / CADW (2007) 'Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process'[65]. It will include:

- A desk review of all relevant documents and landscape planning policy and guidance;
- A field survey to assess baseline landscape character and visual amenity;
- A description of the key features associated with the Project that have the potential to alter the characteristics of the landscape and visual baseline;
- Appropriate generic and site specific mitigation that is reasonable and possible;
- Assessment of the predicted significance of residual effects on the landscape resource / character and visual amenity and compliance with landscape policy; and

[64] Landscape Institute and Institute of Environmental Management and Assessment, (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition
[65] Countryside Council for Wales/Cadw (2007) Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process

- An assessment of cumulative impacts arising from the Project, in combination with other proposed large scale industrial developments in the locality.

5.8.8 Initially, a Zone of Theoretical Visibility (ZTV) plan will be generated for the Power Generation Plant using specialist software. The ZTV will show a maximum theoretical visibility of the Power Generation Plant and any overhead line towers, should an overhead Electrical Connection by pursued across the surrounding area. The ZTV will be based solely on topography and the proposed height of the plant envelope, and any overhead line towers. No allowance will be made for intervening screening vegetation or buildings, although in practice this tends to have a substantial mitigating effect.

5.8.9 A review of all relevant landscape planning policy and LANDMAP (the national information system, devised by CCW (now NRW), for taking landscape into account in decision-making) will be undertaken. Particular attention will be paid to AONBs, popular tourist spots and viewpoints, and Public Rights of Way. The nearest AONB is the Gower which is remote from the Project Site and visually separated from the Project Site by intervening topography and therefore has been scoped out of the assessment.

5.8.10 The Project will be discussed in detail including dimensions of the larger buildings, the stack heights, and any other ancillary infrastructure that may have an impact on the landscape character or visual amenity.

5.8.11 To assist in the impact assessment, a site visit will be made by a qualified Chartered Landscape Architect, who will assess the study area in detail. Additionally, and following consultation with relevant stakeholders, a selection of photomontages will be taken from key sensitive viewpoints (e.g. residential receptors, designated ecological sites, cultural heritage assets and key rights of way). Suggested viewpoint locations of photomontages for consultation are:

- View north east from the Public Right of Way to the west of Maes-eglwys;
- View south from the Public Right of Way junction south of Brynheulog;
- View east from the Public Right of Way junction north of Lletty Morfil Farm;
- View northeast from B4489 at the junction with the Public Right of Way close to Brynwhilhach;
- View north from the road and Public Right of Way junction at Pant-lasau;
- View south from the Gower Way at Lower Lliw Reservoir;
- View north from Kilvey Hill in Swansea; and

- View north from the A48 to the south of the M4.

5.8.12 Photomontages will be produced with reference to 'Photography and photomontage in landscape and visual impact assessment Landscape Institute Advice Note 01/11'[66]. The photomontages will show a representation of how the Project would be viewed within the landscape and will be used to illustrate the potential impact of the Project.

5.8.13 Given that the majority of the Gas Connection would be underground, the landscape and visual impact assessment for this element will focus solely on the impact of the AGI and the impacts and effects that will result from the construction phase.

5.8.14 As for the Gas Connection, if the underground Electrical Connection is carried forward, then the LVIA for this element of the work will focus solely on the impacts resulting from the presence of a SEC, if required, and the impacts and effects that will result from the construction phase.

5.8.15 If an overhead line is taken forward, the assessment will follow the standard LVIA methodology as described above, but will make reference to the Holford Rules where appropriate.

Potential Mitigation Measures

5.8.16 An outline CEMP will be drafted and appended to the ES which will set out best practice methods of limiting impacts during construction and decommissioning. Embedded mitigation measures would include the careful consideration of siting stockpiles and cranes to avoid detrimental impacts on the visual amenity of closest receptors.

5.8.17 During operation, the main embedded mitigation measures would be the careful siting and arrangement of the: Power Generation Plant; AGI for the Gas Connection; and SEC for the Electrical Connection, if required. The final architectural design of the buildings and upstanding structures would be carefully considered to provide a high standard of visual amenity, given practical and economic constraints.

5.8.18 Further, detailed mitigation measures could include the consideration for onsite or off-site screen planting to screen views of the Power Generation Plant.

5.8.19 Due regard will be paid to NPS EN-1, EN-2, and EN-5 and the guidance they provide on 'good design' in relation to the Gas and Electrical Connections and include (to the extent relevant in the case of an underground connection for Gas and Electrical Connection):

- Avoid altogether, if possible, the major areas of highest amenity value, by planning the general route of the line in the first place, even if total mileage is somewhat increased in consequence;

[66] Landscape Institute (2011) Photography and photomontage in landscape and visual impact assessment Landscape Institute Advice Note 01/11

- Avoid smaller areas of high amenity value or scientific interest by deviation, provided this can be done without using too many angle towers, i.e. the bigger structures which are used when lines change direction;
- Other things being equal, choose the most direct line, with no sharp changes of direction and thus with fewer angle towers;
- Choose tree and hill backgrounds in preference to sky backgrounds wherever possible. Where a line has to cross a ridge, secure this opaque background as long as possible, cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees;
- Prefer moderately open valleys with woods where the apparent height of towers will be reduced, and views of the line will be broken by trees;
- Where country is flat and sparsely planted, keep the high voltage lines as far as possible independent of smaller lines, converging routes, distribution poles and other masts, wires and cables, so as to avoid a concentration of lines or 'wirescape'; and
- Approach urban areas through industrial zones, where they exist; and when pleasant residential and recreational land intervenes between the approach line, National Grid's two 400kV electrical substations and Felindre Gas Compressor Station carefully assess the comparative costs of undergrounding.

5.9 Traffic, Transport and Access

Introduction

5.9.1 An assessment on traffic, transport and access effects will consider potentially significant impacts and effects caused by the construction, operation and decommissioning of the Project.

5.9.2 The main impacts of the Project on traffic, transport and access would occur during construction and decommissioning resulting from the movement of vehicles for the transport of construction or decommissioning personnel, equipment and materials to and from the Project Site. The transport of abnormal loads, which may lead to delays and cause inconvenience to other road users, would be timed following consultation with the relevant authorities to minimise disruption to the other road users.

5.9.3 Normal activities during operation would result in fewer traffic movements and would be associated with personnel required for operation and maintenance of the Project. As such, during operation no significant increase in traffic in the area of the Project Site is expected, and no effect on local traffic patterns and infrastructure would therefore be anticipated.

Baseline

5.9.4 There are two options being considered in regards to accessing the Project Site from Junction 46 of the M4. Access Road – Option 1 would be via the Rhyd-y-pandy Road and the access road west of Brynheulog past Abergelli Farm. Access Road – Option 2 is via the B4489, along the access road to the National Grid's two 400kV electrical substations and Felindre Gas Compressor Station and then along an access road to be constructed as part of the Project, across undeveloped land to the Generating Equipment Site. Both options are shown on Figure 1.

Assessment

5.9.5 The assessment will be undertaken in accordance with the 'Welsh Transport Planning and Appraisal Guidance WelTAG[67] and the Institute of Environmental Assessment's (IEA) 'Guidelines for the Environmental Assessment of Road Traffic' (1993)[68] in order to assess the likely significant impacts of the Project on the local road network.

5.9.6 Comparisons between existing traffic flows and estimates of likely traffic flows on potentially affected roads will be made to help establish whether significant effects are likely. This will take into account: the sensitivity of receptors and resources likely to be affected; any potential for disruption to local routes; and any changes in the composition of traffic. If considered necessary, traffic surveys will be undertaken which will further quantify the number of vehicle movements on the existing road network in the vicinity of the Project Site.

5.9.7 The majority of the proposed access routes are 'main roads' that do not have pavements for pedestrian use. Nonetheless, the traffic assessment will also take full account of the potential impact on pedestrians, and will ensure that pedestrians and other road users (cyclists and equestrians) are not cut off from amenity areas as a result of the works.

5.9.8 The assessment will consider the following: access and construction routes and the types of vehicles used; local highway and rail networks; existing traffic flows; current traffic generation; road traffic accident information; predicted traffic trends; local highway improvements and planned works; and, potential receptors. The full appraisal will be presented (if appropriate) in a Transport Assessment which will be accompanied by a draft Construction Traffic Management Plan.

5.9.9 Discussions will be held with the Highways Agency and the City and County of Swansea Council to identify any existing issues relating to traffic in the area. Information will also be sought on future development projects in the area that could give rise to a significant cumulative impact when considered in conjunction with the Project.

[67] Welsh Assembly (June 2008) Welsh Transport Planning and Appraisal Guidance
[68] Institute of Environmental Assessment (IEA) (1993) Guidelines for the Environmental Assessment of Road Traffic

Potential Mitigation Measures

5.9.10 An outline CEMP will be drafted and appended to the ES which will set out best practice methods of limiting impacts during construction and decommissioning. Opportunities for reducing traffic movements will be explored, such as car share schemes or shift working (i.e. not all construction traffic arriving at site at once).

5.9.11 Details of the proposed measures to improve access by public transport, walking and cycling will be provided for the operational phase.

5.10 Cultural Heritage and Archaeology

Introduction

5.10.1 An assessment of the effects on cultural heritage and archaeological assets will consider potentially significant impacts and effects caused by the construction, operation and decommissioning of the Project.

Baseline

5.10.2 The Project Site is within an area of pastoral farmland which has evolved as a result of gradual enclosure of the uplands and foothills in the area. There is some evidence for enclosure in the pre-Norman period, and the process has continued through time into the second half of the 19th century. In addition there are some areas of unenclosed land and woodland (some which is classified as Ancient Woodland) remaining as shown on Figure 3.

5.10.3 Also within the area there has been some industrial activity in the form of mining and tinplate works which took place in the 19th century. In the areas where industrial activity has taken place associated ribbon development occurs. In the rest of the area the settlement pattern is mainly dispersed with isolated dwellings.

5.10.4 The following cultural heritage assets are located within 5 km of the Project Site:

- Clydach Upper Forge Scheduled Monument;
- Landore New Quay Scheduled Monument;
- Gwernllwynchwyth Engine House Scheduled Monument;
- Garn Goch Round Barrow Scheduled Monument;
- Llangyfelach Cross Base Scheduled Monument;
- Morris Castle Scheduled Monument;
- Mynydd Pysgodlyn Round Barrow Scheduled Monument;
- Ring Cairn on Craig Fawr Scheduled Monument;
- Pant-y-Ffa Round Cairn Schedule Monument;

- Remains of Astronomical Observatory at Penllergaer Scheduled Monument;
- Cae Castell (Rhyndwyclydach Medieval Earthwork) Scheduled Monument;
- Ring Cairn on Tor Clawdd Scheduled Monument;
- Scott's Pit Engine House and Traces of Ancillary Buildings Scheduled Monument;
- Mynydd Carn-Goch Roman Earthworks Scheduled Monument;
- Earthwork 1,080 m NNW of Fforest Newydd Scheduled Monument;
- Penllergaer Orchideous House Scheduled Monument;
- Townshend's Great Leat & Waggonway Scheduled Monument;
- Capel Tabernacl, Woodfield Street (East side) Grade I Listed Building;
- The Water Mill / Melin Felindre Grade II* Listed Building;
- New Siloh (Seilo Newydd) Congregational Chapel including gates and railings Grade II* Listed Building;
- Capel Gellionnen (Gellionnen and Graig Unitarian Church) Grade II* Listed Building;
- Church of St David and St Cyfelach Grade II* Listed Building;
- Tower of Church of St David and St Cyfelach Grade II* Listed Building;
- The Equatorial Observatory, Penllergare Grade II* Listed Building;
- Scott's Pit Engine House Grade II* Listed Building;
- Penllergaer Grade II Historic Park and Garden;
- Cwmgelli Cemetery Grade II Historic Park and Garden;
- Parc Llewelyn Grade II Historic Park and Garden;
- Morriston Conservation Area; and
- LLansamlet Conservation Area.

5.10.5 In addition there are 47 Grade II Listed Buildings and also records of undesignated cultural heritage assets within 5 km of the Project Site. These include standing buildings, earthworks, areas of ancient woodland, sites of structures known only from documentary sources, sub-surface archaeological remains, sites recorded only as cropmarks and isolated findspots.

Assessment

5.10.6 In accordance with NPS EN-1, the objectives of this assessment are to:

- Describe the survival and extent of any archaeological features that may be disturbed by the construction, operation and decommissioning of the Project;
- Provide an assessment of the importance of these assets;
- Assess the likely scale of any impacts on the cultural heritage and archaeological resource posed by the construction, operation and decommissioning of the Project;
- Outline suitable mitigation measures to prevent, reduce and where possible offset any significant adverse effects; and
- Provide an assessment of any residual effects remaining after mitigation.

5.10.7 Initially, a Desk Based Assessment (DBA) will be undertaken, and will include the following detailed searches:

- The Royal Commission on Ancient and Historical Monuments Wales which is the investigative body and national archive for the historic environment of Wales and hosts an online search facility (Coflein);
- Swansea Historic Environment Record (HER) (which includes records of any previous archaeological interventions within the Scheme Area). The HER will also include details of Registered Parks and Gardens, Listed Buildings and Registered Battlefields;
- Historic Mapping; and
- Conservation Areas and Historic Landscape Characterisation.

5.10.8 The DBA will be undertaken in accordance with 'Standard and Guidance for Archaeological Assessments' (Institute for Archaeologists, 2011)[69].

5.10.9 It is proposed that initially, searches are limited to 1 km from the Project Site for HER entries for archaeology as the Project will potential impact archaeology within the development footprint and the immediate surroundings. The 1 km Study Area provides the opportunity to better understand the context of any archaeology present within the development footprint.

5.10.10 As part of the DBA, a site inspection will be undertaken of the Project Site to identify any previously unknown archaeological features and their condition. During the site inspection a detailed photographic record will be maintained and an assessment of the setting of the cultural heritage assets will be undertaken.

[69] Institute for Archaeologists (2011) Standard and Guidance for Archaeological Assessments

5.10.11 In order to gather baseline cultural heritage setting data, and to undertake an assessment of the potential impacts that the Project Site may have on the setting of any above ground remains, selected cultural heritage assets will be visited. This will follow an initial study making reference to the results of desk-based research, and the ZTV including searches of the records listed above. Assets will be visited where this initial study indicates potential for significant impacts. Both the asset and its surrounding area will be visited to identify locations that might be relevant to the asset's setting.

5.10.12 For the purposes of the setting study, the following cultural heritage assets will be considered:

- Scheduled Monuments;
- Listed Buildings;
- Registered Parks and Gardens;
- Registered Battlefields;
- World Heritage Sites; and
- Any other non-scheduled building which is considered to be important in terms of cultural heritage and archaeological significance.

5.10.13 It is proposed that the search area for these cultural heritage assets will be limited to 5 km from the Project Site, as significant impacts on setting are unlikely to occur beyond 5 km. However, should significant impacts be identified at 5 km, then the search area will be expanded accordingly.

5.10.14 The following factors are also considered to be relevant when assessing impacts upon setting:

- Visual dominance;
- Scale;
- Intervisibility;
- Vistas and sight lines;
- Movement and light; and
- Unaltered settings.

5.10.15 The DBA will form the baseline data for the cultural heritage and archaeology section of the ES. The ES will discuss the nature and location of all cultural heritage and archaeological sites within the study area. Further to this, the ES will provide an assessment of the significance of any impacts to the cultural heritage and archaeology sites.

5.10.16 At this stage, no intrusive investigations are proposed for cultural heritage or archaeological purposes, although this will be confirmed (or otherwise) based on the findings of the DBA, and in consultation with the City and

County of Swansea Planning Archaeologist and representative of Cadw. Should intrusive investigations be necessary, their scope will be agreed with the Planning Archaeologist through a Written Scheme of Investigation (WSI).

Potential Mitigation Measures

5.10.17 Prior to construction, the nature and extent of archaeology present at the Project Site and surrounding areas will be established. However, should any archaeological remains be found during construction, work will be halted and advice sought from the Planning Archaeologist. Where necessary, recommendations will be made for a mitigation strategy to preserve in-situ or if not practicable to preserve by record any significant archaeological assets. The ES will also include a mitigation strategy for any significant impacts to listed buildings and other above ground assets.

5.10.18 During operation, there may be an opportunity to provide screen planting, should the Project give rise to any adverse impacts on above ground heritage assets.

5.11 Socio-Economics

Introduction

5.11.1 An assessment on the effects on socio-economics resulting from the Project will be undertaken and reported in the ES. This will consider potentially significant impacts and effects caused by the construction, operation and decommissioning of the Project on socio-economic resources and receptors in and around the vicinity of the Project Site.

5.11.2 At its peak, the construction and decommissioning workforces are expected to employ between 150 and 250 personnel. Subject to procurement rules it is anticipated that as many as possible of these workforces would be recruited locally.

5.11.3 Operation of the Generating Equipment would require up to 15 full time staff over the lifetime of the Project working in shifts which means that less than 15 people will be on site at any one time during normal operations. In addition there would be further indirect jobs for contracted engineering staff during regular maintenance shutdowns and maintenance of the Gas and Electrical Connections.

5.11.4 The total capital cost of the Project is anticipated to be of the order of £200 million. Up to approximately 35% of this will be construction, civils and fabrication work which would be open to tender from companies in the area.

5.11.5 During construction and decommissioning, those workers from outside of the local area would require places to stay, and regular sustenance, delivering knock on benefits to local businesses and services. In addition the Project would also represent an additional income source to the local economy during the operational phase in terms of local employment and the use of local services and suppliers.

Baseline

5.11.6 The area surrounding the Project Site has a long history of both mining and agriculture.

5.11.7 The Project Site lies within the City and County of Swansea. It is located within the region of South West Wales. South West Wales has a resident population of approximately 685,000 and supports some 280,000 jobs in around 20,000 businesses, making it a major driver of the Welsh economy. It is a large and diverse region that contains a wide range of urban and rural places, with distinctive, though inter-connected, economies and communities. Within the region, Swansea forms the second largest City in Wales and the regional centre for South West Wales. The population of the City and County of Swansea is approximately 239,023[70] which has been increasing steadily for nearly a decade. The County has a diverse character, covering an area of approximately 380 km^2, and can be broadly divided into:

- The sparsely populated open moorlands of the north;
- The Gower Penisula and its hinterlands in the west;
- The urban settlements and communities that are generally spread along the main transport corridors into the City where the main populations reside; and
- The conurbation of Swansea City Centre and the urban waterfront.

5.11.8 In 2011, 102,793 or 43% of residents aged between 16 to 74 were in employment which is comparable to 44.5% of the population of Wales[71]. The key sources of employment in the City and County of Swansea in 2011 were:

- Wholesale and Retail Trade; Repair of Motor Vehicles and Motor Cycles at 17%;
- Human health and social work activities at 15%;
- Education at 11%;
- Manufacturing at 7%; and
- Construction at 7%.

5.11.9 Swansea Bay is a popular tourist destination due to the sandy beaches of Gower, the Victorian seaside village of Mumbles and Wales' Waterfront City with its Blue Flag marina. The nearest tourist destination to the Project Site is the Team Force Swansea Paintball Centre approximately 50 m south of the Project Site.

[70] Office for National Statistics (2011) Neighbourhood Statistics, Population Density, 2011 (QS102EW)
[71] Office for National Statistics (2011) Neighbourhood Statistics, Industry 2011 (QS605EW)

Assessment Methodology

5.11.10 In accordance with NPS EN-1 paragraph 5.12.3 the assessment will consider all relevant socio-economic impacts such as tourism, influxes of workers, and cumulative impacts.

5.11.11 There is currently no established EIA methodology for the assessment of socio-economic impacts. To assess the socio-economic impacts the 'Guidelines and Principles for Social Impact Assessment' (May 1994) produced by the Interorganizational Committee on Guidelines and Principles for Social Impact Assessment[72], HM Treasury's Green Book[73] and the English Partnerships(EP) Additionally Guide[74] will be used.

5.11.12 The study area will extend to cover the immediate area of City and County of Swansea and the wider area of South West Wales, in order to assess the likely effects that may be experienced within the local community.

5.11.13 The methodology for the socio-economic impact assessment will be based on the collection of a wide range of data and information from published materials, plus consultation with the local authority and key stakeholders. Key sources of information will include:

- Population characteristics (population dynamics);
- Community and institutional structures (employment, training, skills and qualifications, economic investment, business development and equal opportunities);
- Individual and family changes (perceptions of risk, attitudes towards the Project, social well-being); and
- Community resources (security, access to local amenities including Public Rights of Way (PRoWs)).

Potential Project Enhancements

5.11.14 During construction, operation and decommissioning, an effort will be made to use local goods and services, wherever possible.

[72] Interorganizational Committee on Guidelines and Principles for Social Impact Assessment (May 1994) Guidelines and Principles for Social Impact Assessment

[73] http://www.hm-treasury.gov.uk/d/green_book_complete.pdf

[74] Homes and Communities Agency (2014) Additionality Guide Fourth Edition.

6 Summary and Conclusions

6.1.1 This report sets out the proposed scope and content of the EIA to support the DCO Application for the development of a Power Generation Plant with a capacity of up to 299 MW with its associated Gas and Electrical Connections in the City and County of Swansea. It has been prepared in order to support a request for a Scoping Opinion from the SoS under regulation 8 of the EIA Regulations.

6.1.2 The following topics have been scoped into the assessment:

- Air Quality;
- Noise and Vibration;
- Ecology;
- Water Quality and Resources;
- Geology, Ground Conditions and Agriculture;
- Landscape and Visual;
- Traffic, Transport and Access;
- Cultural Heritage and Archaeology; and
- Socio-Economics.

6.1.3 In view of the above, and on behalf of the SoS, PINS is requested to provide a Scoping Opinion on the possible significant environmental effects of all elements of the Project, the proposed methodologies to assess the impacts, and the proposed structure of the ES.

6.1.4 PINS and other consultees are also invited to highlight any additional issues that they believe should be addressed within the EIA, and to identify any sources of information that may be of interest to APL and the EIA team.

Appendix 1: Ecological Appraisal

BSG | ecology

Abergelli

Abergelli Power Project

Preliminary Ecological Appraisal

BSG | ecology

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Client	Stag Energy
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Report title	Preliminary Ecological Appraisal
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	Name	**Position**	**Date**
Originated	Anna Gundrey	Senior Ecologist	05 March 2014
Reviewed	Matthew Hobbs	Principal Ecologist	06 March 2014
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Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that BSG Ecology performed the work.

Nothing in this report constitutes legal opinion. If legal opinion is required the advice of a qualified legal professional should be secured.

Contents

1 Summary

1.1 Abergelli Power Limited (APL) is promoting a new Power Generation Plant on agricultural land within Abergelli Farm north of Swansea in the City and County of Swansea (approximately at National Grid Reference 265284, 201431).

1.2 The Power Generation Plant would operate as a Simple Cycle Gas Turbine (SCGT) peaking plant and would be designed to provide an electrical capacity of up to 299 Megawatts (MW). It would be fuelled by natural gas, supplied by a new underground gas pipeline connecting the Power Generation Plant to the existing National Grid Gas (NGG) National Transmission System (NTS).

1.3 BSG Ecology has been appointed as the ecological consultant to undertake a preliminary ecological appraisal, which includes a desk study and Extended Phase 1 Habitat Survey. This preliminary survey will inform the subsequent need for further, targeted surveys of protected and otherwise notable species and habitats.

1.4 The preliminary ecological survey has identified two European designated sites within 10km, five statutory designated sites for ecology (four Sites of Special Scientific Interest (SSSIs) and one Local Nature Reserve (LNR)) within 5km, and twenty-three non-statutory designated Sites of Importance for Nature Conservation (SINC) within 2km of the Survey Site boundary. Three of the SINCs are partially within the Survey Site boundary, and a further two are adjacent. Much of the woodland on the Survey Site is also designated as Ancient Woodland. Direct impacts on SINCs and Ancient Woodland within and close to the Survey Site boundary could occur, depending on the final layout of the Power Generation Plant.

1.5 Three Section 42[1] habitats ('lowland mixed deciduous woodland', 'purple moor-grass and rush pasture' and 'ponds') are present within the Survey Site.

1.6 There is habitat in the Survey Site that has the potential to support European Protected Species (EPS) including bats, great crested newts *Triturus cristatus*, dormouse *Muscardinus avellanarius* and otter *Lutra lutra*. There are also habitats suitable for nationally protected species such as reptiles and water voles *Arvicola amphibius*. Information on badgers is contained in a confidential version of this report.

1.7 The following surveys are recommended to inform the ecology baseline chapter of the Environmental Statement and full details are provided in Section 5:

- Extended Phase 1 habitat survey of inaccessible land at the south-west end of the Survey Site and new land that has been identified since the survey was carried out – an access route to the west of the site.
- A National Vegetation Classification (NVC) botanical survey of marshy grassland and woodland that may be affected within the Survey Site as well as any areas identified as SINCs within or adjacent to the site;
- A survey of invasive plant species within the Survey Site;
- Roped access survey of trees identified as having potential to support bat roosts and internal and external building inspections, where trees/buildings may be affected directly or indirectly by the Project. Inspection surveys should include surveys for barn owls. Subsequent dusk emergence / dawn return to roost surveys should be undertaken if roosting potential or evidence of roosting is found;
- Bat activity surveys including walked transects and automated bat detector surveys;
- A survey for otter and water vole along water courses within the Survey Site;
- Dormouse surveys in areas of woodland and scrub within the Survey Site;

[1] Species referred to within The Natural Environment and Rural Communities Act 2006 (NERC 2006) as species of principal importance for the conservation of biodiversity in Wales which are listed on the Natural Resources Wales website. The Welsh Assembly Government must take steps to "further the conservation" of these species under Section 42 of the NERC ACT 2006.

- Great-crested newt surveys of all accessible ponds up to 250m from the Survey Site;
- Reptile surveys on suitable habitat across the Survey Site;
- A walkover breeding bird survey of all of the Survey Site plus a 50m buffer;
- Invertebrate surveys of woodland and marshy grassland for *Lepidoptera* (notably moths and marsh fritillary butterfly *Euphydryas aurinia*) and *Coleoptera* (beetles) within the Survey Site; and
- Invertebrate surveys of freshwater habitats (ponds and watercourses) may be needed where these habitats are to be affected within the Survey Site.

2 Introduction

Site Description

2.1 The Phase 1 Habitat Survey Site (hereafter referred to as the 'Survey Site'), in which the Project would be located, consists of approximately 150 ha of pastoral farmland primarily grazed by horses. The Survey Site is contained within the red line boundary shown in Figure 1 and is centred at National Grid Reference 265284, 201431. The nearest town is Felindre, which is located approximately 2 km to the north of the Survey Site, with Swansea approximately 5 km to the south.

2.2 The Survey Site is largely agriculturally improved pasture with several areas of marshy grassland, particularly in the north, south and north-western ends of the Survey Site. The fields are bounded by fences, running along the line of defunct hedgerows, and often accompanied by ditches. There is a block of broadleaved woodland on the eastern boundary of the Survey Site and areas around the marshy grassland to the west of the Survey Site, and around Felindre Gas Compressor Station and the two National Grid 400kV electrical substations that lie at the south-west end of the Survey Site. The habitats in the surrounding landscape are similar to those within the Survey Site boundary – a mixture of improved and marshy grassland interspersed with occasional patches of woodland.

2.3 The Survey Site boundary is shown on Figures 1a, 1b, 2a and 2b (photographs of the Survey Site are found in Appendix 2).

Description of Project

2.4 APL is promoting a new Power Generation Plant within Abergelli Farm. The Power Generation Plant would operate as a Simple Cycle Gas Turbine (SCGT) peaking plant and would be designed to provide an electrical capacity of up to 299 Megawatts (MW). It would be fuelled by natural gas, supplied by a new underground gas pipeline connecting the thermal generating station to the existing National Grid Gas (NGG) National Transmission System (NTS).

2.5 BSG Ecology has been appointed as the ecological consultant to undertake a preliminary ecology survey, which includes a desk study and Extended Phase 1 Habitat Survey. This preliminary ecological survey will inform the subsequent need for further, targeted surveys of protected and otherwise notable species and habitats. These baseline surveys will be included in an appendix to an ecology chapter of an Environmental Statement, which is presently intended for submission, as an integral part of the Development Consent Order (DCO) Application.

Aims of Study

2.6 BSG Ecology was commissioned to undertake a preliminary ecological appraisal of the Survey Site within which the Project would be located. The main aims of this report are to:

- present the findings of the desk study and site surveys;
- assess the potential for the Survey Site to support protected or otherwise notable species;
- set out the legislative and/or policy protection afforded to any habitats present or any species potentially associated with the Survey Site; and
- provide recommendations for any further surveys necessary to inform a subsequent ecology chapter for an Environmental Statement for the site.

3 Methods

Desk Study

3.1 Existing ecological information for the Survey Site and its surrounding area was requested from the South East Wales Biodiversity Records Centre (SEWBReC). Information on European designated sites was requested from within 10 km with information on national statutory designated sites was requested covering the Survey Site and land up to 5 km from the Survey Site boundary and information regarding non-statutory designated sites and records of protected[2] or notable species (particularly those identified as priority or Section 42 species and/or of local conservation importance or LBAP[3] species) was requested covering the Survey Site and land up to 2 km from the Survey Site boundary. Information on locally designated Sites of Importance for Nature Conservation (SINC) within 2 km of the Survey Site boundary was requested from the Swansea Council Ecologist. In addition, on-line resources including the Multi Agency Geographic Information for the Countryside (MAGIC, www.magic.gov.uk) website and aerial photography of the area were also reviewed.

Field Survey

Phase 1 Habitat Survey

3.2 The initial field survey was undertaken by Anna Gundrey MCIEEM and Matthew Hobbs MCIEEM on 24 February 2014. The Project Site boundary and therefore the Survey Site was subsequently extended after a design review, and a second field survey was carried out by Stephanie Boocock MCIEEM on 14 April 2014 of the additional area. Habitats within the Survey Site, and up to at least 50m from the Survey Site boundary, were identified and described following standard JNCC Phase 1 Habitat Survey methodology as detailed in the Phase 1 Habitat Survey Handbook (JNCC, 2010). This uses a system of codes to describe different habitat types based on the dominant vegetation present, which are recorded by means of habitat maps and target notes. All plant names in this report follow The New Flora of British Isles (Stace, 2010).

3.3 The survey was extended to give particular consideration to the potential of the habitats present to support protected species or species of local conservation importance; recorded as incidental information as part of the target notes.

3.4 It should be noted that species lists derived from the target notes are not necessarily an exhaustive inventory of all species occurring at a site. They are intended to illustrate the character of habitats present, general species richness of a particular area, and draw attention to any species that may be considered uncommon or unusual.

3.5 Weather conditions during both surveys were clear and largely dry.

Habitat Suitability Index

3.6 During the February field survey a Habitat Suitability Index (HSI) assessment (Oldham *et al*., 2000) of all ponds/water bodies within a 500m radius of the Survey Site (where access was possible) was undertaken. In the case of this survey, a wider buffer than 250m was used because of the high number of ponds within 250 and 500m of the Survey Site. The additional information collected is useful to provide context of how ponds within or in proximity to the Survey Site may connect with habitat available for newts in the surrounding landscape, and also to give greater confidence to the assessment carried out on each pond.

3.7 Information on the physical features and characteristics of each pond were collected in order to allow a great crested newt Habitat Suitability Index (HSI) score to be derived for each pond by applying the scoring system developed by the Herpetological Conservation Trust (HCT, 2008). The suitability index is calculated by allocating scores to features associated with each pond; these

[2] Wildlife and Countryside Act 1981 Schedules 1, 5 & 8; Conservation of Habitats and Species Regulations 2010; Protection of Badgers Act.
[3] Those listed under Local Biodiversity Action Plans for Swansea.

include features such as size, quality of surrounding habitat and presence of fish. These scores are then used to calculate the overall HSI for each pond as a number between 0 and 1, with 0 being the least suitable and 1 being the most suitable. The HSI score allows each pond to be placed in one of five categories defining its suitability for great crested newts as follows:

- <0.5 = poor
- 0.5 – 0.59 = below average
- 0.6 – 0.69 = average
- 0.7 – 0.79 = good
- >0.8 = excellent

Tree Assessment

3.8 All the trees on site were examined for their potential to support roosting bats, graded according to the scale provided in the Bat Conservation Trust survey guidelines (Hundt, 2012), and summarised in Table 1 below. Those that were rated Category 2 and above were described and their locations recorded on a GPS.

Table 1: Bat tree survey categories

Category	Description
1*	Tree with multiple highly suitable features for bats. Potential to support large numbers of bats.
1	Tree with some definite suitable features and potential to support low numbers of bats.
2	No obvious potential although tree is of a size and age that elevated surveys may reveal suitable cracks and crevices. Or, tree supports some limited features for bats.
3	No potential

Limitations to Methods

3.9 Although records secured through the desk study and supplied by third parties provide useful background information for initial ecological assessment, they often comprise individual records supplied by members of the public or are the result of ad hoc surveys. The data trawl information can therefore help to inform the likelihood of a particular species being present in the area, but should not be relied upon to definitively determine presence or absence of individual species.

3.10 The first site visit was undertaken at a sub-optimal time of year (February) for a survey of this type, being outside the main growing season, when the greatest variety of plants is in evidence. However the habitats on site are readily identifiable to an experienced botanist, and those that require further survey work in order to confirm their quality have been identified. In addition, a robust assessment of the Survey Site's potential to support protected species could also be made. Therefore, it is considered that the timing of the survey in this instance is not a significant constraint with regard to the findings of this assessment. The second survey on the 14th April was undertaken at a time when most plant species are evident and was less constrained in this respect.

3.11 Most parts of the Survey Site were accessed and surveyed. Some of the ponds outside of the Survey Site could not be accessed (see Figures 2a and 2b) as they were located on private land and access was denied to a number of them. Ponds within 250-500m of the Survey Site, where accessible, were inspected to gather contextual information and enough have been inspected to allow suitable additional background information to be gathered.

3.12 The extreme south-west end of the Survey Site could not be surveyed as the land here is in a separate ownership and access had not been granted by land owners at the time of survey. The route of the access track (that leads west to the B4489) was added to the Survey Site boundary after the April Phase 1 visit, so this was also not included in the survey. A recommendation has been made below to survey the remainder of the Survey Site as soon as access has been granted.

4 Results and Interpretation

4.1 In this section the results of the desk study and fieldwork are brought together. The implications of these results are then considered.

4.2 Figures 1a (the northern part of the site) and 1b (the southern part of the site) illustrate the results of the extended Phase 1 habitat survey. Numbers on the map and in the text below can be cross-referenced with Target Notes (TN) in Appendix 1. Photographs of the site can be found in Appendix 2. Figures 2a (the northern part of the site) and 2b (the southern part of the site) illustrate areas of the site that support, or have the potential to support, protected species.

Designated Sites

Statutory

4.3 There are two Special Areas of Conservation (SAC)[4] designated under the EC Habitats Directive within 10km. One of these, Camarthen Bay and Estuaries SAC, has has been afforded multiple designations and is referred to under the umbrella term European Marine Site (EMS)[5] which comprises the SAC, and is also split into two Special Protection Areas (SPA)[6] and two Ramsar Wetlands of International Importance (Ramsar)[7] the details of each designation are provided below. There are also four statutory protected Sites of Special Scientific Interest (SSSI) and one Local Nature Reserve (LNR) within 5km of the Survey Site. These are described in Table 2 below.

Table 2: Statutory designated sites within 5km of the Survey Site and European sites within 10 km.

Site name	Grid ref.	Distance and direction from site	Reason for Designation
Carmarthen Bay and Estuaries SAC	SS357991	7.2km W	Annex I habitats (primary reason for selection) – 'Sandbanks which are slightly covered by sea water all the time', 'Estuaries', 'Mudflats and sandflats not covered by water at low tide', 'Large shallow inlets and bays', '*Salicornia* and other annuals colonising mud and sand', 'Atlantic salt meadows. Annex II species (primary reason for selection) – twaite shad *Allosa fallax*. Annex II species (qualifying feature) – sea lamprey *Petromyzon marinus*, river lamprey *Lampetra fluviatilis*, allis shad *Alos alosa* and otter.
Burry Inlet SPA and Ramsar (within the boundary of the SAC above)		9.7km WSW	This area is designated as a SPA and Ramsar site due to its internationally important assemblage of wintering birds with qualifying populations of wintering oystercatcher *Haematopus ostralegus*,and northern pintail *Anas acuta* (SPA) and additionally of common redshank *Tringa totanus*, and red knot *Calidris canuta* (Ramsar).
Crymlyn Bog SAC and Ramsar (contiguous boundaries)	SS694947	7.3 km SE	Annex I habitats (primary reason for selection) – 'Transition mires and quaking bogs', 'Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*' ', Annex I habitats (qualifying feature) – Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*,*Alnion incanae*, *Salicion albae*). The site is selected as Ramsar as it supports a substantial population of the nationally-rare slender cotton-grass *Eriophorum gracile*, and

[4] Special Areas of Conservation (SACs) are strictly protected sites designated under the EC Habitats Directive. Article 3 of the Habitats Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the Directive (as amended).

[5] The term 'European Marine Site' (EMS) (as defined by the Habitats Regulations) refers to those marine areas that area both Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). For management advice see http://www.severnestuary.net/asera/docs/Regulation%2033%20Advice.pdf

[6] Special Protection Areas (SPAs) are strictly protected sites classified in accordance with Article 4 of the EC Birds Directive, which came into force in April 1979. They are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.

