

Appendix A.3

EIA Scoping Opinion



EIA Scoping Direction

DNS CAS-03950-F9K3T4

Bodelwyddan BESS and Solar Farm

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This Scoping Direction is provided on the basis of the information submitted to Planning and Environment Decisions Wales on 19 December 2024, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Inspector or any decision made by the Welsh Ministers in relation to the development, and does not preclude the Inspector from subsequently requiring further information to be submitted with the submitted DNS application under Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (as amended) (“The 2017 Regulations”).

1. Introduction

Planning and Environment Decisions Wales (PEDW) received a request under Regulation 33 of the 2017 Regulations for a Scoping Direction in relation to a proposed development for Bodelwyddan BESS and Solar Farm by Bodelwyddan Solar & Energy Storage Limited.

The request was accompanied by a Scoping Report (SR) dated December 2024 that outlines the proposed scope of the Environmental Statement (ES) for the proposed development:

‘2024-12-19 - EIA Scoping Request - Scoping Report Final’ Part 1,2 and 3 and ‘2025-01-10 - Scoping Report Chapter - LVIA Updated’ available via the Planning Casework Portal - <https://planningcasework.service.gov.wales/> and search **CAS-03950-F9K3T4**

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

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

2. Site Description

The site comprises two parcels of land, a solar site and a Battery Energy Storage (BESS) site, and a cable route connecting the sites to the National Grid Bodelwyddan substation. The land is agricultural and lies to the north and south of Bodelwyddan.

Further information is available in sections 2.1 and 2.2 of the SR.

3. Proposed Development

The proposal as described in the SR is for the construction, operation and maintenance of a solar photovoltaic electricity generating system and BESS and will include the following key elements:

- Rows of solar photovoltaic panels and mounting systems
- Solar inverters and transformers

- Switchroom and substation buildings
- BESS equipment comprising battery units, power conversion systems, and associated infrastructure
- Substation compound and associated equipment
- Underground electrical cable route corridor
- Internal access tracks
- Perimeter fencing, gates, CCTV cameras and other ancillary infrastructure including fire suppression systems / water storage tanks
- Landscape planting and ecological enhancements
- Drainage
- Temporary construction compounds

Further information is available in Chapter 3 of the SR.

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

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

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

4. History

The SR notes that the Site is currently used as agricultural land and is both currently and historically undeveloped.

5. Consultation

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

- Denbighshire County Council (DCC)
- Conwy County Borough Council (CCBC)
- Natural Resources Wales (NRW)
- Cadw
- Agricultural Land Use & Soil Policy, Welsh Government (LQAS)
- Transport Directorate, Welsh Government
- Dŵr Cymru
- Health and Safety Executive (HSE)
- North Wales Fire and Rescue Service

PEDW also received the following additional submissions:

- Cefn Meiriadog Community Council (CMCC)

- Environmental Public Health Service Wales (EPHSW)
- SP Energy Networks (SPEN)

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

6. Environmental Impact Assessment Approach

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

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

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

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

6.1 Baseline

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

6.2 Reasonable Alternatives

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

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

6.3 Currency of Environmental Information

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

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

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

6.4 Cumulative Effects

The Planning Inspectorate’s guidance for Nationally Significant Infrastructure Projects – Advice on Cumulative Effects Assessment sets out a staged process for assessing cumulative impacts which the Applicant should follow when preparing the list of projects for inclusion in the ES: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effects-assessment>

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

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

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

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

All of the other developments considered should be documented and the reasons for inclusion or exclusion should be clearly stated. Professional judgement should be used to avoid excluding other development that is close to threshold limits but has characteristics likely to give

rise to a significant effect; or could give rise to a cumulative effect by virtue of its proximity to the proposed development. Similarly, professional judgement should be applied to other development that exceeds thresholds but may not give rise to discernible effects. The process of refinement should be undertaken in consultation with the Local Planning Authorities (LPAs), NRW, Cadw and other consultees, where appropriate.

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

6.5 Mitigation

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

6.6 Population and Human Health

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

6.7 Transboundary Effects

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

6.8 Topics Scoped In but not subject to a standalone chapter

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

7. Environmental Impact Assessment Aspects

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

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

7.1 Aspects Scoped In

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

- Population and Human Health (not necessarily as a standalone chapter)**
- Flood Risk and Water Resources**
- Archaeology**
- Climate Change (not necessarily as a standalone chapter)**
- Ground Conditions and Contaminated Land (including soil)**
- Agricultural Land**
- Material Assets and Waste**
- Major Accidents and Disasters**
- Biodiversity**
- Landscape and Visual**
- Built heritage**
- Utilities**
- Electromagnetic Fields**

8. Table 1: Planning and Environment Decisions Wales Comments

ID	Reference in Scoping Report	Issue	Comment
General			
ID.1	Chapter 3	Description of development	The applicant's attention is drawn to comments from DCC seeking further detail regarding the construction and decommissioning process especially in relation to the cabling. DCC also notes the statement in the SR at paragraph 3.1.5 regarding maintaining flexibility to ensure best available technology can be used. They query whether in the event less land is needed to deliver the required energy production due to increased efficiency of solar arrays, will the arrays be located in less harmful locations first. The applicant's attention is also drawn to comments from CMCC seeking clarification on the facilities and equipment required to transform the input from the solar site to the BESS, into the output required to feed into the National Grid substation. CMCC also queries paragraph 3.2.12 stating the Battery Energy Storage System would be utilised to reinforce the power generated by the solar farm and other renewable generation assets, seeking clarification on the reference to other renewable generation assets. PEDW recommends these matters are clearly outlined in the ES.
ID.2	11.6	Reasonable alternatives	The applicant's attention is drawn to comments from CMCC regarding detail to be provided on consideration of alternative sites, including co-location of the BESS and Solar Farm.

ID	Reference in Scoping Report	Issue	Comment
ID.3	Chapter 10	Cumulative effects	The SR states the ES will consider the potential for likely significant effects on the environment resulting from committed developments. PEDW advises that developments that have already been built and are operational should not be excluded when considering cumulative effects. Paragraph 5 of Schedule 4 of the 2017 Regulations makes it clear that consideration of cumulative effects should include existing development. To ensure a comprehensive assessment in the final ES, the applicant is advised to liaise with the LPA on development that should be included in the cumulative assessment, as they will be aware of developments in their area which will need to be considered, which may extend beyond other renewable energy developments. PEDW also draws the applicant's attention to the proposed St Asaph Solar Farm (https://planningcasework.service.gov.wales/ and search CAS-01392-D2T3F3). As stated above, the applicant should follow the advice in the Planning Inspectorate's 'Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment': https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-cumulative-effects-assessment
Aspects proposed to be scoped out			
ID.4	Table 9.9	Population and Human Health	PEDW notes that although no separate section is provided in the SR in relation to Population and Human Health, it is listed as a topic to be scoped out in Table 9.9. This topic should be addressed in appropriate chapters of the ES. Population and Human Health is therefore scoped into the ES, but not as a standalone chapter. The applicant's attention is drawn to comments from EPHSW regarding aspects of the development relating to the health of the population.

ID	Reference in Scoping Report	Issue	Comment
ID.5	9.2	Flood Risk and Water Resources	Matters relating to flood risk and water resources are further addressed against the subheadings below, further to section 9.2 of the SR. Given the below considerations, PEDW does not agree that Flood Risk and Water Resources can be scoped out and this is therefore scoped into the ES. PEDW recommends the issues below are appropriately addressed in the ES.
ID.6	9.2.23 / Table 9.5	Flood risk	The SR states that most of the site falls within zone C1 of the Development Advise Maps. NRW highlights that the Flood Map for Planning (https://flood-map-for-planning.naturalresources.wales/) identifies the site to be at risk of flooding and is mostly within Flood Zone 2 / 3 Rivers. NRW adds that there are also a number of historic flood events within the highlighted sites. NRW disagrees that flood risk can be scoped out of the ES, highlighting the importance of flood risk (tidal, river, surface water and ground water) in the Clwyd catchment location. NRW also draws the applicant's attention to Flood Risk Activity Permit requirements and Lead Local Flood Authority (LLFA) advice on any local problems in relation to surface water disposal and any associated flood risk. NRW further comments on consideration of impacts in relation to tidal breach and implications of Shoreline Management Plan 2, as well as sea level rise from the Clwyd. NRW advises it would be helpful to provide clarifications on the red line boundary and various site areas. PEDW recommends the applicant liaises directly with NRW to provide the required clarification. Denbighshire LLFA also recommends that due to the nature of the proposed development and its location within a flood zone that water resources and flood risk is scoped into the ES. Their response states a detailed assessment of the baseline and future baseline conditions with respect to flood risk and surface water drainage should be included, including assessment of the impacts of the

ID	Reference in Scoping Report	Issue	Comment
			construction, operational and decommissioning phases on any receptors identified, as well as any required mitigation measures. DCC concurs with the LFFA and NRW. Given these comments flood risk is scoped in the ES.
ID.7		Flood risk modelling	NRW advises that the publication year and version of the main flood risk modelling studies need to be included in the flood risk and water resources chapter, as well as maps against the existing and proposed site with climate change allowances and impacts clearly described (including cumulative effects).
ID.8	9.2.62 / 9.2.64 / 9.2.76	Flood Consequence Assessment (FCA)	The applicant's attention is drawn to comments from NRW regarding requirements set out in TAN15 and outlining what should be included in the FCA. NRW refers the applicant to their website and Guidance Note 028 'Modelling for Flood Consequence Assessments' for further advice. Website: http://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/development-and-flood-risk/?lang=en Guidance Note 028: https://cdn.cyfoethnaturiol.cymru/media/692249/gn-028-modeling-for-flood-consequence-assessments-accessible.pdf The applicant's attention is also drawn to the response from the LLFA outlining what should be included in the FCA. The LLFA also states a surface water drainage strategy should be provided. PEDW welcomes the SR states an FCA and drainage strategy would be submitted as a technical appendix to the ES.
ID.9	9.2.55	Pollution prevention	The applicant's attention is drawn to comments from NRW highlighting that due to the network of watercourses adjacent to the site, there is the potential for

ID	Reference in Scoping Report	Issue	Comment
			pollutants and sediment from the construction phase to enter these watercourses, which are hydrologically linked to the Clwyd catchment. NRW states that a Construction Environmental Management Plan (CEMP) should ensure adequate measures are in place to minimise the risk of any pollution / contamination affecting connected waterbodies. They recommend the CEMP refers to guidance outlined in Guidance for Pollution Prevention 5: Work and maintenance in or near water: https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp-documents/gpp-5-works-and-maintenance-in-or-near-water/ PEDW recommends the outline CEMP is included as a technical appendix to the ES.
ID.10	9.2.53 / 9.2.55	Watercourse crossings	NRW states that insufficient detail of site-specific mitigation is included in relation to cable route watercourse crossings. Further information should be provided about the watercourses involved and mitigation to prevent changes to the flow of water. NRW therefore advises that matters relating to cable route watercourse crossings should be scoped into the ES. NRW advises that horizontal direct drilling or other forms of undergrounding are used wherever possible. They add that the ES should provide detailed information on the proposed methodology and evidence to demonstrate that there will not be impacts on fluvial geomorphology. NRW also advises that this information is set out in the Water Framework Directive (WFD) Compliance Assessment. In relation to vehicle watercourse crossings NRW advises that the use of culverts is avoided and that bridges should be used to maintain the natural flow, allow natural channel migration and to maintain natural sediment and gravel