[7] Ramsar sites are wetlands of international importance designated under the Ramsar Convention.

			a rich invertebrate fauna including many rare and highly localised species. The site also suports 199 vascular plant species including 17 regionally-uncommon and one nationally rare species.
Glais Moraine SSSI	SN696005	4 km E	Designated for its geological interest.
Nant Y Crimp SSSI	SN623015	2.5 km W	Designated for its wet pastures, species-rich neutral grasslands and semi-natural woodland, which are host to several uncommon plant species. In addition, there is a colony of marsh fritillary butterfly on site.
Penllergaer Railway Cutting SSSI	SS622998	2.8 km NW	Designated for its geological interest.
Penplas Grasslands SSSI	SS634979	3.2 km NW	Designated for the eight different grassland types that have been identified on the site, including three types of purple moor-grass pasture, two of rush pasture, fen meadow, acid grassland and damp heath. Notable plant species recorded at Penplas include petty whin *Genista anglica* and royal fern *Osmunda regalis.*
Cadle Heath LNR	SS627966	4.5 km NW	Designated for wet heath, species-rich grassland, ponds, scrub and woodland. There is also a significant colony of wood bitter vetch.

4.4 Glais Moraine SSSI and Penllergaer Railway Cutting SSSI are both designated for their geological interest, which is unlikely to be impacted upon by the Project and will therefore not be considered further in this report.

Non-statutory

4.5 There are 23 Sites of Interest for Nature Conservation (SINC) within 2 km of the Survey Site. These are described in Table 3 below and their locations are shown on Figure 3. Three SINCs lie partially within the Survey Site boundary. Rhyd-Y-Pandy Valley Grasslands is a large SINC, which includes three fields that lie within the north-east corner of the Survey Site. Warn Garn Wen is also an extensive SINC which includes the marshy grassland that lies within the western boundary of the Survey Site. Llety Morfil SINC is a collection of three areas of ancient woodland with some areas of marshy grassland, that includes the woodland on the eastern boundary of the site and at the south-west end of the Survey Site.

4.6 There are two SINCs located adjacent to the boundary. Rhos Fawr SINC is a block of land immediately to the north of the Site boundary, and Felindre Grasslands SINC lies adjacent to the southern tip of the proposed access route.

4.7 Most of the woodland within the Survey Site is also designated as Ancient Woodland (See Figure 3).

Table 3: Non-statutory sites within 2km of the Survey Site. Citations for some of the SINC sites are not yet available and will be added when they are.

Site name	Grid ref.	Distance and direction from site	Site Description
Waun Garn Wen	SN645012	Onsite	Purple moor grass and rush pasture, wet woodland, scrub and watercourse habitats. Section 42 invertebrates and birds recorded.
Llety –Morfil	SN644006	Onsite	Wet and ancient semi-natural woodland, purple moor grass and rush pasture, and scrub habitats. Section 42 invertebrate species recorded.

Rhyd-Y-Pandy Valley and Grasslands	SN661022	Onsite	Wet woodland and woodland with assemblage of ancient woodland indicator species, scrub, purple moor grass and rush pasture, lowland meadow, neutral grassland, scrub, reed bed and water course habitats. Section 42 bird species recorded.
Rhos Fawr	SN652029	Adjacent N	Woodland containing assemblage of ancient woodland indicator species, scrub, purple moor grass and rush pasture, neutral grassland habitats. Section 42 bird species recorded.
Felindre Grasslands	SS638998	Adjacent SW	Wet woodland and lowland mixed deciduous woodland, purple moor grass and rush pasture and scrub habitats. Section 42 birds and invertebrates recorded.
Llangefelach Common SINC	SS648994	1.3 km SW	Common cotton grass *Eriophorum angustifolium*, ragged-robin *Lychnis flos-cuculi* , western gorse *Ulex gallii*, various orchid species, tormentil *Potentilla erecta* and whorled caraway *Carum verticillatum* are present along with adder, common lizard and slow worm.
Lower and Upper Lliw Reservoirs SINC	SN653035	1 km N	The lower and upper Lliw reservoirs are surrounded by a mosaic of habitats including bracken, scrub, broadleaved woodland and lowland acid grassland.
Cwm Nant-Ddu		2 km NW	Data not yet received
Middle Lliw		1 km NW & W	Data not yet received
Cilfaen	SN641021	0.5 km W	Wet woodland and woodland containing ancient woodland assemblage, and purple moor grass and rush pasture habitat.
Cefn Forest Stream	SS635997	1 km SW	Range of woodland types. Lowland meadow, heath and fen. Purple moor grass and rush pasture, ponds and watercourses.
Penllegaer Forest	SS627005	1 km SW	Range of woodland types. Purple moor grass and rush pasture, reedbeds watercourses. Section 42 birds and invertebrates recorded.
Penllegaer to Llangefelch Tunnel and Railway Line	SS632996	1 km S	Range of woodland types. Purple moor grass and rush pasture, scrub and watercourses. Section 42 birds recorded.
M4 Corridor		1.5 km S	Data not yet received
Mynydd Bach Common	SS652978	2km S	Woodland scrub and purple moor grass and rush pasture habitats.
Pant Lasau	SN652004	0.25 km S	Woodland, scrub, purple moor grass and rush pasture, and water course habitats
Middle Llan	SN659009	0.5 km S	Watercourse habitat
Cwm Rhydceinw to Birchgrove Railway		1.5 km SE	Data not yet received

Mynydd Gelli-wasted	SN677016	1.5 km E	Woodland, scrub, heath, purple moor grass and rush pasture habitats.
Ynysforgan Wood	SN677002	2 km SE	Ancient woodland habitat.
Lougher to Penllegaer Railway Line		2 km SW	Data not yet received
Banc Darren Fawr		2 km N	Data not yet received
Cwm Clydach		2 km NE	Data not yet received

Habitats

4.8 The Survey Site is roughly an 'L' shape, with the majority of the Survey Site running approximately north-south and the foot of the 'L' branching off to the south-west around either side of Felindre Gas Compressor Station and the two National Grid 400kV electrical substations. The topography drains the land to the south with the highest elevation in the Survey Site along the northern boundary (approximately 140m above ordnance datum (aod). The land slopes away to the south and the lowest elevation is around the Felindre Gas Compressor Station and the two National Grid 400kV electrical substations (approximately 80m aod). The land is predominantly pastoral farmland, mostly agriculturally improved but with significant areas of marshy grassland. The fields are grazed by horses and sheep and are largely bounded by fences with occasional trees, scrub and one defunct hedgerow. There are numerous water courses on site, mostly in the form of ditches along field boundaries, but also four streams; one which runs along the eastern boundary of the Survey Site; another that runs north-west from the woodland in the eastern part of the site; a stream that runs through the marshy grassland to the west; and another around Felindre Gas Compressor Station and the two National Grid 400kV electrical substations. There is a small woodland on the eastern boundary of the Survey Site and the land around Felindre Gas Compressor Station and the two National Grid 400kV electrical substations is also largely wooded. There are also copses and stands of mature trees around the edges of the marshy grassland in the north-western part of the site, as well as along field boundaries in the northern part of the site.

Improved grassland

4.9 The majority of the land on site is agriculturally improved grassland (Photo 1, 2a). This was all grazed short when surveyed, and consists of abundant perennial rye-grass *Lolium perenne*, and varying quantities of common grassland herbs such as white clover *Trifolium repens,* common mouse ear *Cerastium fontanum*, and dandelion *Taraxacum fontanum* agg.

Marshy grassland

4.10 There are marshy grassland fields at TN3, TN3a, TN4a, TN5, TN9a, TN13a and TN21a and a block of marshy grassland at the southern end of the Survey Site. Although all fit within the same Phase 1 category, the habitats in these fields vary across the Survey Site. The field at TN3 (Photo 2) had a short, close-grazed sward when surveyed. It has numerous tussocks of soft rush *Juncus effusus* and frequent sedge species. These include common sedge *Carex.nigra* and glaucous sedge *C. flacca*. Other species noted include creeping bent *Agrostis stolonifera*, a cinquefoil *Potentilla* sp., creeping buttercup *Ranunculus repens* and sharp-flowered and/or jointed rush *Juncus actutiflorus* / *J. articulatus*.

4.11 The field at TN5 (Photo 3) was also grazed extremely short, when surveyed, to the point where individual species are difficult to distinguish. Soft rush is frequent, along with purple-moor grass *Molinia caerulea,* sheep's fescue *Festuca ovina* and a sedge species (not possible to identify to

species level). Heather *Calluna vulgaris* and bilberry *Vaccinium myrtillus* plants are occasional and there are patches of sphagnum moss *Sphagnum* sp. present.

4.12 The fields marked TN3a, TN4a and TN13a, are wet semi-improved grassland, with marshy species such as lesser spearwort *Ranunculus flammula*, sedges, soft rush and water figwort *Scrophularia aquatica*.

4.13 The fields marked TN20 all have over 25% soft rush which places them in the 'marshy grassland' category, but the intervening grassland is agriculturally improved, with abundant perennial rye-grass and frequent white clover. The fields marked TN21 and TN22 (Photo 4) have a much higher cover of soft rush - approximately 75% in TN21 and 100% in TN22 and intervening species are more typical of wet grassland, such as creeping bent *Agrostis stolonifera*, creeping buttercup and Yorkshire fog *Holcus lanatus*.

4.14 Areas of purple-moor grass dominated vegetation, which also falls into the 'marshy grassland' category are present at TN14 (Photo 5), TN9a and TN21a where the purple moor grass is dominant with very occasional cross-leaved heath *Erica tetralix* and heather plants in evidence and scattered willow *Salix* sp. scrub. At TN9a additional species recorded include soft rush, bracken, common haircap moss *Polytrichum commune*, unidentified sphagnum moss, heather, cross-leaved heath and bilberry along the margins with some birch and willow regeneration in small scattered copses. TN21a (Photo 4a) is a large field which is superficially similar to that at TN9a but appears to have been managed. Purple moor-grass is not as dominant with numerous patches of bare earth and young ling and cross-leaved heath plants. In addition hare's-tail cotton grass *Eriphorum vaginatum*, (Photo 1a) deergrass *Trichophorum germanicum* and lousewort *Pedicularis* sp. are common.

Semi-improved Grassland

4.15 The field to the south of the woodland at TN10 appears to be slightly less agriculturally improved, having a lower cover of perennial rye-grass, and a wider range of grasses such as Yorkshire fog, crested dog's tail *Cynosurus cristatus* and creeping and common bent *Agrostis capillaris*. The field is nevertheless species-poor. There are also two species-poor semi-improved fields in the north-east corner of the site (TN3a, TN13a, Photo 3a).

Woodland and scrub

4.16 There is a block of broadleaved woodland along the eastern boundary of the Survey Site at TN10. The western end is on a hill, and is dry with widely-spaced trees and a grazed grassland ground flora including species such as Yorkshire fog, common mouse-ear and creeping buttercup. The trees here are small to medium-stemmed with very little understory, and include birch *Betula pendula*, crab-apple *Malus sylvestris*, holly *Ilex aquifolium* and pedunculate oak *Quercus robur*. The hill slopes down steeply to the east, where a stream delineates a lower, wetter area of woodland. Here the tree species composition is similar but the understorey is much thicker with bramble predominating. On wetter areas, where the bramble thins out, carpets of opposite-leaved golden-saxifrage *Chrysosplenium oppositifolium* are present. There are also extensive areas of purple moor-grass dominated ground flora with sphagnum moss species also present.

4.17 To the north of this woodland there is a thin strip of deciduous woodland running along the banks of a stream running north to south at TN42. The species composition includes occasional birch, willow, ash and holly. There is an understory made up largely of gorse with bramble scrub and soft rush grading into improved grassland to the east.

4.18 Another relatively extensive area of broad-leaved woodland is present at the south-west end of the Survey Site around Felindre Gas Compressor Station and the two National Grid 400kV electrical substations. This forms a strip to the south and a more continuous block to the north of Felindre Gas Compressor Station and the two National Grid 400kV electrical substations. The woodland is generally quite wet, with alder *Alnus glutinous* and willow species frequent along with pedunculate oak, birch and holly. The trees are growing close together and are generally small-stemmed and straggly. The understorey is dense bramble and ground flora was largely absent when surveyed, although where the woodland opens out, for example around the margins of Felindre Gas Compressor Station and the two National Grid 400kV electrical substations, soft-rush dominated marshy grassland is present.

4.19 There are also patches of deciduous woodland around the edges of the marshy grassland on the block of land to the west of the road that runs through the Survey Site. At TN6a there is a small wooded spur with tree species including oak, birch, holly, hawthorn and an understorey dominated by brambles and including ivy *Hedera helix*, creeping bent, Yorkshire fog, soft rush, hard fern *Blechnum spicant*, scaly male fern *Dryopteris affinis*, and bracken *Pteridium aquilinum*. AtTN23a there is a wooded copse comprised of young birch and willow with an understorey of bramble scrub. The ground flora incudes nettle, lady fern *Athyrium filix-femina,* scaly male fern *Dryopteris affinis* and wood false brome *Brachypodium sylvaticum*. A continuous area of scrub is present to the south of the woodland at TN10 and around the pond at TN15. These areas are quite wet and include willow species (including grey and goat willow *Salix cinerea, S. caprea*), alder and bramble. At TN15 the scrub merges into stands of purple moor grass that are present around the pond. There are also blocks of scrub to the south of Abergelli Farm, along the stream that runs along the eastern boundary, at the northernmost point of the Survey Site, and within the marshy grassland to the west. Scattered scrub (mostly common gorse *Ulex europaeus*) is present along some fence lines, and there is a bramble scrub-covered bund at TN4.

4.20 Many of the trees within the Survey Site are along site boundaries and are remnant hedgerow stools, as described in the section below.

Boundary features

4.21 All boundaries on site are fences, except one length of species-poor hedgerow running north of Abergelli Farm. The fences often run along the line of defunct hedges (Photo 1). These generally take the form of a degraded stone-faced hedge banks, with occasional small sections of overgrown hedge. The overgrown hedges include mature standard trees, large coppice stools and clumps of bramble and gorse scrub. Species present include pedunculate oak, holly, birch, ash *Fraxinus excelsior,* hazel *Corylus avellana* and hawthorn *Crataegus monogyna*.

4.22 Some of the fields on site have overgrown margins where the vegetation is less trampled and grazed along the fence line. For example the northern boundary of the improved field to the north of the field marked TN3 has a ditch lined with purple moor-grass and gorse, and further east along this boundary fence bracken is frequent. The western boundary of the field marked TN22 has purple moor-grass and heather growing along the fence.

Water Courses

4.23 There are numerous small water courses within the Survey Site. These are mostly ditches along field boundaries (TN22a, Photo 5a), but there is also some larger streams. The block of marshy grassland to the west is criss-crossed by numerous ditches, which were largely dry or with marshy bases when visited in April. There is also a stream that runs through this block of land – this is shaded by flanking woodland, with a stone bed and shallow banks. Another stream (Photos 8, 9 and 6a) runs south-east through the Survey Site and splits into smaller tributaries through the woodland at TN10. There are also small watercourses present around the margin of Felindre Gas Compressor Station and the two National Grid 400kV electrical substations. All features that were visited in February had flowing water, reflecting a period of prolonged wet weather preceding the survey. Aquatic vegetation is not apparent in any of the water courses, but marginal vegetation includes frequent soft rush, occasional purple moor-grass and scattered gorse and bramble.

Water Bodies

4.24 There are four water bodies within the Survey Site. The pond at TN15 (Pond17 – see 4.39) is approximately 10m in diameter, shallow, and completely covered in an unidentified sedge species. It has a small tree-covered island in the centre. The pond is ringed by small willow and alder trees. The surrounding vegetation is dominated by purple moor-grass with occasional heather and cross-leaved heath plants, with densely growing small trees and scrub (grey willow, bramble and alder). A small pond immediately to the south is shown on OS maps. This was not apparent amongst the scrub, but there were small patches of standing water (including wheel ruts) within purple moor grass in this area.

4.25 A small pond is present at TN19 (P18 – see 4.39) adjacent to an electricity pylon. The pond is approximately circular and 5m in diameter. It is in woodland and completely surrounded by small saplings. There was no evidence of marginal or emergent aquatic vegetation when surveyed.

4.26 Two ponds are also present immediately to the west of TN30a (Ponds 11 and 12). Pond 12 is approximately 10m in diameter, open and unshaded with both aquatic and marginal vegetation present. It appears to be an extension of two field drains that meet at this point. Pond 11 is a small wet depression containing no vegetation.

Invasive Species

4.27 Japanese knotweed *Fallopia japonica* was noted on at least two locations on the block of land to the west of the road that runs through the site. At Target Note 15a several stands of the species were noted on an embankment to a large raised area. At Target Note 18a a stand of the species was noted on a bend in the stream. There are also several stands of this species growing on the edge of the road that leads into Abergelli Farm from the west. These extend just beyond the western site boundary and into the Survey Site.

4.28 Himalayan balsam *Impatiens glandulifera* was also noted in two areas. Abundant seedlings of the species were noted in the wooded copse at Target Note 23a and on an area of deciduous woodland at Target Note 28a.

Protected Species and Species of Conservation Importance

4.29 This section presents the protected species records provided by SEWBReC along with any evidence of the species, or potential for it to be present gathered during the field survey. Where relevant it also evaluates the potential for the Survey Site to support Section 42 species identified within the desk study area. The legislation and policy relevant to each species or species group is described in Appendix 6.

Bats

4.30 There were 126 bat records provided by SEWBREC from the 2 km radius search area. Of these the majority were recorded during bat transects carried out to inform a separate unrelated development proposal, named 'Felindre development site in the records' approximately 1 km to the south west of the Survey Site boundary.

4.31 The bat species recorded from the desk study include brown long-eared bat *Plecotus auritus*, common pipistrelle *Pipistrellus pipistrellus*, Natterer's bat *Myotis nattereri*, noctule *Nyctalus noctula*, and whiskered bat *Myotis mystacinus*. There were also unidentified *Pipistrellus* sp. and records where the bat species was not specified.

4.32 There are four bat roosts amongst the records provided. The closest of these is a record of 50 unspecified bat species 1.8 km to the south-east of the Survey Site at Ynystawe, Swansea from 1992. The next closest is a night / feeding roost of an unspecified species 1.9 km south west of the Survey Site boundary in Tredegar-Fawr farm buildings from 1998. A record of a roost of 87 whiskered bats also comes from approximately 1.9 km to the north west of the Survey Site boundary in Felindre, Swansea from 1993. The fourth record is a roost of 70 bats of unspecified species, 2.5 km to the south east of the Survey Site in Ynysforgan, Swansea from 1993.

4.33 There are a number of buildings associated with Abergelli Farm that fall within the Survey Site. These are all situated along the road that runs between the Water Treatment Works to the north of the Survey Site and Felindre Gas Compressor Station and the two National Grid 400kV electrical substations to the south. Abergelli Farm consists of a rendered brick-built building (Photo 26) with a tiled pitched roof. It has overhanging eaves with wooden soffits. The associated stable block (Photo 27) is of the same construction with an 'L'-shaped footprint. Opportunities for roosting bats are fairly limited as the buildings appear to be in good condition, although gaps in the woodwork around the eaves would allow entry into the soffits.

4.34 At TN4 is a small concrete bunker (Photo 31) within an area of waste land. It is formed of 2 m high brick walls with a flat roof formed from concrete sleepers. There is an open doorway on the south elevation and a 30 cm x 30 cm hole at the top of the west-facing wall. This has some potential to support roosting bats.

4.35 Immediately to the north (Photo 29) and south (Photo 28) of Abergelli Farm are large barns constructed of corrugated metal and asbestos. Potential for roosting bats in these buildings is low.

There are also two brick-built sheds with corrugated metal/asbestos pitched roofs (Photo 30) adjacent to the northern barn which may have greater potential to support bats, having some gaps in the brickwork that could allow entry in to the buildings.

4.36 Further south, to the south of TN25a, is a pair of houses set within plots of hard-standing and amenity grassland. These are newly built and in good condition with no opportunities for roosting bats.

4.37 There are 21 trees on or within 50 m of the Survey Site that have the potential to support roosting bats. Of these two have been classed as Category 1 (with definite suitable features that may support larger roosts of bats – see Table 1), and the remainder are Category 2 (with some limited roost features – see Table 1). The locations of the trees (T1-21) are illustrated in Figures 2a and 2b and full details of the trees are provided in Appendix 3.

4.38 The northern end of the Survey Site offers limited foraging and commuting potential for bats. The boundaries are fences and short sections of remnant hedgerows and the fields are closely grazed. The block of marshy grassland, woodland and scrub to the west of the road that runs through the Survey Site, and the wooded stream that runs along the eastern boundary offer more potential, and both areas have good wooded connections with a network of hedgerows, tree-lines and marshy pastures off-site. The damp wooded area around Felindre Gas Compressor Station and the two National Grid 400kV electrical substations at the south-west end of the Survey Site also offers foraging potential and connects to off-site blocks of woodland to the north and south that may be good habitat for bats.

4.39 It is concluded that the Survey Site is likely to have moderate value for bats. There are a few potential roosting opportunities, and some areas (woodland and marshy grassland) of the Survey Site which offer foraging opportunities, but the Survey Site as a whole does not have good linear commuting features and the majority of the habitats (tightly grazed improved grassland) are of low foraging value.

Great crested newt

4.40 There were no records for great crested newts provided by SEWBREC within 2 km of the Survey Site.

4.41 Nineteen ponds have been identified within 500 m of the Survey Site boundary with the aid of aerial photographs and OS maps. Of these, two were identified within the Survey Site boundary (Pond 17 turned out to be a single pond when surveyed) and eight within 250 m of the Survey Site. An additional two on-site ponds (Ponds 11 and 12) were found during a reptile survey on 21 May 2014 in the marshy grassland in the north-west of the Survey Site that had not previously been seen during any other survey, as well as one within 100 m of the Survey Site boundary during the first February Phase 1 survey (Pond 18). An HSI assessment was carried out on the seven ponds that were accessible within 500 m of the Survey Site boundary during the first Phase 1 survey visit. This included the two on-site ponds (P17 and P18); one pond within 100 m of the Survey Site boundary (P16); and the remainder are those ponds within 500 m of the Survey Site boundary for which access was possible (P07, P08, P09 and P10). Figures 2a and 2b shows which ponds were surveyed and which were inaccessible, either on private land or not accessible given the presence of horses[8].

4.42 Table 4 below summarises the results of the HSI, and Appendix 4 gives more detailed results.

[8] The landowner requested that we do not access fields with horses in for our own safety.

Table 4: HSI Results

Pond	HSI	Value for great crested newts
P07	0.67	Average
P08	0.77	Good
P09	0.47	Poor
P10	0.64	Average
P16	0.66	Average
P17 on site	0.61	Average
P18 on site	0.53	Below average

4.43 The Survey Site lies in a part of the country where the distribution of great crested nested newts is patchy, with the species largely absent to the west of the Survey Site. Whilst this might reduce the probability that great crested newts would be present on site, it does not rule out their presence. There are a number of ponds in and around the Survey Site, and suitable habitat for newts in their terrestrial phase, including old hedge banks, marshy grassland and woodland within the Survey Site. Those ponds surveyed, whilst most did not have a 'good' or 'excellent' HSI score, do have potential to provide breeding habitat for great crested newts and the possible presence of the species on site should be considered further. In addition the cluster of inaccessible ponds within the grounds of the water treatment works (to the north-west of the Survey Site) are likely to be of similar 'good' quality as Pond 08 (which was visible through the gate).

Dormouse

4.44 SEWBReC did not provide any records of dormouse *Muscardinus avellanarius*. The woodland areas on the eastern boundary, at the south-west end and within the marshy grassland in the north-west of the Survey Site do not provide optimum dormouse habitat although they are suitable for the species. Most of the woodland consists of relatively immature trees with little hazel understorey, limited foraging opportunities for this species and a lack of connectivity in the canopy. However, these areas of woodland have good connections to a complex of woodland and thick hedgerows to the west, south and east, and consequently could potentially form part of a wider network of dormouse-supporting habitat. There are a number of recent examples of dormouse occurring in sub-optimal habitat, such as coniferous plantation and species-poor hedges, in south and mid-Wales and their presence should not be ruled out if the habitat is sub-optimal but still has clear potential to support the species, as in this case.

4.45 Figures 2a and 2b illustrate which areas of the Survey Site have the highest potential to support dormouse.

Otter

4.46 There are a number of water courses on site, most of which are ditches, but also a small stream running from north-west to south-east along the centre and eastern flank of the Survey Site and through the woodland in the centre of the Survey Site. SEWBReC provided 32 records of otter within the 2 km search radius, all recorded between 1991 and 2013. The closest record to the Survey Site is 0.5 km to the south west from the River Llan. At its closest point the River Llan is approximately 0.3 km south of the southern Survey Site boundary, and it links to the Survey Site via the stream running through the woodland in the centre of the Survey Site. None of the water courses on site are likely to provide good foraging opportunities because of their size, but they may offer lying up sites for otter, and it is possible that individuals might use the water courses to commute along from time to time.

Water Vole

4.47 No evidence of water voles was noted along the water courses on site when surveyed in February and April, although February is a time of low activity for the species, when field signs may not be evident. The water courses that were visited in February all had flowing water in them when

surveyed, following a prolonged period of extremely wet weather during the winter. It is likely that many of these are usually dry or hold only a small amount of water and this was confirmed during the April survey. As such they do not provide good habitat for water voles. The stream that runs along the eastern boundary of the site; however, does provide suitable habitat for water vole, particularly at TN41-43. At TN43, a number of vole tunnels and holes were seen along the western side of the bank in long tussocks of grass, although it was not possible to ascertain which species had made them.

4.48 Water voles have been present in the vicinity: SEWBReC provided three records of water vole from the River Llan approximately 1.9 km from the Survey Site boundary, all from 1996. This River is hydrologically linked to the Survey Site (see otter section above), so it is possible, if any of the water courses retain water, particularly those linked to the River Llan, that water voles could be present on site.

Reptiles

4.49 There were 12 records of reptiles provided by SEWBReC, between 1998 and 2010. These included records of all the common reptile species: adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara,* and slow worm *Anguis fragilis*. The closest record is of a common lizard, approximately 0.8 km to the west of the Survey Site boundary. Most records are from the south-west side of tinplate workings near to Bryn Whilach Farm, approximately 1 km to the southwest of the Survey Site boundary.

4.50 There are several areas of the Survey Site that provide suitable habitat for common reptile species (see Figures 2a and 2b). This includes areas of marshy grassland to the south of the Survey Site, mounds of wood to the south of the woodland at TN10 (Photo 11), scrubby woodland fringes (Photo 12) and overgrown field margins either along remnant hedge banks or ditch banks. In addition a common lizard was seen during the April Phase 1 survey in the marshy grassland area in the north-west of the site and this area is particularly suitable for reptiles providing high quality habitat for foraging, sheltering and basking.

Badger

4.51 Information on badgers is provided in a confidential version of this report.

Birds

4.52 During the Phase 1 survey a number of common woodland and farmland bird species were recorded and these are listed in Appendix 5. The trees and woodland on site may provide nesting habitat for a range of common bird species. The marshy grassland on site could also provide nesting habitat for ground-nesting bird species. The Survey Site does not appear to be of particular importance for wintering birds with no notable aggregations of common species or any rarer species recorded during the walkover survey, except for a red kite *Milvus milvus* seen in flight over the Survey Site (see below) in both February and April.

4.53 SEWBReC provided a number of records of ground nesting birds in the search area. These included records for Eurasian curlew *Numenius arquata*, northern lapwing *Vanellus vanellus* and skylark *Alauda arvensis*. The closest of these records are located at the tinplate workings site near to Bryn Whilach Farm, approximately 1 km to the southwest of the Survey Site boundary. There was one record of curlew, located at the Lliw reservoir, 1 km north of the Survey Site boundary.

Schedule 1 Birds

4.54 SEWBReC provided 21 records of barn owl *Tyto alba*. The closest of these records is 0.7 km to the west of the Survey Site boundary from 1997, with the nearest breeding record 3 km to the south west near Penllergaer Woods in 2000. It is possible that some of the farm buildings within the Survey Site may support breeding barn owl, although no trees were found that appear, from a ground level inspection, to have sufficiently large cavities to support nesting barn owls. The marshy fields at the southern end of the Survey Site, although probably sub-optimal, could provide habitat for field vole *Microtus agrestis* (a preferred prey species) given the thick, tussocky structure of some parts of the sward. The marshy grassland in the north-west of the Survey Site provides

optimal foraging habitat for barn owls due to its extensive areas of tussocky grassland that may support breeding field voles *Microtus agrestis*, their preferred prey species.

4.55 A red kite was noted circling above the field at TN3 and also over Abergelli Farm. Red kites generally breed in valley woodlands of which there is extensive habitat to 2-3 km to the east and west of the Survey Site. It is considered likely that the Survey Site is part of a much wider area of potential foraging habitat for the species. SEWBReC provided 54 records for red kite between 1999 and 2013.

Terrestrial Invertebrates

4.1 SEWBReC provided 40 records of Section 42 terrestrial invertebrate species. The species recorded are marsh fritillary, dingy skipper *Erynnis tages*, narrow-bordered bee hawk-moth *Hemaris tityus*, and small pearl-bordered fritillary *Boloria selene*. Twenty-nine of the records are of marsh fritillary; the closest of these is located approximately 0.7 km west of the Survey Site boundary in 2009. This location also contains the closest of the four dingy skipper records, as well as the closest of the five small pearl-bordered fritillary records and the only narrow-bordered bee hawk-moth record.

4.2 The marshy grassland to the west provides suitable habitat for marsh fritillaries, although the food plant devil's-bit scabious *Succisa pratensis* was not noted in any quantity during the April survey. Of the other Section 42 species recorded from the desk study, suitable habitat is present for narrow-bordered bee hawk-moth *Hemaris tityus*, which largely relies on devil's bit scabious, like marsh fritillary. For dingy skipper, there are few areas of bare ground, where this species prefers to bask and no areas where its usual food plant, bird's foot trefoil *Lotus corniculatus*, is found in any quantity. Small pearl-bordered fritillary is reliant on violets (*Viola* spp.) as its foodplant and violets have not been recorded during either Phase 1 survey (the April survey was well timed to record them in flower). It is unlikely that either of these latter two species is present.

4.3 Other habitats that may be suitable for diverse assemblages of terrestrial invertebrates include the areas of broad-leaved ancient woodland at Target Note 10, for example, which represents a fairly extensive area of semi-natural habitat that may be important for terrestrial invertebrates, particularly *Lepidoptera* (notably moths) and beetles (*Coleoptera*); which are both strongly represented in wooded habitats.

Aquatic Invertebrates

4.4 No records of Section 42 aquatic invertebrate species were provided by SEWBReC, and it is unlikely that any of the ponds on or close to the site support unusual or diverse assemblages of aquatic invertebrates.

5 Recommendations

5.1 For the purposes of this report it has been assumed at this stage that direct impacts will potentially occur across the Survey Site, and that indirect impacts will need to be considered beyond this, within the 'zone of influence' that will vary dependent on the receptor (habitat, protected species, designated site) concerned. The recommendations presented below are based on preliminary assumptions of the potential impacts and the corresponding requirement to confirm presence / absence, and where present the distribution and abundance of protected and otherwise notable species or habitats that may occur within the Survey Site and a zone of influence surrounding it.

Statutory Designated Sites

5.2 Nant Y Crimp SSSI, Penplas Grasslands SSSI and Cadle Heath LNR are located within 5 km of the Survey Site boundary. These sites are designated for their habitat interest and as all are over 2 km from the Survey Site, direct impacts resulting from the development are considered unlikely. Nant Y Crimp SSSI also has a colony of marsh fritillary butterflies. The larval food plant (devil's-bit scabious) for this species was found in small patches in the western area of marshy grassland during the Phase 1 survey, so this species may be present. However this assessment will need to be reviewed once a botanical survey (see below) of the western block of marshy grassland has been carried out.

Habitat Regulations Assessment

5.3 Consultation with the Planning Authority, Natural Resources Wales and PINS will determine the requirement for a screening exercise (under the Habitat Regulations) that considers the proximity of potentially sensitive ecological receptors (notably European protected sites, but potentially extended to SSSIs) within a search area that may extend to or beyond a 5 km radius of the Survey Site (for example, Camarthen Bay and Estuary SAC, Crymlyn Bog SAC, SPA and Ramsar, and Burry Inlet SPA and Ramsar all lie within 10 km of the Survey Site), and whether these could be affected by CO, NO_X and NO_2 emissions as well as nitrogen and acid deposition.

5.4 The requirement for further surveys or desk based investigation will be determined following review of the scoping opinion (and consultation) on this matter.

Non-statutory Designated Sites

5.5 Three SINCs lie partially within the site boundary and could therefore be directly affected by the proposed development. Indirect impacts could also potentially occur on those sites lying adjacent or close to the boundary.

5.6 The woodland on site that falls within Llety-Morfil SINC and the southern part of Waun Garn Wen SINC is also designated as Ancient Woodland and as such is irreplaceable. Direct impacts on this resource may therefore also occur as a result of the proposals.

Habitats

5.7 The marshy grasslands within the Survey Site potentially qualify as a Section 42 habitat 'purple moor-grass and rush pastures'. The area to the west of Abergelli Farm is also a SINC. These habitats require a NVC botanical survey at an appropriate time of year (June/July) to establish their ecological value and inform the level of mitigation required to compensate if they are to be lost or modified as a consequence of the Project. The marshy grassland in the north-west of the site is potentially of high ecological value, and this needs to be confirmed through botanical and other Phase 2 survey work. The semi-improved grasslands in the north-east corner of the site, whilst not having obvious high botanical value, are included within a larger SINC. As such it is recommended that a botanical survey is carried out on these areas to establish their value in the wider context of the SINC, and therefore the likely mitigation that would be required for their loss.

5.8 'Lowland mixed deciduous woodland' is also a Section 42 habitat. The woodland on site all falls into this category and the majority of the resource also falls within a SINC and is designated as

Ancient Woodland. A botanical survey of these areas in spring/early summer when the ground flora is in evidence would allow an evaluation of their ecological value to be made.

5.9 There are no other habitats on site of high intrinsic ecological value. The improved grassland habitat is common and widespread in south Wales and of minimal ecological value. In addition, all (bar one species poor example) of the hedgerows on the Survey Site are defunct.

Invasive species

5.10 Japanese knotweed and Himalayan balsam have both been noted on the Survey Site. It is recommended that a walkover survey of the Survey Site is carried out once access is available to all areas, including the proposed access route to map all locations where these species are growing. This should be done within the period June - July when both species are most in evidence.

5.11 If work is to take place in any areas where these species are present, a Management Plan will need to be drawn up detailing the methods that will be used to remove these species under controlled conditions as detailed by the Environment Agency (The Knotweed Code of Practice 2003 and guidance on Environment Agency website).

Protected Species and Species of Conservation Importance

Bats

Trees and Buildings

5.12 Twenty one trees within the Survey Site have been identified as having potential to support roosting bats. If these trees are to be removed or modified, it is recommended that a roped-access tree survey is carried out in order to confirm whether any of the features initially identified support roosting bats or have the potential to do so. Where the potential for bats to roost in the tree is confirmed then emergence/re-entry (at dusk and/or dawn) survey may need to be carried out to confirm the likely use of the tree by roosting bats, and the status of any roost present. If a bat roost is confirmed, either through emergence/re-entry survey or through roped-access survey a European Protected Species (EPS) Licence is likely to be required before the tree can be felled.

5.13 It is recommended that all buildings to be directly or indirectly affected by the Project (if any) should be inspected for signs of roosting bats and features with the potential to support roosting bats, where access allows.

5.14 If signs of roosting bats or features with the potential to be used by roosting bats are identified during these inspection surveys, further survey in the form of dusk emergence/ dawn re-entry surveys may be required. The level of survey effort required will depend on the potential that the building or tree has been assigned in these initial inspection surveys. These further surveys (if required) should be undertaken in accordance with current best practice guidance (Hundt, 2012) at a time of year when breeding roosts may be present (i.e. between mid-May and mid-August).

Activity Survey

5.15 The areas of marshy grassland, woodland and streams on site potentially provide good foraging habitat for bats. It is recommended that bat activity surveys are carried out in order to inform an assessment of the Survey Site's value for bats and to guide the evolution of the Project and mitigation accordingly. Following the guidance provided in Hundt (2012), this would involve two walked transect routes (given the size of the Survey Site) carried out monthly between April and October, as specified in the guidelines. An automated survey using four static bat detectors (two per transect route) recording for at least three nights would also be carried out. Rather than deploying detectors at four locations every month, it is recommended that surveys are carried out at four locations for three months and another four locations for the other four months so that half the locations would be surveyed in April, June, August and October and the other four in May, July and September. This would increase the spatial coverage of the Survey Site but ensure that sampling was undertaken at each location in spring, summer and autumn to allow a robust seasonal comparison to be made.

Great Crested Newt

5.16 The presence of four ponds on site with several more in the vicinity of the Survey Site, and the occurrence of suitable terrestrial habitat on site indicate that great crested newts could potentially be using the Survey Site. This should be established through further targeted survey work.

5.17 Section 5.4 of the GCN Mitigation Guidelines (English Nature, 2001) recommends that:

"*For a common situation, where a plot of land containing a pond is proposed for development, the pond itself should be surveyed, and other ponds up to 500m away should also be checked, if it is thought likely that great crested newt populations centred on these ponds would be affected by changes to the plot*."

5.18 Natural England guidance(2001) is further developed in the GCN Method Statement which states that:

'*The decision on whether to survey depends primarily on how likely it is that the development would affect newts using those ponds. For developments resulting in permanent or temporary habitat loss at distances over 250m from the nearest pond, carefully consider whether a survey is appropriate….. normally appropriate only when all of the following conditions are met*:

1. maps, aerial photos, walk-over surveys or other data indicate that the pond(s) has potential to support a large great crested newt population,

2. the footprint contains particularly favourable habitat, especially if it constitutes the majority available locally,

3. the development would have a substantial negative effect on that habitat, and

4. there is an absence of dispersal barriers.'