ID	Reference in Scoping Report	Issue	Comment
			movement downstream. They add that changes in the physical characteristics and processes of the river have the potential to cause deterioration in the WFD quality elements.
ID.11	9.2.22 / Tables 9.2 and 9.3	Water Framework Directive (WFD)	NRW welcomes the SR states a WFD screening and scoping assessment will be undertaken and states they can provide further advice once completed. Further to the sensitivity and magnitude of change outlined in tables 9.2 and 9.3 in relation to water bodies with a WFD status, NRW highlights that any deterioration in class would not be compliant with the WFD Regulations 2017. The LLFA also states the WFD Assessment should outline the impact on nearby and linked waterbodies, assess the potential effect on any groundwater catchments and the impact on hydro morphological, biological, and chemical status of the associated waterbodies.
ID.12	9.3	Socio-economics	PEDW agrees that socio-economic impacts can be scoped out and welcomes the applicant's intention to submit a stand-alone socio-economic statement as part of the DNS application. The applicant's attention is drawn to comments from CMCC regarding the socio-economic baseline conditions.
ID.13	8.5.2 / 9.4	Archaeology	PEDW notes the SR states that the construction impacts on buried archaeological remains are expected to be limited and therefore this will be scoped out. DCC's response includes representation from the Clwyd Powys Archaeological Trust (Heneb), who do not agree that archaeology should be scoped out. Cadw, DCC and CMCC concur. Heneb advises that the desk-based assessment uses limited data sources and should have been accompanied by a site walkover to locate any previously unrecorded archaeology and to confirm the location, nature and condition of recorded sites within and around the solar farm

ID	Reference in Scoping Report	Issue	Comment
			boundary. Cadw adds that the SR does not explain the methodologies used to produce this desk-based assessment and that they therefore cannot determine if the results of this work are valid. Cadw also highlights that the SR underestimates the likelihood of buried archaeological features, highlighting recent work undertaken to inform the similar cable route for the Awel y Môr Offshore windfarm. The applicant's attention is also drawn to comments from CMCC on this matter. Cadw further highlights the ES underestimates the potential for significant effects in regard to the cable route, especially where it crosses the statutorily registered Kimmel Park historic park and garden. Heneb states that the geophysical survey being completed for the site has identified numerous archaeological features that were previously unrecorded and may be impacted by the proposals. Therefore, further evaluation is recommended to test their significance. PEDW notes that the SR states that the potential extent and heritage significance of buried archaeological remains is being investigated by additional desk-based research and geophysical survey. As these investigations would inform the significance of any impacts as well as any potential mitigation required, insufficient information is currently available to scope out archaeology and this is therefore scoped into the ES. PEDW recommends the applicant liaises directly with Cadw, Heneb and DCC on the requirements for and outcomes of the assessment. If following these discussions, it is agreed that archaeology can be scoped out, a robust rationale for this should be provided in the ES.
ID.14	9.5	Air Quality	PEDW notes that the SR states that mitigation measures to control construction and decommissioning effects will be outlined in the CEMP and

ID	Reference in Scoping Report	Issue	Comment
			Decommissioning Environmental Management Plan (DEMP). PEDW recommends these documents are included as technical appendices to the ES. NRW in their response confirms they are content for air quality impacts on designated sites to be scoped out. PEDW agrees this topic can be scoped out.
ID.15	9.6	Noise and Vibration	DCC accepts noise and vibration can be scoped out of the ES, subject to the best practice measures described in the SR being adhered to. The applicant's attention is drawn to comments from CMCC regarding noise and vibration, including cumulative impacts. PEDW welcomes that the SR states a stand-alone technical noise report will be submitted as part of the DNS application. PEDW agrees this topic can be scoped out.
ID.16	9.7	Transport	The applicant's attention is drawn to comments from Welsh Government Transport Directorate, including in relation to avoiding impacts of the solar arrays on users of the A55 and regarding accepted construction methods and required details for the cable crossing of the A55. The applicant's attention is also drawn to comments from CMCC regarding the impact of laying underground cables along the Glascoed Road, as well as potential cumulative transport and access impacts. DCC confirms they are content for Transport to be scoped out. PEDW agrees and welcomes that the SR states that stand-alone outline Construction Transport Management Plan (CTMP) and DEMP as well as a Transport Statement will accompany the application. PEDW recommends the relevant documents address the concerns highlighted.

ID	Reference in Scoping Report	Issue	Comment
			PEDW recommends the CTMP, DEMP and Transport Statement are included as technical appendices to the ES, as they will likely outline relevant mitigation measures.
ID.17	9.8	Climate Change	PEDW notes the SR proposes to scope out climate change. PEDW agrees a standalone chapter on climate change is not required, but the ES should contain information on impact of the project on climate and the vulnerability of the project to climate change. DCC notes the SR refers to the positive contribution of solar to climate change and highlights it should be considered whether this is a likely significant effect in itself. Climate change is therefore scoped into the ES in a proportionate manner, but not necessarily as a standalone chapter.
ID.18	9.9	Ground Conditions and Contaminated land	Matters relation to ground conditions and contaminated land are further addressed against the subheadings below, further to section 9.9 of the SR. Given the below considerations, PEDW does not agree that Ground Conditions and Contaminated Land can be scoped out and this is therefore scoped into the ES. PEDW recommends the aspects below are appropriately addressed in the ES.
ID.19	9.9.18 / 9.9.31 / 9.2.35	Groundwater	NRW advises groundwater is scoped into the ES. They highlight that groundwater is classified as High Vulnerability for the Clwyd Limestone Principal Aquifer at the western area of the cable run and states that groundwater needs to be scoped in for this area and for the cable route. They add that as the cable may be fluid cooled, this would present an additional risk of pollution to groundwater. NRW also advises the CEMP includes a section on the protection of groundwater from pollution during the construction phase. DCC supports NRW's comments regarding the scoping in of impacts on groundwater.

ID	Reference in Scoping Report	Issue	Comment
			The applicant's attention is also drawn to comments from NRW regarding the British Geological Survey data on aquifers referred to in paragraph 9.2.35 of the SR, advising limestone should be considered most vulnerable.
ID.20	9.9.31	Contamination risk	NRW advises that the potential contamination of soils and controlled waters during the construction phase is of concern and should be addressed in the CEMP. The applicant's attention is drawn to comments from NRW regarding the potential for contamination from materials used in construction, which can degrade and / or release chemicals. NRW advises that all materials to be used in construction of the project are assessed for their long-term resilience and environmental safety. The applicant's attention is drawn to the fact that some solar panels are coated in PFAS (Per- and polyfluoroalkyl substances) which can leach over time due to wear and tear. PEDW advises that should the panels proposed include this, appropriate measures need to be put in place to ensure that leaching of PFAS into the local environment does not occur and this should be addressed in a proportionate manner in the ES.
ID.21	9.9.34	Land contamination	NRW generally agrees that the potential for contaminated ground to be present is low, but highlights that part of the proposal site is located adjacent to a historic landfill site. NRW advises the applicant may wish to consult the LPA's Environmental Health department on this matter.
ID.22	9.9.36	Ground conditions	PEDW and NRW welcome that the following reports relevant to ground conditions will be prepared and submitted with the application: Phase 1 Ground Conditions

ID	Reference in Scoping Report	Issue	Comment
			• Desk-based Mineral Resource Assessment • Detailed Unexploded Ordnance Assessment • Soil Management Plan • Outline CEMP PEDW recommends these are included as technical appendices to the ES.
ID.23	9.9.33 / 9.13 / 9.14	Soils	LQAS states that soils described on site combined with the climatic regime put the soils at a high risk of damage if inappropriately managed. LQAS welcomes that the applicant proposes to produce a Soil Management Plan and outlines detail to be considered in the preparation of the Plan. The applicant's attention also is drawn to comments from LQAS advising on baseline information beneficial to assess potential impacts and inform decisions on infrastructure siting and decommissioning, restoration and beneficial after use of the site. They add that volumes of soil units that will be excavated should be clear and based on survey evidence. LQAS further provide comment on the required assessment of infrastructure and potential impacts on soil functions. This will need to detail the methodology for construction and decommissioning and, considering the soils on site, how any likely impacts have been assessed and avoided. LQAS considers soils should therefore be scoped in and PEDW concurs and impact on soils is scoped into the ES. PEDW notes the SR states that mitigation measures will be defined in a Soil Management / Resource Plan and welcomes this will be included with the application. PEDW recommends the Plan is included as a technical appendix to the ES.

ID	Reference in Scoping Report	Issue	Comment
ID.24	9.9.24 – 9.9.25 / 9.9.36	Minerals	DCC and CCBC advise that a stand-alone report in relation to safeguarded minerals should be included with the application. PEDW welcomes that SR states that that a Mineral Resource Assessment will be prepared and submitted with the application.
ID.25	9.10	Wind microclimate	PEDW is content for this topic to be scoped out of the ES.
ID.26	9.11	Daylight, Sunlight and Overshadowing	PEDW is content for this topic to be scoped out of the ES, subject to Glint and Glare being scoped in under the Landscape and Visual Impact chapter as outlined below.
ID.27	9.9.27 / 9.12 / 9.14	Agricultural Land	LQAS notes that an Agricultural Land Classification (ALC) survey has been undertaken with the grading maps appended to the SR. However, as the full ALC survey report and finding have not been included in the SR, the Department has been unable to validate the survey findings. LQAS therefore cannot confirm the grading on site and if Agricultural Land quality can be scoped out of the assessment. The applicant's attention is drawn to their comments outlining how to request such confirmation. DCC also notes that an ALC report should be provided, as well as concept restoration and aftercare schemes. It is therefore currently not possible to scope out effects on agricultural land and this is scoped in. PEDW recommends the applicant liaises directly with LQAS on this matter. Should following the assessment of the survey findings it be agreed that agricultural land can be scoped out, a robust rationale for this should be provided in the ES.
ID.28	9.15	Waste	It will be necessary to address material assets and waste in a proportionate manner in relevant chapters, especially as the decommissioning phase will be addressed in the ES. The outline CEMP and DEMP should also be included as

ID	Reference in Scoping Report	Issue	Comment
			technical appendices to the ES. Material assets and waste is therefore scoped into the ES, although not necessarily as a standalone chapter.
ID.29	9.16	Lighting	DCC is content for lighting to be scoped out as there would be no permanent external lighting during the operational phase and security lighting would be infrared. Attention is drawn to comments from CMCC on the impact on residential receptors. PEDW also draws the applicant's attention to the comments under the Landscape and Visual Impact section below, in relation to nighttime effects. This also draws the applicant's attention to the recently published Good practice guidance: planning for the conservation and enhancement of dark skies in Wales: https://www.gov.wales/dark-skies-guidance PEDW welcomes that the SR states that the outline CEMP and DEMP to be submitted with the application will include a lighting strategy to minimise light spill to receptors. PEDW is content for lighting to be scoped out and recommends the CEMP and DEMP are included as technical appendices to the ES.
ID.30	9.17	Major Accidents and Disasters	Matters relation to Major Accidents and Disasters are further addressed against the subheadings below, further to section 9.17 of the SR. Given the below considerations, PEDW does not agree that Major Accidents and Disasters can be scoped out and this is therefore scoped into the ES. PEDW recommends the aspects below are appropriately addressed in the ES. The applicant's attention is also drawn to the response from HSE highlighting areas of the proposed development fall within HSE public safety consultation zones associated with Major Accident Hazard Pipelines.