5.19 The second piece of guidance, which supersedes the first, specifies that all four conditions should be met for surveys to be required of ponds beyond 250m of the Survey Site boundary. In this case, condition 1. is not met as there is no indication from desk study data or the HSI assessment that any of the ponds is likely to support a large population of GCN or that they provide particularly suitable habitat (condition 2.) with no ponds within 250m of the Survey Site recording better than an 'average' score on the HSI assessment.

5.20 As a consequence, it is recommended that all ponds within 250m (not 250-500m) would need to be further surveyed. This would initially involve four surveys within the period mid-March to mid-June to establish presence/absence (with at least two surveys during mid-April to mid-May), with an additional two surveys (six in total) required to estimate population size if newts are found during the first four surveys.

Dormouse

5.21 If the woodland on the Survey Site is to be removed, damaged or significantly modified, it is recommended that dormouse surveys are carried out with the aim of establishing whether the species is present on site, and therefore whether a EPS Licence will be required before woodland can be cleared or significantly modified. It is recommended undertaking a dormouse survey, following methods based on those prescribed in best practice guidance (Bright *et al*. 2006). The surveys will involve the use of dormouse boxes in areas of woodland and nest tubes in cluttered environments where boxes cannot be used. The survey will be designed to detect the presence or absence of dormice rather than to provide an abundance estimate or monitor a population of the species. Surveys would be carried out monthly during April-November.

Otter and Water Vole

5.22 Otter usage of the Survey Site is likely to be occasional although there are suitable resting/lying up places present along the eastern stream corridor within the Survey Site. Mitigation measures to avoid potential killing or injury to individuals during the construction and decommissioning phases should be considered, for example covering open workings overnight.

5.23 A survey for water voles along the banks of the water courses on site should be carried out as a precautionary measure to establish whether the species is likely to be present on site and to design mitigation accordingly. This would involve one visit and should be carried out ideally in spring when field signs are likely to be most in evidence but the vegetation has not grown up to obscure them. It will also be possible to carry out additional checks for signs of otter at the same time as the water vole survey, for completeness. The survey would be carried out in accordance with best practice guidelines (Chanin (2003) and Strachan *et al*., (2011), respectively).

Reptiles

5.24 A reptile survey should be carried out on the Survey Site to establish the presence/absence of reptiles, the species present and the approximate population size. The survey will be conducted using artificial refuges (e.g. roofing felt and tin) to aid in the detection of reptiles and assessment of their distribution and abundance, following good practice guidance, including that set out in the Herpetofauna Worker's Manual (Gent & Gibson, 2003) and Reptile Survey Guidance (Froglife, 1999). This requires a minimum of seven visits conducted at an appropriate time of year (either spring/early summer and/or late summer/early autumn) during suitable weather conditions.

Badger

5.25 Information on badgers is provided in a confidential version of this report.

Breeding Birds

5.26 Breeding bird surveys of the Survey Site should be carried out with the aim of establishing the ecological value of the breeding bird population and to inform mitigation measures. Farmland birds (occurring both within the Survey Site and a buffer of up to 50m) would be the main target of the survey. Territory mapping surveys based on the British Trust for Ornithology's Common Bird Census (CBC) methodology will be undertaken. These would be conducted on three occasions during the breeding season. It is recommended that an initial visit is carried out in mid-April, followed by additional visits in May and June.

5.27 The Phase 1 survey was partly conducted in winter with an experienced ornithologist (Matt Hobbs) part of the survey team. As there was no evidence of notable aggregations of common species or habitat that may support rarer species it is considered that there is no justification for carrying out targeted wintering bird surveys.

Barn owls

5.28 It is recommended that all buildings and mature trees on site to be directly or indirectly affected by the Project (if any) should be inspected for signs of roosting or nesting. Signs to be searched for include: nest debris, barn owl pellets, white splashes from barn owl droppings and live or dead barn owls themselves (Barn Owl Trust, 2012). Barn owl roost inspections can be conducted all year round.

Terrestrial Invertebrates

5.29 The block of marshy grassland to the west, provides potential habitat for marsh fritillary butterflies due to the presence of their food plant, devil's-bit scabious. As such a survey of adults during late May/June and also the larval webs should be carried out in mid-August to mid-September. Both surveys would involve walking transects over the marshy grassland, the former noting adult marsh fritillary butterflies and the latter checking all patches of the food plant for larval webs and larvae and following standard methods[9].

5.30 The woodland at Target Note 10, for example represents a fairly extensive area of semi-natural habitat that may be important for terrestrial invertebrates; which are both strongly represented in wooded habitats. If the woodland at TN10 is to be affected by the Project it is proposed that further survey will be appropriate that targets both *Lepidoptera* (notably moths) and beetles (*Coleoptera*).

[9] http://www.ukbms.org/Downloads/UKBMS%20Ng2%20-%20Marsh%20Frit%20Webs%20guidance%20notes.pdf

A moth survey should also be undertaken of the marshy grassland area in the north-west of the site.

5.31 Survey of *Lepidoptera* should involve two night-time moth surveys to be undertaken in late spring and mid-summer. Trapping using Skinner or Robinson moth traps fitted with mercury vapour bulbs is most suitable in terms of attracting an extensive and variable moth fauna. Lights should be switched on at dusk and remain lit until dawn the following day. The traps should be checked periodically throughout the night to log any new arrivals. Any species hard to identify from external markings alone, and those requiring further confirmation, should be retained and dissected if necessary to ascertain their identity with the use of a stereoscopic microscope.

5.32 For beetles, a method should be developed that follows Natural England (ISIS) protocol (Drake et al., 2007) to sample beetle assemblages directed at woodland habitats, via hand searches, sweep netting and pitfall trapping. To align with the *Lepidoptera* surveys, this can be undertaken in late spring/early summer and mid/late summer/early autumn. Subsequent laboratory identification will be required for many of the specimens collected.

5.33 Analysis of the results should use the ISIS protocol to determine whether any broad or specialist assemblage types of *Lepidoptera* and / or *Coleoptera* are present. Consideration should also be given to any rare, scarce or nationally threatened species present, including Section 42 species.

Aquatic Invertebrates

5.34 On the assumption that watercourses will be affected by the Project, it may be appropriate to undertake an assessment of water quality, compliant with the Water Framework Directive (WFD). A main aim of the WFD is to prevent deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters. The requirement for such an assessment would be driven in consultation with Natural Resources Wales. Should such an assessment be required it may be appropriate to assess the ecological quality and surface water chemistry of watercourses to be affected.

5.35 To determine ecological quality kick-sampling for aquatic invertebrates should be undertaken at selected locations along the ditch / stream, and the Biological Monitoring Working Party (BMWP) score applied to inform an assessment of water quality and species present. This survey is best undertaken in spring or autumn in swift flowing waters, or in summer in stationary ditches or those with a slow flow. All macro-invertebrates should be identified to species level in order to determine the presence of any scarce or nationally notable species.

5.36 To determine water chemistry status a single water sample should be extracted at three locations; within the Survey Site and upstream and downstream of this. Samples should be dispatched to a UKAS accredited laboratory for subsequent analysis, to cover a standard range of parameters including: Biological Dissolved Oxygen, Total Suspended Solids, nutrient composition (e.g. nitrite as nitrogen, total oxidised nitrogen, total ammoniacal nitrogen, total phosphorus), hardness, calcium, alkalinity, conductivity and pH.

5.37 The condition of the watercourse can subsequently be analysed by recording and comparing the aggregated number of taxa, and average score per taxon from the sampling points along the watercourse within, upstream and downstream from the Survey Site. The statistical model (RICT) developed for WFD classification would be used to calculate the Ecological Quality Ratio (EQR) that compares observed with expected results for a watercourse of the same type. The EQR is then used to identify the Biological Status of the watercourse which is separated into five bands (Bad to High) required by the WFD.

5.38 It may also be necessary to undertake invertebrate surveys of any ponds that are likely to be affected by the development proposals. These are likely to involve surveys of aquatic beetles in June and August

Un-surveyed Land

5.39 There are a number of small parcels of land that have not yet been surveyed in the southern part of the site. These are indicated on Figure 1b and will be surveyed once access has been arranged. The Phase 1 report will be updated once these surveys are complete.

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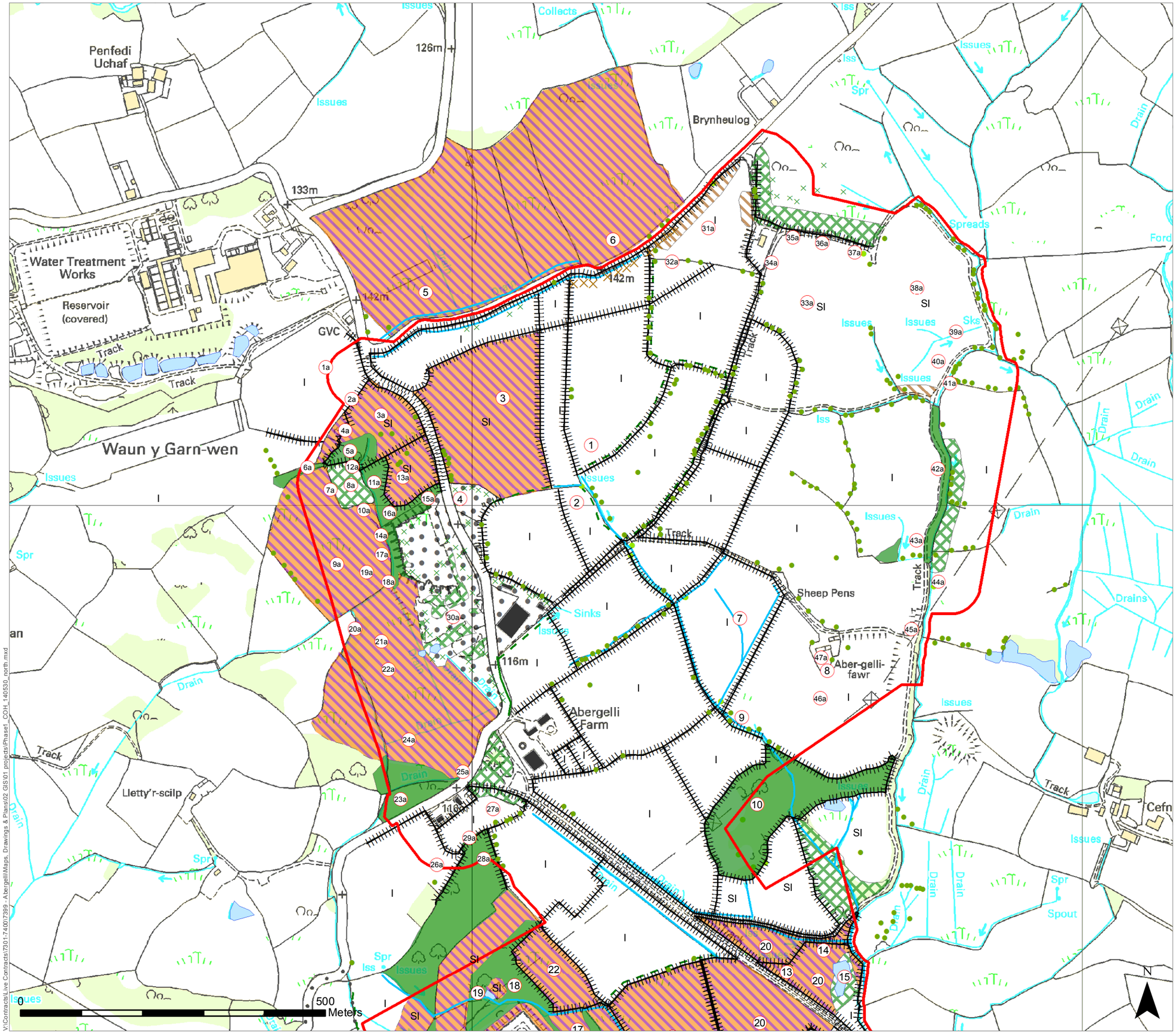
MAGIC: www.magic.gov.uk



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LEGEND

- Site boundary
- Target notes
- Broadleaved woodland
- Dense scrub
- I — Improved grassland
- Marshy grassland
- SI — Semi-improved grassland
- Tall ruderal
- Bare ground
- Buildings
- Standing water
- Water course
- Species-poor intact hedge
- Species-poor defunct hedge
- Fence
- Scattered scrub
- Broadleaved tree
- Bracken

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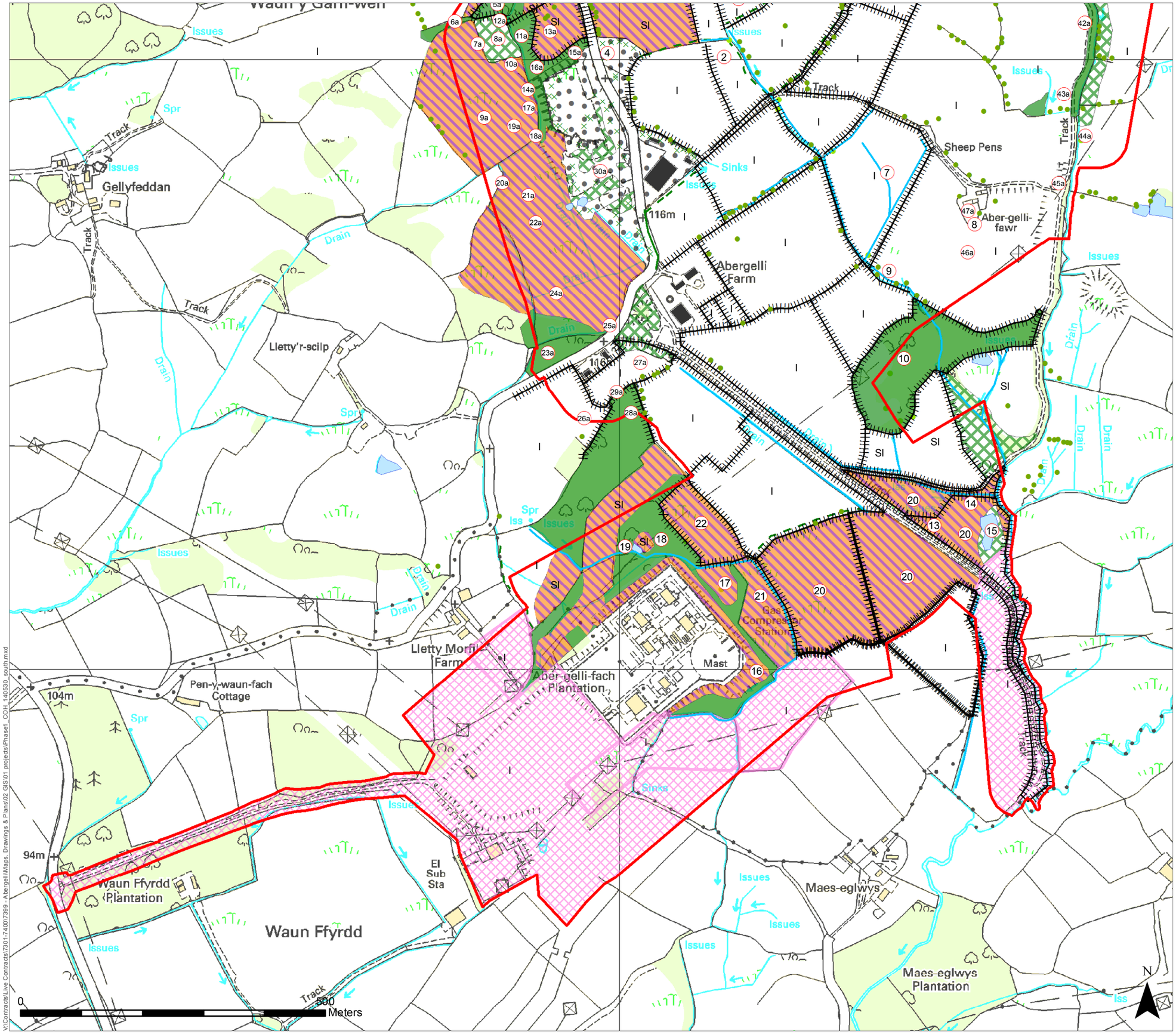
PROJECT TITLE
ABERGELLI POWER PLANT

DRAWING TITLE
Figure 1a - Phase 1 Habitat Survey North

DATE: 05.06.2014 CHECKED: MH SCALE: 1:6,000
DRAWN: COH APPROVED: MH STATUS: FINAL



LEGEND

- Site boundary
- Target notes
- Broadleaved woodland
- Dense scrub
- I — Improved grassland
- Marshy grassland
- SI — Semi-improved grassland
- Tall ruderal
- Bare ground
- Not surveyed
- Buildings
- Standing water
- Water course
- Species-poor intact hedge
- Species-poor defunct hedge
- Fence
- Scattered scrub
- Broadleaved tree
- Bracken

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PROJECT TITLE
ABERGELLI POWER PLANT

DRAWING TITLE
Figure 1b - Phase 1 Habitat Survey South

DATE: 05.06.2014 | CHECKED: MH | SCALE: 1:6,000
DRAWN: COH | APPROVED: MH | STATUS: FINAL

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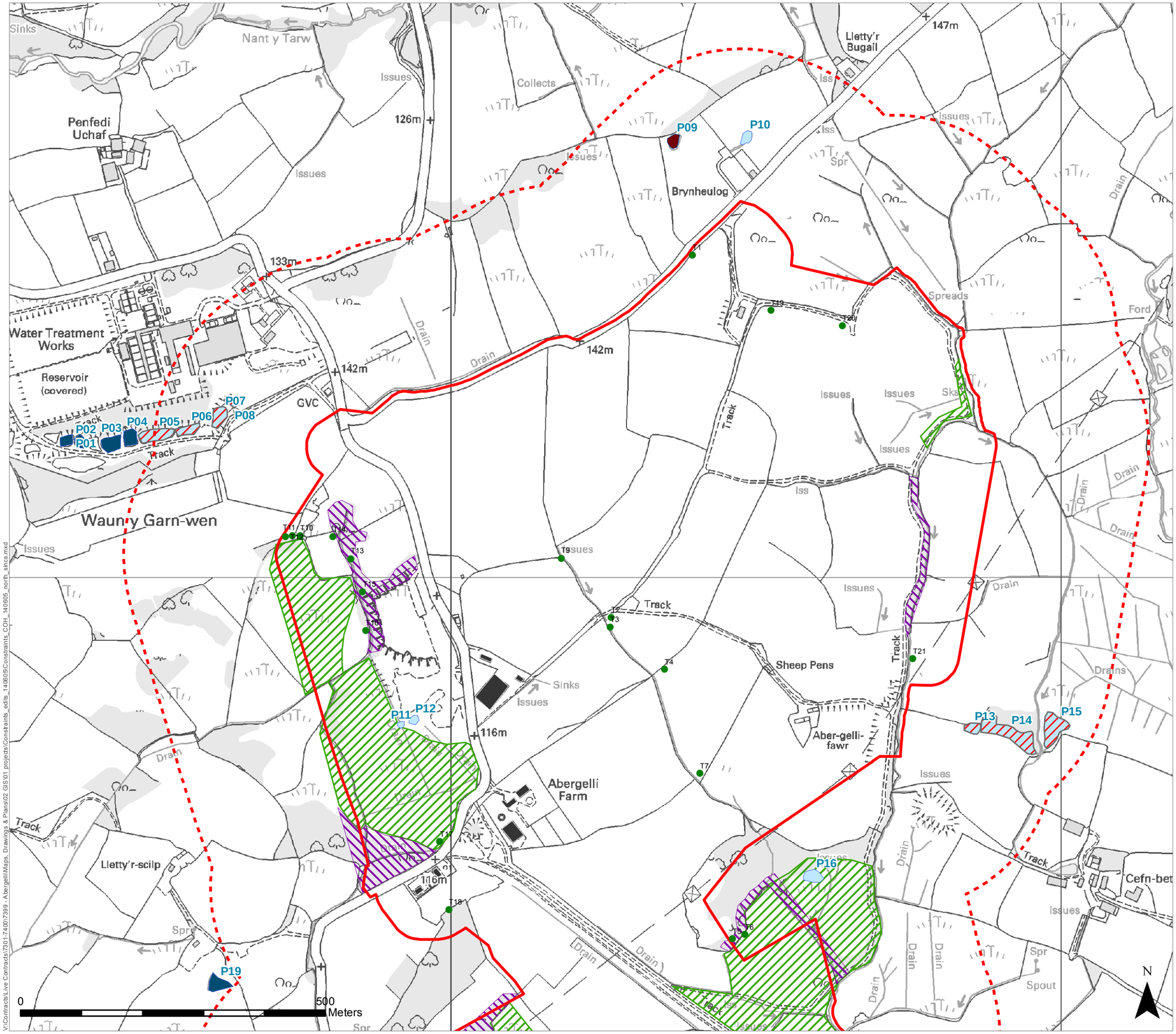

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LEGEND

- Site boundary
- 250m buffer of survey site

Great crested newts

- Pond within 250m of Survey Site that should be surveyed for GCN
- Ponds within 250m of the Survey Site for which access was denied
- Ponds within 250m of the Survey Site that are unsuitable for amphibians
- Ponds within 250-500m of the Survey Site

Bats

- Buildings with potential to support roosting bats
- Trees with potential to support roosting bats

Dormice

- Areas with highest potential to support dormice

Reptile Potential

- Areas with highest potential to support reptiles

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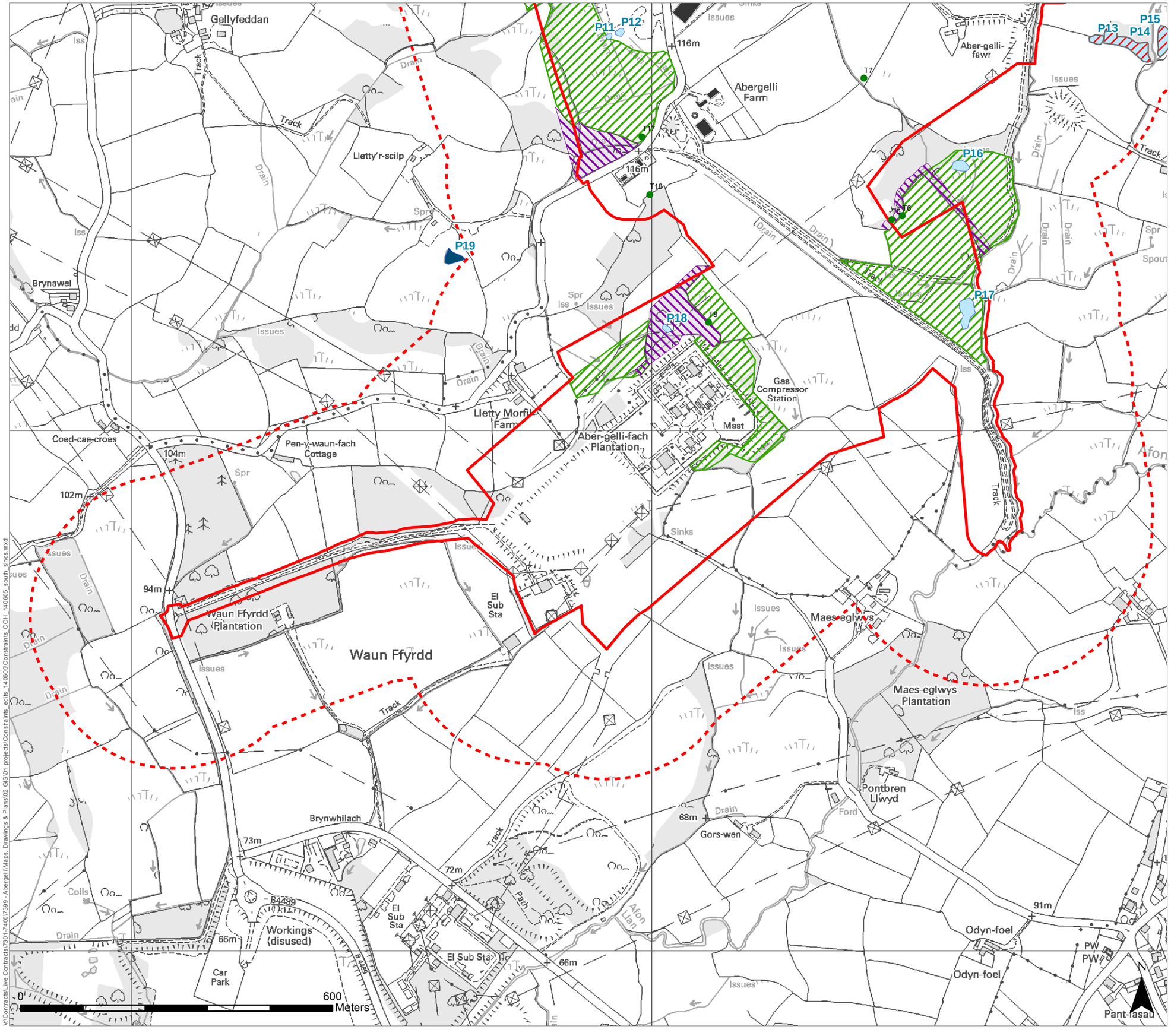
PROJECT TITLE
ABERGELLI POWER PLANT

DRAWING TITLE
Figure 2a - Ecological Constraints Map North

DATE: 05.06.2014 | CHECKED: MH | SCALE: 1:6,000
DRAWN: COH | APPROVED: MH | STATUS: FINAL



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LEGEND

Site boundary

250m buffer of survey site

Great crested newts

Pond within 250m of Survey Site that should be surveyed for GCN

Ponds within 250m of the Survey Site for which access was denied

Ponds within 250m of the Survey Site that are unsuitable for amphibians

Ponds within 250-500m of the Survey Site

Bats

Buildings with potential to support roosting bats

Trees with potential to support roosting bats

Dormice

Areas with highest potential to support dormice

Reptile Potential

Areas with highest potential to support reptiles

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PROJECT TITLE

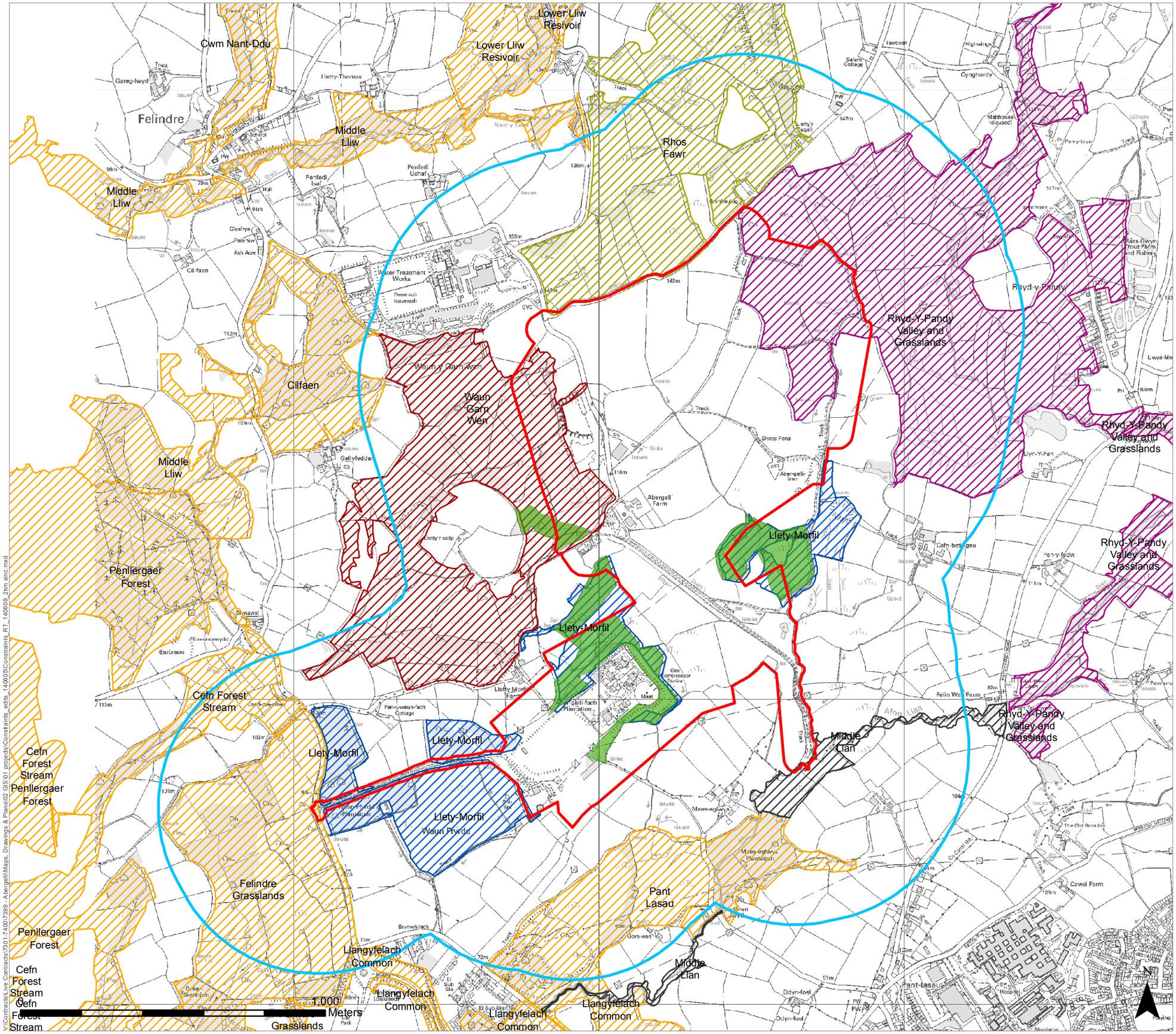
ABERGELLI POWER PLANT

DRAWING TITLE

Figure 2b - Ecological Constraints Map South

DATE: 05.06.2014 CHECKED: MH SCALE: 1:7,000

DRAWN: COH APPROVED: MH STATUS: FINAL



LEGEND

Site boundary

500m radius from site boundary

Site of Importance for Nature Conservation (SINC)

SINC: Llety-Morfil

SINC: Middle Llan

SINC: Rhos Fawr

SINC: Rhyd-Y-Pandy Valley and Grasslands

SINC: Waun Garn Wen

Other SINC location

Ancient Woodland

Ancient Woodland

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PROJECT TITLE

ABERGELLI POWER PLANT

DRAWING TITLE

Figure 3 - SINC and Ancient Woodland map

DATE: 16.06.2014 CHECKED: MH SCALE: 1:12,000

DRAWN: RT APPROVED: MH STATUS: FINAL

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Appendix 1: Target Notes

February Survey

1. A spring running into a wet ditch. The ditch has a muddy base with sweet-grass *Glyceria* sp. and soft rush the dominant plant species. Frog spawn was present.

2. A wet ditch fenced on either side. The ditch meets a spring which runs into it flowing southwards. The ditch has steeply sloping grassy banks, is open and unshaded with great willow herb *Epilobium hirstum* and soft rush present. A newly planted hedge runs along the south side – gapping up a defunct hedge. Also, occasional large coppices of holly were recorded.

3. Marshy grassland with abundant soft rush. The sward is grazed very short by horses. Frequent patches of sedge species were recorded including common sedge and glaucous sedge. Other species noted include sharp-flowered rush and/or jointed rush (difficult to separate in winter and when closely grazed), cinquefoil species, daisy and creeping bent.

4. A small concrete bunker with wasteland area. The concrete bunker is formed of 2m high brick walls with a flat roof formed from concrete sleepers. There is an open doorway on the south elevation and a 30cm x 30cm hole at the top of the west-facing wall. No evidence of bats was recorded. The surrounding land is compacted course aggregate which is becoming colonised with common grassland species. There is an earth bund around the south-east and north-east boundary, topped with dense bramble and gorse scrub.

5. An area of marshy grassland which is very closely grazed. Occasional heather and bilberry plants and patches of sphagnum moss were recorded. Purple moor grass is frequent and forms dominant tussocks at the north end of the field. Other species include sheep's fescue and a sedge species.

6. An area of marshy grassland dominated by soft rush. The field was not entered as it is outside the ownership boundary, but inspection from the roadside suggests that rushes are interspersed with agriculturally improved grassland.

7. A wet ditch running through the middle of the field containing fast flowing water with orange discolouration. The ditch is overgrown with bramble and joins another ditch on its eastern boundary, which is lined with purple moor grass, greater willowherb, and soft rush. The surrounding field is agriculturally improved with patches of soft rush.

8. A derelict stone farmhouse with only the bottom halves of walls still present. Patches of rubble and overgrown vegetation are present, which may provide good habitat for reptiles.

9. A stream lined with trees, which is fast-flowing with a stony substrate.

10. An area of broadleaved woodland. The western end is on a hill, which slopes steeply down to the east. This end (delineated by a stream running north-south) is dry with widely spaced trees and a grazed grassland ground flora (Yorkshire fog, common mouse-ear, and creeping buttercup were the most prominent species) and very little understorey was noted. The eastern end is much wetter, with carpets of opposite-leaved golden-saxifrage, extensive areas of purple moor-grass dominated ground flora with some sphagnum moss species. The understorey is thicker here and is predominantly bramble. Tree species include birch, crab-apple, holly and pedunculate oak. Most specimens are small-medium in size.

11 and 12. These Target Notes relate to evidence of badger activity and are provided in a confidential version of this report. They are also omitted from Figures.

13. A ditch along a line of small-medium trees (beech, holly, pedunculate oak) and a fence. Bilberry is growing along the fence.

14. A marshy grassland field with abundant soft rush tussocks. The area indicated by this target note is dominated by purple moor-grass with occasional cross-leaved heath and scattered small trees/scrub.

15. A shallow pond (less than 10cm deep), approximately 10m in diameter, completely covered in a sedge species (only dead leaves were evident so identification was not possible) and with a small tree-covered island in the centre. The pond is ringed by small trees. The surrounding vegetation includes purple moor-grass with occasional heather and cross-leaved heath and densely growing small trees and scrub (willow species, bramble and alder. A small pond immediately to the south is shown on OS maps. This consisted of small patches of standing water (including wheel ruts) within marshy (rushes, purple moor grass) vegetation.

16. A strip of land around the gas station, which is higher than the surrounding land. There is a gravel strip immediately surrounding the boundary fence then a steep slope covered in soft-rush dominated grassland. At the base of the slope is a mosaic of marshy rush-dominated grassland with dense bramble scrub and wet

woodland. The woodland consists of closely spaced, small and straggly trees composed largely of holly, pedunculate oak, birch, willow and alder.

17. A patch of marshy grassland almost totally dominated by soft rush. Small patch of bulrush were found towards centre of field. The field is surrounded by encroaching scrub and straggly woodland.

18. An area of wet woodland with dense bramble understorey. The species present and structure are as for Target Note 16. Wet underfoot.

19. A small pond within woodland fed by a stream. No emergent/marginal vegetation was in evidence and the pond is surrounded by small saplings.

20. Marshy grassland fields consisting of more than 25% soft rush. The intervening grassland is agriculturally improved, including perennial rye-grass *Lolium perenne*, common mouse-ear and white clover *Trifolium repens*.

21. An area of marshy grassland with approximately 75% soft rush cover. The intervening grassland is semi-improved.

22. An area of marshy grassland almost totally dominated by soft rush. The western boundary fence has heather and purple moor-grass growing along it.

April Survey

1a Improved grassland with short sward grazed by horses. Access to field restricted by presence of horses. Species observed from track include creeping thistle *Cirsium arvense*, perennial rye-grass, broad-leaved dock *Rumex obtusifolius* and creeping bent.

2a Species-poor hedge with hawthorn *Crataegus monogyna* and willow *Salix* sp., grading into old bank boundary with overgrown hedge with oak *Quercus* sp. and holly *Illex aquifolium* and drainage ditch along north side.

3a Semi-improved marshy grassland with very short sward, grazed by horses. Species recorded include soft rush *Juncus effusus*, Yorkshire fog *Holcus lanatus*, perennial rye-grass, creeping buttercup *Ranunculus repens,* silverweed *Potentilla anserina*, white clover *Trifolium repens*, dandelion *Taraxacum officinale* agg.., ribwort plantain *Plantago lanceolata*, lesser spearwort *Ranunculus flammula*, mouse-ear-hawkweed *Pilosella officinarum*, unidentified sedges *Carex* spp.

4a Marshy grassland with small copse of willow, oak and birch *Betula* sp., fenced off from horses with head of spring in centre. Potential for terrestrial phase amphibians and reptiles in sunny hedgebank and refugia provided by piles of dead wood and nesting birds in trees. Species recorded include common bent Agrostis capillaris, Yorkshire fog, soft rush, creeping bent, sweet grass *Glyceria* sp., wavy bittercress *Cardamine flexuosa*, creeping buttercup, curled dock *Rumex crispus*, broad-leaved willowherb *Epilobium montanum*, bird's-foot-trefoil *Lotus corniculatus*, lady fern *Athyrium felix-femina*.

5a Area of dense bramble *Rubus fruticosus* agg. scrub and willow regeneration immediately beneath power lines which links to wooded spur to west and marshy grassland copse to east.

6a Small wooded spur with tree species including oak, birch, holly, hawthorn with an understorey dominated by brambles and including ivy *Hedera helix*, creeping bent, Yorkshire fog, soft rush, hard fern *Blechnum spicant*, scaly male fern *Dryopteris affinis*, and bracken *Pteridium aquilinum*.

7a Bank feature delineating boundary of small field (see 8) with birch and willow regeneration and mature oak to southern end. Ground flora dominated by bracken and bramble with bluebell *Hyacinthoides non-scripta* and bilberry *Vaccinium myrtillus* to south.

8a Small field dominated by bramble scrub with bracken, broad-leaved willowherb and soft rush. Grades into copse of birch and willow regeneration to east with ephemeral ditch along south and east boundaries.

9a Large field of wet dwarf shrub heath, dominated by purple moor grass *Molinia caerulea* with soft rush, bracken, common haircap moss *Polytrichum commune*, unidentified sphagnum moss *Sphagnum* sp., ling *Calluna vulgaris*, cross-leaved heath *Erica tetralix* and bilberry along margins. Some birch and willow regeneration in small scattered copses.

10a Badger snuffle holes and intermittent trails.

11a Mature oak.

12a Mature alder *Alnus glutinosa*.

13a Semi-improved grassland with high proportion of herbs and low proportion of grass. Species recorded include soft rush, ribwort plantain, mouse-ear-hawkweed, dandelion, daisy *Bellis perennis*, self-heal *Prunella vulgaris*, white clover, creeping buttercup, broad-leaved willowherb, bird's-foot-trefoil, common mouse-ear *Cerastium fontanum*, yarrow *Achillea millefolium*, marsh thistle *Cirsium palustre* and with lesser spearwort, water figwort *Scrophularia aquatica* and horsetails *Equisetum* sp. in the southern corner.

14a Wooded stream corridor with oak, hawthorn, birch and occasional alder. Understorey dominated by bramble scrub.

15a Embankment of large raised area with mature trees on banks. Northern side with young willow, hawthorn, birch, elder *Sambucus nigra*, rowan *Sorbus aucuparia* and semi-mature / mature oak. Ground flora dominated by brambles but with hart's-tongue fern *Asplenium scolopendrium*, lady fern, hard fern, scaly male fern, unidentified polypody fern *Polypodium* sp., common nettle *Urtica dioica* and dog's mercury *Mercurialis perennis*. Several stands of Japanese knotweed Fallopia japonica identified.

16a Mature oak tree.

17a Mature oak tree.

18a Wooded stream corridor with willow and elder and intermittent bramble scrub. Species recorded include common nettle, broad-leaved willowherb, horsetails, water figwort, soft rush, hard fern, bracken, angelica *Angelica sylvestris*, herb Robert *Geranium robertianum* and pendulous sedge *Carex pendula*. Stand of Japanese knotweed at bend in stream.

19a Stand of bramble scrub within willow and birch regeneration with damp substrate supporting reed canary grass *Phalaris arundinacea*. Lots of piles of dead wood.

20a Irrigation ditch, occasional young birch and willow with purple moor-grass, soft rush and bracken. Ditch dry.

21a Large field superficially similar to 9a but appears to have been managed. Purple moor-grass not as dominant, lots of bare earth and young ling and cross-leaved heath plants. In addition hare's-tail cotton grass *Eriphorum vaginatum*, deergrass *Trichophorum germanicum* and lousewort *Pedicularis* sp.

22a Field drain holding water with common reed *Typha latifolia*, broad-leaved pondweed *Potamogeton natans* and water-plantain *Alisima plantago-aquatica*. Common lizard *Lacerta vivipara* directly observed on bank of ditch.

23a Wooded copse comprised of young birch and willow with understorey of bramble scrub and ground flora comprising common nettle, lady fern, scaly male fern, wood false brome *Brachypodium sylvaticum*. Himalayan balsam *Impatiens glandulifera* seedlings abundant. There is also a ditch with very shallow, ponded, oily water with no aquatic vegetation.

24a Drainage ditch holding water, and with dense stands of sphagnum moss in bottom of ditch. Steep sides with ling, cross-leaved heath and purple moor-grass.

25a Birch.

26a Improved grassland with very short sward, grazed by horses. Horses present, not surveyed in detail.

27a Area of partially colonised tipped spoil, being re-graded at time of survey. Bramble and willow scrub around margins / banks and horse training area to North. Species recorded in this area include bramble, gorse *Ulex europea*, curled dock, broad-leaved dock, common nettle, a brassica *Brassicaceae*, creeping thistle, colt's foot *Tussilago farfara*, foxglove *Digitalis purpurea*, wavy bittercress, bird's-foot trefoil, Yorkshire fog and white clover.

28a Area of deciduous woodland and scrub comprising occasional mature oak with hazel *Corylus avellana*, holly, birch, rowan, willow, a scrub layer of bramble and a ground flora including bluebells, hard fern, soft rush, creeping bent, common bent, a spurge *Euphorbiaceae*, wood false-brome and abundant Himalayan balsam seedlings. Area contains many piles of fallen deadwood and there is a bank feature along part of the northern boundary.

29a Mature ash *Fraxinus excelsior*.

30a Earth works with large percentage bare, waterlogged earth. In undisturbed marginal sloped areas gorse, willow and bramble scrub is present.

31a Improved grassland with very short sward, grazed by horses. Species recorded include perennial rye-grass, common bent, occasional soft rush, daisy, broad-leaved dock, mouse-ear hawkweed, white clover, dandelion, cocksfoot *Dactylis glomerata*, annual meadow grass *Poa annua* and couch grass *Elymus repens* with approximately 20% bare earth.

32a Bank field boundary with many mature but small holly trees and ground flora of grazed improved grassland.

33a Semi-improved grassland similar in composition to 38 but with very short sward, grazed by horses.

34a Stone wall / bank delineating eastern edge of domestic property.

35a Mature oak.

36a Treeline along track with mature / semi-mature oak, and scrub layer comprising gorse and bramble. There are many loose rocks and exposed tree roots with a wet ditch along the northern side fringed by soft rush. The water is ponded and shallow with no aquatic plants observed.

37a Mature oak.

38a Semi-improved grassland on a sloped field with a spring issuing in the centre. There are occasional scrub stands comprised of hawthorn, bramble, willow, gorse with common nettles and cleavers *Galium aparine*. The slope is not uniform and there are wetter areas indicated by stands of soft rush. Other species recorded include perennial rye-grass, creeping bent, common bent, Yorkshire fog, cocksfoot, creeping thistle, marsh thistle, broad-leaved dock, dandelion, daisy, yarrow, creeping buttercup.

39a Damp drainage ditch with soft rush, common reed, broad-leaved willowherb and occasional pendulous sedge. No visible standing water as vegetation very dense. Likely to be ephemeral.

40a Area where soft-rush dominant and very low percentage of grass. Herbs recorded include common sorrel *Rumex acetosa*, knotgrass *Polygonum aviculare*, common mouse-ear, creeping buttercup, wavy bitter-cress and cleavers.

41a Stream, flowing water approximately 30cm deep, good water quality, moderate flow. Bankside vegetation including lesser water-parsnip *Berula erecta*, horsetails *Equisetum* sp., reed canary-grass, angelica, broad-leaved willowherb, bramble, bracken, soft rush, common nettle, hard fern, common haircap moss, cuckoo pint and lesser celandine *Ranunculus ficaria*. Stream fringed by regenerating birch and willow scrub.

42a Tree-lined stream corridor with mature / semi-mature oak trees along Eastern edge with occasional birch, willow, ash and holly. Understory of gorse with bramble scrub and soft rush grading into improved grassland to east. Along western bank, grassland typical of wider area but with longer sward (low-density sheep-grazing) and also including sweet vernal grass *Anthoxanthum odoratum*, crested dog's tail *Cynosurus cristatus*, a fescue *Festuca* sp. and field wood rush *Luzula campestris*.

43a Large mammal slide and run to hole under bank / tree on eastern side of bank. Many vole tunnels along western side of bank in long tussocky grass.

44a Mature oak.

45a Drainage ditch and area of marshy grassland including species such as horsetails, flote-grass, lesser water-parsnip, angelica and soft rush.

46a Area of improved grassland with short sward, grazed by sheep. Contains piles of semi-colonised rubble with common nettles and gorse.

47a Curtilage of old barns containing a number of mature / dead ash trees.

Appendix 2: Photographs

Habitats

Photo 1: Improved grassland with defunct hedge.

Photo 2: Marshy grassland at TN3.

Photo 3: Marshy grassland at TN5.

Photo 4: Marshy grassland at TN22.

Photo 5: Marshy grassland at TN14.

Photo 6: Woodland at TN10.

Habitats – April Survey

Photo 1a: Hare's-tail cottongrass

Photo 2a: Improved grassland

Photo 3a: Semi-improved grassland at TN3a

Photo 4a: Marshy grassland at TN21a

Photo 5a: TN22a Field drain

Photo 6a: Stream corridor at TN42

Photo 7: Woodland at TN18.

Photo 8: Stream in woodland TN10.

Photo 9: Stream at TN9.

Ponds surveyed with HSI method

Photo 10: Pond P1 within water treatment works.

Photo12: Pond P3.

Photo 14: Pond P5.

Photo 11: Pond P1 within water treatment works.

Photo 13: Pond P4.

Photo 15: Pond P6.

Photo 16: Pond P7.

Trees with potential for roosting bats

Photo 17: T1

Photo 18: T2

Photo 19: T3

Photo 20: T4

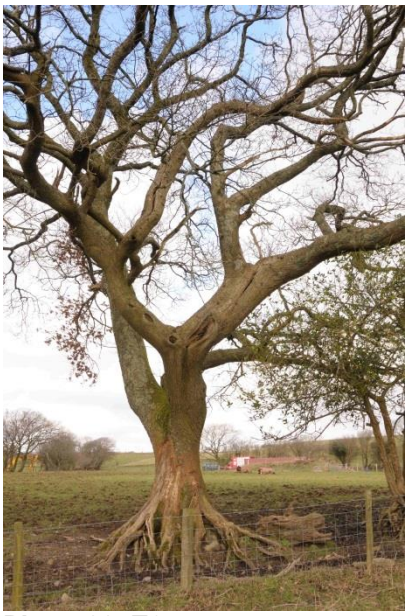

Photo 21: T5

Photo 22: T6

Reptiles – examples of suitable habitat.

Photo 24: Mounds of wood south of TN10.

Photo 25: Tussocky grassland suitable for reptiles.

Badger – images providing evidence of badgers are provided in a confidential version of this report.

Buildings

Photo 26: Abergelli Farm

Photo 27: Abergelli Farm Stables

Photo 28: Barn to south of Abergelli Farm

Photo 29: Barn to North of Abergelli Farm

Photo 30: Building adjacent to barn at Photo 4

Photo 31: Bunker at TN4

Appendix 3: Bat Tree Survey Results

6.1

ID	OSGR	Species	Category	Height	DBH (cm)	Type	Aspect	Extent	Height	Canopy	U-storey
T1	SN6539002532	Oak	2	12m	110	Extensive ivy cover on stem with lifted plates	N		4-8m	20	0
T2	SN6525601938	Birch	2	5m	40	Cavity- small hollows on both stems	E	0.4x0.2m	1-2m	0	0
T3	SN6530601421	Birch	2	8m	100	Woodpecker hole	SW		4m	0	0
T4	SN6534301853	Oak	1	10m	90	Two splits one open one less obvious	S		5 and 5 m	0	0
T5	SN6545501412	Birch	2	14m	160	Rot hole – extent unknown			4m	50	10
T6	SN6547501418	Birch	2	15m	80	Rot hole	NW	0.5m	2-3m	50	0
T7	SN6540101683	Oak	2	17m	80	Thick ivy and hollow trunk exposed	N		Throughout	0	0
T8	SN6509901209	Oak	2	17m	200	Recently cut limb has revealed rot hole within	S	0.1m	2m	50	25
T9	SN6517002031	Oak	2	15m	80	Split limb	N			0	0
1404-01	TN6 – N edge	Oak	2		30	WPH x 5	All	2-4m AGL	2-4m AGL	50	20
1401-02	TN6 – N edge	Oak	2		30	Hollow @ base	N	0.2 x 0.5	0-1m AGL	50	20
						Split in branch	?		8m AGL	50	20
1404-03	TN6 – N edge	Oak	2		100	Cavity / rot back			6m AGL		
						Split limb	E		6m AGL		
1404 - 04	TN11	Oak	2		50	Dense ivy	All	All	All	50	50
1404 -05	TN12	Alder	2		40	Hollow limb			6mAGL	50	50
1404 - 06	TN16	Oak	2		60	Multiple splits	N and E		4m AGL	50	50
1404 -07	TN17	Oak	2		40	WPH	S	10cm diameter	4mAGL	50	50
1404-07	TN 25	Birch	2		60	Dense ivy	All	All	All	50	50
1404-08	TN29	Ash	1		75	Rot hole	N		3mAGL	50	50
						Hollow limb	N		7mAGL		
1404-09	TN35	Oak	2		60	Hollow limb	N		5mAGL	50	50
						Cavity main stem	W		4mAGL		

						Split / hollow limb	W		5mAGL		
1404-10	TN37	Oak	2		40	Slit main stem	Up		6mAGL	50	50
						Rot hole /hollow	S		3mAGL		
1404-11	TN44	Oak	2		100	Dense ivy	All	All	All	50	50

Appendix 4: HSI Results

Pond	HSI	Value for great crested newts
P07	0.67	Average
P08	0.77	Good
P09	0.47	Poor
P10	0.64	Average
P16	0.66	Average
P17 on site	0.61	Average
P18 on site	0.53	Below average

Pond Ref.	Location	Pond Area M^2	Pond permanence	Water Quality	Pond Shading %	No. of waterfowl	Occurrence of fish	Pond density	Proportion of newt friendly habitat around pond within 500m – Any Barriers?	Macrophyte content (est % total of emergent and submerged macrphytes)	Notes
P08	SN6463502258	240	Never dries	Good	10	Minimal	Possible	Y	Good	30	Typha and rushes around edge. Close access not possible.
P07	SN6464602272	150	Never dries	Good	30	Minimal	Possible	Y	Good	0	Not well vegetated.
P10	SN6548702727	70	Sometimes dries	Good	5	Minimal	Possible	Y	Good	20	Small and shallow.
P09	SN6535602709	20	Annually dries	Moderate	30	Absent	No	Y	Good	0	Very shallow and unlikely to fill up – probably mostly dry.
P16	SN6558701536	25	Sometimes	Good	60	Absent	No	Y	Good	40	
P17	SN6559801237	100	Annually dries	Good	80	Absent	No	Y	Good	100	Water shallow and covered in Carex species. To south consists of patches of standing water within Molinia
P18	SN6503101199	50	Never	Moderate	100	Absent	No	Y	Moderate	0	Small pond within woodland – water dark and no aquatic vegetation in evidence.

Appendix 5: Bird species recorded during Phase 1 survey.

Latin Name	Common Name
Mallard	*Anas platyrhynchos*
Buzzard	*Buteo buteo*
Red kite	*Milvus milvus*
Woodpigeon	*Columba palumbus*
Great spotted woodpecker	*Dendrocopos major*
Meadow pipit	*Anthus pratensis*
Pied Wagtail	*Motacilla alba yarrellii*
Dunnock	*Prunella modularis*
Wren	*Troglodytes troglodytes*
Robin	*Erithacus rubecula*
Blackbird	*Turdus merula*
Song Thrush	*Turdus philomelos*
Mistle thrush	*Turdus viscivorus*
Redwing	*Turdus iliacus*
Blue Tit	*Parus caeruleus*
Great Tit	*Parus major*
Long tailed tit	*Aegithalos caudatus*
Magpie	*Pica pica*
Jackdaw	*Corvus monedula*
Carrion crow	*Corvus corone*
Rook	*Corvus frugilegus*
House sparrow	*Passer domesticus*
Chaffinch	*Fingilla coelebs*
Greenfinch	*Carduelis chloris*
Goldfinch	*Carduelis carduelis*
Reed bunting	*Emberiza schoeniclus*

Appendix 6: Summaries of Relevant Legislation, Policy and Other Instruments

National Planning Policy

6.2 Technical Advice Note (TAN) 5 provides Welsh Assembly Government advice about how the land use planning system in Wales should contribute to protecting and enhancing biodiversity and geological conservation.

6.3 It follows that the TAN provides guidance to local planning authorities on: the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and, development affecting protected and priority habitats and species.

6.4 Planning considerations with regard to habitats and species are of greatest relevance to the Abergelli Farm proposal. For a full account, the TAN should be referred to, but some of the key principles are summarised as follows:

i. *When dealing with cases where a European protected species of plant or animal may be affected, a local planning authority needs to have regard to the requirements of the Habitats Directive in the exercise of its functions.*

ii. *The TAN refers to the Wildlife and Countryside Act 1981 (as amended), which makes it an offence (with certain limited exceptions and in the absence of a licence) to intentionally to kill, injure or take any wild bird, or to damage, take or destroy the nest of any wild bird whilst that nest is being built or in use, or to take or destroy its eggs. Further offences apply to species listed under Schedule 1 of the Act.*

iii. *The above Act also affords protection to wild animals of the species listed in Schedule 5, and to wild plants listed in Schedule 8, most of which are not European protected species. Actions that are likely to result in an offence are identified;*

iv. *With regard to badger, Meles meles, the TAN refers to the provisions of the Protection of Badgers Act, 1992;*

v. *The TAN makes reference to Sections 40 and 42 of the Natural Environment and Rural Communities Act 2006, which place a duty on the Welsh Assembly Government to have regard to the purpose of conserving biodiversity (see Section 1.10 of this report);*

vi. *In section 2.4 it is noted that when deciding planning applications that may affect nature conservation, local planning authorities should protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;*

vii. *When determining planning applications, planning authorities should ensure that all material considerations are taken into account, that decisions are informed by adequate information about the potential effects of development on nature conservation, and that the range and population of protected species is sustained;*

viii. *Planning applications should demonstrate a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation.*

UK Post-2010 Biodiversity Framework

6.5 The Environment Departments of all four governments in the UK work together through the Four Countries Biodiversity Group. Together they have agreed, and Ministers have signed, a framework of priorities for UK-level work for the Convention on Biological Diversity. Published on 17 July 2012, the 'UK Post-2010 Biodiversity Framework' covers the period from 2011 to 2020.

6.6 Most work which was previously carried out under the UK Biodiversity Action Plan (UK BAP) is now focussed in the four countries of the UK through the new framework. The UK BAP partnership no longer operates but includes detailed Action Plans for priority habitats and species, which are still in use and of relevance. The list of priority habitats and species included within the UK BAP list is equivalent to the list of Section 42 habitats and species.

6.7 The UK BAP is supported by a series of Local Biodiversity Action Plans (LBAPs), usually set up on a local authority administrative boundary basis. Each LBAP identifies those habitats and species considered to be most important in that area (usually referred to as priority habitats and species). Commonly, an LBAP will identify a number of habitats and species for which "action plans" have been prepared. The Swansea LBAP is was created in 2005 but is unavailable as it is under review.

Wildlife Legislation

6.8 Legislation of most relevance to this assessment includes the following:

Natural Environment and Rural Communities (NERC) Act 2006

6.9 Section 40 of the Natural Environment and Rural Community Act (NERC) 2006 sets out the duty which public authorities have to conserve biodiversity. Section 40 States that: "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". The term Public Authority includes local authorities and local planning authorities.

6.10 Paragraph 40(3) goes on to state that "conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat".

6.11 Paragraph 42(1) states that "the Secretary of State must, as respects Wales, publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity". This replaces a similar reference to the list that was found in Section 74 of the Countryside and Rights of Way Act 2000 (the CRoW Act).

The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000)

Protection afforded to birds

6.12 Section 1 of the Wildlife and Countryside Act 1981 (WCA) prohibits the intentional killing, injuring or taking of any wild bird and the taking, damaging or destroying of the nest (whilst being built or in use) or eggs. Section 1 also prohibits disturbing any bird listed on Schedule 1 of the Act whilst at or near the nest and prohibits disturbing the dependent young of such birds.

Protection afforded to other animals

6.13 Species listed on Schedule 5 that may be of relevance to this site include GCNs, bats, otter, water vole and all species of reptiles. The places of shelter used by otter and water vole are protected, but reptiles are protected from killing and injury only.

Protection afforded to Sites of Special Scientific Interest (SSSIs)

6.14 Section 28 allows for the creation of SSSIs by the government (through Natural Resources Wales in Wales) where Natural Resources Wales (NRW) "is of the opinion that any area of land is of special interest by reason of any of its flora, fauna, geological or physiographical features."

6.15 Section 28G specifies the duty of specific public authorities (including local authorities) to further the conservation and enhancement of the features by reason of which the site is designated and also to notify NRW of operations likely to damage such features in order that NRW may consent to or refuse permission for such operations.

The Conservation of Habitats and Species Regulations 2010

6.16 The Conservation of Habitats and Species (Amendment) Regulations 2012 consolidates the various amendments that have been made to the Regulations. The original (1994) Regulations transposed the EC Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC) into national law.

6.17 "European protected species" (EPS) are those which are present on Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are subject to the provisions of Regulation 41 of those Regulations. All EPS are also protected under the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:

a) Intentionally or deliberately capture, injure or kill any wild animal included amongst these species;

b) Possess or control any live or dead specimens or any part of, or anything derived from a these species;

c) Deliberately disturb wild animals of any such species;

d) Deliberately take or destroy the eggs of such an animal; or

e) Intentionally, deliberately or recklessly damage or destroy a breeding site or resting place of such an animal, or obstruct access to such a place.

6.18 For the purposes of paragraph (c), disturbance of animals includes in particular any disturbance which is likely—

a) to impair their ability—

I. to survive, to breed or reproduce, or to rear or nurture their young, or

II. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

6.19 To affect significantly the local distribution or abundance of the species to which they belong.

6.20 Although the law provides strict protection to these species, it also allows this protection to be set aside (derogated) through the issuing of licences. The licences in England are currently determined by NE for development works. In accordance with the requirements of the Regulations (2012), a licence can only be issued where the following requirements are satisfied:

a) The proposal is necessary 'to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';

b) 'There is no satisfactory alternative'; and

c) The proposals 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

6.21 EPS that may be relevant to this proposal include GCNs, bats, dormouse and otter.

Invasive Species Legislation

6.22 Japanese knotweed and Himalayan balsam are both listed on Part 2, Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Section 14 of the Act states that it is an offence for a person to plant or otherwise cause to grow in the wild any species listed on Part2, Schedule 9. The Environmental Protection Act 1990 contains a number of legal provisions concerning 'controlled waste'. Any soil or plant material contaminated with Japanese knotweed that is to be discarded is classified as controlled waste.

Appendix 3.A: Phase 1 APL EIA Scoping Request

3.A III PINS acknowledgement of EIA Scoping Report and Regulation 6 Notification (26th June 2014)

The Planning Inspectorate

3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: environmentalservices@infrastructure.gsi.gov.uk

Your Ref:

Our Ref: EN010069

Date: 26 June 2014

Dear Mr Scanlon

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulation 6

Application by Abergelli Power Limited for an Order Granting Development Consent for the Abergelli Power Project

Acknowledgement of a request for a scoping opinion and notification under Regulation 6(1)(b)

We refer to your letter dated 25 June 2014 and received in hard copy by the Secretary of State on 26 June 2014 requesting a scoping opinion from the Secretary of State under Regulation 8(1) of the EIA Regulations. We note that you have formally notified us, under Regulation 6(1)(b) of the EIA Regulations that the applicant proposes to provide an environmental statement in respect of the project.

The 42 day timescale set out in Regulation 8(6) commenced on 26 June 2014. Please also accept this letter as notification under Regulation 8(6) of the EIA Regulations of the Secretary of State's requirement to consult with the person who made the request. If you have any comments these should reach this office by 24 July 2014.

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

Yours sincerely

Jenny Colfer

Jenny Colfer
Senior EIA and Land Rights Advisor
on behalf of the Secretary of State

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

Appendix 3.B: Phase 1 PINS EIA Scoping Opinion and Regulation 9 List

3.B I Email from PINS enclosing EIA Scoping Report and Regulation 9 List (1st August 2014)

Emma Knapp

From: Jenny Colfer <Jenny.Colfer@pins.gsi.gov.uk>
Sent: 01 August 2014 10:30
To: Dermot Scanlon
Cc: Colin Turnbull (LPE)
Subject: Abergelli Power Project Scoping Opinion Report
Attachments: Abergelli Power Project Scoping Opinion Report.pdf; Reg_9_List.pdf

Dermot

Further to your request for a Scoping Opinion in relation to the Abergelli Power Project please see attached the following information:

- Abergelli Power Project Scoping Opinion Report
- Regulation 9 List

A hard copy of the above will follow in the post.

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans

The Planning Inspectorate, 3/18 Eagle Wing, Temple Quay House, Temple Quay, Bristol BS1 6PN

Direct Line: 0303 444 5532
Helpline: 0303 444 5000
Email: jenny.colfer@pins.gsi.gov.uk

Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)
Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)

Twitter: @PINSgov

This communication does not constitute legal advice.
Please view our Information Charter before sending information to the Planning Inspectorate.

Appendix 3.B: Phase 1 PINS EIA Scoping Opinion and Regulation 9 List

3.B II EIA Scoping Opinion

The Planning Inspectorate

SCOPING OPINION
Proposed Abergelli Power Project

August 2014

CONTENTS

EXECUTIVE SUMMARY

This is the Scoping Opinion (the Opinion) provided by the Secretary of State in respect of the content of the Environmental Statement for Abergelli Power Project.

This report sets out the Secretary of State's opinion on the basis of the information provided in the report prepared by Abergelli Power Limited ('the applicant') entitled Abergelli Power Project, Environmental Impact Assessment Scoping Report June 2014 ('the Scoping Report'). The Opinion can only reflect the proposals as currently described by the applicant.

The Secretary of State has consulted on the Scoping Report and the responses received have been taken into account in adopting this Opinion. The Secretary of State is satisfied that the topic areas identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Secretary of State draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- Air Quality
- Landscape and Visual
- Water Quality and Resources

Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the Secretary of State.

The Secretary of State notes the potential need to carry out an assessment under the Habitats Regulations[1].

[1] The Conservation of Habitats and Species Regulations 2010 (as amended)

1.0 INTRODUCTION

Background

1.1 On 26 June 2014, the Secretary of State (SoS) received the Scoping Report submitted by Abergelli Power Limited under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) in order to request a scoping opinion for the proposed Abergelli Power Project ('the Project'). This Opinion is made in response to this request and should be read in conjunction with the applicant's Scoping Report.

1.2 The applicant has formally provided notification under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed development. Therefore, in accordance with Regulation 4(2)(a) of the EIA Regulations, the proposed development is determined to be EIA development.

1.3 The EIA Regulations enable an applicant, before making an application for an order granting development consent, to ask the SoS to state in writing their formal opinion (a 'scoping opinion') on the information to be provided in the environmental statement (ES).

1.4 Before adopting a scoping opinion the SoS must take into account:

(a) the specific characteristics of the particular development;

(b) the specific characteristics of the development of the type concerned; and

(c) environmental features likely to be affected by the development'.

(EIA Regulation 8 (9))

1.5 This Opinion sets out what information the SoS considers should be included in the ES for the proposed development. The Opinion has taken account of:

i the EIA Regulations

ii the nature and scale of the proposed development

iii the nature of the receiving environment, and

iv current best practice in the preparation of environmental statements.

1.6 The SoS has also taken account of the responses received from the statutory consultees (see Appendix 2 of this Opinion). The matters addressed by the applicant have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the SoS will take account of relevant legislation and guidelines (as appropriate). The SoS will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with that application when considering the application for a development consent order (DCO).

1.7 This Opinion should not be construed as implying that the SoS agrees with the information or comments provided by the applicant in their request for an opinion from the SoS. In particular, comments from the SoS in this Opinion are without prejudice to any decision taken by the SoS (on submission of the application) that any development identified by the applicant is necessarily to be treated as part of a nationally significant infrastructure project (NSIP), or associated development, or development that does not require development consent.

1.8 Regulation 8(3) of the EIA Regulations states that a request for a scoping opinion must include:

(a) 'a plan sufficient to identify the land;

(b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and

(c) such other information or representations as the person making the request may wish to provide or make'.

(EIA Regulation 8 (3))

1.9 The SoS considers that this has been provided in the applicant's Scoping Report.

The Secretary of State's Consultation

1.10 The SoS has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 1. The list has been compiled by the SoS under their duty to notify the consultees in accordance with Regulation 9(1)(a). The applicant should note that whilst the SoS's list can inform their consultation, it should not be relied upon for that purpose.

1.11 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided at Appendix 2 along with copies of their comments, to which the applicant should refer in undertaking the EIA.

1.12 The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.

1.13 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the applicant and will be made available on the Planning Inspectorate's website. The applicant should also give due consideration to those comments in carrying out the EIA.

Structure of the Document

1.14 This Opinion is structured as follows:

Section 1 Introduction

Section 2 The proposed development

Section 3 EIA approach and topic areas

Section 4 Other information.

This Opinion is accompanied by the following Appendices:

Appendix 1 List of consultees

Appendix 2 Respondents to consultation and copies of replies

Appendix 3 Presentation of the environmental statement.

2.0 THE PROPOSED DEVELOPMENT

Introduction

2.1 The following is a summary of the information on the proposed development and its site and surroundings prepared by the applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the proposed development and the potential receptors/resources.

The Applicant's Information

Overview of the proposed development

2.2 The proposed development would comprise a new Power Generation Plant, capable of providing an electrical capacity of up to 299MW. It would be fuelled by natural gas and connected to the National Grid. The proposal would be located on pastoral fields at Abergelli Farm, to the north of Swansea, in the City and County of Swansea, South West Wales.

2.3 The proposed development would comprise the following principal components (Section 1.1.2 of the Scoping Report):

- Generating equipment, including gas turbine generators and balance of plant (Simple Cycle Gas Turbine (SCGT));
- New purpose built access road;
- A temporary construction compound (laydown area);
- New gas connection;
- New electrical connection.

Description of the site and surrounding area

The Application Site

2.4 The application site is located within an area of lowland farmland known locally as the 'Welsh Gower'; approximately 1km south of Felindre, 760m west of Llwyncelyn and 1.4km north of Llangyfelach. Swansea lies approximately 5km to the south of the site. The site is roughly an 'L' shape and approximately 150ha in total, including the power generation plant site, and the electrical and gas connection opportunity areas. Three residential dwellings, Abergelli Farm, Abergelli fawr, and Lletty Morfil Farm are located within the site boundaries, as shown on Figure 2.

2.5 The Scoping Report identifies that the land is currently used for sheep and horse grazing, along with horse training and breeding. Most of the farmland is agriculturally improved grassland and classified as Grade 4 agricultural land; but also contains significant areas of marshy grassland and scattered woodland and scrub. The fields are largely bound by fences, with one section of species-poor hedgerow running north of Abergelli Farm.

2.6 A gas Nation Transmission System (NTS) Pipeline and water pipelines cross the site, while the western part of the site encompasses two National Grid 400KV electrical substations and Felindre gas compressor substation. Areas of the site have been previously subject to various permissions for mineral extraction, inert landfill and other commercial activities.

2.7 The Afon Llan flows in a south-westerly direction to the west and south of the site. The site is primarily within EA Flood Zone 1, although a small area to the south east of the site appears to lie within Zones 2 and 3. A number of springs issue on the site, with their associated drainage ditches and streams running along the field boundaries and discharging into the Afon Llan. Four water bodies have been identified within the survey site (see Appendix A: Preliminary Ecological Appraisal, paragraphs 4.24, 4.25 and 4.26). Numerous public footpaths, bridleways and tracks run through the site.

2.8 The geology of the site is characterised by boulder clay and the underlying Grovesend Beds, Upper Carboniferous sandstones and thin coals; overlain by glacial sand and gravel, alluvium and peat. The geology is overlain by raw gley and brown soils.

2.9 The Scoping Report states that the land within the power generation plant site (See figure 1: Project Site Plan) is approximately 90m Above Ordnance Datum (AOD), gently sloping downwards in a southerly direction. The wider application site also appears to be gently sloping.

2.10 Three Sites of Importance for Nature Conservation (SINCs) lie partially within the site (Rhyd-Y-Pandy Valley Grasslands, Warn Garn Wen and Llety Morphil). A further two SINCs are adjacent to the site, with Rhos Fawr SINC to the north, and Felindre Grasslands SINC to the south. The majority of woodland within the site is designated as Ancient Woodland.

2.11 There is potential habitat on the site to support European Protected Species, including bats, great crested newts, dormice and otters. The site could also support Barn Owls (Schedule 1 species) and nationally protected species, including reptiles, badgers and water voles. Breeding birds may also use the site. Figures 2a and 2b of the Preliminary Ecological Appraisal illustrate the areas on and around the site which have the potential to support protected species.

2.12 Following the results of the Phase 1 Habitat Survey, further Phase 2 protected species surveys are currently being carried out.

2.13 The invasive species Japanese knotweed and Himalayan balsam are present on the site.

The Surrounding Area

2.14 The area surrounding the application site is rural, but with a substantial amount of utilities infrastructure. A water treatment works is located immediately to the northwest, with the Cefn Betingau Solar Park to the east. A network of electricity pylons, to the south west of Abergelli Farm, link to the National Grid electrical substations. The surrounding habitats are similar to those on site, with areas of improved and marshy grassland interspersed with areas of woodland.

2.15 The closest Noise Sensitive Receptors (NSRs) are the settlements of Morriston, Pant-lasau, Llwyncelyn and Felindre, all within 1km of the site. The Scoping Report also identifies 19 isolated dwellings and farmsteads outside of these settlements but within 1km of the site.

2.16 The following nature conservation sites have been identified within 10km of the site:

- Nant Y Crimp Site of Special Scientific Interest (SSSI) – approximately 2.5km from the site.
- Penllergaer Railway Cutting SSSI – approximately 2.8km from the site.
- Penplas Grasslands SSSI – approximately 3.2km from the site.
- Glais Moraine SSSI – approximately 4km from the site.
- Cadle Heath Local Nature Reserve (LNR) – approximately 4.5km from the site.
- Camarthen Bay and Estuaries Special Area of Conservation (SAC) – approximately 7.2km from the site.
- Crymlyn Bog SAC and Ramsar – approximately 7.3km from the site.
- Burry Inlet Special Protection Area (SPA) and Ramsar (within the boundary of the Camarthen Bay and Estuaries SAC) – approximately 9.7km from the site.

2.17 The Burry Inlet SPA and Ramsar have been designated for their avian assemblage, including wintering oystercatcher, northern pintail, common redshank and red knot. The Camarthan Bay and Estuaries SAC is designated for a number of Annex I habitats, including sandbanks, estuaries, mudflats, sandflats; while the Crymlyn Bog SAC is designated for Annex I habitats including transition mires and quaking bogs, calcareous fens and alluvial forests.

2.18 There are 23 SINCs within 2km of the site. The locations and details of these features are identified in paragraph 4.7 of the Preliminary Ecological Appraisal.

2.19 The Scoping Report identifies 17 Scheduled Ancient Monuments (SAMs), a Grade I listed building, 7 Grade II* listed buildings, three Grade II Registered Parks and Gardens and 2 Conservation Areas within 5km of the site. The locations of these features are identified on Figure 3 of the Scoping Report. In addition, 47 Grade II listed buildings are located within 5km of the site.

2.20 The nearest Air Quality Management Area (AQMA) is Swansea Air Quality Management Area 2010, located in the Lower Swansea Valley, approximately 4.5km from the site. It has been declared primarily on the basis of traffic related nitrogen dioxide (NO_2).

Description of the proposed development

2.21 The proposed development would operate as a SCGT peaking plant, fuelled by natural gas and capable of producing electricity up to 299MW. To achieve 299MW, between one and five gas turbine generators would be built, with up to five exhaust gas flue stacks.

2.22 The gas turbine generators would comprise the following components:

- Inlet air filter;
- Air compressor;
- Combustion chamber;
- Power turbine(s);
- Exhaust silencer.

2.23 On entering the gas turbine(s), air would be compressed and natural gas injected into the air. The natural gas would then burn in the combustion chamber, before expanding across the blades of the gas turbine, driving the electrical generators to produce energy.

2.24 The waste gases and heat would then be released into the atmosphere via between one and five stacks. The stack(s) would contain equipment to reduce the emissions released into the atmosphere.

2.25 In order to adequately disperse emissions and to meet legislative air quality targets, a study would be undertaken to determine the minimum height of the stack(s).

2.26 The maximum area for the generating equipment site would be approximately 6ha. Depending on its final design, the generating equipment may be sited in a number of locations within this area (see Scoping Report, Figure 1: Project Site Plan). The detailed dimensions of the main plant items, which would be present in the generating equipment site, are stated in paragraph 3.3.15 of the Scoping Report. These figures indicate that the tallest element of the proposal (the stack(s)) would be a maximum of 60m in height.

2.27 The new gas connection would connect the generating equipment to a suitable fuel source, and would comprise a new underground gas pipeline connection and two above ground installations. The gas connection would be situated within the Gas Connection Opportunity Area as identified on Figure 1: Project Site Plan; with the exact location not yet decided. Termination of the gas connection would be at a Pipeline Inspection Gauge (PIG) Trap Facility (PTF) on the generating equipment site; incorporating a PIG receiving facility, emergency control valve (possible) and isolation valves.

2.28 The new electrical connection would comprise new electrical circuits (either in the form of an underground cable or overhead line) to allow power to be exported from the generating equipment to the National Grid. The electrical connection would be situated within the Electrical Connection Opportunity Area as identified on Figure 1: Project Site Plan; with the exact location not yet decided.

2.29 The final choice of the gas and electrical connection routes would be decided following further consultation and more thorough assessments of constraints and environmental impacts.

2.30 To accommodate the storage of plant and equipment during the construction phase, a temporary laydown area would be provided adjacent to the generating equipment site store. It is not proposed to allocate any land for this purpose beyond the construction phase. The exact location of the laydown area is not identified within the Scoping Report.

Alternatives

2.31 The following technology options were also considered for the generator plant: Combined Cycle Gas Turbine (CCGT) plant and Reciprocating Gas Engines (RGE) plant. SCGT was considered the most suitable technology choice for environmental, technical and financial reasons, as detailed in paragraph 3.6.4 of the Scoping Report.