ID	Reference in Scoping Report	Issue	Comment
ID.31	3.1.5 / 9.2.67 – 9.2.71 / 9.17.5 – 9.17.6	Battery Energy Storage System (BESS)	The SR highlights that the development will also comprise of energy storage facilities. At this stage it is not clear which type of batteries or storage facilities are proposed. PEDW notes that there is a potential fire risk associated with certain types of batteries such as lithium-ion and that safety measures are required in the design to minimise the risk of fire. PEDW considers this to be part of the EIA process in line with Schedule 4 of the EIA Regulations (Wales) 2017. PEDW notes that paragraph 9.2.71 proposes that BESS fire management is scoped into the assessment. However, section 9.17 proposes fire risk to be scoped out. The applicant's attention is also drawn to comments from NRW, DCC, EPHSW and CMCC on this matter, advising this should be scoped in with mitigation measures clearly outlined in the ES. PEDW concurs this should be scoped in. The proposed development should include adequate measures to ensure that an isolated fire would not become widespread and lead to a major incident. The applicant is reminded of the responsibilities set by the Regulatory Reform (Fire Safety) Order 2005. PEDW welcomes the SR states that it will be ensured that North Wales Fire and Rescue Service recommendations and requirements are addressed and PEDW draws the applicant's attention to the Fire Service's response on this matter. PEDW welcomes the SR states that a Battery Safety Management Plan (BSMP) will be produced and recommends this is included as a technical appendix to the ES.
ID.32		Pollution prevention	The applicant's attention is drawn to comments from NRW on the requirement for adequate measures for the containment and removal of contaminated fire water. NRW states this should be outlined along with drainage and emergency

ID	Reference in Scoping Report	Issue	Comment
			plans in the BSMP. They also advise that the measures to minimise the risk of pollution from contaminated firewater should be clearly set out by the applicant in a detailed drainage scheme.
ID.33	9.2.70 / 9.17.4	Solar PV	As also highlighted under Ground Conditions and Contaminated Land above, the applicant's attention is drawn to the fact that some solar panels are coated in PFAS which can leach over time due to wear and tear. PEDW reiterates that should the panels proposed include this, appropriate measures need to be put in place to ensure that leaching of PFAS into the local environment does not occur and this should be addressed in a proportionate manner in the ES.
Biodiversity			
ID.34		Biodiversity	DCC in their response confirms they broadly agree with the conclusions of the Biodiversity chapter of the SR and indicates that they support the comments provided by NRW.
ID.35	6.3.1 / 6.8 Tables 6.4 and 6.5	Protected sites - Dee Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site	NRW notes that the SR refers to the potential loss of functionally linked land if the site is confirmed as being functionally linked to the Dee Estuary SAC, SPA and Ramsar Site. NRW therefore agrees that potential impacts on overwintering bird features of the Dee Estuary SPA and Ramsar site should be scoped in. NRW highlights that they can advise further on potential impacts to the overwintering assemblage features once the overwintering bird surveys have been completed to confirm whether the site is functionally linked land. PEDW recommends the applicant liaises directly with NRW on this matter, to ensure impacts in relation to the Dee Estuary SAC, SPA and Ramsar Site are appropriately addressed in the ES.

ID	Reference in Scoping Report	Issue	Comment
ID.36	6.3.2 / 6.6	Protected sites - Coedydd ac Ogofau Elwy a Meirchion Site of Special Scientific Interest (SSSI) / Coedwigoedd Dyffryn Elwy SAC	The applicant's attention is drawn to comments from NRW advising there may be a potential link between bat sites within the surrounding areas and the hibernating bats found at these two sites. NRW states this should be assessed to determine if there is a link and a potential impact. Given these comments, it is not currently possible to scope out impacts on these sites and therefore impacts on Coedydd ac Ogofau Elwy a Meirchion SSSI and Coedwigoedd Dyffryn Elwy SAC are scoped in at this stage. PEDW recommends the applicant liaises directly with NRW on this matter and if it is subsequently agreed these impacts can be scoped out, a robust rationale for this should be provided in the ES.
ID.37	6.3.6	Ancient woodland	NRW notes that part of the site borders Restored Ancient Semi Natural Woodland and refer the applicant to their Advice to planning authorities considering proposals affecting ancient woodland: https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/advice-to-planning-authorities-considering-proposals-affecting-ancient-woodland/?lang=en
ID.38	6.2.1 – 6.2.2	Habitat surveys	NRW advises that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present. They further advise that Habitats Directive Annex 1 habitats are identified as part of the assessment. PEDW highlights that although the 1990 guidelines are quoted in NRW's response, NRW have previously confirmed they endorse the Handbook for Phase 1 habitat survey – a technique for environmental audit (2010, JNCC Resource Hub) as an appropriate standard: https://hub.jncc.gov.uk/assets/9578d07b-e018-4c66-9c1b-47110f14df2a

ID	Reference in Scoping Report	Issue	Comment
ID.39	6.2.2	Ornithology surveys	NRW advises that breeding bird surveys should be in line with industry best practice, highlighting Bird Survey Guidelines (https://birdsurveyguidelines.org/introduction/). The applicant's attention is drawn to NRW's comments that additional species-specific surveys may also be required and should be informed by the habitat on site and desktop survey results. NRW advises that without sight of the desktop and preliminary survey results, they are not able to provide a list of the species-specific surveys expected to be included. NRW does note the habitat on site looks suitable to support barn owl and therefore advise that impacts on barn owl should be considered and surveys should follow Barn Owl Survey Methodology and Techniques for use in Ecological Assessment (https://cieem.net/resource/barn-owl-survey-methodology-and-techniques-for-use-in-ecological-assessment/). Impacts on barn owl are therefore scoped in at this stage. PEDW recommends the applicant liaises directly with NRW on this matter and if it is subsequently agreed that impact on barn owl can be scoped out, a robust rationale for this should be provided in the ES. PEDW also recommends the applicant liaises directly with NRW on wider ornithological survey requirements, outcomes and any resulting mitigation, ensuring this is appropriately addressed in the ES. Any departure from the advice provided by NRW should be supported by a robust rationale in the ES.
ID.40	6.2.2 / Table 6.4	Protected species surveys	The applicant's attention is drawn to comments from NRW advising the site is assessed to determine the likelihood of protected species and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines or justification for any deviation from this should be included. NRW highlights that should protected species be found during the surveys, information must be provided identifying the species-

ID	Reference in Scoping Report	Issue	Comment
			specific impacts in the short, medium, and long term together with any mitigation and compensation measures proposed to offset the impacts identified. NRW concurs that further surveys are needed for bats, otter, water vole and Great Crested Newt (GCN), as referenced in the SR. NRW highlights that St Asaph Business Park, to the south of which the BESS is located, is considered to support a nationally important population of GCN that has an unfavourable conservation status. PEDW recommends the applicant liaises directly with NRW and the LPA's Ecologist on survey requirements, outcome and any resulting mitigation.
ID.41	6.3.8 / 6.7.8	Protected species assessment	NRW highlights that the ES must identify protected species within and in the vicinity of the proposed development, together with a detailed assessment of the likely impacts and significance of those impacts. They note that the SR states that the proposed site has the potential to support GCN, bats, otters and water voles. NRW highlights that GCN, bats and otters are European Protected Species protected under Conservation of Habitats and Species Regulations 2017 (as amended) and water voles are protected under the Wildlife and Countryside Act 1981. NRW also advises that impact assessments should have regard to conservation status (current and favourable) as well as significance. NRW further advises consideration of Section 3.3.2 of Guidance on the strict protection of animal species of Community interest under the Habitats Directive (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=PI_COM:C(2021)7301).
ID.42	6.3.8 / 6.7.8	Ornithology assessment	With regard to determining the importance of bird species, the applicant should refer to Wales specific resources as listed in NRW's comments. NRW also highlights that reference should be made to Birds of Conservation Concern

ID	Reference in Scoping Report	Issue	Comment
			Wales 4 (https://birdsin.wales/wp-content/uploads/2024/09/BoCCW4-consolidated-list-September-2024.pdf) and listing under Section 7 of the Environment (Wales) Act 2016, and under Schedule 1 of the Wildlife & Countryside Act 1981 (as amended). NRW further advises that the 'Valuing Species' section of the SR should make reference to Section 7 of the Environment (Wales) Act (2016).
ID.43	6.5.2 / 6.8	Noise and lighting	PEDW notes that section 6.8 of the SR states that at operation stage, disturbance from noise and lighting to protected and priority species listed at paragraph 6.4.3. is scoped in. However, NRW points out that this paragraph number does not exist in the SR and therefore seeks clarity on the protected species referred to. PEDW notes that paragraph 6.5.2 refers to potential disturbance to certain protected and priority species (birds, badger, otter, water vole, GCN and reptiles), from noise and lighting affecting breeding or foraging. PEDW advises that these species should therefore be scoped in. PEDW also advises the applicant liaises directly with NRW to provide the required clarification and ensures this is appropriately assessed and addressed in the ES.
ID.44		Local biodiversity interests	The applicant's attention is drawn to comments from NRW relating to local biodiversity, recommending that the applicant consults the LPA to ensure that regional and local biodiversity issues are adequately considered and that other relevant stakeholders are contacted for biological information / records relevant to the site and its surrounds.
ID.45	3.1.4 / 6.5.3 / 6.7.16 / 6.8.1	Mitigation and enhancement	The applicant's attention is drawn to comments from DCC and CCBC noting a lack of information regarding the proposed landscaping and biodiversity enhancement.