Proposed access

2.32 The proposal site would be accessed from Junction 46 of the M4, via one of two routes currently being considered. Access Road Option 1 would be from the north via the Rhyd-y-pandy Road, following the access road west of Brynheulog past Abergelli Farm. Access Road Option 2 would be from the west via the B4489, along the access road to the National Grid electrical substations and then via a new access road to be constructed as part of the proposal. Both access options are illustrated on Figure 1 of the Scoping Report: Project Site Plan.

Construction

2.33 Construction and commissioning of the project would take approximately 22 months.

2.34 The main works would be the removal of hard standing, excavation and site levelling for new foundations, piling (if required) and the laying of the gas and electricity connections.

2.35 Construction is expected to employ between 140 and 250 workers.

2.36 A construction programme has not been included in the Scoping Report. The Scoping Report states that the ES will provide details of the construction programme, including construction activities, methods and working hours. An outline Construction Environmental Management Plan (CEMP) would be drafted and appended to the ES, providing details of specific mitigation measures required to reduce the construction related impacts.

Operation and maintenance

2.37 Once operational, the proposed development would generate up to 15 full time jobs, with staff working in shifts.

2.38 The generating equipment would operate for up to 1,500 hours per year.

2.39 The power generation plant would have an operational life of 25 years, after which time it would be decommissioned or re-powered.

Decommissioning

2.40 Decommissioning of the project would involve the removal of all power generation items, and the restoration of the site to a similar condition as before the development took place. This process would take approximately 22 months.

2.41 Some underground structures, such as the gas and electrical connections, may be left in situ for the purpose of avoiding any adverse environmental impacts arising from their removal. Where possible, items would be reused or recycled.

2.42 The decommissioning phase is expected to employ between 140 and 250 workers.

The Secretary of State's Comments

Description of the application site and surrounding area

2.43 In addition to detailed baseline information to be provided within topic specific chapters of the ES, the SoS would expect the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.

2.44 The ES should include a clear description of the application site which is to be the subject of the DCO, including detailed land levels, existing vegetation species, hard surfaces and the location of existing buildings. The ES should confirm if the application site has been previously developed, and if so, whether it has been subject to any remediation works.

2.45 The Scoping Report did not detail whether any areas of the site are at risk from flooding. EA data indicates that an area to the south west of the application site is within EA Flood Zones 2/3. The SoS notes that the ES is to contain a Flood Consequences document. This document should include a description of which areas of the site are at risk from flooding and the exact locations of all water courses on site, including springs, streams and drainage ditches.

Description of the proposed development

2.46 The applicant should ensure that the description of the proposed development that is being applied for is as accurate and firm as possible as this will form the basis of the environmental impact assessment. It is understood that at this stage in the evolution of the scheme the description of the proposals and even the location of the site may not be confirmed.

The applicant should be aware however, that the description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations and there should therefore be more certainty by the time the ES is submitted with the DCO.

2.47 If a draft DCO is to be submitted, the applicant should clearly define what elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter.

2.48 Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be considered as part of an integrated approach to environmental assessment.

2.49 The SoS recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include:

- Land use requirements;
- Site preparation;
- Construction processes and methods;
- Transport routes;
- Operational requirements including the main characteristics of the production process and the nature and quantity of materials used;
- Maintenance activities including any potential environmental impacts;
- Emissions - water, air and soil pollution, noise, vibration, light, heat, radiation.

2.50 The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.

2.51 The area identified on Figure 1 of the Scoping Report as 'Power Generation Plant Site' appears to be referred to as 'Generating Equipment Site' in other parts of the Scoping Report, for example in paragraph 3.3.11. To ensure clarity, it is requested that this area is consistently referred to by the same description.

2.52 When considering Figure 3 of the Scoping Report: Indicative Environmentally Sensitive Receptors, the SoS notes that due to the chosen colours, it is difficult to distinguish the Scheduled Monuments from some other features (e.g. SINCs, water bodies and LNRs). The ES should ensure to provide clearly distinguishable colours/symbols on all maps and figures, in order to ensure that specific features can be easily identified.

Alternatives

2.53 Schedule 4 Part 1 of the EIA Regulations requires that the applicant provides '*An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects'* (See Appendix 3). The SoS welcomes the consideration of alternative technology choices included in the Scoping Report (paragraph 3.6.4) and recommends these details are included in the ES. In addition, the ES should also provide details of other locations considered for the Power Generation Plant.

Flexibility

2.54 The applicant's attention is drawn to Advice Note 9 'Using the 'Rochdale Envelope' which is available on the Planning Inspectorate's website and to the 'Flexibility' section in Appendix 3 of this Opinion which provides additional details on the recommended approach.

2.55 The SoS notes, from the comments in paragraph 3.3.14 of the Scoping Report, that the detailed design and location of the power station is still being developed. The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. At the time of application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. It is a matter for the applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

2.56 It should be noted that if the proposed development changes substantially during the EIA process, prior to application submission, the applicant may wish to consider the need to request a new scoping opinion.

Proposed access

2.57 The ES should detail the proposed access routes for both construction and operational traffic.

Construction

2.58 The Secretary of State notes that no information has been provided in the Scoping Request regarding the size and exact location of the temporary laydown area. Whilst is it appreciated that this information may not be available at this stage in the evolution of the project, applicants are reminded that this information will be required in the ES.

2.59 The SoS considers that information on construction including: phasing of programme; construction methods and activities associated with each phase; siting of construction compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff) should be clearly indicated in the ES.

Operation and maintenance

2.60 Information on the operation and maintenance of the proposed development should be included in the ES and should cover but not be limited to such matters as: the number of full/part-time jobs; the operational hours and if appropriate, shift patterns; the number and types of vehicle movements generated during the operational stage.

Decommissioning

2.61 In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The process and methods of decommissioning should be considered and options presented in the ES. The SoS encourages consideration of such matters in the ES.

2.62 The Scoping Report (paragraph 3.3.17) indicates that the design life of the power generation plant is 25 years. The SoS recommends that the EIA covers the life span of the proposed development, including construction, operation and decommissioning.

3.0 EIA APPROACH AND TOPIC AREAS

Introduction

3.1 This section contains the SoS's specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 3 of this Opinion and should be read in conjunction with this Section.

3.2 Applicants are advised that the scope of the DCO application should be clearly addressed and assessed consistently within the ES.

Environmental Statement (ES) - approach

3.3 The information provided in the Scoping Report sets out the proposed approach to the preparation of the ES. Whilst early engagement on the scope of the ES is to be welcomed, the SoS notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the SoS or the consultees.

3.4 The SoS would suggest that the applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used. The SoS notes and welcomes the intention to finalise the scope of investigations in conjunction with on-going stakeholder liaison and consultation with the relevant regulatory authorities and their advisors.

3.5 The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

Matters to be scoped out

3.6 The applicant has identified in the relevant sections of the Scoping Report the matters proposed to be 'scoped out'. These include:

- Operational Air Quality Emissions of the Gas and Electrical Connections
- Operational Noise and Vibration Impacts of the Gas Connection

- Operational Noise Impacts of the Electricity Connection
- Water Framework Directive (WFD) Report (pending NRW agreement)
- Drainage / water quality impacts of the gas and electricity connections during the operational and decommissioning phases.
- Visual impacts upon the Gower AONB

3.7 Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the SoS.

3.8 It is stated within the Scoping Report that it is not intended to include the operational air quality emissions of the gas and electrical connections as these sections of the proposed development would not produce any significant emissions during the operational phase of the development; the SoS agrees that these impacts can be scoped out of the assessment.

3.9 Within the Scoping Report it is stated that it is not intended to include the operational noise or vibration impacts of the gas connection as this aspect of the proposed development would not produce any significant noise or vibration emissions during the operational phase; the SoS agrees that these impacts can be scoped out of the assessment.

3.10 It is stated within the Scoping Report that it is not intended to include the operational noise impacts of the electrical connection as this aspect of the proposed development would not produce any significant noise emissions during the operational phase. The SoS recommends that further justification be provided by the applicant for scoping out these potential effects, the SoS draws the attention of the applicant to the comments made by NRW in this respect.

3.11 Within the Scoping Report it is stated that the need for a Water Framework Directive Report has been scoped out of the assessment, pending agreement from NRW, as the development is not predicted to have any significant effects on any key water bodies. The SoS agrees that providing NRW indicates that no Water Framework Directive Report will be required for this development the provision of this report can be scoped out of the assessment.

3.12 It is stated within the applicants scoping report that any impact on drainage or water quality caused by the gas or electrical connections during the operational and decommissioning phases of the development will be scoped out of the assessment, as no significant drainage or water quality impacts are predicted to occur as a result of the presence of the connections during these phases of the proposed development.

The SoS recommends that the applicant provides further information regarding the potential for any below ground connections to form pathways for the transport of pollutants which may result from previous use of the land. NRW noted that at least part of the site was previously used as landfill.

3.13 Within the Scoping Report it is stated that visual impacts of the proposed development on the Gower Area of Outstanding Natural Beauty (AONB) will be scoped out of the assessment as the site is visually separated from the AONB by topography. The SoS expects that the ES should contain confirmation that the stacks required as part of the development, which will be up to 60m in height, will not be visible from the AONB. On the basis of providing such confirmation, the SoS agrees that these impacts may be scoped out of the assessment.

3.14 Whilst the SoS has not agreed to scope out certain topics or matters within the Opinion on the basis of the information available at the time, this does not prevent the applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES.

3.15 In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still explain the reasoning and justify the approach taken.

National Policy Statements (NPSs)

3.16 Sector specific NPSs are produced by the relevant Government Departments and set out national policy for nationally significant infrastructure projects (NSIPs). They provide the framework within which the Examining Authority will make their recommendations to the Secretary of State and include the Government's objectives for the development of NSIPs.

3.17 The relevant NPSs [EN-1, EN-2, EN-4 and EN-5] for the proposed development set out both the generic and technology-specific impacts that should be considered in the EIA for the proposed development. When undertaking the EIA, the applicant must have regard to both the generic and technology-specific impacts and identify how these impacts have been assessed in the ES.

3.18 The Secretary of State must have regard to any matter that the Secretary of State thinks is important and relevant to the Secretary of State's decision. This could include the draft NPS if the relevant NPS has not been formally designated.

Environmental Statement - Structure

3.19 Section 4.2 of the Scoping Report sets out the proposed structure of the ES on which the applicant seeks the opinion of the SoS.

3.20 The SoS notes that from the ES structure table (Scoping Report Table 4.1) that the EIA would cover a number of assessments under the broad headings of:

- Air Quality
- Noise and Vibration
- Ecology
- Water Quality and Resources
- Geology, Ground Conditions and Agriculture
- Landscape and Visual
- Traffic, Transport and Access
- Cultural Heritage and Archaeology; and
- Socio-Economics

3.21 The SoS recommends that the ES should include a description of how waste generated by the proposed development will be dealt with. The SoS also recommends that the potential impacts of electric and magnetic fields are addressed within the ES. The SoS draws the applicant's attention to the comments of Public Health England on this subject.

Topic Areas

Air Quality (see Scoping Report Section 5.3)

3.22 The nearest Air Quality Management Area (AQMA) is Swansea AQMA; it lies approximately 4.5 km from the Project Site and has been declared primarily on the basis of traffic related nitrogen dioxide (NO_2). The SoS considers that adverse change to air quality should be assessed in relation to compliance with European air quality limit values and any impact upon AQMAs.

3.23 The SoS considers that the site lies within a sensitive area that includes nationally and European-designated wildlife sites. Within 10 km of the site there are twenty SSSI's, 1 SPA , 2 SAC's, 1 National Nature Reserve and 23 SINC's, the potential impacts on which should be carefully assessed. There is the need to consider potential related effects due to an increase in airborne pollution including fugitive dust especially during site preparation, demolition and construction.

3.24 The ES should also include an assessment of potential air quality impacts on the Lower Lliw Reservoir as a result of both deposition and affected rainfall. The SoS notes the comments of Dwr Cymru (Welsh Water) in this respect.

3.25 The air quality assessment should use the APIS critical load function tool in order to calculate acid deposition process contributions/exceedances. The SoS draws attention to the comments of NRW in this respect.

3.26 The assessment should take account of the air emissions from the proposed development and emissions related to vehicular movements associated with the proposal. The SoS recommends that the implications of stack height and dispersion of the discharge be clearly explained within the ES.

3.27 The SoS recommends that the applicant agrees all modelling receptor locations with the City and County of Swansea and also that the applicant consults the City and County of Swansea regarding the proposed data inputs for the air quality model.

3.28 The SoS recommends that the applicant agrees which pollutants are to be modelled and the meteorological data to be used with the City and County of Swansea.

3.29 The SoS recommends that dispersion modelling considers a range of possibilities and seeks to ensure that the 'worst case' scenario is assessed, for example the 'worst case' may occur as a short term impact. There are a number of residential receptors within 1 km of the project site and suitable receptor locations for modelling purposes should be agreed with the relevant local authority and NRW. This may need to extend to densely populated areas just outside of the proposed study area. The SoS notes the comments of NRW in relation to the village of Llangyfelach in this respect. The SoS recommends that the applicant consider extending the proposed air quality study area to incorporate this village.

3.30 The SoS recommends that air quality and dust levels are considered not only on site but also off site, including along access roads, local footpaths and other public rights of way. Consideration should also be given to appropriate mitigation measures and to monitoring dust complaints.

3.31 The SoS recommends that the applicant works toward submitting their Environmental Permit application at least six months prior to the submission of their DCO application.

Noise and Vibration (see Scoping Report Section 5.4)

3.32 The SoS welcomes that the noise and vibration assessment methodology will accord with NPS EN-1 and will be agreed with the appropriate EHO at the City and County of Swansea.

The SoS notes the intention for noise monitoring locations for the baseline assessment to be agreed with the local EHO but draws attention to the comment from NRW that the discussion on noise monitoring also needs to be communicated to NRW with particular reference to an A1 EPR permit which will include noise conditions.

3.33 The SoS draws attention to the comments of NRW regarding the requirements of the Environmental Noise Directive, and the Environmental Noise (Wales) (Amendment) Regulations 2009, which have introduced a 'Noise Action Plan for Wales.' This covers industrial noise sources, impacts on designated Quiet Areas and the impact of creeping background, and should be taken into consideration by the applicant.

3.34 The SoS recommends that information be provided on the types of vehicles and plant to be used during the construction phase. Noise impacts on people should specifically be addressed and in particular any potential noise disturbance at night and other unsocial hours such as weekends and public holidays.

3.35 The SoS welcomes that the CEMP will set out best practice methods of limiting noise and vibration on site during construction and decommissioning.

3.36 The SoS recommends that the noise and vibration assessment takes account of traffic movements along access routes during the construction phase.

3.37 The noise assessment should accurately identify the proximity of the identified noise sensitive receptors to the proposed development. With regards to the operational noise assessment, this should cover all modes of operation of the proposed development. The applicant's attention is drawn to NRW's comments in these respects.

Ecology (see Scoping Report Section 5.5)

3.38 The SoS recommends that surveys are thorough, up to date and take account of other development proposed in the vicinity. The SoS notes the comments from NRW in support of the proposed further species surveys as proposed in the Phase 1 Habitat Survey; these surveys should follow best practice, current guidelines and be carried out by suitably qualified ecologists at appropriate times of the year. These should include surveys for otter in accordance with the recommendations of NRW. The SoS notes that the proposed development is within 10km of three European sites: Burry Inlet Ramsar Site and SPA, Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC.

3.39 The SoS directs the applicant to the comments of the City and County of Wales regarding the Afon Llan and its links to the Loughor Estuary / Burry Inlet.

The SoS recommends that the assessment considers any potential impacts on the nature conservation sites in this area. The SoS welcomes that the assessment will be carried out in accordance with NPS EN-1 and that the results of the Phase 1 Habitat Survey have informed which Phase 2 protected species surveys will be carried out.

3.40 The SoS notes the comments from NRW welcoming the re-surveying of the locally significant habitats in Spring/Summer, and expects there to be discussions with the Planning Ecologist for the local planning authority with regards to sensitive siting of the development to mitigate impacts to nature conservation interests. The SoS recommends that the proposals should fully address the need to protect and enhance biodiversity. The assessment should cover habitats species and processes.

3.41 The assessment should take into account air quality (including dust) and noise and vibration impacts, and cross reference should be made to these specialist reports.

3.42 The SoS welcomes that the CEMP will set out best practice methods of limiting effects on ecology and biodiversity during construction and decommissioning and that further specific mitigation measures will include the consideration of the provision of new habitat to suitably replace any habitat areas that would be permanently lost through the development of the project.

3.43 The SoS notes the comments of NRW regarding the presence of peat on site, and expects the ES to contain further clarification about the location of the peat and the impact of the proposed development upon it.

3.44 The SoS notes the comments of NRW regarding the potential impact to local watercourses and recommends the maintenance of open watercourses with wide buffer strips in the design of the development.

Water Quality and Resources (see Scoping Report Section 5.6)

3.45 The SoS welcomes that the applicant intends to consult both NRW and the Lead Local Flood Authority (LLFA) on the Flood Consequences Assessment. The SoS notes the comments of NRW that the assessment should include consideration of surface water drainage impacts and options for improving site surface water drainage to prevent localised flooding during extreme rainfall events.

3.46 The SoS recommends that the applicant considers temporary attenuation ponds to allow adequate settlement of site generated run-off during the construction and decommissioning phases of the development.

The SoS draws the attention of the applicant to NRW's comments that silt fencing, scour protection and Sedimats alone have been proven ineffective in this catchment due to its flashy nature.

3.47 The SoS recommends that the applicant ensures that it can be demonstrated that the surface water disposal scheme would cause no harm to local watercourses upon discharge.

3.48 The SoS welcomes that the CEMP will set out best practice methods of limiting impacts and on water quality and resources during construction and decommissioning.

3.49 The SoS notes the concerns of NRW regarding how sewage and waste waters would be managed at the site, the SoS recommends that details of proposed discharges are provided within the ES.

3.50 The SoS welcomes that during construction, operation and decommissioning silt raps and oil interceptors would be placed in drains on the site.

3.51 The SoS notes the applicant's intention to use SuDS if required and to minimise the amount of biocides used.

3.52 The SoS welcomes that oil and chemical storage tanks and drum storage areas are to be surrounded by an impermeable bund sized to contain 110% of capacity.

3.53 The SoS notes that NRW would set limits on the quantity of water that is discharged from the Power Generation Plant under an Environmental Permit.

3.54 The SoS notes the concerns of NRW regarding cooling water, it should be stated within the ES whether any cooling water would be required and if so where it would be derived from and discharged to.

3.55 The SoS notes the concerns of Dwr Cymru (Welsh Water) regarding the potential impact of the development on water quality within the Lower Lliw Reservoir. It is recommended that the applicant assesses potential impacts on this reservoir including potential impacts from deposition and affected rainfall.

3.56 The SoS recommends that the applicant consults Dwr Cymru regarding the 48" strategic water main that crosses the application site.

Geology, Ground Conditions and Agriculture (see Scoping Report Section 5.7)

3.57 The SoS welcomes that the assessment will follow the DEFRA / EA publication Contaminated Land Report 11, 2004 'Model Procedures for the Management of Land Contamination'.

3.58 The SoS welcomes that the CEMP will include best practice methods of limiting impacts on the land during both construction and decommissioning.

3.59 The SoS welcomes that any soils, sub-soils or aggregate suitable for reuse will be stockpiled on impermeable liners.

3.60 The SoS welcomes that the foundations of the development will be designed so as not to present a preferential pathway for contaminant migration if present at the project site. The SoS notes that this consideration should be extended to other works forming part of the development, including underground gas and electricity connections.

3.61 The SoS draws the attention of the applicant to the comments of the Coal Authority indicating that the site is in a Development High Risk Area, as the site has been subject to past coal mining activity and is located within an area of surface coal resource.

3.62 The SoS recommends that the applicant takes into consideration the location and stability of abandoned mine entries, the extent and stability of shallow mine workings, outcropping coal seams, unrecorded mine workings, hydrogeology, minewater and minegas.

3.63 The SoS recommends that the applicant consider, if surface coal resources are present, whether prior extraction of the mineral resource is practical and viable. The applicant should also consider whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings during site investigation or development work.

Landscape and Visual (see Scoping Report Section 5.8)

3.64 The SoS welcomes that the assessment will be carried out in accordance with NPS EN-1, using the methodology set out in the Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013).

3.65 The SoS notes that there are a number of residential receptors within 1 km of the project site including those in the nearby settlements of Morriston, Pant-Iasau and Llwyncelyn, Felindre, there are also 19 isolated dwellings or farmsteads. National Grid's two 400kV electrical substations and Felindre Gas Compressor Station lie in the western extent of the project site. Team Force Swansea Paintball Centre and a skip hire business as well as the M4 motorway lie approximately 1.5 km to the south.

3.66 The SoS welcomes the use of photomontages for key sensitive viewpoints. The SoS notes NRW's offer to provide advice on selected viewpoints and recommends consultation with both NRW and the City and County of Swansea on selected viewpoints.

Consideration should also be given to potential views from Brecon Beacons National Park and the National Park Authority should be consulted about viewpoints, given that the proposed development includes stacks up to 60m in height.

3.67 The SoS recommends that the applicant provides a description of existing landscape interests within and in the vicinity of the proposed development site.

3.68 The SoS recommends that lighting impacts be considered in the ES.

3.69 The SoS recommends that the applicant consider the inclusion of the following developments identified by the City and County of Swansea within the cumulative assessment:

- Planning Application 2012/1221 Mynydd y Gwair Wind Farm - Installation of 16 wind turbines (maximum height to blade tip of 127 metres with a hub height of 80 metres), with a maximum generating capacity of 48MW, associated tracks and ancillary infrastructure (including permanent and temporary anemometer masts, electrical substation compound, hardstandings, transformers and underground cabling) and construction of new access track from A48 (Bolgoed Road at Pontarddulais) (approximately 14.54km in length) incorporating improvements to 3.9km of existing road across Mynydd Pysgodlyn – Planning Permission March, 2013

- Planning Application 2006/0773 Felindre Business Park - Outline Planning Permission has been granted for a strategic business park for B1 and B2 uses to accommodate emerging industries, high tech manufacturing, high level services, ancillary uses, associated car parking, landscaping and access roads; and

- Planning Application 2014/1022 Solar park consisting of 47,000 solar panels with the installed capacity of 12.69 MW on land at Brynwhilach Farm.

3.70 The SoS also recommends that the proposed sustainable urban village at Felindre is considered within the assessment.

3.71 The SoS notes the comments of the Civil Aviation Authority (CAA) with regard to the proposed development. It is recommended that the applicant takes into account any concerns raised by the relevant aerodrome license holders / operators.

3.72 It is recommended that the applicant gives consideration to whether there would be any need for aviation warning lighting. The applicant should also seek the opinion of the local emergency services air support units.

3.73 The SoS draws the attention of the applicant to the comments of National Grid Electricity Transmission Plc in regard to the four high voltage electricity overhead transmission line which lie within the proposed order limits. The applicant should note National Grids right of access to maintain, repair and inspect their asset, the need to maintain the statutory electrical safety clearances at all times and the requirement that no permanent structures are built directly beneath overhead lines.

3.74 The SoS recommends that site staff should have an awareness of the Health and Safety Executive's guidance in relation to working safely near existing overhead lines Guidance Note GS 6 'Avoidance of Danger from Overhead Electric Lines'. Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any high voltage conductors when those conductors are in their worst conditions of maximum 'sag' and 'swing'.

3.75 The SoS recommends that where any landscaping is proposed, only slow and low growing species of trees and scrubs should be planted beneath and adjacent to the existing transmission line. The applicant should note that drilling and excavation work should not be undertaken if it has the potential to disturb or adversely affect the foundations of an existing tower.

3.76 The SoS notes the comments of National Grid Gas Plc in regard to the three existing gas pipelines and associated equipment which lie in close proximity to the proposed order limits. The applicant should remain aware that National Grid has a Deed of Grant of Easement for each pipeline, preventing the erection of permanent or temporary buildings or structures, changes to existing ground levels, storage of materials etc.

3.77 The SoS recommends that where construction traffic can not use existing roads it is agreed with National Grid at which locations construction traffic would cross any pipelines. The applicant should also note that written permission is required from National Grid before any works can commence in the National Grid easement strip.

3.78 The SoS recommends that the applicant takes note of National Grids requirements regarding the laying of cables across any pipeline as appropriate.

3.79 The SoS recommends that the applicant has an awareness of the Health and Safety Executive's guidance document HS(G) 47 'Avoiding Danger from Underground Services' and National Grid's specification for Safe Working in the vicinity of National Grid High Pressure gas pipelines and associated installations – requirements for third parties T/SP/SSW22.

3.80 The SoS notes that any excavations within 3m of a National Grid High Pressure Pipeline or within 10m of an above ground installation the exact depth and position of the pipeline will need to be confirmed on site under the supervision of a National Grid representative.

3.81 The SoS notes the comments made by the Health and Safety Executive in relation to electrical safety, it is recommended that it is ensured that the proposed design and future operations are compliant with the Electricity at Work Regulations 1989 and the Electricity, Safety, Continuity and Quality Regulations 2002 as amended.

3.82 The SoS notes the comments of Network Rail in regard to the installation of any cables under or over the railway, any methods of electricity transmissions across Network Rail's land or any access rights temporary or otherwise. Where applicable the applicant will be required to gain property agreements with Network Rail's Easements and Wayleaves Team.

Traffic, Transport and Access (see Scoping Report Section 5.9)

3.83 The SoS welcomes that the assessment will be undertaken in accordance with the 'Welsh Transport Planning and Appraisal Guidance (Wel TAG) and the Institute of Environmental Assessment's (IEA) 'Guidelines for the Environmental Assessment of Road Traffic' (1993).

3.84 The SoS welcomes that the CEMP will set out best practice methods of limiting impacts during construction and decommissioning.

3.85 The SoS welcomes that opportunities for reducing traffic movements will be explored such as car share schemes or shift working.

3.86 The SoS welcomes that proposed measures to improve access by public transport, walking and cycling will be provided for the operational phase.

3.87 The SoS recommends that the applicant consults Network Rail's Asset Protection Engineers if the development could result in abnormal loads using routes that include Network Rail assets such as level crossings / bridges etc.

Cultural Heritage and Archaeology (see Scoping Report Section 5.10)

3.88 The SoS notes that there are 17 Scheduled Monuments within 5 km of the project site there are also two conservation areas one Grade I and seven Grade II listed buildings and three Grade II Historic Parks and Gardens.

3.89 The SoS welcomes that the assessment will be carried out in accordance with NPS EN-1.

3.90 The SoS notes that the applicant may provide screen planting should the project give rise to any adverse impact on above ground heritage assets.

3.91 The SoS recommends the inclusion of aerial photographs within search information and draws the applicant's attention to the comments of Cadw in this regard.

3.92 The SoS directs the applicant to Cadw's comment regarding the referenced Standard and Guidance for Archaeological Assessment (2011) being superseded by the Standard and Guidance for historic environment desk-based assessment (2012).

3.93 The SoS notes the comments of Cadw in regard to the assessment on the setting of designated assets, it is recommended that photographs from each asset towards the development be produced and where an adverse impact is thought likely to occur a photomontage should be produced.

3.94 The SoS directs the applicant to Cadw's comment regarding the reference to Registered Battlefields; as not applicable in Wales this reference should be removed, but the ES should include consideration of potential impacts to Registered Historic Landscapes.

3.95 The SoS recommends that tranquillity be added to the list of factors considered relevant when assessing impacts on setting.

Socio Economics (see Scoping Report Section 5.11)

3.96 The SoS notes that the applicant intends to employ between 150 and 250 personnel and that subject to procurement rules it is anticipated that as many as possible of these staff will be recruited locally.

3.97 The SoS notes that the operation of the generating equipment will require up to 15 full time staff over the lifetime of the project working in shifts and that in addition there will be indirect jobs for contracted engineering staff during regular maintenance shutdowns and maintenance of the Gas and Electrical connections.

3.98 The SoS welcomes that the assessment will be carried out in accordance with NPS EN-1 and will consider all relevant socio-economic impacts such as tourism, influxes of workers and cumulative impacts.

3.99 The SoS welcomes that during construction, operation and decommissioning an effort will be made to use local goods and services, wherever possible.

3.100 The SoS recommends that the applicant provides justification for this choice of simple cycle gas turbine within the ES and directs the applicant to the comments of NRW indicating that this turbine choice is not considered to represent Best Available Technique (BAT).

4.0 OTHER INFORMATION

4.1 This section does not form part of the SoS's Opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the SoS has identified which may help to inform the preparation of the application for the DCO.

Habitats Regulations Assessment (HRA)

4.2 The applicant's attention is drawn to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (The APFP Regulations) and the need to include information identifying European sites to which the Habitats Regulations applies or any Ramsar site or potential SPA which may be affected by a proposal. The SoS notes that Burry Inlet Ramsar Site and SPA, Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC are all located with 10km of the proposed development site. The submitted information should be sufficient for the Competent Authority (CA) to make an appropriate assessment (AA) of the implications for the site if required by Regulation 61(1) of the Habitats Regulations. The applicant should note that the CA is the SoS.

4.3 The report to be submitted under Regulation 5(2)(g) of the APFP Regulations with the application must deal with two issues: the first is to enable a formal assessment by the CA of whether there is a likely significant effect; and the second, should it be required, is to enable the carrying out of an AA by the CA.

4.4 When considering aspects of the environment likely to be affected by the proposed development; including flora, fauna, soil, water, air and the inter-relationship between these, consideration should be given to the designated sites in the vicinity of the proposed development.

Sites of Special Scientific Interest (SSSIs)

4.5 The Secretary of State notes that two SSSIs are located within 5km of the proposed development; Nant y Crimp SSSI and Penplas grasslands SSSI. Where there may be potential impacts on the SSSIs, the SoS has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.

4.6 Under s28(G), the SoS has a general duty '… to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest'.

4.7 Under s28(I), the SoS must notify the relevant nature conservation body (NCB), NRW in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the SoS must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.

4.8 If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the SoS. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(l) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

European Protected Species (EPS)

4.9 Applicants should be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive. Where a potential risk to an EPS is identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests[2] in Regulation 53 of the Habitats Regulations. Therefore the applicant may wish to provide information which will assist the decision maker to meet this duty.

4.10 If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.

4.11 Applicants are encouraged to consult with NRW and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NRW whether any issues have been identified which would prevent the EPS licence being granted.

4.12 Generally, NRW are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed.

[2] Key case law re need to consider Article 16 of the Habitats Directive: Woolley vs East Cheshire County Council 2009 and Morge v Hampshire County Council 2010.

For NSIPs, NRW will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NRW will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NRW consider the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The applicant is responsible for ensure draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NRW.

4.13 Ecological conditions on the site may change over time. It will be the applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals[3]. Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals. In Wales, the focus is on evidencing the demonstration of no detriment to the maintenance of favourable conservation status (FCS) of the population or colony of EPS potentially affected by the proposals. This approach will help to ensure no delay in issuing the licence should the DCO application be successful.

4.14 In Wales, assistance may be obtained from NRW's Regional Species Teams. These Teams provide advice on a range of issues concerning EPS including advice on compensation site design, measures to mitigate incidental capture/killing, evidencing compliance and post project surveillance. The service is free of charge and entirely voluntary. Regional Species Teams can be contacted via NRW's Enquiry Service. Further information is available from the following link:

http://naturalresourceswales.gov.uk/apply-buy-report/apply-buy-grid/protected-species-licensing/european-protected-species-licensing/?lang=en

Health Impact Assessment

4.15 The SoS considers that it is a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA).

[3] Key case law in respect of the application of the FCS test at a site level: Hafod Quarry Land Tribunal (Mersey Waste (Holdings) Limited v Wrexham County Borough Council) 2012, and Court of Appeal 2012.

However, the applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from Public Health England in relation to emissions to air and the Health and Safety Executive in relation to electrical safety issues (see Appendix 2).

4.16 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Other regulatory regimes

4.17 The SoS recommends that the applicant should state clearly what regulatory areas are addressed in the ES and that the applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.

4.18 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the SoS will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The applicant is encouraged to make early contact with other regulators. Information from the applicant about progress in obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the SoS.

Transboundary Impacts

4.19 The SoS has noted that the applicant has not indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.

4.20 Regulation 24 of the EIA Regulations, which *inter alia* require the SoS to publicise a DCO application if the SoS is of the view that the proposal is likely to have significant effects on the environment of another EEA state and where relevant to consult with the EEA state affected. The SoS considers that where Regulation 24 applies, this is likely to have implications for the examination of a DCO application.

4.21 The SoS recommends that the ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

APPENDIX 1

List of Consultees

APPENDIX 1

LIST OF BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

CONSULTEE	**ORGANISATION**
SCHEDULE 1	
The Welsh Ministers	Welsh Government
The Health and Safety Executive	Health and Safety Executive
The Relevant Fire and Rescue Authority	Mid and West Wales Fire and Rescue
The Relevant Police and Crime Commissioner	Dyfed-Powys Police
The Relevant Parish Council(s) or Relevant Community Council	Llanedi Community Council
	Pontarddulais Community Council
	Betws Community Council
	Pontardawe Town Council
	Cwmamman Town Council
	Mawr Community Council
	Pontlliw and Tircoed
	Penllergaer
	Llangyfelach
	Clydach Community Council
The Equality and Human Rights Commission	Equality and Human Rights Commission
Royal Commission On Ancient and Historical Monuments Of Wales	Royal Commission On Ancient and Historical Monuments Of Wales
The Natural Resources Body for Wales	Natural Resources Wales
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	City and County of Swansea - Highways
The Passengers Council	Passenger Focus
The Disabled Persons Transport Advisory Committee	Disabled Persons Transport Advisory Committee
The Coal Authority	The Coal Authority
The Office Of Rail Regulation	Office of Rail Regulation (Customer Correspondence Team Manager)
Approved Operator	Network Rail Infrastructure Ltd
Approved Operator	Network Rail (CTRL) Ltd
The Gas and Electricity Markets Authority	OFGEM
The Water Services Regulation Authority	OFWAT
The Canal and River Trust	The Canal and River Trust
Public Health England, an executive agency to the Department of Health	Public Health England

The Relevant Local Resilience forum	Dyfed Powys LRF Partnership Team
The Crown Estate Commissioners	The Crown Estate
The Natural Resources Body for Wales	Natural Resources Wales
The relevant local heath board	Abertawe Bro Morgannwy University LHB
The National Health Service Trusts	Health Protection Team Public Health Wales
The National Health Service Trusts	Welsh Ambulance Services Trust
The National Health Service Trusts	Velindre NHS Trust
RELEVANT STATUTORY UNDERTAKERS	
Relevant Statutory Undertakers (s.8 ALA 1981)	
Railway	Network Rail Infrastructure Ltd
Railways	Highways Agency Historical Railways Estate
Water Transport	The Canal and River Trust
Dock	Swansea Port
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route (NERL) Safeguarding
Universal Service Provider	Royal Mail Group
Water and Sewage Undertakers	Dwr Cymru (Welsh Water)
Public Gas Transporter	Energetics Gas Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	LNG Portable Pipeline Services Limited
	National Grid Gas Plc
	National Grid Plc
	Quadrant Pipelines Limited
	SSE Pipelines Ltd
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
Electricity Distributors With CPO Powers	Energetics Electricity Limited
	ESP Electricity Limited
	Independent Power Networks Limited
	The Electricity Network Company Limited

Electricity Transmitters With CPO Powers	National Grid Electricity Transmission Plc
	National Grid Plc
LOCAL AUTHORITIES (SECTION 43)	
A county council, or county borough council , in Wales	Swansea Council
	Neath Port Talbot County Borough Council
	Camarthenshire Council
NON-PRESCRIBED CONSULTATION BODIES	
Welsh Language Commissioner	Welsh Language Commissioner
CADW	Cadw

APPENDIX 2

Respondents to Consultation and Copies of Replies

APPENDIX 2

LIST OF BODIES WHO REPLIED BY THE STATUTORY DEADLINE

Betwys Community Council
Cadw
City and County of Swansea
Civil Aviation Authority
Dwr Cymru (Welsh Water)
Energetics Gas Limited
E S Pipelines Ltd, ESP Electricity Ltd, ESP Pipelines Ltd, ESP Connections Ltd and ESP Networks Ltd
Fulcrum Pipelines Limited
GTC Pipelines Limited
Health and Safety Executive
NATs Safeguarding
National Grid Electricity Plc
National Grid Gas Plc
Natural Resources Wales
Neath Port Talbot County Borough Council
Network Rail
Public Health England
The Coal Authority

Cyngor Cymuned **BETWS** Community Council

Cerith W Griffiths
Clerc i'r Cyngor

77, Heol Cwmfferws
Tycroes
Rhydaman
Sir Gaerfyrddin
SA18 3TU

Ffôn: 01269 268541

Cyfeiriad e-bost:
Betwscommunitycouncil@hotmail.co.uk

Cerith W Griffiths
Clerk to the Council

77, Cwmfferws Road
Tycroes
Ammanford
Carmarthenshire
SA18 3TU

Tel: 01269 268541

Email Address:
Betwscommunitycouncil@hotmail.co.uk

Eich cyf / Your ref: ***EN100069***

Fy nghyf/ My ref:

Dyddiad / Date: 10th July 2014

The Planning Inspectorate
3/18, Eagle Wing
Temple Quay House
2, The Square
Bristol
BS1 6PN

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Dear Sir/Madam,

RE: APPLICATION BY ABERGELLI POWER LTD. FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE ABERGELLI POWER PROJECT

I refer to your letter dated 26th June 2014 regarding the above application, and confirm that Betws Community Council have no comments to make.

Yours sincerely

[redacted]

C W Griffiths (Clerk)

Hannah Nelson

From: Smailes Baggy <Baggy.Smailes@caa.co.uk>
Sent: 30 June 2014 08:47
To: Environmental Services
Subject: Abergelli Power Project Scoping Comment - EN010069

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

Proposed Abergelli Power Project – Scoping Comment

Thank you for The Planning Inspectorate's recent correspondence relating to the subject development. The Inspectorate sought related Civil Aviation Authority (CAA) scoping comment; I trust the following is useful.

I note from the Scoping Report (SR) that the tallest associated structures are expected to be between 1 and 5 chimney stacks that would each have a height of up to 60metres (m). On that basis I belief the following (potential) issues are worthy of consideration:

- Aerodromes. In respect of any potential aerodrome related issue, I should highlight the need to check any safeguarding maps lodged with relevant planning authorities to identify any aerodrome specific safeguarding issues. To that effect, I note the relatively close proximity of Swansea Airport to the development site. Noting that aerodrome safeguarding responsibility rests in all cases with the relevant aerodrome operator / licensee, not the CAA, it is important that the related viewpoints of any relevant aerodrome license holders / operators is established and any concerns expressed appropriately mitigated.

- Aviation Warning Lighting:

- In the UK, the need for aviation obstruction lighting on 'tall' structures depends in the first instance upon any particular structure's location in relationship to an aerodrome. If the structure constitutes an 'aerodrome obstruction' it is the aerodrome operator that with review the lighting requirement. For civil aerodromes, they will, in general terms, follow the requirements of CAP 168 - Licensing of Aerodromes. This document can be downloaded from the Civil Aviation CAA website at www.caa.co.uk/docs/33/CAP168.PDF - Chapter 4 (12.8) refers to obstacle lighting.
- Away from aerodromes Article 219 of the UK Air Navigation Order applies. This Article requires that for en-route obstructions (ie away from aerodromes) lighting only becomes legally mandated for structures of a height of 150m or more. However, structures of lesser high might need aviation obstruction lighting if, by virtue of their location and nature, they are considered a significant navigational hazard.
- Cranes, whether in situ temporarily or long term are captured by the points heighted above. Note that if a crane is located on top of another structure, it is the overall height (structure + crane) than is relevant.
- In this case, given the assumed maximum height of 60m, Article 219 would not apply. In the event that there is no aerodrome issue I can advise that the CAA would not in isolation make any case for lighting.

- Gas Venting and/or Flaring. It is assumed that the new facility is not intended to vent or flare gas either routinely or as an emergency procedure such as to cause a danger to overlying aircraft. If

that is not the case parties are invited to use myself as an appropriate point of contact for any further related discussion.

- Aviation Promulgation. There is a civil aviation requirement in the UK for all structures over 300 feet high to be charted on aviation maps. It follows that, at 60m (197ft) high, there is no en-route (ie non-aerodrome specific) civil aviation charting requirement. However, if crane usage in the construction phase involves heights of 300ft or more, the temporary structure will need to be appropriately notified. For temporary structures this notification can be achieved through the publication of a **Not**ice to **A**ir**m**en (NOTAM). If needed by virtue of temporary use of cranes such that the 300ft threshold is breached a NOTAM can be arranged through the developer providing related details to the CAA's Airspace Utilisation Section (ausops@caa.co.uk / 0207 453 6599).

- Military Aviation. For completeness, the Ministry of Defence position in regards to the proposed development and military aviation activity should be established.

- I should also add that that due to the unique nature of associated operations in respect of operating altitudes and potentially unusual landing sites, it would also be sensible to establish the related viewpoint of local emergency services air support units.

I believe that any associated Environmental Statement / Development Consent Order (or equivalent / similar) would be expected to acknowledge and where applicable address the issues highlighted above and accordingly the scoping opinion should make related comment.

Whilst none of the above negates any aforementioned need to consult in line with Government requirements associated with the safeguarding of aerodromes and other technical sites (Government Circular 1/2003 refers), I hope this information matches your requirements. Please do not hesitate to get in touch if you require any further comment or needs clarification of any point.

Mark Smailes
Airspace Regulator
Safety and Airspace Regulation Group
Civil Aviation Authority
CAA House
45-59 Kingsway
London WC2B 6TE

Tel: 0207 453 6545

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Plas Carew, Uned 5/7 Cefn Coed
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Ebost cadw@wales.gsi.gov.uk
Gwefan www.cadw.wales.gov.uk

Plas Carew, Unit 5/7 Cefn Coed
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Jenny Colfer
The Planning Inspectorate
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Bristol
BS1 6PN

Eich cyfeirnod Your reference	EN010069
Ein cyfeirnod Our reference	AD
Dyddiad Date	24 July 2014
Llinell uniongyrchol Direct line	01443 336097
Ebost Email:	Adele.davies42@wales.gsi.gov.uk

Dear Ms Colfer

PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (AS AMENDED) – REGULATION 8

APPLICATION BY ABERGELLI POWER LIMTED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE ABERGELLI POWER PROJECT

SCOPING CONSULTATION WITH NON PRESCRIBED CONSULATION BODIES

Thank you for your letter of 26 June 2014 inviting Cadw's comments on the above.

This consultation is in regard to the scoping of the Cultural Heritage and Archaeology section of an Environmental Impact Assessment for a proposed Power Station.

The designated historic assets listed in the document as being inside 5km of the application area concurs with the information on Cadw's database.

In section 10.5.7 searches should include aerial photographs as held by Central Register of Air Photography for Wales and also LiDAR information held by National Resources Wales.

Section 5.10.8 Standard and Guidance for archaeological assessment (Institute for Archaeologists 2011) has been superseded by Standard and Guidance for historic environment desk-based assessment (Institute for Archaeologists 2012) and the work should be undertaken in accordance with that document.

Section 5.10.11 In order to assist the assessment on the setting of designated assets, photographs from each asset towards the development site should be produced. Where it is clear that an adverse impact will occur than a photomontage should be produced.

Section 5.10.12 Registered Battlefields should be removed from this list as no such register exists in Wales, although Registered Historic Landscapes should be added.

Section 5.10.14 Tranquillity should be added to this list.

Finally, as the work required to determine the magnitude of impact will need to be assessed using professional judgement by a competent expert, it is strongly recommended that this work should be undertaken by a Member of the Institute for Archaeologists (IfA) and ideally an IfA registered organisation.

Yours sincerely

[redacted]

Adele Davies
Diogelu a Pholisi/ Protection and Policy

Hannah Nelson

From: Alan Slee <alans@espipelines.com>
Sent: 28 July 2014 15:59
To: Environmental Services
Subject: RE: Reference: PE126442. Plant Not Affected Notice from ES Pipelines

Dear Jenny,

Thanks for your call and this often raises some confusion. ESP Gas Group has been renamed ESP Utilities Group Limited and this standard response template is embedded in our database and is subject to revision at some stage soon on the next update tranche. The company status has not changed in as much that ESP Utilities Group Ltd consists of the 5 licensed companies (referred to as 'subsidiary brands' on our website) consisting E S Pipelines Ltd, ESP Electricity Ltd, ESP Pipelines Ltd, ESP Connections Ltd and ESP Networks Ltd. They are all operated from our offices in Leatherhead and to avoid confusion and multiple and voluminous copies prefer to respond in 'bulk'. All our asset data is held at one location and the response is based upon a companywide search incorporating all gas and electricity assets that we own and manage and that fall under our statutory undertakers obligations.

Regards,

Alan Slee
Operations Manager

DD 01372 227567
Mobile 07766 802070
Fax 01372 386203
www.esputilities.com

From: Environmental Services [mailto:EnvironmentalServices@infrastructure.gsi.gov.uk]
Sent: 28 July 2014 15:54
To: Alan Slee
Subject: RE: Reference: PE126442. Plant Not Affected Notice from ES Pipelines

Dear Mr Slee

Thank you for your response to the scoping consultation in relation to the Abergelli Power Project. Please can you confirm by reply to this email that you are responding on behalf of E S Pipelines Ltd, ESP Electricity Ltd, ESP Pipelines Ltd, ESP Connections Ltd and ESP Networks Ltd.

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans

The Planning Inspectorate, 3/18 Eagle Wing, Temple Quay House, Temple Quay, Bristol BS1 6PN

Direct Line: 0303 444 5532
Helpline: 0303 444 5000
Email: jenny.colfer@pins.gsi.gov.uk

Web: www.planningportal.gov.uk/planninginspectorate (Planning Inspectorate casework and appeals)
Web: www.planningportal.gov.uk/infrastructure (Planning Inspectorate's National Infrastructure Planning portal)

Twitter: @PINSgov

This communication does not constitute legal advice.
Please view our Information Charter before sending information to the Planning Inspectorate.

From: ES Pipelines [mailto:email@espipelines.com]
Sent: 01 July 2014 11:41
To: Environmental Services
Subject: Reference: PE126442. Plant Not Affected Notice from ES Pipelines

Environmental Services
The Planning Inspectorate

1 July 2014

Reference: EN010069 Abergelli Power Project Scoping Consultat

Dear Sir/Madam,

Thank you for your recent plant enquiry at: Abergelli Power Project

I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espipelines.com

Yours faithfully,

Alan Slee
Operations Manager

Hannah Nelson

From: Claire Ferguson <claire.ferguson@energetics-uk.com>
Sent: 27 June 2014 11:48
To: Environmental Services
Subject: EN010069

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Thank you for submitting your recent plant enquiry.

Based on the information provided, I can confirm that Energetics **does not** have any plant within the area(s) specified in your request.

Please be advised that it may take around 10 working days to process enquiries. In the unlikely event that you have been waiting longer than 10 working days, or require further assistance with outstanding enquiries, please call 01698 404945.

Please ensure all plant enquiries are sent to plantenquiries@energetics-uk.com

Regards

Claire **Ferguson**
Technical Clerical Team

Energetics Design & Build
International House
Stanley Boulevard
Hamilton International Technology Park
Glasgow
G72 0BN

t: 01698 404979
f: 01698 404940

e: claire.ferguson@energetics-uk.com
w: www.energetics-uk.com

Hannah Nelson

From: Penlington, Graham <Graham.Penlington@fulcrum.co.uk> on behalf of &box_FPLplantprotection_conx, <FPLplantprotection@fulcrum.co.uk>
Sent: 02 July 2014 16:27
To: Environmental Services
Subject: RE: EN010069 Abergelli Power Project Scoping Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for asking Fulcrum Pipelines Limited to examine your consultation document for the above project.

We can confirm that Fulcrum Pipelines Limited have no comments to make on this scoping report. Please note that we are constantly adding to our underground assets and would strongly advise that we are consulted prior to undertaking any excavations.

Please note that other gas transporters may have plant in this locality which could be affected.

We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

If you need any help or information simply contact Fulcrum on 0845 641 3060

To save you time, any future requests for information about our plant, can be emailed to FPLplantprotection@fulcrum.co.uk

GRAHAM PENLINGTON
Process Assistant

FULCRUM

Tel: 0845 641 3060
Direct Dial: 01142 804 175
Email: Graham.Penlington@fulcrum.co.uk
Web: www.fulcrum.co.uk

Hannah Nelson

From: Tom.Anderson@gtc-uk.co.uk
Sent: 27 June 2014 10:56
To: Environmental Services
Subject: EN010069

Follow Up Flag: Follow up
Flag Status: Flagged

Hi

With regard to the above ref we have no comment to make

Kind Regards

Tom Anderson
Engineering Support Officer

GTC
Engineering
Energy House
Woolpit Business Park
Woolpit
Bury St. Edmunds
Suffolk
IP30 9UP
Tel: 01359 243376 (ext. 3376)
Fax: 01359 244046
Email: tom.anderson@gtc-uk.co.uk
Web: www.gtc-uk.co.uk

HSE

Health and Safety Executive

HID Policy - Land Use Planning
NSIP Consultations
Building 5.S.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: EN010069
Our ref: 4.2.1.4172

HSE email: NSIP.applications@hse.gsi.gov.uk

FAO Jenny Colfer
The Planning Inspectorate
3/18 Eagle Wing,
Temple Quay House
2 The Square, Bristol
BS1 6PN

Dear Ms Colfer

21st July 2014

PROPOSED ABERGELLI POWER PROJECT (the project)
PROPOSAL BY ABERGELLI POWER LTD (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (as amended) – Regulations 8 and 9

Thank you for your letter of 26th June 2014 regarding the information to be provided in an environmental statement relating to the above project.

HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

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

By necessity, the proposal will be in close proximity to a number of Major Accident Hazard pipelines located mainly to the north of the proposed site.

If the site has occupied buildings, the positioning should take into account HSE land-use planning guidance (http://www.hse.gsi.gov.uk/landuseplanning/index.htm). If these are buildings necessarily considered to be part of the establishment, HSE is unlikely to advise against the proposed development in its current form.

Hazardous Substance Consent

The developer is advised to consider whether storage of hazardous substances is involved and, if so, whether Hazardous Substances Consent would be required. Further information on Hazardous Substances Consent should be sought from the Hazardous Substances Authority.

The presence on, under or above land of certain hazardous substances, at above se threshold quantities (Controlled Quantities), may require Hazardous Substances Consent under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which Consent is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 1992 as amended by the Planning (Control of Major Accident Hazards) Regulations 1999 and The Planning (Hazardous Substances) (Amendment) (England) Regulations 2009 & 2010.

Hazardous Substances Consent would be required if the proposal includes storage or use any of the named or generic categories of substances/preparations at or above the controlled quantities set out in Schedule 1 of these Regulations.

Explosives sites

The proposed Abergelli Power Project development does not impinge on the separation distances of any explosives licensed site in the vicinity of the application.

Electrical Safety

The project involves connections to electrical power distribution systems and has an impact on the existing generation, transmission and distribution assets on the UK mainland. In the light of that, HSE offers the following comments:

As well as satisfying general health and safety legislation (ie the Health and Safety at Work etc Act 1974 and supporting regulations), the proposed design and future operations must comply with the Electricity at Work Regulations 1989 and the Electricity, Safety, Continuity and Quality Regulations 2002 as amended. Generators, distributors, their contractors and others have defined duties in order to protect members of the public from the dangers posed by the electrical equipment used. HSE enforces the safety aspects of these regulations. If you have any doubts about the particular application of these regulations in terms of either the operation or construction of generators, substations, overhead lines or underground cables please contact Mr J C Steed, Principle Specialist Electrical Inspector, either at john.steed@hse.gsi.gov.uk or Rose Court GSW, 2 Southwark Bridge Road, London, SE1 9HS.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Miss Laura Evans
NSIP Consultations
5.S.2 Redgrave Court
Merton Road
Bootle, Merseyside
L20 7HS

Yours sincerely,

[redacted]

Laura Evans
HID Policy - Land Use Planning

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Land and Development
Laura Kelly
Town Planner
Laura.kelly@nationalgrid.com
Direct tel: +44 (0)1926 654686

www.nationalgrid.com

SUBMITTED VIA EMAIL TO:
enviromentalservices@infrastructure.gsi.gov.uk

08 July 2014

Your Ref: EN010069

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (As Amended)- Regulations 8 and 9

Application by Abergelli Power Limited for an order granting development consent for the Abergelli Power Project

Scoping consultation and notification of the applicants contact details and duty to make available information to the applicant if requested

This is a joint response by National Grid Electricity Transmission plc (NGET) and National Grid Gas plc (NGG)

I refer to your letter dated 26th June 2014 regarding the above proposed application. Having reviewed the Scoping report documents, I would like to make the following comments:

National Grid Infrastructure within or in close proximity to the Proposed Order Limits

National Grid Electricity Transmission

National Grid Electricity Transmission has four high voltage electricity overhead transmission lines which lie within the proposed order limits. These lines form an essential part of the electricity transmission network in England and Wales and details are as follows:

- 4YV-400kV Overhead Transmission Line – Pembroke- Walham
  Pembroke- Swansea
- 4YW- 400kV Overhead Transmission Line- Pembroke-Swansea
- 4YW- 400kV Overhead Transmission Line- Clifynydd- Swansea
- 4YU – 400kV Overhead Transmission Line- Pembroke- Walham
  Clifynydd- Swansea

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

The following two substations are also located within the proposed order limits:

- Swansea North 400kV Substation
- Swansea North 275kV Substation

I enclose plans showing the routes of our overhead line and the location of our substation within the area shown on the 'DCO Site & Development Land Parcels' plan.

The following points should be taken into consideration:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset

- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004) available at: http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/appendixIII/appIII-part2

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.

- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above

To view the Development Near Lines Documents. Please use the link below:

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/development-near-ohl/

National Grid Gas Transmission

National Grid has three high pressure gas transmission pipelines and associated equipment located within and in close proximity to the proposed order limits. Details are as follows:

- FM28- Herbrandston- Felinfre
- FM28- Felindre- Three Cocks
- FM28- Felindre- Clifrew

National Grid Gas Distribution

National Grid has no gas distribution apparatus within the proposed order limits

Specific Comments – Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement

Cables Crossing:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW/safeworking.htm

To download a copy of the HSE Guidance HS(G)47, please use the following link:
http://www.hse.gov.uk/pubns/books/hsg47.htm

Further information in relation to National Grid's gas transmission pipelines can be accessed via the following internet link:

http://www.nationalgrid.com/uk/LandandDevelopment/DDC/gastransmission/gaspipes/

Further Advice

We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus protective provisions will be required in a form acceptable to it to be included within the DCO.

Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following: DCOConsultations@nationalgrid.com as well as by post to the following address:

The Company Secretary
1-3 The Strand
London
WC2N 5EH

In order to respond at the earliest opportunity National Grid will require the following:

- Draft DCO including the Book of Reference and relevant Land Plans
- Shape Files or CAD Files for the order limits

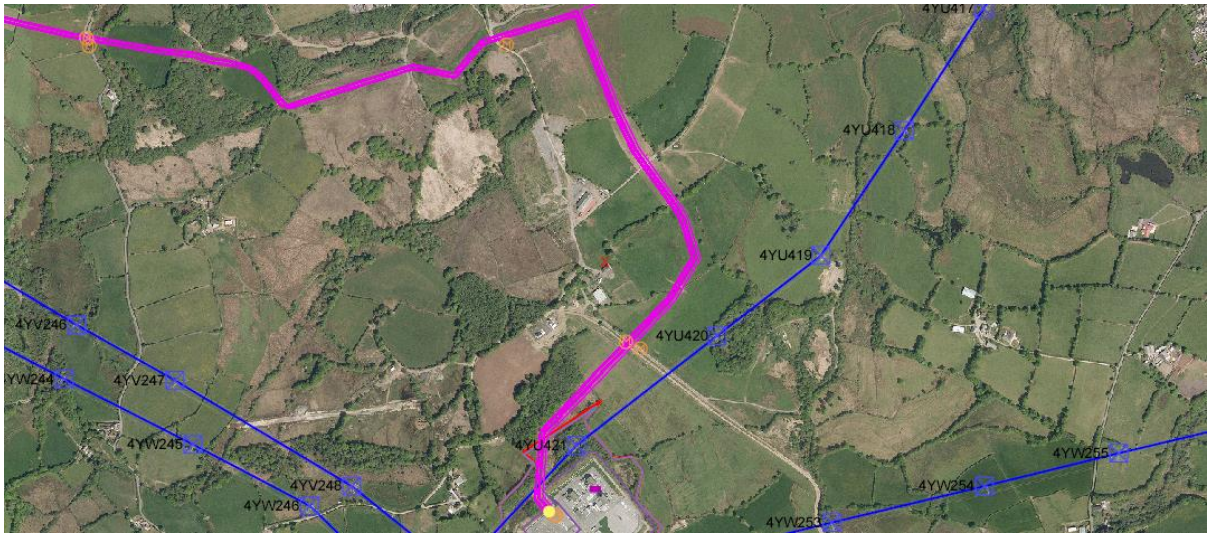
I hope the above information is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours sincerely

Laura Kelly

(Submitted Electronically)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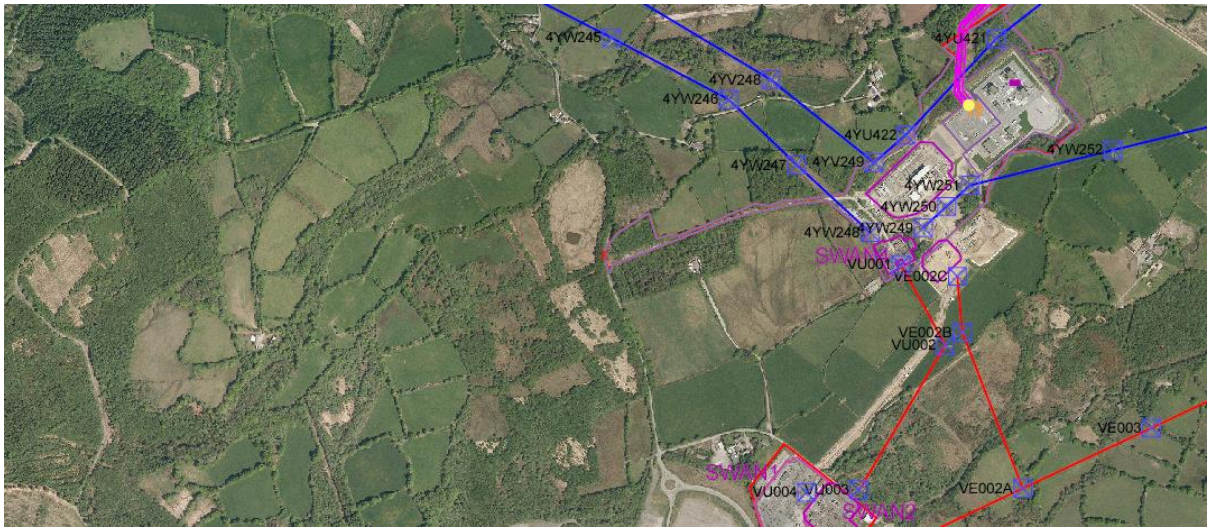
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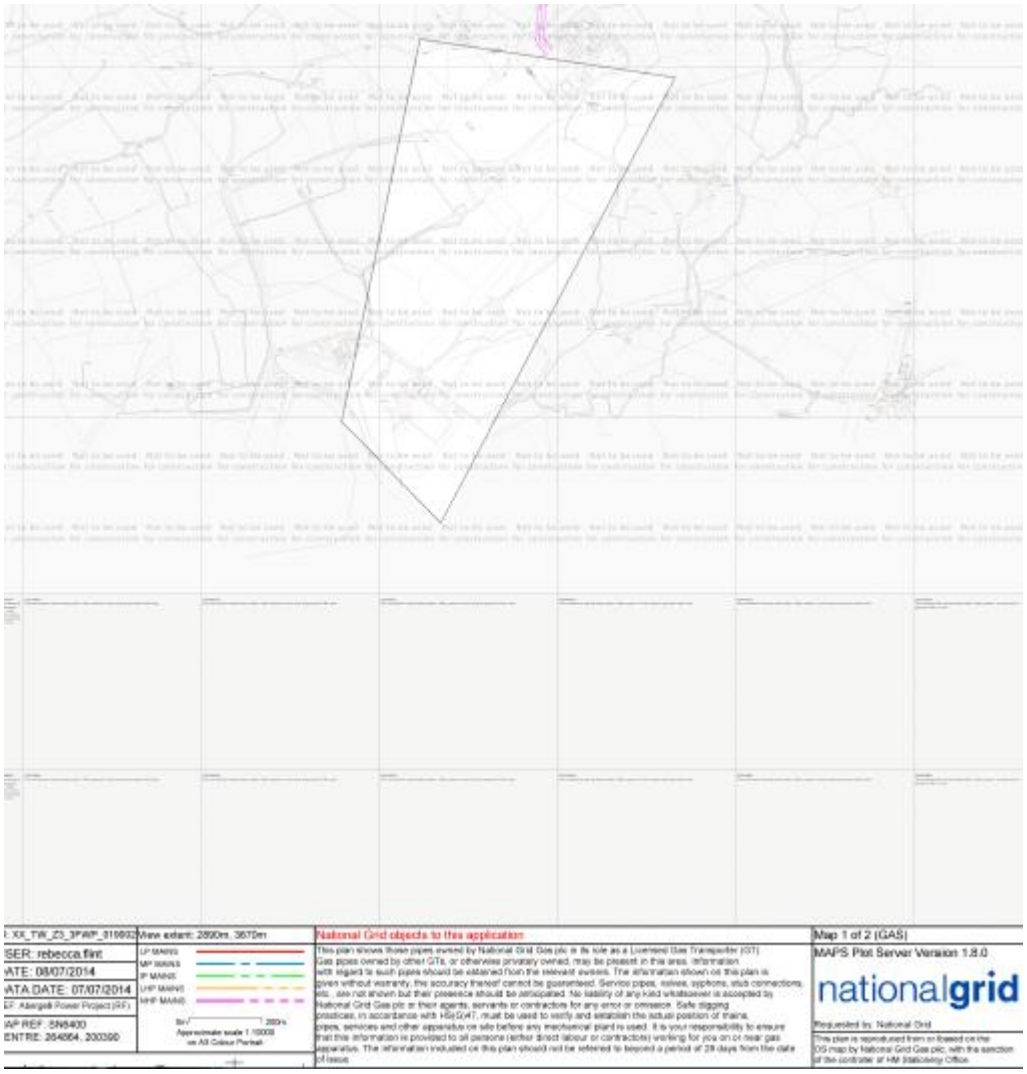
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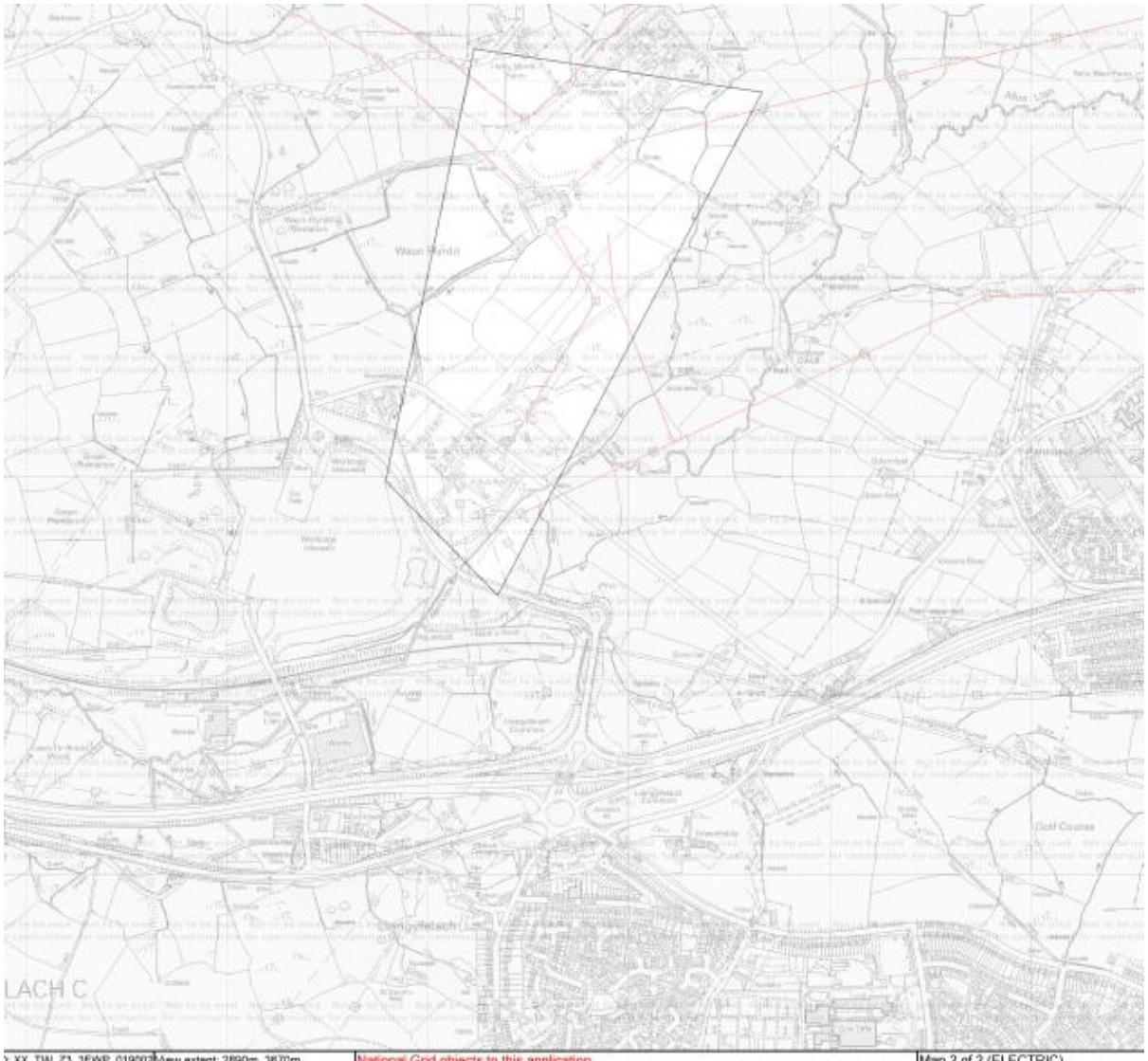
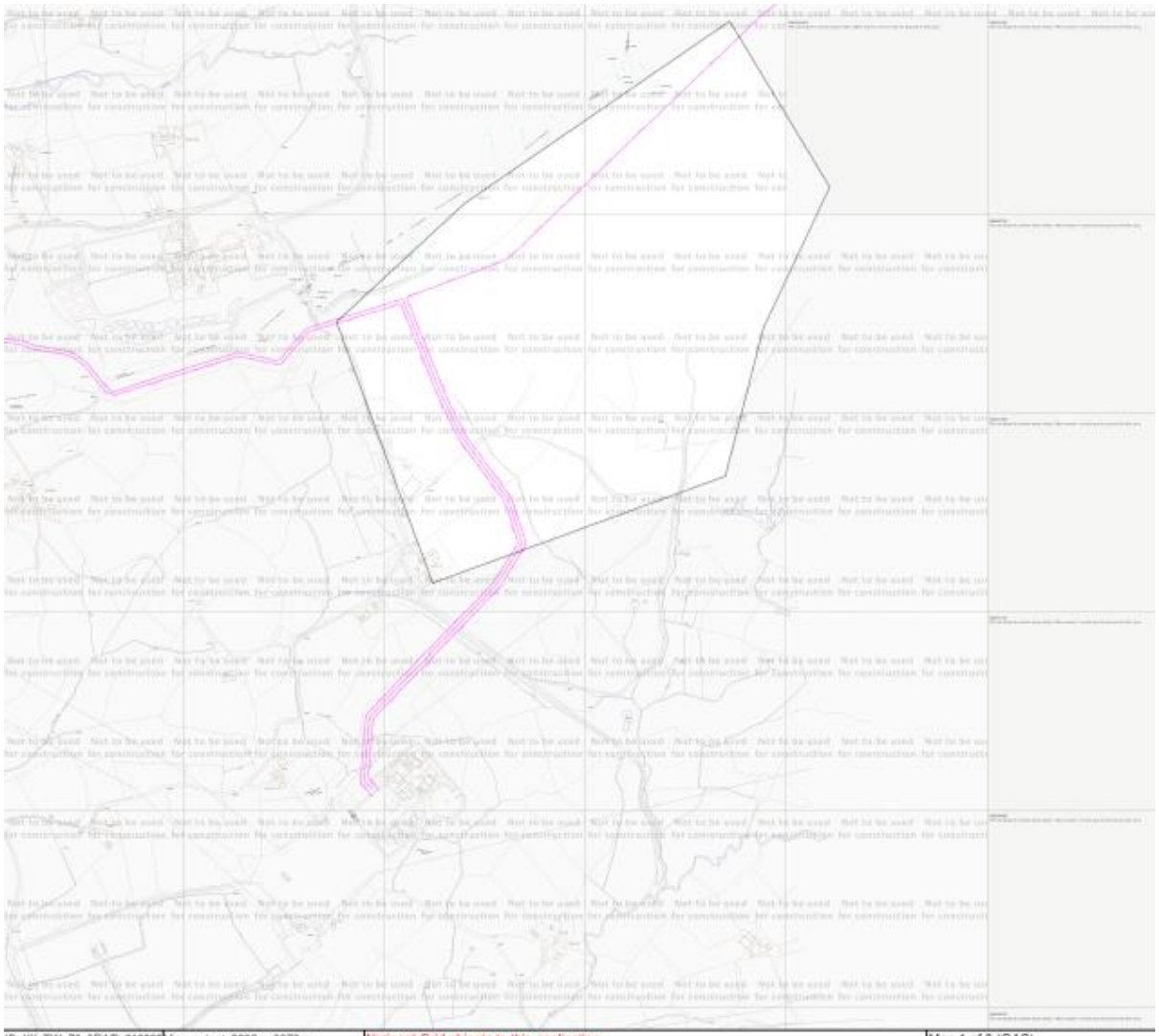
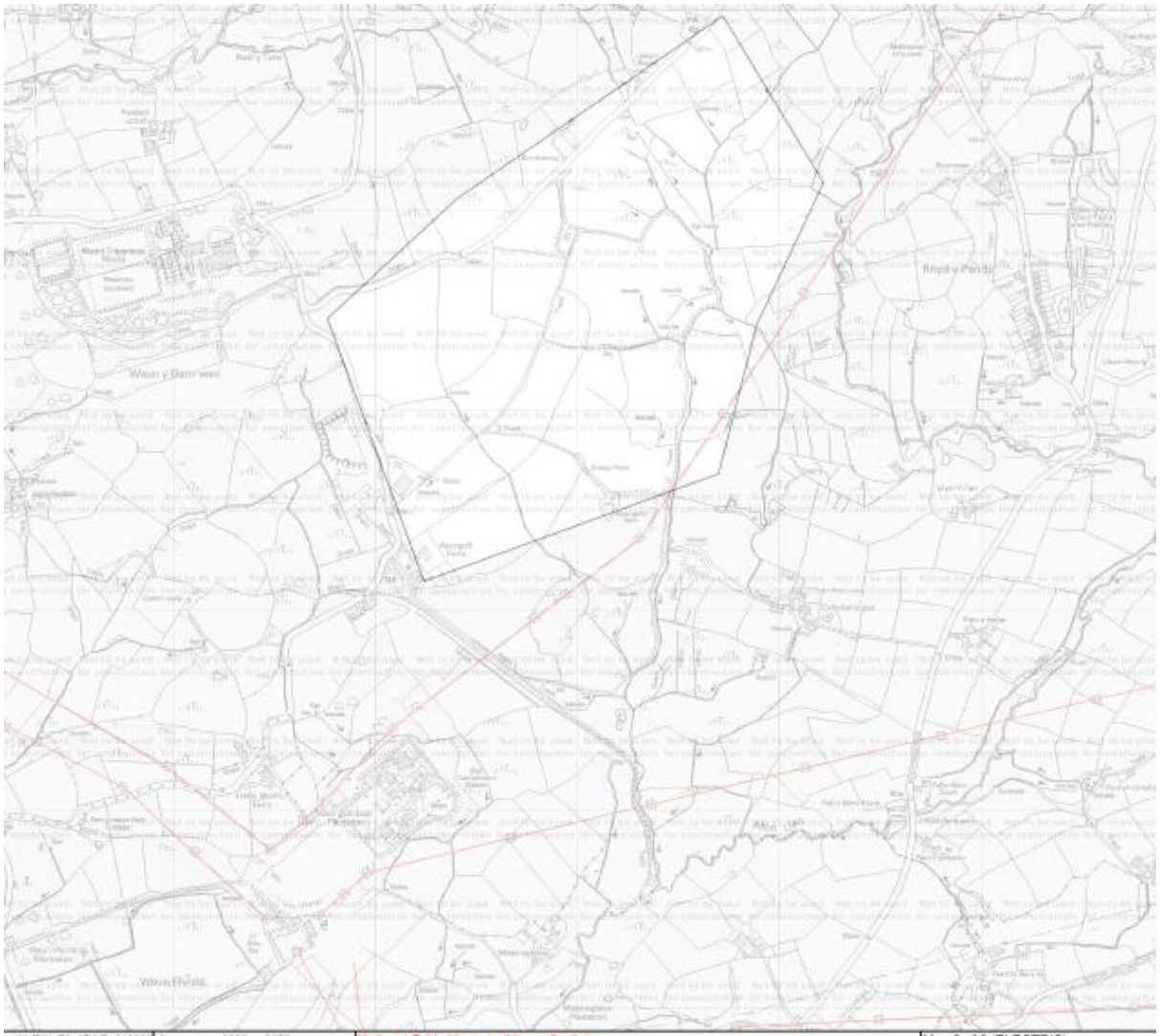
USER: rebecca.flint
DATE: 08/07/2014
DATA DATE: 07/07/2014
LP MAINS
MP MAINS
IP MAINS
UHP MAINS
MHP MAINS
0m
200m
Approximate scale 1:10000
on A3 Colour Portrait
National Grid objects to this application
This plan shows those pipes owned by National Grid Gas plc in its sole as a Licensed Gas Transporter (GT)
Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information
with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is
given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections,
etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by
National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging
practices, in accordance with HSG47, must be used to verify and establish the actual position of mains,
pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure
that this information is provided to all persons (either direct labour or contractors) working for you on or near gas
apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date
of issue.
Map 1 of 2 (GAS)
MAPS Plot Server Version 1.8.0
nationalgrid
Requested by: National Grid
This plan is reproduced from or based on the
OS map by National Grid Gas plc, with the sanction
of the controller of HM Stationery Office.