ID	Reference in Scoping Report	Issue	Comment
			Attention is also drawn to comments from NRW on mitigation and enhancement in relation to protected species and ornithology. NRW advises that the ES sets out how the long-term site security of any mitigation or compensation will be assured, advocating that where the potential for significant impacts on protected species is identified, a Conservation Plan is prepared for the relevant species and included as an annex to the ES. In relation to ornithology NRW adds that mitigation through restriction or redirection of activity may be required and that in relation to buffer distances reference should be made to Goodship & Furness 2022 or alternative published references for species not listed.
Landscape and Visual			
ID.46	7.3.1	Landscape and Visual Impact Assessment (LVIA)	DCC in their response confirms that they support the comments provided by NRW in relation to the LVIA. PEDW notes the SR states that following the Scoping Direction, the LPAs will be consulted further on the detailed approach to the assessment of effects on landscape character and visual amenity. PEDW recommends NRW is also consulted.
ID.47	7.1.3 / 7.6	Methodology	NRW agrees with the LVIA methodology outlined and also draws the applicant's attention to the Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3) Technical Guidance Note LITGN-2024-01 (August 2024, https://www.landscapeinstitute.org/wp-content/uploads/2024/08/LITGN-2024-01-GLVIA3-NC_Aug-2024.pdf).
ID.48	7.2	Baseline	NRW notes the site includes an area with existing consent for a solar farm approved in 2015 by CCBC. The parts of the previous development that were constructed and are operational lie outside of the development boundary and the current EIA includes undeveloped areas of the previous site with prior

ID	Reference in Scoping Report	Issue	Comment
			approval together with new areas. NRW states that the geographic extent of the previous consent and existing operational site adjacent is unclear from the SR and adds that plans should be included to establish clarity of the baseline and potential for cumulative effects.
ID.49	7.2.1 – 7.2.4 / 7.6.3	Study areas	The SR states that as part of the LVIA, various study area boundaries are defined. The applicant's attention is drawn to the comments from NRW, DCC and CMCC questioning the boundaries of the various study areas. NRW on this matter states that the various search and study areas for landscape provide an inconsistent baseline for study. DCC questions the study area for the Residential Visual Amenity Assessment (RVAA), suggesting it could be guided by theoretical visibility. CMCC also questions the study area for the RVAA and adds that the 7 km radius for visual receptors overlooks the fact that there are popular viewpoints outside this distance, which provide a view over the Bodelwyddan and Abergele area and the Irish Sea, for which the proposed solar farm would be highly visible. NRW advises that to clarify appropriate search and study areas, Guidance Note 46 Using LANDMAP in Landscape and Visual Impact Assessments (GN46) should be used together with site-based experience of likely impacts on the protected landscapes. PEDW recommends the applicant liaises directly with NRW and both LPAs to agree appropriate study areas, ensuring this is clearly justified in the ES.
ID.50	7.2.2 – 7.2.3	Zone of Theoretical Visibility (ZTV)	NRW draws attention to the previously consented development, which included a 10 km ZTV analysis, indicating visibility of long views possible from the

ID	Reference in Scoping Report	Issue	Comment
			Clwydian Ranges. NRW states it is unclear why a reduced ZTV is proposed for the current scheme, when this is for a larger scheme with potential for greater cumulative effects across both sites. PEDW recommends the applicant liaises directly with NRW as well as both LPAs to agree an appropriate ZTV range, ensuring this is clearly explained in the ES.
ID.51	7.2.2 – 7.2.4	Receptors	NRW states they agree with the landscape and visual receptors proposed, subject to the necessary changes to the search and study radii outlined above, and as follows: • visual receptors - within the study area plus visual receptors from elevated points within Clwydian Range and Dee Valley National Landscape • national and local landscape designations, overlapping with the ZTV • LANDMAP aspect areas that overlap with the ZTV - in the study area and including viewpoint locations so that effects on landscape character receptors as well as visual receptors in the statutory landscape are scoped in • Cumulative LVIA • Residential Visual Amenity Assessment
ID.52	7.4.6	Clwydian Range and Dee Valley National Landscape (CRDVNL)	NRW welcomes that National Landscape designations are scoped in and suggests asymmetrical study area as described in GN46 may be appropriate to include long views from elevated aspects of the Clwydian Range. NRW highlights that this is particularly relevant where elevated ridges and upland inside the CRDVNL face west towards the site.

ID	Reference in Scoping Report	Issue	Comment
			NRW advises the LVIA should refer to evidence on the special qualities of the National Landscape and how they are affected by the development, referring the applicant to Supplementary Planning Guidance Note Clwydian Range and Dee Valley AONB, June 2018. DCC states that consideration of the potential for impacts upon the CRDVNL should be carefully considered. The consultation on the proposed designation of a national park based on the CRDVNL ended in December 2024. NRW is considering the responses which may result in amendments, including to the proposed boundary. After that NRW will make a recommendation to Welsh Ministers. PEDW recommends that preparing an ES should be an iterative process, and that at the point of making the DNS application every effort should be made to ensure that the ES is based on up-to-date information so far as is practicable.
ID.53	Table 7.3	Viewpoints	The applicant's attention is drawn to NRW's comments regarding viewpoints in relation to CRDVNL, recommending additional viewpoints to ensure representative views and visual amenity of people within the National Landscape are included. NRW adds that LANDMAP visual and sensory aspect area evaluations should be provided at all viewpoints inside and within the immediate setting of the CRDVNL and that appropriate visualisations should be provided. This will inform assessment of effects on visual receptors and on the character of the landscape. The applicant's attention is also drawn to comments from CMCC regarding the viewpoints in relation to the proposed BESS site.

ID	Reference in Scoping Report	Issue	Comment
			PEDW recommends the applicant liaises directly with NRW, the LPAs and CMCC to agree appropriate viewpoints, ensuring this is clearly justified in the ES.
ID.54	Tables 5.1 and 10.1	Glint and Glare	The applicant's attention is drawn to NRW's comments regarding glint and glare assessment requirements. NRW also highlights that where there is potential for a likely significant effect, it should inform the assessment of effects within the relevant chapters, such as landscape and visual, traffic and transport. Attention is also drawn to comments from DCC noting two solar panel options are being considered and highlighting both options should be covered in the glint and glare assessment until a decision is made. PEDW notes that Table 5.1 of the ES confirms a Glint and Glare Assessment will be completed and table 10.1 states this will be included as a technical appendix to the ES. However, no further detail has been provided in the SR on glint and glare. As such insufficient information is currently provided on this topic and Glint and Glare is therefore scoped into the ES. Should following assessment it be decided Glint and Glare can be scoped out, a robust rationale for this should be provided in the ES.
ID.55	7.5.2	Nighttime effects	PEDW notes the SR states that nighttime effects have been scoped out and that the outline CEMP / DEMP to be submitted with the application will include a lighting strategy to minimise light spill to receptors. PEDW welcomes the SR states the CEMP and DEMP will be submitted with the application and recommends they are included as technical appendices to the ES.

ID	Reference in Scoping Report	Issue	Comment
			PEDW also draws the applicant's attention to the recently published Good practice guidance: planning for the conservation and enhancement of dark skies in Wales: https://www.gov.wales/dark-skies-guidance
ID.56	7.2.3 / Table 10.1	Cumulative impacts	DCC supports the approach to cumulative impacts and the applicant's attention is drawn to their comments highlighting schemes to be included in the assessment. The applicant's attention is also drawn to comments from CMCC regarding other major infrastructure projects nearby. The Community Council expresses concern about cumulative effects and resulting damage to the character and identity of the community. The applicant's attention is drawn to the Community Council's comments on table 10.1 in the SR, regarding developments to be considered as part of the cumulative assessment. NRW welcomes the inclusion in the cumulative assessment of the adjacent operational site. NRW draws attention to the proposals for further development at Cefn Meiriadog, St Asaph (immediately adjacent the BESS site) and highlights that the cumulative effects along with other proposals proceeding will need to be understood to ascertain potential harms and necessary mitigations and therefore advise this is also scoped in. CMCC also advocates a more comprehensive approach to cumulative assessment to include developments that have not yet been committed. PEDW welcomes that the SR states that the scope of the cumulative list and the defined study area should be guided by the host LPAs. To ensure a comprehensive assessment in the final ES, the applicant is advised to liaise with the LPAs, NRW and CMCC on development proposals that should be included in the cumulative assessment.

ID	Reference in Scoping Report	Issue	Comment
ID.57	3.1.4 / 7.2.6	Mitigation and enhancement	The applicant's attention is drawn to comments from DCC's Public Rights of Way Officer regarding enhancements to the network. The applicant's attention is also drawn to comments from DCC and CCBC highlighting the SR lacks information regarding any landscaping work which forms part of the proposals. CCBC notes it is therefore impossible to ascertain the degree of mitigation that would be provided. They also highlight that the ground and microclimatic conditions are challenging for the establishment of new planting, which can impact the timescale over which planting can be expected to achieve meaningful results. CCBC expects detailed planting specifications to be included and for the LVIA to make a realistic assessment of the success of landscaping in mitigating landscape and visual impacts. PEDW advises the applicant liaises directly with the LPAs to discuss mitigation proposed, ensuring this is appropriately addressed in the ES.
Built Heritage			
ID.58	8.6	Methodology	Cadw confirms that in general they agree with the methodologies proposed for the assessment of the impact of the proposed development on the built heritage.
ID.59	8.2.1	Study area	The applicant's attention is drawn to comments from Cadw, disagreeing with the 2 km study area. They recommend this is extended to 5 km, which would be in accordance with the distances given in the Annex to the document 'The Setting of Historic Assets in Wales'. CMCC also notes the limitations of the proposed study area, highlighting it would marginally exclude the nearest listed building to the BESS site. Cadw states that the impact of the proposed development on the setting of the

ID	Reference in Scoping Report	Issue	Comment
			designated historic assets listed in the Annex to their response (inside 5 km and in the ZTV) should be considered in accordance with the above guidance document. This will require a stage 1 assessment for all of those assets, which will determine the need for stages 2 to 4 to be carried out for specific historic assets. The results of the stage 1 should be included as an appendix in the ES. Heneb also states that the above ground potential visual impacts of the scheme on the setting of both designated and non-designated assets must be included. PEDW welcomes the SR states that Cadw and Heneb will be consulted to inform the selection of designated historic assets for detailed assessment.
ID.60	8.2.3 / 8.4.3	Kinmel Park Historic Park and Garden	Cadw highlights that it has particular concerns about the impact on the setting of the statutorily registered Kinmel Park historic park and garden, as the solar farm adjoins part of registered area, and it is also in the identified significant views from the park. DCC shares this concern. PEDW recommends the applicant liaises directly with Cadw and DCC on their concerns, ensuring the impact is appropriately assessed and addressed in the ES.
ID.61	8.2.7 / 8.4.3	The Vale of Clwyd and Lower Elwy Valley historic landscapes	Cadw highlights that the BESS site is located inside 5 km of the registered The Vale of Clwyd and Lower Elwy Valley historic landscapes. Cadw states that the impact of the BESS site on their settings will therefore need to be considered. Cadw adds that this impact should be assessed using the methodology in 'The Setting of Historic Assets in Wales' and that an ASIDOHL assessment is not required. PEDW recommends the applicant liaises directly with Cadw on this matter, ensuring the impact is appropriately assessed and addressed in the ES.

ID	Reference in Scoping Report	Issue	Comment
ID.62	8.4.1 / 8.4.5 / 8.5.1	Construction and decommissioning impacts	DCC states there is a lack of information regarding the impacts from the construction and demolition phases upon heritage assets, in particular for the cabling route. PEDW agrees with these comments. As limited information is currently provided in the SR on these impacts, construction and decommissioning impacts are scoped in at this stage. PEDW recommends the applicant liaises directly with Cadw and DCC on this matter, ensuring the impacts are appropriately addressed in the ES. If after these discussions it is decided these impacts can be scoped out, a robust rationale for this should be provided in the ES.
Other considerations			
ID.63		Utilities	The applicant's attention is drawn to comments from SPEN, stating it should be explained how the impact on the existing network is to be managed and mitigated. They highlight that any baseline studies should reference the Distribution Network Operator's (DNO) network and assessment of the impact of the proposals on this network. They add they can provide the relevant detail to show on relevant plans. They add that mitigation proposals will need to take account of the DNO's assets and operational requirements. SPEN also draws attention to land rights interests across the proposed site, which must be maintained. The SR does not include any detail on this matter and given the comments from SPEN, it is not possible to scope out utilities at this stage. Utilities is therefore scoped into the ES in a proportionate manner. PEDW recommends the applicant liaises directly with SPEN to discuss the matters raised. If following discussion, it is agreed utilities can be scoped out, a robust rationale for this should be provided in the ES.

ID	Reference in Scoping Report	Issue	Comment
ID.64		Electromagnetic fields (EMF)	The SR does not consider potential impacts from EMF on for example human health, ecology, communication and utilities. This should be addressed and further information is required on the applicant's proposed approach to this matter. The applicant's attention is also drawn to comments from EPHSW on this matter in relation to human health. EMF during operation is therefore scoped into the ES in a proportionate manner. If impacts from EMF are to be scoped out, the ES should provide a robust rationale for this.

9. Other Matters

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

9.1 Changes to PPW

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

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

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

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

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

9.2 Updated Guidance from the Design Commission for Wales

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

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

9.3 Habitats Regulation Assessment

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

When considering whether or not significant effects are likely, applicants should ensure that their rationale is consistent with the CJEU finding (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62017CN0323>) that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an AA and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site when determining whether an AA is required ('screening'). The screening stage must be undertaken on a precautionary basis without regard to any proposed integrated or additional avoidance or reduction measures. Where the likelihood of significant effects cannot be excluded, on the basis of objective information the competent authority must proceed to carry out an AA to establish

whether the plan or project will affect the integrity of the European site, which can include at that stage consideration of the effectiveness of the proposed avoidance or reduction measures.

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

The Planning Inspectorate's guidance for Nationally Significant Infrastructure Projects – Advice on Habitats Regulations Assessments may prove useful when considering what information to provide to allow the Welsh Ministers to undertake AA: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments>

9.4 SuDS Consent

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

Appendix 1: Consultation Responses

Crown Buildings,
Cathays Park,
Cardiff, CF10 3NQ

Dear Sir / Madam,

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

CAIS / CAS-03950-F9K3T4

APPLICATION:

CYNNIG /

PROPOSAL:

The construction, operation and maintenance of proposed solar photovoltaic electricity generating system and battery energy storage system ('BESS'), associated solar arrays, inverters, transformers, cabling, substations, access tracks landscaping, ecological enhancement areas and associated ancillary development.

LLEOLIAD /

LOCATION:

Land near Bodelwyddan, Denbighshire, Conwy Border, North Wales, LL22 9SD

I refer to your correspondence dated 23rd December 2024 in relation to a request received by Planning and Environment Decisions Wales (PEDW) for a Scoping Opinion in relation to the above proposed development.

It is acknowledged that Denbighshire County Council (DCC) as local planning authority have been consulted upon the Scoping Report with a request to provide advice (relating to the Authority's functions) in terms of;

- (i) The scope of the EIA,
- (ii) The proposed methodologies outlined in the Scoping Report

Before adopting a Scoping Opinion the following must be taken into account;

- (a) The specific characteristics of the particular development
- (b) The specific characteristics of the development of the type concerned; and
- (c) The environmental features likely to be affected by the development

Although the Scoping Direction in this instance will be issued by PEDW, DCC in its advice take into account the above.

Gwasanaethau Cynllunio a Gwarchod y Cyhoedd, Caledfryn, Ffordd Y Ffair, Dinbych, Sir Ddinbych LL16 3RJ

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Planning and Public Protection Services, Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ

Phone: 01824 706727

e-mail: planning@denbighshire.gov.uk Website: www.denbighshire.gov.uk



This following Opinion sets out what information the DCC considers should be included in the Environmental Statement for the proposed development. The Scoping Advice has taken account of;

- (i) The EIA Regulations
- (ii) The nature and scale of the proposed development
- (iii) The nature of the received information, and
- (iv) Current best practice in undertaking and reporting of Environmental Impact Assessment

Following consultations which have been conducted with the Authority's in-house consultees in relation to the Authority's functions and select external consultees, DCC would wish to submit the following information in an effort to assist with the scope of the EIA and the proposed methodologies outlined in the Scoping Report.

Summary of Proposed Development

The proposed Solar & Energy storage scheme would be comprised of three main elements, the solar site, BESS (Battery Energy Storage System) site, and the cabling between those sites to the Bodelwyddan substation. The proposed solar development would generate up to 110MW of electricity, the BESS would store up to 110MW of electricity and the overall redline boundary for the development measures circa 160ha. The proposal would have a construction phase of circa 12-24 months and an operational period of up to 40 years.

Construction and operational access to the solar site is proposed to be from Rhuddlan Road. Construction access to the BESS site is proposed to be from the B5381 (Glascoed Road) to an unnamed road (alternative options are currently being considered). Operational access to the BESS site is identified to likely be from the south.

Key elements of infrastructure comprised within the proposal includes:

- Rows of solar photovoltaic ('PV') panels and mounting systems;
- Solar inverters and transformers
- Switchroom and substation buildings
- BESS equipment comprising battery units, power conversion systems ('PCS'), and associated infrastructure;
- Substation compound and associated equipment;
- Underground electrical cable route corridor;
- Internal access tracks;
- Perimeter fencing, gates, CCTV cameras and other ancillary infrastructure including fire
- suppression systems / water storage tanks;
- Landscape planting and ecological enhancements;
- Drainage; and
- Temporary construction compounds

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Site Location

The site would be comprised of three main elements, the solar site, BESS (Battery Energy Storage System) site, and the cabling between those sites to the Bodelwyddan substation. The overall redline boundary for the development measures circa 160ha.

The solar site is located northwest of Bodelwyddan and comprises the majority of the overall redline (circa 154ha) as shown in the extract from Appendix A of the EIA Scoping Report produced by Stantec (below left). The redline running north to south is an annotation added to indicate the Denbighshire and Conwy County boundary (with Denbighshire to the east).



The BESS site covers circa 6.5ha and is located south of St Asaph Business Park and west of Bodelwyddan substation (above right). The BESS site and solar site would be connected to Bodelwyddan substation via underground cabling measuring a length of circa 5km.

The cabling route is within a mineral safeguarding area for Limestone. The site does not fall within any other constraints or allocations set out within the Local Development Plan. The site is not within any Green Wedge / Belt, National Park or National Landscape.

The Lower Ely Valley and Vale of Clwyd Landscapes of Outstanding Historic Interest lie circa 1km and 4km south at their nearest point to the BESS site.

There are no areas of Open Access Land or Public Rights of Way within the boundaries of the site including the cabling route. A number of RoW are in close proximity to the site including one which borders the eastern extent of the solar site.

The Solar Site almost entirely falls within the Development Advice Map (DAM) zone C1, meaning it is an area of floodplain served by significant infrastructure, including flood defences. The BESS Site is located in DAM zone A, which is considered to be at little or no risk of fluvial or coastal/tidal flooding.

The NRW 'Flood Map for planning indicates that a large proportion of the solar site is within flood zone 3 for flooding from rivers and sea. The mapping also indicates that the solar site, BESS site and cabling would be susceptible to flooding from surface water and small watercourses.

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The proposed site is not covered by any national or international nature conservation or ecological designations. The nearest designated sites are Traeth Pensarn Site of Special Scientific Interest (SSSI) and Liverpool Bay / Bae Lerpwl Special Protection Area (SPA) located circa 3km to the northeast and 2km to the north of the solar site respectively. There are two wildlife sites within the site boundary which are located within Conwy.

There are 5 ancient woodlands within 500m of the site the nearest of which is adjacent to the solar site.

An Agricultural Land Classification Survey has been carried out by the applicant, the survey found that 95% (152.5 ha) of the Solar Site was Grade 3b land, with 5% (7.8 ha) Grade 3a (Best and Most Valuable (BMV)). The entirety of the BESS site is Grade 3b land (0% BMV).

There are no designated historic assets within the Solar Site or the BESS Site. The Indicative Cable Route (which is entirely underground) partly extends through Kinnel Grade II* Registered Historic Park and Garden (RHPG). Coed y Drive (a part of the access drive of Kinnel Park) lies immediately east and west of the posed solar site. The southern section of the cable route is parallel to the southern boundary of Bodelwyddan Castle Grade II RHPG.

Five Scheduled Monuments are located within the 2km study area identified by the applicant with the nearest being within 350m of the site. A total of 163 Listed Buildings are located within the Study Area, of which two are Grade I Listed, 23 are Grade II* Listed and 138 are Grade II Listed. Several of these, including the Grade I Kinnel and Grade I Llwyni are located within Kinnel and Bodelwyddan Registered Historic Park and Garden.

The most proximal listed buildings to the site include:

- Grade II* Morfa Lodge, 70m east and west of the Solar Site;
- Grade II Listed Toll Bar Cottage, c. 30m south of the Solar Site;
- Grade II Listed Bodoryn Cottages, c. 20m south of the Solar Site; and
- Grade II Kinnel Park, gatepiers and railings, immediately south-west of the Indicative Cable Route.

Three Conservation Areas were identified to be within 2km of the site:

- St George, c. 120m south of the Indicative Cable Route part of the Site;
- Bodelwyddan, 1.3km to the south of the Site; and
- Abergele, 1.8km to the west of the Site.

The Vale of Clwyd Registered Historic Landscape lies c. 800m south of the Site.

There are a number of residential properties adjacent to or within 100m of the application site.

The Clwydian Range and Dee Valley National Landscape is located circa 5km east of the BESS site.

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Scoping Opinion

A Scoping Opinion seeks to ensure that any environmental statement submitted with respect to a planning application for the development proposals described in the scoping request includes information that is reasonably required to assess the environmental effects, and allow a determination to take place. The below commentary on the scope of the EIA, and the proposed methodologies should not unduly preclude any further information which may be required once the Environmental Statement has been submitted.

General

In accordance with Regulation 17 of the EIA Regulations, in order to ensure the completeness and quality of the environmental statement—

- a) the developer must ensure that the environmental statement is prepared by competent experts; and
- b) the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.

The scoping report indicates that Regulation 17 will be taken into account in the production of the ES.

Mitigation measures should be described for the identified significant impacts. An assessment of the effectiveness of the mitigation measures should also be included.

Other impacts that are not considered to be significant will not need to be assessed to the same level of detail as the impacts identified above. However, some detail will be required to indicate that they have been considered and why they are not considered to be significant.

The EIA should identify sensitive receptors, including residential properties within close proximity of the site and consider the impacts on these. The ES should cover the whole site, including all ancillary development and all the phases of the development (construction, operation and decommissioning).

Regulation 17 of the EIA regulations sets out that reasonable alternatives should be included. It should be noted that the regulations do not require an applicant to consider alternatives. The approach to alternatives set out within the scoping request is supported.