: XX_TW_Z3_3FWP_019002	View extent: 2890m, 3670m	National Grid objects to this application	Map 2 of 2 (ELECTRIC)
SER: rebecca.flint	Underground cables Overhead lines	This plan shows those cables owned by National Grid Electricity Transmission plc in its role as a Licensed Electricity Transporter (ET). Electricity cables owned by other ETs, or otherwise privately owned, may be present in this area. Information with regard to such cables should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Ancillary equipment such as cooling systems and communication cables are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Electricity Transmission plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HSG47, must be used to verify and establish the actual position of cables	MAPS Plot Server Version 1.8.0
ATE: 08/07/2014			
ATA DATE: 22/11/2013			
F: Abergelli Power Project (RF)			nationalgrid


Not to be used for construction
ID: XX_TW_Z3_3FWP_019003
View extent: 2890m, 3670m
National Grid objects to this application
Map 1 of 2 (GAS)
USER: rebecca.flint
DATE: 08/07/2014
DATA DATE: 07/07/2014
REF: Abergelli Power Project (RF)
MAP REF: SN5502
LP MAINS
MP MAINS
IP MAINS
LHP MAINS
NHP MAINS
0m
200m
Approximate scale 1:10000
This plan shows those pipes owned by National Grid Gas plc in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HSG47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure
MAPS Plot Server Version 1.8.0
nationalgrid
Requested by: National Grid



XX_TW_Z3_3FWP_019003	View extent: 2690m, 3670m	National Grid objects to this application	Map 2 of 2 (ELECTRIC)
SER: rebecca.flint	Underground cables / Overhead lines	This plan shows those cables owned by National Grid Electricity Transmission plc in its role as a Licensed Electricity Transporter (ET). Electricity cables owned by other ETs, or otherwise privately owned, may be present in this area. Information with regard to such cables should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Ancillary equipment such as cooling systems and communication cables are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Electricity Transmission plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of cables and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near electricity apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.	MAPS Plot Server Version 1.8.0
ATE: 08/07/2014			nationalgrid
ATA DATE: 22/11/2013			
EF: Abergelli Power Project (RF)2	0m 200m		Requested by: National Grid
AP REF: SN6502	Approximate scale 1:10000 on A3 Colour Portrait		This plan is reproduced from or based on the OS
ENTRE: 265496, 202280			map by National Grid Electricity Transmission

Hannah Nelson

From: ROSSI, Sacha <Sacha.Rossi@nats.co.uk>
Sent: 26 June 2014 17:17
To: Environmental Services
Cc: NATS Safeguarding
Subject: RE: EN010069 Abergelli Power Project Scoping Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

NATS does not anticipate an impact from this development and has no comments to make.

Regards
S. Rossi
NATS Safeguarding Office

Mr Sacha Rossi
ATC Systems Safeguarding Engineer

☏: 01489 444 205
✉: sacha.rossi@nats.co.uk

NATS Safeguarding
4000 Parkway,
Whiteley, PO15 7FL

http://www.nats.co.uk/windfarms

From: Environmental Services [mailto:EnvironmentalServices@infrastructure.gsi.gov.uk]
Sent: 26 June 2014 14:17
To: NSIP.applications@hse.gsi.gov.uk; owenj@cyngorllanedicouncil.org; phil.owen@mawrcommunity.org.uk; officers@pontlliw-tircoed.org.uk; david.jenkins80@virgin.net; correspondence@equalityhumanrights.com; Hilary.Malaws@rcahmw.gov.uk; Baggy.Smailes@caa.co.uk; highways@swansea.co.uk; dptac.enquiries@dft.gsi.gov.uk; planningconsultation@coal.gov.uk; gail.harris@ofwat.gsi.gov.uk; NSIPconsultations@PHE.gov.uk; NATS Safeguarding; alans@espipelines.com; FPLplantprotection@fulcrum.co.uk; planning@npt.gov.uk; direct@carmarthenshire.gov.uk
Subject: EN010069 Abergelli Power Project Scoping Consultation

Dear Sir or Madam

Please see attached correspondence in relation to the request for a Scoping Request for the proposed Abergelli Power Project.

Kind Regards

Jenny

Jenny Colfer
Senior EIA and Land Rights Advisor
Major Applications and Plans

Cyfoeth Naturiol Cymru
Natural Resources Wales

Ms Jenny Colfer
Senior EIA and Land Rights Advisor on behalf of the Secretary of State
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Ein cyf/Our ref: SH/2014/116929/01
Eich cyf/Your ref: EN010069

Dyddiad/Date: 22 July 2014

Annwyl/Dear Ms Colfer

PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (AS AMENDED) – REGULATIONS 8 AND 9

APPLICATION BY ABERGELLI POWER LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE ABERGELLI POWER PROJECT

Thank you for referring the above scoping opinion to Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) which we received on 26 June 2014.

Our advice and comments in relation to the above Nationally Significant Infrastructure Project (NSIP) are provided in the context of the full remit of NRW. As you are aware we are a statutory consultee under the Planning Act 2008, advising the decision maker on the land use planning implications of the development. For those developments which involve a regulated activity requiring an Environmental Permit under the Environmental Permitting Regulations 2010, NRW is the permitting authority. We wish to make you aware that we have different roles under different legislation which are independent of one another.

Primarily we would question the need and benefit of such a development at the proposed location in relation to the current and predicted demand for electricity supply in South West Wales, given existing power stations, along with other proposed schemes (Abernedd, Swansea Bay Tidal Lagoon) and generation through renewables (wind and solar farms both existing and due to be developed imminently).

The proposals place the Simple Cycle Gas Turbine among what is beginning to develop into an area of renewable energy generation, which would not appear to be in fitting with solar and wind power already being generated and further proposed in the vicinity. The proposals suggest enough power being generated to power 400,000 homes, yet the population of Swansea is less than 250,000. In addition to this, a Tidal Lagoon if developed will power 150,000 homes. There would not appear to be this level of demand in South West Wales and with regard to the proximity principle, such a development would be better suited to a more heavily industrialised area where demand is much greater.

In view of the above, we would request to see justification as to why the development is proposed at this location.

Environmental Permitting Regulations.

The proposal will require an environmental permit to operate and a successful application will need to be made under the Environmental Permitting (England & Wales) Regulations 2010 (as amended) to determine whether the plant can be permitted.

Pre-application discussions with Natural Resources Wales should commence immediately and applicants are encouraged to "twin track" environmental permit (EPR) applications with their Development Consent Order (DCO) applications in order to facilitate timely decision-making.

NRW would also like to draw the applicant's attention to **Annex D of the Planning Inspectorate's Advice Note 11: Working with Public Bodies** which recommends that applicants should work towards submitting the EPR permit application at least 6 months prior to the submission of an application for a DCO.

Technology Selection
Open (simple) cycle gas turbine (GT) operation is not usually considered to represent Best Available Technique (BAT) for normal power plant GT operation and rigorous justification of efficiency penalties would be required if this type of operation were to be proposed.

The technology selection process should also consider the best achievable efficiency, in particular the potential for CHP (see below). It is noted that air cooled condensers or coolers are proposed as the cooling system for the project. Alternative cooling options need to be considered and technique selection justified based upon efficiency, water resources and waste water discharge as well as economic considerations.

Combined Heat and Power (CHP)
A combustion power plant with a thermal input of 50MW or more must include combined heat and power (CHP) or alternative be CHP-ready (*The term CHP-Ready in this context represents a plant which is initially configured to generate electrical power only but which is designed to be ready, with minimum modification, to supply heat in the future*).

Guidance on determining BAT for CHP readiness can be found in the Environment Agency guidance document: ***CHP Ready Guidance for Combustion and Energy from Waste Power Plants***

Accident Management
Flood risk assessment – should include consideration of surface water drainage impacts and options for improving site surface water drainage to prevent localised flooding during extreme rainfall events.

Air Quality (AQ) Assessment
The proposals are noted and the applicant is advised that particular attention should be given to acid and nutrient deposition at sensitive habitat receptors.

NRW agrees with the use of AQTAG06 to reference methodologies in relation to aerial emission process contributions on protected sites (as in section 5.3.18). However, the applicant should be aware that AQTAG06 methodologies are no longer used for calculating acid deposition figures as a function of relevant critical loads. The applicant should instead use the APIS critical load function tool found at http://www.apis.ac.uk/critical-load-function-tool, in order to calculate acid deposition process contributions/exceedences. Please note, the methodology relating to Nitrogen deposition is unchanged from that described in AQTAG06.

The village of Llangyfelach is just outside of the proposed consultation distance of 1km, though is in direct line of site to the proposed development and is a densely populated residential receptor. The scope of the Environmental Impact Assessment should widen to include any impact upon this village in addition to any cumulative impact in relation to air quality arising from other sources of pollution e.g. the M4 motorway, the A48, B4489 and Morriston Crematorium

Noise Impact Assessment
The noise assessment baseline assessment (5.4.3) states that the "*The closest NSRs within 1 km of the Project Site include those within the nearby settlements of Morriston, Pant-lasau, Llwyncelyn and Felindre. In addition there are also isolated dwellings and farmsteads outside of the settlements including but not exclusive to: Aber gelli fawr; Abergelli Farm; Cefn-betingau; Maes-eglwys; Lletty Morfil Farm; Felin-wen; Pont Felinwen; Pontbren Llwyd; Gors-wen; Llety'r Bugall; Brynheulog; Taironen; Penfedi Uchaf; Penidy Isaf; Gellyfedden; Rhos fawr; Brynawel; Brynwhilhach; and Lletty'r-scil. "*

However, the assessment needs to clearly identify the NSR, as some of the above receptors are much closer than the 1km outlined. It is important to note that NRW would carry out the assessments at the nearest receptor to the installation as outlined in the **BS4142:1997** ***Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas***.

The report also states that the location of the baseline assessment/s will be agreed with the local EHO. This being the case this discussion on monitoring locations needs to also be communicated with NRW as the installation will require an A1 EPR Permit from NRW which will also include noise conditions.

The report does reference the BS4142 standard in assessing noise, which should also consider noise characteristics. This being the case it is recommended that the company also capture the existing noise characteristics. I.e. tonal assessment/third octave baseline data.

We would recommend that this is carried out as part of the baseline to identify, firstly any existing tonal issues and subsequently would be beneficial in identifying the impact of the operation on the noise environment once in operation. Due to the type of operation we (NRW) have experienced noise issues as a result of the tonal aspects rather than the actual increase in noise level. There is another procedure which we and the Local Authority use to identify low frequency noise (20Hz – 160Hz). The "***DEFRA NANR45 Procedure for the assessment of low frequency noise complaints***" is used but it is important that the company also reference other standards: *"**BS 7445:1991 Part 2 – Description and measurement of environmental noise**"*, suggests that if the level in one 1/3rd octave band is 5dB or more higher than the level in the two adjacent bands, then an audible tone is likely to be perceived. The "***ISO 1996-2:2007 Description, measurement and assessment of environmental noise Part 2***" can be used to measure with any frequency weighting or in any frequency band. The standard also outlines how to evaluate the uncertainty of the result of a noise assessment. Section 5.4.17 of the scoping report also states: *"Operational noise from the Electrical Connection has been scoped out as there would be no significant effects associated with the potential for a low level electrical hum emanating from an overhead line option, if one is required. In addition if a SEC is required, any low level electrical hum associated with the infrastructure will not be perceptible at the NSRs and therefore this has also been scoped out of the assessment."*

This states that low frequency noise aspects has been scoped out for the overhead lines, however it is important to understand why this has been scoped out and how was this conclusion made, this justification needs to be provided for assessment. Based on the inclusion of frequency analysis of the background data, this statement could be verified after commissioning to ensure that the operation has not introduced an additional noise aspect.

Section 5.4.1 of the scoping report states: *"During operation, mitigation measures could include the use of silencers on the loudest plant items within the Generating Equipment*." Noise mitigation measures on an EPR Installation should be in accordance with our (EA/NRW) ***Horizontal Guidance Note (H3) Part 2 – Noise Assessment and Control***.

In relation to the noise assessment there is another piece of legislation that has not been outlined, the requirements of the Environmental Noise Directive which were given legal force in Wales through the ***Environmental Noise (Wales) (Amendment) Regulations 2009.*** These regulations have introduced a "***Noise Action Plan for Wales***" which does cover industrial noise sources and impacts on designated Quiet Areas. The plan also considers the impact of creeping background especially with the introduction of new sources of noise into the environment. It is suggested that as part of the noise impact assessment the above standards and regulations are given due consideration by the applicant.

In relation to the impact of operational noise from the installation, this is quite limited, and should consider all modes of operation from the installation. The application does state that the applicant will consider worst case scenarios for the modelling however has not explicitly stated what would be the worst case. Construction Noise will be covered by the Local Authority.

The majority of the environmental noise from the operation will be assessed using the BS4142:1997 Standard, however an important factor to consider is that this standard is being reviewed and the new draft consultation has been passed, therefore the new updated version could be available in the next 6 months. The new draft standard introduces number of changes, e.g. duration of monitoring times.

In relation to the design aspects of the plant, we would suggest that the applicant designs the operation with no additional noise load on to background in line with the "*Noise Action Plan for Wales"*. Noise mitigation measures should also include reference to use of acoustic enclosures and cladding for plant and pipe work or ducting likely to produce noise under all operating conditions including abnormal operation.

Site Condition
Site survey work undertaken should take into account current environmental permitting and likely future requirements under the Industrial Emissions Directive (IED) to undertake intrusive works to gather baseline contamination data as part of the environmental permitting process.

Water Quality

Water Quality (WQ) Impact Assessment
Assessment of WQ impacts should also include consideration of periodic or intermittent waste water effluent arising from commissioning procedures, HRSG make up water treatment, plant maintenance and cleaning procedures and cooling system blow down in the event that wet or hybrid cooling technology is considered to be appropriate.

Water treatment and recovery options should be considered in addition to treatment and discharge.

Surface Waters
Section 5.6.3 of the report refers to the Afon Llan being the main watercourse that traverses the project site through Swansea and into Swansea Bay. The Llan in fact discharges to the Loughor Estuary on North Gower via Penllergaer, Fforestfach and Gowerton. Shellfish are harvested in the vicinity and so any impact assessment should also consider any potential for impact upon Designated Shellfisheries.

Section 5.6.9 states that "There are not anticipated to be any significant impacts on key waterbodies resulting from the project through physical works to them. It is also not anticipated that water will be abstracted or discharged to or from any of these sources during construction, operation or decommissioning". In which case, where will cooling water be derived from and where will waste water be discharged to?

Section 5.6.18 then states that “during operation, NRW would set limits on the quality of water that is discharged from the Power Generation Plant under an Environmental Permit”. The EIA should therefore consider the impacts of any discharge to a watercourse, with particular regard to the effects of temperature and the addition of biocides or chlorination etc. of cooling waters. The temperature of a discharge can be critical to fish migration and so any discharge must not be above 21^{o}C beyond the mixing zone in order to prevent a temperature barrier from being created. Temperature also has a bearing on the fate and behaviour of ammonia, amongst other physical and chemical characteristics, in the water environment and the Afon Llan is not without other water quality impacts from, for example, sewage pollution. An increase in temperature could therefore have a downstream impact upon ammonia. This will need to be assessed.

The Afon Llan is a very flashy rapid response catchment in terms of the way in which it reacts to rainfall and so this would need to be considered in relation to any construction and mitigation proposals. In recent years the river has been significantly impacted by silt pollution arising from several development schemes. We would need to be satisfied that any proposals would adequately mitigate against the possibility of further pollution e.g. from stripping and exposure of materials, increasing run-off rates and/or the location and protection of stockpile locations. The drainage of any constructed access roads should be designed to prevent silt/mud contaminated run-off from entering any watercourses.

Any proposals should also consider the installation of temporary attenuation ponds to allow adequate settlement of site generated run-off during the construction and decommissioning phases. The design of these ponds should demonstrate that adequate retention and settlement time has been calculated. Silt fencing, scour protection and Sedimats alone have been proven to be ineffective in mitigation in this catchment due to its flashy nature.

Any surface water disposal scheme would need to demonstrate that it will not cause any impact upon the local watercourses upon discharge e.g. silt run-off from any retention ponds, storage tanks, soakaways, swales, wetlands etc. We would advise that all disposal techniques be explored and are demonstrated as fit for purpose for all parts of the site.

Flood Consequence Assessment
A small part of the site is located within flood zone C2, as defined by the development advice maps referred to under TAN 15 Development and Flood Risk (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms this part of the site to be at risk of flooding in the 1% flood event.

A number of ordinary watercourses cross the site and a small section runs adjacent to the Main River Llan. Section 5.6.2 of the scoping report indicates that a Flood Consequences Assessment (FCA) will be submitted as a separate document. This should assess the flood risk at the site and as a result of the development in line with TAN15 guidelines. We would be in favour of this approach and strongly advise that the developer consults with both ourselves and the Lead Local Flood Authority (LLFA) concerning the site as mentioned in the report.

The impact of the development upon surface water will also need to be considered as part of the FCA as mentioned in section 5.6.8.

The developer should also be aware that any works which affect the flow in the ordinary watercourses across the site may require prior consent from the Lead Local Flood Authority (LLFA) and any works in, under, over or within 7m from the Afon Llan will require prior consent from NRW.

Groundwater (in addition to surface waters)
Our mapping system indicates various groundwater vulnerability zones and minor aquifers at the proposed location. A thorough assessment of the historic mine workings would need to be conducted to ensure that development would not potentially disturb or contaminate groundwater and surface waters in the vicinity. Likewise, a geophysical survey should determine the local geological setting to ensure that new pathways are not created that could cause contamination.

This should also be a consideration when dealing with the landfill at the location. Although this landfill was operated as an inert landfill, this is not to say that it is exclusively filled with inert wastes. Any disturbance, or excavation, reuse, temporary storage and disposal of this material should not preclude the possibility of it containing non-inert and potentially hazardous substances. An assessment of this element of the scheme may be necessary in the form of trial pits or boreholes in order to determine materials present. NRW should be made aware of any adverse findings.

The scoping report does not appear to mention foul water drainage arrangements. There is no mains sewer in the vicinity of this proposed development. Details of how sewage and other waste waters will be managed at the site need to be included and again, assessment of whether there is likely to be any impact arising from this upon receiving waters.

Waste Arisings
Section 5.7.12 states that “using the information obtained, suitable remediation strategies will be developed to render the Project Site ready for development. These will include estimates of the types and volumes of waste material that will need to be removed from the Project Site prior to development”. The development is likely to generate significant quantities of waste. The reuse/recovery of as much of this should be considered as part of the scheme within the spirit of the Waste Hierarchy i.e. 1. Reduction, 2. Reuse, 3. Recovery (Recycling, Composting, Incineration or landfill with energy recovery), 4. Rubbish (Incinerate, Landfill – contained, Landfill – dilute and disperse). A cost benefit analysis of using suitable waste versus virgin materials should be considered. The Site Waste Management Strategy should encompass the above principles.

Ecology

We welcome the submission of the report entitled ‘*Abergelli Power Project – Preliminary Ecological Appraisal’*, produced by BSG Ecology, dated March 2014.

Species
We note that a Phase 1 Habitat Survey of the site has been conducted, which highlighted the habitats on site and its potential to support protected or notable species. We support the recommendation that further species surveys will be carried out (as detailed in sections 5.12-5.38 of the above report). We advise that all surveys are carried out following best practice, up to date guidelines and conducted by qualified, experienced and (where necessary) licensed ecologists at appropriate times of the year.

We note that in sections 4.46 and 5.22 of the report that it has been identified that some of the watercourses may offer resting/lying up sites for otter, along with some commuting use. We note that no further survey work of the watercourses for otter potential is proposed to be carried out. As you are aware, Otter are fully protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 which includes protection of their breeding or resting sites. We advise that further survey work is considered at the site in the areas identified with suitability to support otters.

Please note that we cannot provide any comment on issues relating to Badgers at the site as we have no received the confidential version of the report as stated in section 4.5.1.

Habitats
We note from the report that the site is a very significant locally important site, with marshy grassland/wet heath and ancient woodland habitats present as outlined in the report.

We welcome the re-surveying of these habitats during Spring/Summer, given the proximity to known sites surrounding the area. Given the quality of the habitat present as surveyed in the Phase 1 habitat survey, we recommend early discussions with your local authority's Planning Ecologist with a view to avoiding destruction of the most significant habitats and mitigation and/or compensation for loss of any significant habitats. We would also welcome justification on the choice of habitat to be destroyed/removed as part of the planning application and justification on why the development cannot be constructed on the improved land only.

We hold a record of a Phase 2 grassland survey of the fields which lie adjacent to the proposed access track. We will be able to provide this information to the developer should it be required. Please get in touch if you would like a copy of this survey.

We note in section 5.7.2 of the main scoping report that there is a brief mention of peat present on site. We seek clarification and further detail on the location of the peat on site and how it will be affected by the development.

The proposals have the potential to affect riverine and wetland habitats as there are a number of watercourses on the site including the Afon Llan. We would like the EIA to consider these as a separate habitat and look at options for maintaining open watercourses with wide buffer strips.

Diversion of small watercourses would be preferable to culverting them as long as the new watercourses are well designed to offer the best habitat for wildlife. Connectivity between small watercourses, areas of retained wetland habitat and the Afon Llan should also be a consideration for the final site layout and any mitigation proposed. NRW Biodiversity staff are happy to offer further advice on these matters, should it be required.

Landscape and Visual Impact Assessment

We welcome that a Landscape and Visual Assessment (LVIA) will be conducted, following the most up to date guidelines as outlined in section 5.8.7 of the main scoping report.

The EIA must include a description of all the existing landscape interests within and in the vicinity of the proposed development. This should be done using former Countryside Council for Wales' LANDMAP methodology (www.landmap.ccw.gov.uk). LANDMAP is an all-Wales GIS based landscape resource where landscape characteristics, qualities and influences on the landscape are recorded and evaluated into a nationally consistent data set. LANDMAP comprises five spatially related datasets known as Evaluated Aspects; the five layers are the Geological Landscape, Landscape Habitats, Visual & Sensory, Historic Landscape and Cultural Landscape. All information is managed through a Geographical Information System and associated Collector database.

Where all five layers of LANDMAP data for the local authority are available, they should all be referred to. If the developer experiences difficulty in getting this data from the LANDMAP website it should be possible for the data to be obtained by contacting Jill Bullen, our LANDMAP Wales Coordinator at our Bangor offices. NRW would expect any Environmental Statement (ES) to demonstrate use of all five data sets in the LVIA for the application. We recommend that the impacts of any development proposals on the landscape character of the area and its visual effects are assessed against the findings of this study.

Such issues should all be addressed in the ES and visual appraisal of the scheme in addition to specific site issues such as:

- Development infrastructure – including cabling, ancillary buildings, working compounds should all be considered in the assessment, even if 'temporary' (i.e. only for the duration of construction works).
- The removal and disposal of any excavated materials such as soil or rock;
- Creation of new access tracks and re-profiling of existing ones;
- Transmission route connections to the main power grid; it is important that a landscape assessment of the connection route from the development to the power grid is included for consideration

The ES should also consider the presence of any historic landscapes in the area and the potential impact that the proposed development may have on these, which is noted in section 5.8.7 of the report.

The ES should consider protected landscapes in the vicinity of the proposals. It is vital that the LVIA utilises appropriate viewpoints to consider the impacts of the proposals on these protected landscapes as there is potential for it to be visible from a wide area surrounding it. We note that section 5.8.11 refers to a follow up consultation with the relevant stakeholders on a selection of photomontages from key sensitive viewpoints. NRW would be happy to provide advice on these viewpoints. It is noted that some viewpoints have been suggested; however these do not include detailed grid references therefore we cannot comment on their suitability at this stage. We advise that consideration is made for an additional viewpoint from the Brecon Beacons National Park. We note that the Gower Area of Outstanding Natural Beauty (AONB) has been scoped out of the assessment as it is visually separated from the project site by intervening topography.

We advise that views in photographs and photomontages taken to assist with this process should be representative of that observed from each viewpoint and not partially obscured by structures such as buildings, pylons, telegraph poles, trees etc.

The ES should also consider the potential impact of any proposed lighting impacts upon receptors in the vicinity of the project. The development has the potential to significantly increase the level of light pollution in the area. We advise that a night time visual effects is carried out to assess the level of night time illumination (should there be any).

Habitats Regulation Assessment

We welcome that a Habitats Regulation Assessment (HRA) will be conducted as outlined in sections 5.5.28 – 5.5.30 of the report. The HRA must follow the consultation process as set out in the **Planning Inspectorate's Advice Note 10: Habitat Regulations Assessment relevant to nationally significant infrastructure projects** (Link below).

(http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/09/Advice-note-10-HRA.pdf).

We hope the above comments are helpful, however, if you have any further queries please do not hesitate to contact me at the address below.

Yn gywir / Yours sincerely

[redacted]

Hannah Thomas
Ymgynghorydd Cynllunio Datblygu / Development Planning Advisor
Abertawe, Castell Nedd Port Talbot / Swansea, Neath Port Talbot

Ebost/Email Hannah.Thomas@cyfoethnaturiolcymru.gov.uk
Ffôn/Tel 03000 65 3358

23rd June 2014
01639 686726
c.j.davies@neath-porttalbot.gov.uk

Mr.C J Davies

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref: EN010069

Scoping consultation for a SCGT gas fired 'peaking' power generating plant capable of providing up to 299 MW comprising: the Generating Equipment, Access Road and temporary Laydown Area submitted under the Planning Act 2008 (as amended) and the Infrastructure Planning (EIA) Regulations 2009 (as amended)

Thank you for your consultation of the 26th June 2014 in relation to the above.

Neath Port Talbot County Borough Council offer **no comments** on the acceptability of the Scoping Report submitted for the above project. I enclose a copy of the report, that sets out the responses provided to our own internal consultation.

As the development is located approximately 5.6km from the administrative boundary it is unlikely that this development would result in any cross boundary impacts. As such we would advise you that we would not wish to be consulted on any future applications/consultations on this project, unless the proposals alter significantly.

Yours Faithfully

C. Davies
Team Leader
Development Management.

Report Template

Application Reference: P2014/0631

Planning History:

N/A.

Publicity and Responses if applicable:

Biodiversity Section- No Objection.

Air Quality- No Objection.

Head of Engineering and Transport, Highway Section- No reply, therefore no observations to make.

Description of Site and its Surroundings:

The proposed development is located close to Felindre in the City and County of Swansea, approximately 5.6km from this Authority's administrative boundary.

Brief description of proposal:

The current consultation is from the Planning Inspectorate in relation to The Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9.

The Project comprises;

A new **Power Generation Plant** in the form of a Simple Cycle Gas Turbine (SCGT) gas fired peaking power generating station fuelled by natural gas and capable of providing an electrical capacity of up to 299 Megawatts (MW) comprising:

The **Generating Equipment** including the Gas Turbine Generators and Balance of Plant which are located on the **Generating Equipment Site**;

A new purpose built **Access Road** either from the Rhyd-y-pandy Road to the north (**Access Road – Option 1**) or the B4489 to the

west (**Access Road – Option 2**) to the Generating Equipment Site; and

During construction a temporary construction compound (the **Laydown Area**).

A new **Gas Connection** to bring natural gas to the Generating Equipment from either the National Transmission System (NTS) or the Local Transmission System (LTS), which is located within the **Gas Opportunity Area**; and

A new **Electrical Connection** to export power from the Generating Equipment to the National Grid Electricity Transmission System (NETS) for distribution to homes and businesses

In terms of the process, The Planning Act 2008 (as amended by the Localism Act 2011) made significant changes to the planning system for major infrastructure projects such as this. An application must therefore be made for the development as a National Strategic Infrastructure Project (NSIP) to the Planning Inspectorate (PINS) for permission under a development consent order (DCO) from the Secretary of State for Energy and Climate Change.

This consultation seeks the Authority's view of the scope of the EIA to support this application at a pre-application stage.

Material Considerations:

Any potential impacts that will require to be assessed as part of the sope of the supporting ES submitted with any future planning application for the above development.

Policy Context:
n/a

Content of Scoping Report.

The site is located such a distance from this Authority's boundary that it unlikely to result in any cross boundary impacts, and therefore we have no significant comment to provide on the adequacy of the scoping report.

The Air Quality Section have been consulted, as have the Highway Section, and Biodiversity Section, as these are the main potential areas of the ES that could have cross-boundary impacts.

The consultees offer no objection, and confirm that there is a low potential for any impacts from the development affected Neath Port Talbot.
Others (including objections): Not applicable.
Conclusion: The Authority has no comment to offer on the Scoping Report carried out by the Applicant.
Recommendation: No Comments.

Hannah Nelson

From: Hodgson Helen <Helen.Hodgson@networkrail.co.uk>
Sent: 21 July 2014 13:42
To: Environmental Services
Subject: Abergelli Power Limited Development Consent Order - Scoping Consultation (Your Ref. EN010069)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Colfer,

I refer to your letter dated 26th June 2014 in respect of the Scoping Consultation being undertaken on Abergelli Power Limited's application for a Development Consent Order in relation to the proposed power generation plant and associated underground gas pipeline infrastructure and access road. The following outlines Network Rail's comments:

Network Rail is the statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. It owns, operates, maintains and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure and therefore any proposed development which is in close vicinity to the railway line, or could potentially affect Network Rail's specific land interests, will be carefully considered.

The physical railway infrastructure must be protected and the development must ensure that it does not have an adverse affect upon the safety of the railway line. This may be through increased usage of a level crossing or rail bridge by construction traffic associated with the proposed development or disruption to rail services during installation or maintenance of the overhead lines across the railway line. If there is any impact upon rail infrastructure this must be examined and addressed within Abergelli Power Limited's Environmental Statement.

Any proposals that include the installation of cables under or over the railway, any methods of electricity transmissions across Network Rail's land, or any access rights, temporary or otherwise will require the necessary property agreements to be entered into with our Easements and Wayleaves Team who can be contacted on easements&wayleaves@networkrail.co.uk . Please note that Network Rail will seek protection from the exercise of compulsory purchase powers over operational land whether for permanent or temporary purposes.

Network Rail would have strong concerns if, during the construction or operation of the power generation plant, abnormal loads would use routes that include Network Rail assets (e.g. level crossings, bridges etc) and would advise that contact is made with our Asset Protection Engineers to confirm if any proposed route is viable. A strategy must also be agreed to protect our assets from potential damage caused by abnormal loads in association with the implementation of the Abergelli Power Project. I would also advise that where damage, injury or delay to the rail network is caused by abnormal load (related to the development), Abergelli Power Limited or relevant contractors would incur full liability.

Notwithstanding the above, to mitigate the risks outlined above, Abergelli Power Limited must contact Network Rail's Asset Protection Team (assetprotectionwales@networkrail.co.uk) well in advance of commencing any works.

Although this consultation considers the scope of the Environmental Statement, we would also take this opportunity to highlight that Network Rail will expect to see its standard Protective Provisions in a schedule to the Development Consent Order, which is well precedented in both TWAOs and DCOs.

Please don't hesitate to contact me if you require any further information in relation to the above.

I would be grateful if you could confirm receipt of this email.

Kind regards

Helen Hodgson

21/7/2014

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Your Ref: EN010069
Our Ref: 140626 331

23rd July 2014

Dear Jenny,

Re: Abergelli Power Project – Scoping Consultation

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Our response focuses on health protection issues relating to chemicals and radiation. Advice offered by PHE is impartial and independent.

In order to ensure that health is fully and comprehensively considered, the Environmental Statement (ES) should provide sufficient information to allow the potential impact of the development on public health to be fully assessed.

PHE, which includes PHE's Centre for Radiation, Chemical and Environmental Hazards (Wales), has evaluated the submitted Environmental Impact Assessment Scoping Report (June 2014) alongside the request for a scoping opinion and can confirm that the proposed methodology for assessing possible impacts affecting human health and the mitigation measures suggested so far appear acceptable. However, the Environmental Impact Assessment report should also include possible risks on human health due to electric and magnetic fields (EMFs) produced by the electrical connection system and other electrical equipment.

In order to assist the promoter in the production of the Environmental Impact Assessment report (i.e. subsequent ES) we have included an appendix which outlines the generic considerations that PHE advises should be addressed by all promoters when they are preparing ESs for NSIPs. The ES report should include

any cumulative impacts upon the local vicinity that may occur during the lifetime of the proposed project.

PHE will provide further comments when the ES becomes available. Should the promoter or their agents wish to discuss our recommendations or to seek any specific advice prior to the submission of the ES, PHE would of course be pleased to assist.

Yours sincerely

Antonio Peña-Fernández
Health Protection Scientist

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix: PHE recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA[1]. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

The EIA Directive[2] requires that ESs include a description of the aspects of the environment likely to be significantly affected by the development, including "population". The EIA should provide sufficient information for PHE to fully assess the potential impact of the development on public health. **PHE will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health**: summarising risk assessments, proposed mitigation measures, and residual impacts. This section should summarise key information and conclusions relating to human health impacts contained in other sections of the application (e.g. in the separate sections dealing with: air quality, emissions to water, waste, contaminated land etc.) without undue duplication. Compliance with the requirements of National Policy Statements and relevant guidance and standards should be highlighted.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES[3].

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and

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[1] Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from: http://www.communities.gov.uk/archived/publications/planningandbuilding/environmentalimpactassessment

[2] Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment. Available from: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1985L0337:20090625:EN:PDF

[3] DCLG guidance, 1999 http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf

industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary

- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment

- should consider the construction, operational, and decommissioning phases

- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts

- should fully account for fugitive emissions

- should include appropriate estimates of background levels

- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)

- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data

- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)

    — If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1

    — This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion

- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

Additional points specific to emissions to air

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)

- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)

- should include modelling taking into account local topography

Additional points specific to emissions to water

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts

- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)

- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure

- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

Land quality

We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed[4] and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist

[4] Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination

- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options

- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

Other aspects

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report[5], jointly published by Liverpool John Moores University and PHE, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." PHE supports the inclusion of this information within EIAs as good practice.

[5] Available from: http://www.cph.org.uk/showPublication.aspx?pubid=538

Electric and magnetic fields (EMF)

There is a potential health impact associated with the electric and magnetic fields around substations and the connecting cables or lines. The following information provides a framework for considering the potential health impact.

In March 2004, the National Radiological Protection Board, NRPB (now part of PHE), published advice on limiting public exposure to electromagnetic fields. The advice was based on an extensive review of the science and a public consultation on its website, and recommended the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP):-

http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/

The ICNIRP guidelines are based on the avoidance of known adverse effects of exposure to electromagnetic fields (EMF) at frequencies up to 300 GHz (gigahertz), which includes static magnetic fields and 50 Hz electric and magnetic fields associated with electricity transmission.

PHE notes the current Government policy is that the ICNIRP guidelines are implemented in line with the terms of the EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

http://www.dh.gov.uk/en/Publichealth/Healthprotection/DH_4089500

For static magnetic fields, the latest ICNIRP guidelines (2009) recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT as advised by the International Electrotechnical Commission.

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m^{-1} (kilovolts per metre) and 100 μT (microtesla). If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects. Further clarification on advice on exposure guidelines for 50 Hz electric and magnetic fields is provided in the following note on PHE website:

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1195733805036

The Department of Energy and Climate Change has also published voluntary code of practices which set out key principles for complying with the ICNIRP guidelines for the industry.

http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/consents_planning/codes/codes.aspx

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE) was then set up to take this recommendation forward, explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government. In the First Interim Assessment of the Group, consideration was given to mitigation options such as the 'corridor option' near power lines, and optimal phasing to reduce electric and magnetic fields. A Second Interim Assessment addresses electricity distribution systems up to 66 kV. The SAGE reports can be found at the following link:

http://sagedialogue.org.uk/ (go to "Document Index" and Scroll to SAGE/Formal reports with recommendations)

The Agency has given advice to Health Ministers on the First Interim Assessment of SAGE regarding precautionary approaches to ELF EMFs and specifically regarding power lines and property, wiring and electrical equipment in homes:

http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1204276682532?p=1207897920036

The evidence to date suggests that in general there are no adverse effects on the health of the population of the UK caused by exposure to ELF EMFs below the guideline levels. The scientific evidence, as reviewed by PHE, supports the view that precautionary measures should address solely the possible association with childhood leukaemia and not other more speculative health effects. The measures should be proportionate in that overall benefits outweigh the fiscal and social costs, have a convincing evidence base to show that they will be successful in reducing exposure, and be effective in providing reassurance to the public.

The Government response to the SAGE report is given in the written Ministerial Statement by Gillian Merron, then Minister of State, Department of Health, published on 16th October 2009:

http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091016/wmstext/91016m0001.htm

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124

PHE and Government responses to the Second Interim Assessment of SAGE are available at the following links:

http://www.hpa.org.uk/Publications/Radiation/HPAResponseStatementsOnRadiationTopics/rpdadvice_sage2

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130703

The above information provides a framework for considering the health impact associated with the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

Liaison with other stakeholders, comments should be sought from:

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the local authority regarding any impacts on existing or proposed Air Quality Management Areas
- the Food Standards Agency Wales for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops
- the Natural Resources Wales for matters relating to flood risk and releases with the potential to impact on surface and groundwaters
- the Natural Resources Wales for matters relating to waste characterisation and acceptance
- The Local Authority Directors of Public Health for matters relating to wider public health.

Environmental Permitting

Amongst other permits and consents, the development will require an environmental permit from the Environment Agency to operate (under the Environmental Permitting (England and Wales) Regulations 2010). Therefore the installation will need to comply with the requirements of best available techniques (BAT). PHE is a consultee for bespoke environmental permit applications and will respond separately to any such consultation.

Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES

- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used

- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account

- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach[6] is used

[6] Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

CITY & COUNTY OF SWANSEA / DINAS A SIR ABERTAWE
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Date: 23rd July 2014

For the attention of Jenny Colfer

Dear Jenny

APP NUMBER: **ENQ2014/0800**
SITE LOCATION: **Abergelli Power Project, Felindre, Swansea**
PROPOSAL: **Power Generation Plant – 299 MW (EIA Scoping Report)**

I refer to your letter dated 26 June 2014 (Ref:ENO10069) regarding the EIA Scoping Consultation. The Local Planning Authority would wish to highlight the following issues:

4.3 Cumulative Assessment
In addition to the listed developments, the EIA should also have regard to the following**:**

Planning Application 2012/1221 Mynydd y Gwair Wind Farm - Installation of 16 wind turbines (maximum height to blade tip of 127 metres with a hub height of 80 metres), with a maximum generating capacity of 48MW, associated tracks and ancillary infrastructure (including permanent and temporary anemometer masts, electrical substation compound, hardstandings, transformers and underground cabling) and construction of new access track from A48 (Bolgoed Road at Pontarddulais) (approximately 14.54km in length) incorporating improvements to 3.9km of existing road across Mynydd Pysgodlyn – Planning Permission March, 2013

Planning Application 2006/0773 – Felindre Business Park - Outline Planning Permission has been granted for a strategic business park for B1 and B2 uses to accommodate emerging industries, high tech manufacturing, high level services, ancillary uses, associated car parking, landscaping and access roads.

The application site area extends to 195 hectares, however, the application master plan indicates the development area to be 60.9 hectares of the south eastern area of the site and is focussed on the main brownfield area of the site formerly occupied by the Felindre tinplate works. It is envisaged that this developable area on the master

plan will become the first phase of the overall concept and act as the catalyst for further potential phases of development. However, this is outside the scope of this particular application.

The development of the Strategic employment site would represent the first stage in the implementation of a high level employment site at Felindre which envisages the following types of uses as appropriate within each of the high value added economic groups:

- emerging industries (media/multi-media, biotechnology and nanotechnology).
- High tech manufacturing (semiconductors, telecoms equipment, pharmaceuticals & fine chemicals, advanced materials, aerospace).
- High level services (IT services & software, HQ functions, R & D, financial and business services, publishing).

The site is not considered suitable for general manufacturing, processing and office services. The main elements of the scheme are as follows:

- 80,065 sq. m/861,900 sq. ft of employment floor space for specific B1 and B2 use classes.
- Ancillary uses associated with a Strategic Business Park.
- Associated parking, landscaping and highway works.

Additionally, the **Felindre LDP / Candidate Site should be considered.** The assessment fails to have regard to the Local Development Plan: Preferred Strategy, July 2013. Within its Sustainable Growth Strategy, at Felindre, it is proposed to establish a new sustainable urban village to complement the proposed strategic employment development site at this location of 1000 new houses, together with supporting community facilities, leisure opportunities and integrated green infrastructure.

5 ES Impact Sections

5.3 Air Quality

The Council's Pollution Control team have assessed the scoping report and in respect of air quality are of the view that the main issues have been covered / identified.

The proposed use of ADMS for the dispersion modelling is welcomed but Pollution Control would want to agree all selected receptor locations for the modelling studies and also some of the data inputs. The modelling studies would need to consider human receptor points and also any SAC/SSSI etc etc. It is noted that they also plan to include an assessment of all non designated ecological receptor sites i.e. the Lliw

and Llan reservoirs. The pollutants of interest would be NOx , NO and NO2, PM10 and CO. In addition, and as increasing research is pointing to significant health effects from PM2.5 this pollutant should be included in any impact assessment. Pollution Control would also be interested in seeing predicted ground level ozone concentrations as a result of photochemistry from any increased NOx made available. (Ozone is known to be higher in rural areas due to ongoing photochemistry resulting from the wind mass laden with NOx passing overhead from the urban areas with ongoing photochemistry taking place – high ozone concentrations can have human health implications as well as effects on vegetation etc)

Local meteorological data should be used for any modelling studies and not be sourced from Cardiff Airport / Tutt Head Mumbles for example as these locations would in all probability not reflect conditions at the proposed site. Pollution Control can make available both boundary scaling data and the climatological dataset from their 30m mast at Cwm Level Park for their use. However, if they are planning to source meteorological data from any other source i.e. the Mynydd y Gwair wind farm development then this may prove an even better local source. Pollution Control would also consider making their SODAR wind profiler available (AQ500) should a suitable remote site be found and made available to site the equipment trailer. This AQ500 produces detailed wind speed/wind direction measurements every 15m up to its maximum height range of 300m which would be useful in any modelling undertaken.

5.4 Noise and Vibration

The Council's Pollution Control team would require an assessment of the effects from all tonal noise from the development at existing receptor locations. Additionally, regard should be made to the committed development of the Felindre Strategic Business Park and the proposed residential development of the Felindre LDP urban village.

5.5 Ecology

The Council's Ecologist has assessed the ecological sections scoping report and confirms that it would appear that all of the relevant areas for ecological survey have been identified in the preliminary ecological appraisal (appendix 1). The surveyors have identified some areas requiring further work some of which is been carried out now. This additional work is summarised in sections 5.5.9 to 5.5.25 of the report. Once the full report has been completed it will be possible to fully assess any potential impact.

5.6 Water Quality and Resources

Immediately to the north of the site Dwr Cymru Welsh Water operate their Felindre Water Treatment Works (WTW) and further to the north the Upper and Lower Lliw reservoirs form an important watt storage asset for the provision of treated water to over 400,000 customers extending as far west as Carmarthen and as far east as the

Vale of Glamorgan and additionally there is a strategic watermain in the vicinity. The 66" diameter strategic water pipeline, along with the Lliw Reservoirs and Felindre WTW form integral parts of the largest water supply scheme ever constructed in Wales and were built in 1968 under an Act of Parliament known as the River Towy Water Supply Scheme. The 66" watermain is 17 miles long running from Nantgaredig Pumping Station to Felindre Water Treatment Works, and has no isolation valves along its entire length. It carries 240 Megalitres of water per day. This asset is the sole supply from ther Llyn Brianne reservoir, via Nantgaredig Pumping Station to Felindre Water Treatment Works (WTW). Critical dependencies on this water supply include heavy and light industry, commercial centres and major health care facilities, such as the Morriston Hospital. Felindre WTW is one of only five DCWW assets in Wales which is classified by UK Government as of Critical National Importance. The strategic and importance of this asset therefore cannot be overstated.

No doubt consultation has been undertaken with DCWW, but impacts about the water quality in the reservoir and the structural integrity of the strategic water mains will need to be fully considered. It has previously been indicated by DCWW in association with other projects, that any works that would impact the integrity of the watermain would be of significant concern. It should also be noted that a fracture to this important watermain is likely to result in a major flooding incident as the water from the pipe drains out. Should the supply of water from this watermain to Felindre WTW be interrupted, water would be sourced from the Lower Lliw reservoir. Although the Lower Lliw would provide storage for a time, once half of the reservoir's stored water has been used the remaining water will be of very poor quality. The amount of treatment required for the water extracted at lower water is likely to exceed the treatment which can be provided at Felindre WTW in the quantities required for 400,000 customers.

<u>Burry Inlet Habitat Regulations Assessment</u>
The Scoping Opinion indicates that the Afan Llan flows in Swansea Bay. This is incorrect as the Afan Llan flows into the Loughor Estuary / Burry Inlet. This forms part of a European protected site which potentially affects the Carmarthen Bay and Estuaries European Marine Site (CBEEMS), the Carmarthen Bay Special Protection Area (SPA) and the Burry Inlet SPA and RAMSAR site. The conservation status of the sites has for some time been a matter of concern, with the issues centre around deficiencies in the sewerage infrastructure and the resulting storm spills and nutrients that may discharge into the protected sites.

The local authorities, Carmarthenshire County Council and City and County of Swansea Council, are required to meet their obligations under the EU Habitats Directive to ensure that no new developments adversely affect a protected site. This has led to a precautionary approach to new applications for development that may add additional loading on the public sewerage infrastructure in the area. To this end

CITY & COUNTY OF SWANSEA / DINAS A SIR ABERTAWE
DIRECTORATE OF PLACE / CYFARWYDDIAETH LLEOEDD
ECONOMIC REGENERATION & PLANNING / ADFYWIO ECONOMAIDD A CHYNLLUNIO
CIVIC CENTRE, OYSTERMOUTH ROAD, SWANSEA, SA1 3SN
Y GANOLFAN DDINESIG, HEOL YSTUMLLWYNARTH, ABERTAWE, SA1 3SN
☎ (01792) 635701 🖷 (01792) 635719 🖷 (01792) 635708
✉ planning@swansea.gov.uk / http://www.swansea.gov.uk

a Memorandum of Understanding has been agreed between the relevant Councils, Dwr Cymru Welsh Water, Environment Agency and Countryside Council for Wales (Sept. 2011). The Memorandum of Understanding ("MoU") relating to the Safeguarding the Environment of the Carmarthen Bay and Estuaries European Marine Site (CBEEMS) whilst enabling Social and Economic Development for Communities around Burry Inlet indicates that to allow developments to proceed within the Gowerton Catchment *foul flows generated by a development will only be allowed to connect to the sewerage system once existing flows of surface water or foul have been removed from the system* as a compensatory measure.

5.7 Geology, Ground Conditions and Agriculture
No comments

5.8 Landscape and Visual Impact
It is noted that a landscape and visual assessment will be undertaken and it is noted that a Zone of Theoretical Visibility (ZTV) will be generated for the Power Generation Plant and that a selection of photomontages will be taken from key sensitive viewpoints, and a suggested list in included in the Scoping Report for consultation. Whilst the suggested viewpoint locations appear to be indicative of the surrounding area, following a meeting with the developer the ZTV has been requested to assist in assessing the adequacy of the proposed viewpoints.

5.9 Traffic, Transport and Access
The Council's Head of Transportation has a meeting arranged for the 7th August to scope out the transport/traffic/access elements.

5.10 Cultural Heritage and Archaeology
No comments

5.11 Socio-Economics
No comments

I hope this is of assistance to you.

Yours sincerely

DAVID OWEN
PRINCIPAL PLANNING OFFICER

Hannah Nelson

From: Owen, David <David.Owen@swansea.gov.uk>
Sent: 24 July 2014 14:05
To: Environmental Services
Subject: FW: Abergelli Power Project
Attachments: mvmt1259.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Jenny

Further to yesterday's email in terms of the cumulative assessment I would also wish to highlight a new planning application I have just become aware of.

Planning Application no. 2014/1022 for the installation of a solar park consisting of 47,000 solar panels with the installed capacity of 12.69 MW on land at Brynwhilach Farm. This site is almost immediately to the west of the proposed Abergelli Power Plant.

Regards

David

From: Owen, David
Sent: 23 July 2014 11:30
To: 'environmentalservices@infrastructure.gsi.gov.uk'
Subject: Abergelli Power Project

For the attention of Jenny Colfer

Please find attached the LPA's consultation response to the EIA Scoping Report for the above project.

Regards

David Owen
Principal Planning Officer

****

The Coal Authority

INVESTOR IN PEOPLE

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.coal.gov.uk/services/planning

For the Attention of: Ms J. Colfer – Senior EIA and Land Rights Advisor
The Planning Inspectorate

[By Email: environmentalservices@infrastructure.gsi.gov.uk]

Your Ref: EN010069

24 July 2014

Dear Ms Colfer

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by Abergelli Power Limited for an Order Granting Development Consent for the Abergelli Power Project – Scoping Consultation

Thank you for your consultation letter of 26 June 2014 seeking the views of The Coal Authority on the EIA Scoping Opinion for the above proposal.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. 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

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; the site therefore has been subject to past coal mining activity and is located within an area of surface coal resource.

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

The Coal Authority is therefore pleased to note that the Environmental Impact Assessment Scoping Report (June 2014) submitted at section 5.7 proposes the inclusion of a chapter

in the Environmental Statement on geology, ground conditions and agriculture and also demonstrates awareness in paragraph 5.7.3 that part of the proposed development site has been subject to past coal mining activity.

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 (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 637 000).

An assessment of the risks associated with the presence of coal mining legacy issues on a proposed development should be prepared by a "competent body". Links to the relevant professional institutions of competent bodies can be found at; http://coal.decc.gov.uk/en/coal/cms/services/planning/strategy/strategy.aspx

In accordance with our consultation requirements, we look forward to being consulted on the Development Consent Order and accompanying Environmental Statement 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

Mark Harrison

Mark E. N. Harrison *B.A.(Hons), DipTP, LL.M, MInstLM, MRTPI*
Planning Liaison Manager

Dŵr Cymru
Welsh Water

Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E.mail: developer.services@dwrcymru.com

Gwasanaethau Datblygu
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Caerdydd
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E.bost: developer.services@dwrcymru.com

The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol,
BS1 6PN

Issued via email only

Date: 24/07/2014
Our Ref: OG/NSIP/Abergelli

Dear Sir / Madam,

Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulation 8

Application by Abergelli Power Limited for an Order Granting Development Consent for the Abergelli Power Project

Scoping Consultation

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

The application site lies in close proximity to the Lower Lliw Reservoir which supplies Felindre Water Treatment Works. The Scoping Request is silent on the potential impact of the development upon the water quality within the reservoir, which is approximately 1km from the site. It is therefore recommended that the developer explores these issues and undertakes an appropriate air quality assessment to consider possible effects to the water in the reservoir from both deposition and affected rainfall.

Further to the above, and where relevant, we recommend that the developer considers the impact upon any DCWW assets and apparatus and our ability to fulfil statutory obligations. In particular we draw the Planning Inspectorate and the developer's attention to the 48" strategic water main that crosses the application site. We would encourage and welcome early dialogue with ourselves to discuss these matters.

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

Finally, I would be grateful if all future correspondence relating to the project is directed to me at the above address. For any further information, please do not hesitate to contact me.

Yours faithfully,

[redacted]

Owain George
Lead Development Control Officer
Developer Services

APPENDIX 3

Presentation of the Environmental Statement

APPENDIX 3

PRESENTATION OF THE ENVIRONMENTAL STATEMENT

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement:

a) 'that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but

b) that includes at least the information required in Part 2 of Schedule 4'.

(EIA Regulations Regulation 2)

The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.

The SoS advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The SoS recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

The SoS emphasises that the ES should be a 'stand alone' document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.

Schedule 4 Part 1 of the EIA Regulations states this information includes:

> ‘17. *Description of the development, including in particular—*
> *(a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;*
> *(b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
> *(c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.*
>
> 18. *An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects.*
>
> 19. *A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.*
>
> 20. *A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:*
> *(a) the existence of the development;*
> *(b) the use of natural resources;*
> *(c) the emission of pollutants, the creation of nuisances and the elimination of waste,*
> *and the description by the applicant of the forecasting methods used to assess the effects on the environment.*
>
> 21. *A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.*
>
> 22. *A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.*
>
> 23. *An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information’.*
>
> *EIA Regulations Schedule 4 Part 1*

The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of 'the main alternatives studied by the applicant' which the SoS recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:

Schedule 4 Part 2

- A description of the development comprising information on the site, design and size of the development
- A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects
- The data required to identify and assess the main effects which the development is likely to have on the environment
- An outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and
- A non-technical summary of the information provided *[under the four paragraphs above]*.

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the SoS considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

The SoS recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The SoS considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

Scheme Proposals

The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The SoS is not able to entertain material changes to a project once an application is submitted. The SoS draws the attention of the applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.

Flexibility

The SoS acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.

It is a matter for the applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

The Rochdale Envelope principle (see *R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The applicant's attention is drawn to the Planning Inspectorate's Advice Note 9 'Rochdale Envelope' which is available on the Advice Note's page of the National Infrastructure Planning website.

The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.

The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the structures and of any buildings. Lighting proposals should also be described.

Scope

The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

Physical Scope

In general the SoS recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered
- the relevance in terms of the specialist topic
- the breadth of the topic
- the physical extent of any surveys or the study area, and
- the potential significant impacts.

The SoS recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

Breadth of the Topic Area

The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

Temporal Scope

The assessment should consider:

- environmental impacts during construction works
- environmental impacts on completion/operation of the proposed development
- where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals), and
- environmental impacts during decommissioning.

In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to re-use materials and to restore the site or put it to a suitable new use. The SoS encourages consideration of such matters in the ES.

The SoS recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The SoS recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.

Baseline

The SoS recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

The SoS recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed with the relevant statutory bodies and appropriate consultees, wherever possible.

The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.

Identification of Impacts and Method Statement

Legislation and Guidelines

In terms of the EIA methodology, the SoS recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the SoS recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

The EIA Regulations require the identification of the 'likely significant effects of the development on the environment' (Schedule 4 Part 1 paragraph 20).

As a matter of principle, the SoS applies the precautionary approach to follow the Court's[4] reasoning in judging 'significant effects'. In other words 'likely to affect' will be taken as meaning that there is a probability or risk that the proposed development will have an effect, and not that a development will definitely have an effect.

The SoS considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The SoS recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The SoS considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

The SoS recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that 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 specialist topic areas. The SoS recommends that a common format should be applied where possible.

Inter-relationships between environmental factors

The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

The SoS considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.

Cumulative Impacts

The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development).

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[4] See Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretris van Landbouw (Waddenzee Case No C 127/02/2004)

In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are:

- projects that are under construction
- permitted application(s) not yet implemented
- submitted application(s) not yet determined
- all refusals subject to appeal procedures not yet determined
- projects on the National Infrastructure's programme of projects, and
- projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment.

The SoS recommends that offshore wind farms should also take account of any offshore licensed and consented activities in the area, for the purposes of assessing cumulative effects, through consultation with the relevant licensing/consenting bodies.

For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).

Related Development

The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.

The SoS recommends that the applicant should distinguish between the proposed development for which development consent will be sought and any other development. This distinction should be clear in the ES.

Alternatives

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

Matters should be included, such as *inter alia* alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The SoS advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

The SoS advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

Cross References and Interactions

The SoS recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Consultation

The SoS recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information (PEI) (this term is defined in the EIA Regulations under regulation 2 'Interpretation') to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with Section 47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.

Transboundary Effects

The SoS recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the SoS recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note 12 'Development with significant transboundary impacts consultation' which is available on the Advice Notes Page of the National Infrastructure Planning website

Summary Tables

The SoS recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables:

Table X to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

Table XX to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

Table XXX to set out the mitigation measures proposed, as well as assisting the reader, the SoS considers that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order.

Table XXXX to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

Terminology and Glossary of Technical Terms

The SoS recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.

A glossary of technical terms should be included in the ES.

Presentation

The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate.

Appendices must be clearly referenced, again with all paragraphs numbered.

All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

Bibliography

A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

Non Technical Summary

The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

Appendix 3.B: Phase 1 PINS EIA Scoping Opinion and Regulation 9 List

3.B III Regulation 9 List

The Planning Inspectorate

PROPOSED ABERGELLI POWER PROJECT

PROJECT REFERENCE: EN010069

LIST OF PRESCRIBED CONSULTATION BODIES NOTIFIED BY THE PLANNING INSPECTORATE UNDER REGULATION 9(1)(a) OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (AS AMENDED)

This information has been provided in accordance with Regulation 9(1)(b) of the EIA Regulations in response to a Regulation 6 notification received from Abergelli Power Limited on 25 June 2014. The table below lists the bodies that the Planning Inspectorate (PINS) has notified under Regulation 9(1)(a) of the EIA Regulations. Notification bodies have been identified based on the red line boundary provided by the applicant as a shapefile in the correspondence dated 28 May 2014.

When meeting their statutory pre-application obligations, the applicant must make diligent inquiries, carry out their own investigations and take legal advice, as appropriate. The applicant should also have regard to the relevant guidance prepared by the Planning Inspectorate, which is available from the Planning Portal website.

SCHEDULE 1 DESCRIPTION	ORGANISATION	CONTACT
The Welsh Ministers	Welsh Government	Carl Sargeant AM Minister for Housing and Regeneration Cardiff Bay Wales C99 1NA
The Welsh Ministers	Welsh Government	Ron Loveland Director of Sustainable Energy and Industry in Cardiff Bay Wales C99 1NA

The Health and Safety Executive	Health and Safety Executive	Laura Evans NSIP Consultations 5.S.2 Redgrave Court Merton Road Bootle L20 7HS NSIP.applications@hse.gsi.gov.uk
The Relevant Fire and Rescue Authority	Mid and West Wales Fire and Rescue	Fire Service Headquarters Lime Grove Avenue Camarthen SA31 1SP mail@mawwfire.gov.uk
The Relevant Police and Crime Commissioner	South Wales Police	South Wales Police HQ Cowbridge Road Bridgend CF31 3SU
The Relevant Police and Crime Commissioner	Dyfed-Powys Police	Police Headquarters PO BOX 99 Llangunnor Carmarthen SA31 2PF ContactCentre@Dyfed-Powys.pnn.police.uk
The Relevant Parish Council(s) or Relevant Community Council	Llanedi Community Council	Parish Clerk owenj@cyngorllanedicouncil.org
The Relevant Parish Council(s) or Relevant Community Council	Pontarddulais Community Council	Parish Clerk 45 St Teilo Street Pontarddulais Swansea SA4 8SY

		pontarddulaistowncouncil@yahoo.co.uk
The Relevant Parish Council(s) or Relevant Community Council	Betws Community Council	Parish Clerk Cerith W Griffiths 77 Cwmfferws Road Tycroes Ammanford Carmarthenshire SA18 3TU Betwscommunitycouncil@hotmail.co.uk
The Relevant Parish Council(s) or Relevant Community Council	Pontardawe Town Council	Parish Clerk PO Box 556 Swansea SA8 4WL pontardawetc@aol.co.uk
The Relevant Parish Council(s) or Relevant Community Council	Cwmamman Town Council	Mr David Davies Cwmffrwd Farm Llandeilo Road Glanamman Carmarthenshire SA18 2DZ
The Relevant Parish Council(s) or Relevant Community Council	Mawr Community Council	phil.owen@mawrcommunity.org.uk
The Relevant Parish Council(s) or Relevant Community Council	Pontlliw and Tircoed	officers@pontlliw-tircoed.org.uk

The Relevant Parish Council(s) or Relevant Community Council	Penllergaer	Community Clerk 1 Bryntawe Road Ynystawe Swansea SA6 5AD
The Relevant Parish Council(s) or Relevant Community Council	Llangyfelach	david.jenkins80@virgin.net
The Relevant Parish Council(s) or Relevant Community Council	Clydach Community Council	Stewart McCulloch 22 Royal Sovereign Apartments Phoebe Road Copper Quarter Swansea SA1 7FH
The Equality and Human Rights Commission	Equality and Human Rights Commission	Baroness Onora O Neill correspondence@equalityhumanrights.com
Royal Commission On Ancient and Historical Monuments Of Wales	Royal Commission On Ancient and Historical Monuments Of Wales	Hilary Malaws Library and Enquiries Service, National Monuments Record of Wales Plas Crug Aberystwyth SY23 1NJ Hilary.Malaws@rcahmw.gov.uk
The Natural Resources Body for Wales	Natural Resources Wales	sarah.wood@naturalresourceswales.gov.uk
The Natural Resources Body for Wales	Natural Resources Wales	planning@naturalresourceswales.gov.uk

The Civil Aviation Authority	Civil Aviation Authority	ORA5 Directorate or Airspace Policy CAA House 45-59 Kingsway London WC2B GTE Baggy.Smailes@caa.co.uk
The Relevant Highways Authority	City and County of Swansea - Highways	highways@swansea.co.uk
The Passengers Council	Passenger Focus	Mike Hewitson Fleetbank House 2-6 Salisbury Square London EC4Y 8JX mike.hewitson@passengerfocus.org.uk
The Disabled Persons Transport Advisory Committee	Disabled Persons Transport Advisory Committee	dptac.enquiries@dft.gsi.gov.uk
The Coal Authority	The Coal Authority	Rachael Bust 2 Lichfield Lane Mansfield Nottinghamshire NG18 4RG planningconsultation@coal.gov.uk
The Office Of Rail Regulation	Office of Rail Regulation (Customer Correspondence Team Manager)	Paul Wilkinson One Kemble Street London WC2B 4AN contact.ct@orr.gsi.gov.uk

Approved Operator	Network Rail Infrastructure Ltd	Tom Higginson 1 Eversholt Street London NW1 2DN tom.higginson@networkrail.co.uk
Approved Operator	Network Rail (CTRL) Ltd	Kings Place 90 York Way London N19AG
The Gas and Electricity Markets Authority	OFGEM	Keith Smith 9 Millbank London SW1P 3QE keith.smith@ofgem.gov.uk
The Water Services Regulation Authority	OFWAT	Gail Harris 20th Floor Centre City Tower 7 Hill St Birmingham B5 4UA gail.harris@ofwat.gsi.gov.uk
The Canal and River Trust	The Canal and River Trust	Heather Clarke PSSC Peel's Wharf Lichfield Street Fazeley TAMWORTH Staffordshire, B78 3QZ planning@canalrivertrust.org.uk

Public Health England, an executive agency to the Department of Health	Public Health England	NSIPconsultations@PHE.gov.uk
The Relevant Local Resilience forum	Dyfed Powys LRF Partnership Team	Strategic Co-ordination Centre Dyfed Powys Police Headquarters Llangunnor Carmarthen SA31 2PF
The Crown Estate Commissioners	The Crown Estate	Dr David Tudor Planning and Consents Manager 16 New Burlington Place London W1S 2HX david.tudor@thecrownestate.co.uk
The Natural Resources Body for Wales	Natural Resources Wales	Sarah Wood sarah.wood@naturalresourceswales.gov.uk
The Natural Resources Body for Wales	Natural Resources Wales	planning@naturalresourceswales.gov.uk
The relevant local heath board	Abertawe Bro Morgannwy University LHB	1 Talbot Gateway Baglan Energy Park Baglan Port Talbot SA12 7BR
The National Health Service Trusts	Health Protection Team Public Health Wales	Huw Brunt Temple of Peace Cathays Park Cardiff CF10 3NW

The National Health Service Trusts	Welsh Ambulance Services Trust	HM Stanley Hospital St Asaph Denbighshire LL17 0RS
The National Health Service Trusts	Velindre NHS Trust	Corporate Headquarters Unit 2 Charnwood Court Parc Nantgarw Nantgarw Cardiff CF15 7QZ

RELEVANT STATUTORY UNDERTAKERS		
Railway	Network Rail Infrastructure Ltd	Tom Higginson 1 Eversholt Street London NW1 2DN
Railways	Highways Agency Historical Railways Estate	Hudson House Toft Green York YO1 6HP

Water Transport	The Canal and River Trust	Heather Clarke PSSC Peel's Wharf Lichfield Street Fazeley TAMWORTH Staffordshire, B78 3QZ planning@canalrivertrust.org.uk
Dock	Swansea Port	Capt M. J. Ingamells, Dock and Harbour Master ABP Harbour Offices Lockhead Kings Dock Swansea SA1 1QR
Harbour	Swansea Port	Capt M. J. Ingamells, Dock and Harbour Master Harbour Offices Lockhead Kings Dock Swansea SA1 1QR

Civil Aviation Authority	Civil Aviation Authority	ORA5 Directorate or Airspace Policy CAA House 45-59 Kingsway London WC2B GTE Baggy.Smailes@caa.co.uk
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route (NERL) Safeguarding	Mailbox 25, NATS Corporate and Technical Centre 4000 Parkway Whiteley, Fareham Hampshire PO15 7FL NERLsafeguarding@nats.co.uk
Universal Service Provider	Royal Mail Group	100 Victoria Embankment London EC4Y 0HQ
Water and Sewage Undertakers	Dwr Cymru (Welsh Water)	Pentwyn Road Nelson Treharris Mid Glamorgan CF46 6LY
Public Gas Transporter	Energetics Gas Limited	International House Stanley Boulevard Hamilton International Technology Park Glasgow, G72 OBN

Public Gas Transporter	ES Pipelines Ltd	Alan Slee Hazeldean Station Road Leatherhead Surrey KT22 7AA alans@espipelines.com
Public Gas Transporter	ESP Connections Ltd	Alan Slee Hazeldean Station Road Leatherhead Surrey KT22 7AA alans@espipelines.com
Public Gas Transporter	ESP Networks Ltd	Alan Slee Hazeldean Station Road Leatherhead Surrey KT22 7AA alans@espipelines.com
Public Gas Transporter	ESP Pipelines Ltd	Alan Slee Hazeldean Station Road Leatherhead Surrey KT22 7AA alans@espipelines.com
Public Gas Transporter	Fulcrum Pipelines Limited	FPLplantprotection@fulcrum.co.uk

Public Gas Transporter	GTC Pipelines Limited	Energy House Woolpit Business Park Woolpit Bury St Edmunds Suffolk IP30 9UP
Public Gas Transporter	Independent Pipelines Limited	Energy House Woolpit Business Park Woolpit Bury St Edmunds Suffolk IP30 9UP
Public Gas Transporter	LNG Portable Pipeline Services Limited	Cadarache Bere Court Pangbourne Reading RG8 8HT
Public Gas Transporter	National Grid Gas Plc	Asset Protection - Town Planner National Grid Land and Development Warwick Technology Park Gallows Hill Warwick CV34 6DA vicky.stirling@nationalgrid.com DCOconsultations@nationalgrid.com

Public Gas Transporter	National Grid Plc	The Company Secretary 1-3 Strand London WC2N 5EH vicky.stirling@nationalgrid.com DCOconsultations@nationalgrid.com
Public Gas Transporter	Quadrant Pipelines Limited	Energy House Woolpit Business Park Woolpit Bury St Edmunds Suffolk IP30 9UP
Public Gas Transporter	SSE Pipelines Ltd	55 Vastern Road Reading RG1 8BU
Public Gas Transporter	Scotland Gas Networks Plc	Axis House 5 Lonehead Drove Newbridge Edinburgh EH28 8TG
Public Gas Transporter	Southern Gas Networks Plc	St. Lawrence House Station Road Horley Surrey RH6 9HJ

Public Gas Transporter	Wales and West Utilities Ltd	Wales and West House Spooner Close Celtic Springs Newport NP10 8FZ
Electricity Distributors With CPO Powers	Energetics Electricity Limited	International House Stanley Boulevard Hamilton International Technology Park Glasgow South Lanarkshire G72 0BN
Electricity Distributors With CPO Powers	ESP Electricity Limited	Alan Slee Hazeldean Station Road Leatherhead Surrey KT22 7AA alans@espipelines.com
Electricity Distributors With CPO Powers	Independent Power Networks Limited	Energy House Woolpit Business Park Woolpit Bury St Edmunds Suffolk IP30 9UP
Electricity Distributors With CPO Powers	The Electricity Network Company Limited	Energy House Woolpit Business Park Bury St Edmonds Suffolk IP30 9UP

Electricity Transmitters With CPO Powers	National Grid Electricity Transmission Plc	Asset Protection - Town Planner National Grid Land and Development Warwick Technology Park Gallows Hill Warwick CV34 6DA vicky.stirling@nationalgrid.com DCOconsultations@nationalgrid.com
Electricity Transmitters With CPO Powers	National Grid Plc	The Company Secretary 1-3 Strand London WC2N 5EH vicky.stirling@nationalgrid.com DCOconsultations@nationalgrid.com

SECTION 43 CONSULTEES		
Local Authority	Swansea Council	Head of Planning City and County of Swansea Civic Centre Oystermouth Road Swansea SA1 3SN
Local Authority	Neath Port Talbot County Borough Council	Head of Planning planning@npt.gov.uk

Local Authority	Camarthenshire Council	Head of Planning Carmarthenshire County Council County Hall Carmarthen Carmarthenshire SA31 1JP direct@carmarthenshire.gov.uk

NON-PRESCRIBED CONSULTATION BODIES		
Welsh Language Commissioner	Welsh Language Commissioner	Welsh Language Commissioner Market Chambers 5–7 St Mary Street Cardiff CF10 1AT
CADW	Cadw	Welsh Government Plas Carew Unit 5/7 Cefn Coed Parc Nantgarw CF15 7QQ

Please note that the Prescribed Consultation Bodies have been notified in accordance with the Planning Inspectorate's Advice Note 3: Consultation and notification undertaken by the Planning Inspectorate. Whilst the non-prescribed consultation bodies have been notified by PINS, as they are not prescribed consultees the duty imposed under Regulation 9 (3) of the EIA Regulations (if requested by the applicant, to make information relevant to the preparation of the environmental statement available) does not apply to these consultees.

August 2014

Appendix 3.C: Phase 1 PINS Transboundary Screening Matrix

The Planning Inspectorate

Overview - Transboundary screening undertaken by the Secretary of State	
Project name:	Abergelli Power Project
Address/Location:	Fields north of Swansea, approximately 1 km southeast of Felindre, 760m west of Llwyncelyn and 1.4km north of Llangyfelach. Grid Reference of site centre: 265284, 201431.
Planning Inspectorate Ref:	EN010069
Date(s) screening undertaken:	First screening – 22/08/2014 following the applicant's request for a scoping opinion
EEA States identified for notification:	First screening: None identified

FIRST TRANSBOUNDARY SCREENING UNDERTAKEN BY THE SECRETARY OF STATE	
Document(s) used for transboundary Screening:	Abergelli Power Project, Environmental Impact Assessment Scoping Report ('the Scoping Report')
Date	22/08/2014
Screening Criteria:	**Secretary of State Comments:**

Characteristics of the Development	The proposed development would comprise:
	• A new power generation plant in the form of a Simple Cycle Gas Turbine (SCGT) gas fired peaking power generating station fuelled by natural gas and capable of providing and electrical capacity of up to 299 MW comprising:
	  • The generating equipment including the gas turbine generators and balance of plant
	  • A new purpose built access road either from the Rhyd-y-pandy Road to the north (Access Road – Option 1) or the B4489 to the west (Access Road – Option 2)
	  • A temporary construction compound (the Laydown Area)
	• A new gas connection to bring natural gas to the generating equipment from either the National Transmission System (NTS) or the Local Transmission System (LTS), which is located within the gas opportunity area;
	• A new electrical connection to export power from the generating equipment to the National Grid Electricity Transmission System (NETS) for distribution to homes and businesses which is located within the gas connection opportunity area;
	• As a peaking plant (required to operate when there is a surge in demand) the generating equipment would operate for up to 1500 hours per year;
	• Waste gases and heat would be released to the atmosphere via between 1 and 5 stacks; the stacks will contain equipment to reduce any emissions;
	• Construction and commissioning of the project would take approximately 22 months;

	• The power generation plant would be designed to have an operational life of 25 years after which time it would either be decommissioned or repowered.
Geographical area	The applicant has not indicated within their Scoping Report whether any impacts are likely to extend beyond the jurisdiction of the UK.
Location of Development (including existing use)	The site is located within the City and County of Swansea. The agricultural land classification for the land within and surrounding the proposed site is grade 4 (poor quality agricultural land) and is dominated by improved grassland fields used for grazing sheep and horses. In addition within the proposed site, is a disused coal mine, a landfill as well as small areas of marshy grassland and woodland copses interspersing the improved grassland to the north and east. The site lies approximate 8 km from Wales West coast and the Bristol Channel.
Cumulative impacts	The Scoping Report identifies the following developments for inclusion within the cumulative assessment to be undertaken as part of the Environmental Statement: • Planning Application 2013/0795 – Installation of four 5 kW wind turbines 120.7 m to tip and associated infrastructure at Myle Coch Mawr; • Planning Application 2013/0135 – Installation of ground mounted array of solar panels, inverter substations and 2.4 m high fencing on land at Abergelli Farm. This development would be located within the gas connection opportunity area on the proposed site; • Planning Application 2013/1639 (Rhyd-y-pandy Solar Park) – Construction of 7 MW solar park consisting of installation of up to 28,250 photovoltaic panels and up to six inverter/transformer cabins, a single control building and provision of security fencing; • Proposed development within the Swansea Vale Development Area and other developments, should information become publically available in time to allow inclusion. Section 4.3 of the Scoping Report deals with the cumulative assessment.
Carrier	Potential pollution via air, land and water.
Environmental Importance	The three designated European sites that lie within 10 km of the proposed site are Burry Inlet Ramsar Site and SPA, Carmarthen Bay and Estuaries SAC and Crymlyn Bog Ramsar Site and SAC. Two SSSI's and one LNR lie within 5km of the proposed site, there are 23 SINC's within 2 km of the proposed site. The nearest AONB is the Gower which is remote from proposed site and is visually separated by intervening topography.

	Cultural Heritage and Archaeology are dealt with within section 5.10 of the Scoping Report. Within 5 km of the site there are 17 Scheduled Monuments, one Grade I listed building, 54 Grade II listed buildings, 3 Grade II Historic Parks and Gardens, two conservation areas and various undesignated cultural heritage assets including buildings, earthworks, areas of ancient woodland, sites of structures known only from documentary sources, sub-surface archaeological remains, sites recorded only as cropmarks and isolated findspots.
Extent	Not identified in the applicants Scoping Report. On the basis of the design measures built into the development and the implementation of mitigation measures and best practice (in line with regulatory body requirements), no significant effects have been identified which could impact on another EEA Member State.
Magnitude	No impacts have been identified which would be likely to affect another EEA State.
Probability	No impacts have been identified which would be likely to affect another EEA State.
Duration	No impacts have been identified which would be likely to affect another EEA State.
Frequency	No impacts have been identified which would be likely to affect another EEA State.
Reversibility	No impacts have been identified which would be likely to affect another EEA State.

Transboundary screening undertaken by the Secretary of State

Under Regulation 24 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) (the EIA Regulations) and on the basis of the current information available from the Applicant, the Secretary of State is of the view that the proposed development **is not likely** to have a significant effect on the environment in another EEA State.

In reaching this view the Secretary of State has applied the precautionary approach (as explained in the Planning Inspectorate's Advice Note 12: Transboundary Impacts Consultation); and taken into account the information currently supplied by the Applicant.

Action:

No further action required at this stage

Date 22/08/2014

Note: The Secretary of State's duty under Regulation 24 of the EIA Regulations continues throughout the application process.

Note:

1. The Secretary of State's screening of transboundary issues is based on the relevant considerations specified in Annex 4 to Planning Inspectorate Advice Note 12 available on the Planning Inspectorate's website at http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/