Denbighshire County Council recommends that the details requested by the consultees, as summarised in Annex 1, are incorporated into the Environmental Impact Assessment (EIA).

The Council broadly agrees with the scope as set out in the submitted EIA Scoping Report and accompanying plans. The following outlines matters which require modification, augmentation or clarification as part of any subsequent planning application and environmental statement.

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Queries

It is stated within section 3.1.5 of the scoping report that technologies will evolve and flexibility will be maintained to ensure best available technology can be utilised at the point of construction. With this being the case, in the event less land is required to deliver 110MW of energy production due to increased efficiency of solar arrays, would arrays be located in less harmful locations first?

It is noted that two options for solar panels being considered, Tracking Panels and Fixed Panels. One would assume that the Glint and Glare Assessment would cover both options until a decision is made.

There appears to be a lack of information regarding the construction/decommissioning process especially for the cabling. For example, at the end of the operational period, is the cabling to be dug out? During the construction process would there be any satellite construction compounds?

Topics

Biodiversity

Biodiversity is proposed to be scoped into the Environmental Impact Assessment Process and Environmental Statement. This is supported. The Council's Ecologist have been consulted but has not returned a response at the time of writing. Notwithstanding this, the council broadly agree with the conclusions of section 6 of the scoping report. The council do note a lack of information regarding the proposed landscaping and any biodiversity enhancement.

National Resources Wales agree biodiversity should be scoped in (in respect of protected sites and species) and they provide comments which the council support.

Landscape and Visual Effects

Landscape and Visual Effects are proposed to be scoped into the Environmental Impact Assessment Process and Environmental Statement. This is supported. With regards to the Residential Visual Amenity Assessment it is considered that this study area should extend further than 100m from the site boundary and could perhaps be guided by theoretical visibility. Consideration of the potential for impacts upon the Clwydian Range and Dee Valley National Landscape should be carefully considered.

The approach to cumulative impacts is supported and other forthcoming and consented DNS and NSIP projects that are relevant should be assessed. These may include the progressing DNS application for the solar farm scheme on land at Cefn Meriadog ; existing energy infrastructure in the vicinity of the site includes high voltage overhead lines; existing substations to south of Glascoed Road (National Grid Bodelwyddan substation, and its proposed future expansion, Gwynt y Mor offshore windfarm substation and Burbo Bank Extension offshore windfarm substation. Cumulative impact should also consider the proposed consented cabling for the consented Awel y Mor offshore windfarm, and the proposed cabling Mona offshore windfarm currently being considered post examination

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There is a lack of information regarding any landscaping work which forms part of the proposals.

Natural Resources Wales agree that Landscape and Visual Effects (including Glint and Glare) should be scoped in. They provide advice in relation to the Clywdian Range and Dee Valley National Landscape and provide comments on baseline, methodology, study areas, special qualities of the National Landscape, Viewpoints, Glint and Glare and Cumulative Effects. The council support these comments.

Historic Environment

Historic Environment is proposed to be scoped into the Environmental Impact Assessment Process and Environmental Statement. CADW and the Council's Heritage Officer have been consulted. No response has been received by the Council's Heritage Officer at the time of writing. CADW's comments are summarised in Annex 1 and though CADW broadly agree with the methodologies proposed for the assessment of built heritage, they recommend the search area is increased to 5km to match the LVIA.

CADW also raise concerns of the impact of the solar farm upon Kimmel Park historic park and garden, as the solar farm adjoins part of registered area, and it is also in the identified significant views from the park. This concern is matched by the council. The council consider there is also a lack of info regarding the impacts from the construction and demolition phases upon heritage assets (in particular for the cabling route).

CADW also advise the impact of the proposals The Vale of Clwyd and Lower Elwy Valley historic landscapes need to be considered in the EIA.

Water Resources and Flood Risk

It is noted that Water Resources and Flood Risk is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. The Lead local Flood Authority and National Resources Wales were consulted. The LLFAs comments are summarised in Annex 1 and advise that due to the nature and location of the proposed development (i.e., Development of National Significance within a flood zone), that Water Resources and Flood Risk is scoped into the ES. It is recommended that Water Resources and Flood Risk is scoped in.

National Resources Wales also disagree with the scoping report and believe flood risk should be scoped into the ES. They provide advice with regards to flood risk, hydrology and fluvial geomorphology and other pertinent matters.

The Council would concur with the LLFA and NRW that water resources and flood risk should be scoped into the EIA and included in the ES.

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Socio-economics

It is noted that Socio-economics is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted.

Archaeology

Archaeology is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. The Council, Heneb and Cadw disagree, and consider that Archaeology should be scoped in to the EIA. Heneb and Cadw's comments are set out in Annex 1. In summary, the council agree with Heneb and Cadw insofar as that Archaeology should be scoped into the EIA. The council are not convinced that sufficient evidence to scope out this area out has been provided and potential significant effects cannot be ruled out at this time.

Air Quality

It is noted that Air Quality is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted.

Noise and Vibration

Noise and Vibration is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted subject to the best practice described in section 9.6 being adhered to. These measures make it unlikely that a standalone section on noise and vibration is required for the ES. However, these matters should be considered as part of the planning application (i.e. careful siting of noise generating equipment away from receptors).

The council's environmental health officer was consulted and has not responded at the time of writing.

Transport

It is noted that Transport proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. Welsh Government and the Highway Authority for Denbighshire were consulted. At the time of writing the Highways Authority have not responded. Welsh Government's comments are set out in summary in Annex 1. The scoping out of transport is accepted.

Climate Change

Climate Change is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. The assessment of climate change is in two parts, climate resilience and greenhouse gas emissions. It is accepted that climate change may be

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scoped out but the positive contribution of solar is noted. Whether this positive contribution is a likely significant effect in and of itself is a consideration.

Ground Conditions and Contaminated land

It is noted that Ground Conditions and Contaminated Land are proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement.

Natural Resources Wales consider that impacts upon groundwater should be scoped in. NRW provide further explanation in their consultation response. The council support these comments.

The impact upon safeguarded mineral does not warrant a chapter within the EIA but a technical report in support of the application would aid in addressing relevant planning policy regarding sterilisation.

Wind

It is noted that Wind is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted.

Daylight Sunlight Overshadowing

Daylight, Sunlight & Overshadowing is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted but as set out in section 9.11 of the scoping request a Glint and Glare Assessment should be submitted as part of the application.

Agricultural Land

Agricultural Land is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted but this matter needs consideration as part of the planning application and the application will need to be accompanied by an Agricultural Land Classification report. Concept restoration and aftercare schemes should also be provided.

Waste

It is noted that Waste is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted.

Lighting

It is noted that Lighting is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. This is accepted based on the

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statements made within section 9.16 of the Scoping Report. Specifically, that there would be no permanent external lighting during the operational phase and that any security lighting would be infrared.

Major Accidents and Disasters

It is noted that Major Accidents and Disasters is proposed to be scoped out of the Environmental Impact Assessment Process and Environmental Statement. The council note the fire risk associated with certain battery types. The applicant has indicated that a Battery Safety Management Plan would be produced alongside other risk minimisation measures. The council consider this risk should be scoped into the ES.

Natural Resources Wales' comments share this concern as they request this matter is scoped into the ES.

Representations made from the Local Community

No individuals have responded to the Scoping Report, any representations made after the drafting of this report are publicly available on the Denbighshire County Council Planning Portal and can be viewed:- <https://planning.denbighshire.gov.uk/planning/search-applications?civica.query.FullTextSearch=21%2F2021%2F0052#VIEW?RefType=PBDC&KeyNo=31102>

Conclusion

Provided that the above information is included and the detailed requirements of the consultees (Annex 1) are taken into account, Denbighshire County Council considers that the Environmental Impact Assessment would sufficiently cover the necessary information for inclusion in an Environmental Statement. However, EIA is an iterative process that allows the development proposal to be continually refined. Further information may therefore be required at a later stage.

Any further responses received by the council from consultees after the submission of this letter will be available on public access. Copies will also be forwarded to PEDW.

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ANNEX 1: Summary of Consultation Responses (Full Responses Available on Public Access)

Ward Councillors

Cllr James Elson – No response received at time of writing.

Cllr Raj Metri – No response received at time of writing.

Town / Community Council

Bodelwyddan Town Council – No response received at time of writing.

Cefn Meriadog Community Council - No response received at time of writing.

Consultees

Denbighshire County Council Drainage (LLFA) –

Advise that due to the nature and location of the proposed development (i.e., Development of National Significance within a flood zone), that Water Resources and Flood Risk is scoped into the ES. The LLFA then advise with regards to what information should be provided in support of the EIA (Flood Consequences Assessment, Surface Water Drainage Strategy and Water Framework Directive Assessment).

Denbighshire County Council Public Rights of Way Officer –

The development area does not appear to have any impact on the PROW network but the RoW Officer requests that the applicants give consideration to whether they can enhance the network in the area by incorporating some permissive paths.

Welsh Government Highways –

Advise that the solar arrays should be positioned and shielded so as to avoid significant impacts upon users of the A55. Request that if any Abnormal Indivisible Loads are to be delivered to the site, that Welsh Government is informed at the earliest opportunity. Advise that Welsh Government will be interested in the Risk Assessments and Method Statements for the cable crossing of the A55.

Clwyd Powys Archaeological Trust (Heneb) –

Do not agree that archaeology should be scoped out of the EIA. They consider the desk-based assessment uses limited data sources and also should have been accompanied by a site walkover to locate any previously unrecorded archaeology and to confirm the location, nature and condition of recorded sites within and around the solar farm boundary archaeology and to confirm the location, nature and condition of recorded sites within and around the solar farm boundary.

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The above ground potential visual impacts of the scheme on the setting of both designated and non-designated assets are not addressed at all in the scope and must be included.

Heneb are aware of a geophysical survey being completed for the site by the applicants archaeological consultants which has identified numerous archaeological features that were previously unrecorded and may be impacted by the proposals. As a result, further evaluation is recommended to test their significance. Heneb consider that significant impacts requiring appropriate mitigation cannot therefore be ruled out at this stage and archaeology must be scoped into the EIA.

Cadw –

Advise that the scoping report underestimates the likelihood and the potential for significant effects occurring to buried archaeological features, especially in regard to the cable route, especially where it crosses the statutorily registered Kimmel Park historic park and garden. Cadw advise that Archaeology should be scoped into the EIA.

Broadly agree with the methodologies proposed for the assessment of built heritage but recommend the search area is increased to 5km to match the LVIA. Cadw also raise concerns of the impact of the solar farm upon Kimmel Park historic park and garden, as the solar farm adjoins part of registered area, and it is also in the identified significant views from the park.

They also advise that the BESS site is located within 5km of The Vale of Clwyd and Lower Elwy Valley historic landscapes. They advise that the impact of the proposals on their settings will therefore need to be considered in the EIA.

National Resources Wales – Provide extensive comments.

They agree Biodiversity should be scoped in and provide extensive comments with regards to protected species, terrestrial ornithology and protected sites.

They agree that Landscape and Visual Effects (including Glint and Glare) should be scoped in. The advice provided is in relation to the Clywdian Range and Dee Valley National Landscape and provides comments on baseline, methodology, study areas, special qualities of the National Landscape, Viewpoints, Glint and Glare and Cumulative Effects.

They disagree with the scoping report and believe flood risk should be scoped into the ES. They provide advice with regards to flood risk, hydrology and fluvial geomorphology and other pertinent matters.

They disagree with the conclusions of the scoping report and consider the risk for contamination of groundwater should be scoped in.

They consider that the risk of pollution in the event of fires relating to the BESS site should be scoped into the ES.

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Denbighshire County Council Environmental Health – No response received at time of writing.

Denbighshire County Council Conservation - No response received at time of writing.

Denbighshire County Council Tree Officers - No response received at time of writing.

Denbighshire County Council Highways - No response received at time of writing.

Denbighshire County Council Biodiversity - No response received at time of writing.

Scottish Power - No response received at time of writing.

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LLFA Consultation Response

Pre-Planning Application Reference: 40/2024/1575/EIA-SCO – EIA Scoping Opinion for the construction, operation and maintenance of a proposed solar photovoltaic electricity generating system and battery energy storage system ('BESS'), associated solar arrays, inverters, transformers, cabling, substations, access tracks, landscaping, ecological enhancement areas and associated ancillary development.

The Lead Local Flood Authority (LLFA) have reviewed the following documentation as part of the Environmental Impact Assessment Scoping Report consultation request.

- Environmental Impact Assessment Scoping Report (Rev: 1) – Part 1 / 5496940631735327175__-__2024-12-19-EIA-Scoping-Request-Scoping-Report-Final-Part-1.pdf
- Environmental Impact Assessment Scoping Report (Rev: 1) – Part 2 / 5045772941735327192__-__2024-12-19-EIA-Scoping-Request-Scoping-Report-Final-Part-2.pdf
- Environmental Impact Assessment Scoping Report (Rev: 1) – Part 3 / 686037001735327224__-__2024-12-19-EIA-Scoping-Request-Scoping-Report-Final-Part-3.pdf

The following Consultation Response is limited to the theme of flood risk and surface water drainage.

Following a review of the information provided, the LLFA request that the following information is provided in support of the EIA:

1. Flood Consequences Assessment (FCA) – The FCA should outline the potential flood risk to the site, the impact of the proposed development on flood risk elsewhere, and the proposed measures which could be incorporated to mitigate any identified risks. The FCA should be prepared in accordance with TAN15.
2. Surface Water Drainage Strategy – The Surface Water Drainage Strategy should demonstrate that the proposed surface water drainage system is compliant with the Welsh Government 'Statutory Standards for Sustainable Drainage Systems' and other relevant specifications, legislation, and guidance.
3. Water Framework Directive (WFD) Assessment – The WFD Assessment should assist the regulator in understanding the impact of the proposed development may have on nearby waterbodies and any linked waterbodies. The WFD Assessment should also assess the potential effect of the proposals on any groundwater catchments. The WFD Assessment

should provide a detailed assessment of the impact of the proposed scheme on hydro morphological, biological, and chemical status of the associated waterbodies.

The Applicant should present:

- A detailed assessment of the baseline and future baseline conditions with respect to flood risk and surface water drainage.
- A detailed assessment of the impacts of the construction, operational and decommissioning phases of the proposed works on any receptors identified from the baseline conditions assessment.
- Details of any mitigation measures required to limit the risks identified during the construction, operational and decommissioning phases.

If the Applicant wishes to discuss the LLFA's comments further, please contact the LLFA via landdrainage.consultations@denbighshire.gov.uk.

From: Ceri Thomas

Sent: 07 February 2025 11:06

To: Sparey, Robert (CSI - Planning & Environment Decisions Wales) PEDW –
Seilwaith / Infrastructure

Subject: FW: DNS CAS-03950-F9K3T4 - Bodelwyddan - Ymgynghoriad Cwmpasu
AEA | EIA Scoping Consultation

Good morning.

Thank you for your consultation below, and for your subsequent confirmation that that consultation period has been extended until today.

Conwy County Borough Council does not wish to make any representations relating to the Scoping documents, other than to note that there is a considerable degree of uncertainty the site layout. Paragraph 3.1.4 of the EIA Scoping Report notes that the extent of the development footprint will be enhanced by landscaping and biodiversity improvements. However, in the absence of any indication of the extent and location of landscaping, it is impossible to ascertain the degree of mitigation that would be provided. Furthermore, the ground and microclimatic conditions of the area present challenging conditions for the establishment of new planting, and this can impact on the timescale over which planting can be expected to achieve meaningful results.

The Council would expect the planning application to include detailed planting specifications, and for the LVIA to make a realistic assessment of the success of landscaping in mitigating landscape and visual impacts.

Internal consultees have drawn attention to the need for heritage impacts to be scoped in, and for stand-alone reports to be included on matters including drainage, noise, glint/glare and minerals.

We would be grateful if you could consider these comments and provide us with a copy of the Scoping Direction in due course.

Regards,

Ceri Thomas

Pen Swyddog Cynllunio, Cyngor Bwrdeistref Sirol Conwy
Principal Planning Officer, Conwy County Borough Council

Ein cyf/Our ref: CAS-271283-Z6X4
Eich cyf/Your ref: CAS-03950-F9K3T4

Planning & Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ
By email: PEDW.Infrastructure@gov.wales

Date: 03 February 2025

Dear Sir/Madam,

ENVIRONMENTAL IMPACT ASSESSMENT SCOPING CONSULTATION

Town and Country Planning Act 1990

The Developments of National Significance (Procedure) (Wales) Order 2016

Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

PROPOSAL: The construction, operation and maintenance of proposed solar photovoltaic electricity generating system and battery energy storage system ('BESS'), associated solar arrays, inverters, transformers, cabling, substations, access tracks landscaping, ecological enhancement areas and associated ancillary development

LOCATION: Land near Bodelwyddan, Denbighshire, LL22 9SD

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 23 December 2024, and additional information on 10 January 2025.

We are commenting because we consider that the proposals are likely to give rise to significant effects.

We advise that the likely significant effects are assessed by the applicant, and we consider that they should be 'scoped in' to any future Environmental Statement (ES).

Please note that the comments provided herein are made without prejudice to any further advice NRW may need to give, or decisions NRW may need to take, should new information emerge that NRW will need to take into account.

We have reviewed the information provided in the 'EIA Scoping Report' (ref: Bodelwyddan Solar and Energy Storage Environmental Impact Assessment Scoping Report; on behalf of

Our following comments include those matters within NRW's remit that we consider will need to be taken into account and applied to the Environment Impact Assessment (EIA) and the resulting ES. For ease of reference, our comments are provided in the order they are covered in the EIA Scoping Report.

BIODIVERSITY

The EIA Scoping Report confirms biodiversity will be scoped in. We agree biodiversity should be scoped in (in respect of protected sites and species) and provide the following comments.

Protected Species

The Scoping report states that the proposed site has the potential to support great crested newts (GCN), bats, otters and water voles. GCN, bats and otters are European Protected Species protected under Conservation of Habitats and Species Regulations 2017 (as amended). Water voles are protected under the Wildlife and Countryside Act 1981.

o Description of Biodiversity

The ES must identify protected species within and in the vicinity of the proposed development, together with a detailed assessment of the likely impacts and significance of those impacts.

o Significance and Favourable Conservation Status

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

o Key Habitats

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

o Assessment and mitigation

We advise the site is subject to assessment to determine the likelihood of protected species and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines and if the surveys deviate or there are good reasons for deviation that full justification for this is included within the EIA. Table 6.4 of the EIA Scoping Report ("*Summary of relevant protected and/or priority species*") states that further surveys are needed for bats (roosting), otter, water vole and GCN. We concur with the need for further survey. It should also be noted that St Asaph Business Park is

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

considered to support a nationally important population of GCN that has an unfavourable conservation status.

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

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

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

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

These requirements are translated into planning policy [through Planning Policy Wales \(PPW\) Edition 12](#) dated February 2024, sections 6.4.35 and 6.4.26 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present.

Section 6.8 “*Summary*” of the EIA Scoping Report (page 32) refers to paragraph 6.4.3, however, this paragraph is missing from the document. Clarity is therefore needed as to which protected species are being referred to. We advise that operational impacts from lighting are assessed in the ES based on the information available.

o Local Biodiversity Interests

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

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

o Legislation and Policy Compliance Review

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

Terrestrial Ornithology

We note that breeding bird surveys are planned for 2025. We advise these surveys should be in line with industry best practice (see [Bird Survey Guidelines](#)). Additional, species-specific surveys may also be required and should be informed by the habitat on site as well as the results of any desktop surveys. The methods can be species specific and may require different timings (both during the day/night and seasonally). As we are not in receipt of the full results of any desktop survey or preliminary surveys, we are not able to provide an exhaustive list of the species-specific surveys we would expect to be included within the EIA at this stage. However, the habitat on site looks suitable to support barn owl. We are therefore of the view that impacts on barn owl should be considered within the scheme. Surveys for barn owls should follow [Barn Owl Survey Methodology and Techniques for use in Ecological Assessment | CIEEM](#).

o Determining Species Importance

Determining the importance of species and populations identified from surveys should refer to Wales specific resources and publications where practical. Relevant population estimates can be found in, but not limited to, [Hughes et al. 2020 \(Wales\)](#) and [Woodward et al. 2020 \(UK/Britain\)](#). County Bird Reports, the Welsh Bird Reports, as well as Birds of Wales/Adar Cymru (Pritchard et al. 2021) may also contain relevant information.

Reference should be made to [Birds of Conservation Concern Wales 4 \(BoCCW4\)](#) as well as listing under Section 7 of the Environment (Wales) Act 2016, and under Schedule 1 of the Wildlife & Countryside Act 1981 (as amended).

o Mitigation, compensation, and enhancements

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

We advise that the “*Valuing Species*” section of the EIA Scoping Report (page 31) should make reference to Section 7 of the Environment (Wales) Act (2016).

Protected Sites

The Scoping report states that the application site is located:

- 1.4km from Coedwigoedd Dyffryn Elwy / Elwy Valley Woods Special Area of Conservation (SAC) and Coedydd ac Ogofau Elwy a Meirchion Site of Special Scientific Interest (SSSI)

- 2.1km from Liverpool Bay Special Protection Area (SPA)
- 2.2km Traeth Pensarn SSSI
- 2.6km from Coed y Gopa SSSI
- 3.6km from Llanddulas Limestone and Gwrych Castle Wood SSSI
- 10.1 km from The Dee Estuary SAC, SPA and Ramsar Site
- 10.7km from Llwyn SAC
- 14.3km from Halkyn Mountain SAC
- 14.7km from Creuddyn Peninsula Woods SAC

o Dee Estuary SPA and Ramsar site

The EIA Scoping Report refers to the potential “*loss of functionally linked land if confirmed*” for the Dee Estuary SPA / Ramsar site. We agree that potential impacts on overwintering bird features of the Dee Estuary SPA and Ramsar site should be scoped into the EIA for this proposal. We note the applicant is currently carrying out overwintering bird surveys (section 6.2.2.) due to be completed in February 2025 to determine whether this site is functionally linked land. Once these surveys have been completed, we can provide further advice with respect to whether there are potential impacts on the overwintering assemblage features of the Dee Estuary SPA and Ramsar site.

o Coedydd ac Ogofau Elwy a Meirchion SSSI/Coedwigoedd Dyffryn Elwy SAC

We advise there may be a potential link between bat sites within the surrounding areas and the hibernating bats found at Coedydd ac Ogofau Elwy a Meirchion SSSI/Coedwigoedd Dyffryn Elwy SAC. This should be assessed to determine if there is a link and a potential impact. This is because hibernating bats within Coedydd ac Ogofau Elwy a Meirchion could be linked to roosts in the surrounding area of the proposals that could be impacted.

o Pollution Prevention

Due to the network of watercourses adjacent to the site, we advise there is the potential for pollutants and sediment from the construction phase to enter these watercourses, which are hydrologically linked to the Clwyd catchment. A Construction Environmental Management Plan (CEMP) should be prepared to ensure that there are adequate measures in place to minimise the risk of any pollution / contamination affecting connected waterbodies. We recommend any CEMP produced refers to guidance outlined in [GPP5: Work and maintenance in or near water](#), as appropriate. An outline CEMP should be submitted as part of any planning application.

o Air Quality

In view of the distance to the nearest protected sites, we are satisfied that dust impacts are unlikely to have significant effects on any protected sites. In relation to construction traffic, we note that the Scoping report states that the increase in vehicle movements is below the Institute of Air Quality Management (IAQM) criteria that would require undertaking a more detailed assessment. Based on this information, we are satisfied that the air quality impacts on designated sites may be Scoped out.

o Ancient Woodland

Part of the site area borders Restored Ancient Semi Natural Woodland. Please refer to our ‘Advice to planning authorities considering proposals affecting ancient woodland’ (published 26 Nov 2021) for further information: [Natural Resources Wales / Advice to planning authorities considering proposals affecting ancient woodland](#).

LANDSCAPE AND VISUAL

The EIA Scoping Report confirms Landscape and Visual Effects (including a Glint and Glare Assessment) will be scoped in. We agree landscape should be scoped in and provide the following comments.

Our landscape planning advice relates to the landscape character and visual amenity of the Clwydian Range and Dee Valley National Landscape/Area of Outstanding Natural Beauty (CRDVNL) and the statutory purpose of the designation to conserve and enhance its natural beauty.

We have reviewed the EIA Scoping Report in addition to the updated Chapter 7 'Landscape and Visual' and supporting Drawings in Appendix E 'Landscape' including Zone of Theoretical Visibility (ZTV) analysis DWG edp8841_d007 Visual Appraisal and Viewpoint locations. No baseline viewpoint photography is included.

The site is located 6km west of CRDVNL. The proposals are for a 'Solar Site' (approximately 153.8ha) on land north and south of Rhuddlan Road (A547) and 6.52ha 'BESS Site'. The Solar Site includes part of a 52ha area with existing consent for a solar farm approved in 2015 (Conwy LPA 0/40999). Whilst parts of the previous development were constructed and are operational these lie outside of the development boundary. The scoping EIA includes undeveloped areas of the previous site with prior approval together with new areas.

Baseline

The geographic extent of the previous consent and existing operational site adjacent is unclear from the scoping report. It is important to provide plans of these in the application to establish clarity of the baseline and potential for cumulative effects.

Methodology

We agree that the methodology for the Landscape and Visual Impact Assessment (LVIA) within Chapter 7 follows best practice guidance produced by the Landscape Institute (LI)/Institute of Environmental Management and Assessment (IEMA) as per the 'Guidelines for Landscape and Visual Impact Assessment' (3rd Edition, 2013) (GLVIA3). This should be used together with Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment GLVIA3 Technical Guidance Note LITGN-2024-01 (August 2024).

Study Area

We advise that Guidance Note 46 *Using LANDMAP in Landscape and Visual Impact Assessments* (GN46 NRW) should be used together with site-based experience of likely impacts on the protected landscapes to clarify appropriate search and study areas.

The following search and study areas for landscape provide an inconsistent baseline for study:

- 7km ZTV study area dwg edp8841_07 (ZTV),
- 10km extent of range dwg edp8841_003 (Topographical relief),
- 4km detailed study area dwg edp8841_005 (Environmental Planning Considerations),
- 3km extent of range on edp8841_006 (Landscape character classification),
- 3km range on edp8841_009 (Landscape character overall evaluation / Visual and Sensory)
- 1km study area for LANDMAP character areas (EIA Scoping Report 7.2.2)

- 100m Residential Visual Amenity Assessment (RVAA) proposed for properties within (EIA Scoping Report 7.2.2)

The previously referenced adjacent development (Scoping Report 2.1.3 Conwy LPA ref. 0/40999) included a 10km ZTV analysis indicating visibility of long views possible from the Clwydian Ranges. As this proposal is for a larger scheme with potential for even greater cumulative effects across both sites it is unclear why a reduced range for the ZTV is proposed for this scheme.

Notwithstanding this, we welcome that National Landscape designations are scoped in (Table 7.7) and suggest deployment of an asymmetrical study area as described in Guidance note 46 may be appropriate to include long views from elevated aspects of the Clwydian Range. This is particularly relevant where elevated ridges and upland inside the CRDVNL face west towards the site.

We agree with the landscape and visual receptors proposed at Paragraph 7.2.2 (subject to necessary changes to meet the search and study radii requirements of GN46) and as follows:

- visual receptors (within the study area *plus visual* receptors from elevated points within CRDVNL);
- national and local landscape designations, overlapping with the ZTV;
- LANDMAP aspect areas that overlap with the ZTV (in the study area and including viewpoint locations so that effects on landscape character receptors as well as visual receptors in the statutory landscape are scoped in);
- a Cumulative LVIA (CLVIA); and
- a Residential Visual Amenity Assessment (RVAA).

Special qualities of the National Landscape/AONB

We advise the LVIA should refer to further evidence on these qualities and how they are affected by the development. We refer the applicant to *Supplementary Planning Guidance Note Clwydian Range and Dee Valley AONB*, June 2018.

Viewpoints

Viewpoints are identified by the ZTV with viewpoint 19 Graig Fawr Scenic VP providing a long-distance view from the North Wales Path, north-east of the site at the edge of the protected landscape.

We would recommend the identification of additional viewpoints from the Offa's Dyke named route within the National Landscape east of the site and from elevated viewpoints within the National Landscape such as at the Moel Hirradug Hillfort (265mAoD). The purpose of additional viewpoints is to ensure representative views and visual amenity of people within the National Landscape are included.

LANDMAP visual and sensory aspect area evaluations should be provided at all viewpoints inside and within the immediate setting of the CRDVNL. Visualisations should be provided. These inform both assessment of effects on visual receptors (people) but also effects on the character of the landscape: an environmental resource in its own right.

Photographs and visualisations should be presented at the appropriate size for which the image is intended to be printed. We welcome the methodology set out in section 7.6.3 confirming compliance with Landscape Institute Technical Guidance Note (TNG) 06/19 Visual Representation of Development Proposals (Landscape Institute, 2019).

Glint and Glare

Table 5.1.1 of the EIA Scoping Report confirms the intention to undertake a Glint and Glare Assessment. Best Practice¹ advises that this should be provided as a technical assessment appended to the Environmental Statement. Where there is potential for a likely significant effect it should inform the assessment of effects within the relevant chapters, such as landscape and visual, traffic and transport.

It should apply appropriate modelling and predictive techniques, charts/ diagrams and visual representations (such as GIS-based viewshed analyses) to indicate the likely extent and distance of potential glint and glare and should be informed by the following project description parameters:

- panel height;
- panel directionality;
- panel design/type, for example tracker panels;
- panel locations and extent;
- identification of sensitive receptors, e.g. public rights of way;
- where proposed mitigation is secured.

Cumulative Effects

We welcome the proposed inclusion of a cumulative assessment to include the adjacent operational site immediately north of A547 Rhuddlan Road Towyn Conwy. 0/40999 (Table 10.1).

Proposals for further development at Cefn Meiriadog, St Asaph (immediately adjacent the BESS site) are proceeding in parallel to the Bodelwyddan site proposals. The cumulative effects along with other proposals proceeding will need to be understood to ascertain potential harms and necessary mitigations and therefore we advise this is also scoped in.

TOPICS NOT [CURRENTLY] INCLUDED IN THE EIA SCOPE

Flood Risk and Water Resources

o Flood Risk

The EIA Scoping Report currently states that the “*Water Resources and Flood Risk*” will be scoped out of the ES. We disagree with this conclusion and advise **flood risk should be scoped in**. Flood risk (tidal, river, surface water and ground water) is an important material planning consideration in this Clwyd catchment location.

Our Flood Risk Map confirms most of the application site lies within Zone C1 of the Development Advice Maps (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The [Flood Map for Planning](#) identifies the application site to be at risk of flooding and is mostly within Flood Zone 2/3 Rivers. There are also a number of historic flood events within the highlighted site(s).

The proposed development is for a solar farm. This type of development is classified as less vulnerable in line with figure 2 of TAN15.

Section 6 of TAN15 requires the Local Planning Authority (LPA) to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then

the final test (iv) is for the applicant to demonstrate through the submission of an FCA that the potential consequences of flooding can be managed to an acceptable level.

Any application for a new solar farm at this location will need to be supported by a Flood Consequences Assessment (FCA). The FCA should be appropriately detailed in order to advise further on likely significant effects including increased risk elsewhere, impact on flood risk assets and receptors.

The site should be designed to be flood free during the 0.5% annual exceedance probability (AEP) tidal (breach) flood event and /or the 1% AEP fluvial event. If it is not feasible for the site to be designed to be flood free, the solar panel edges must be raised above flood levels (preferably 300 mm above the design flood level). Any buildings or essential infrastructure must be designed to be flood free for the design event. The FCA should also demonstrate that the proposed development does not increase flood risk elsewhere.

Any flood risk data we hold for the site can be requested by submitting a request for environmental data. This data should be used to inform the FCA. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given under Section 7 and Appendix 1 of TAN15.

We refer the applicant to our [website](#) and [Guidance Note 028 Modelling for Flood Consequence Assessments](#) for further advice.

We advise that the publication year and version of the main flood risk modelling studies need to be included in section 9.2 of the EIA Scoping Report and maps against existing and proposed site with climate change allowances and impacts clearly described (including cumulative effects).

The ES will need to consider impacts of tidal breach and implications of SMP2 policy unit changes, in addition to sea level rise from the Clwyd. We advise it would also be helpful to provide clarifications on the red line boundary and various site areas.

- o Hydrology and fluvial geomorphology

We advise that matters relating to cableway route watercourse crossings should be scoped into the ES. Section 9.2.53 of the Scoping report states, *“without mitigation, these crossings could have an impact on the morphology of the watercourse as well as the flow of water or movement of wildlife.”* Insufficient detail of site-specific mitigation is included in section 9.2.55 of the Scoping report. Therefore, this should be scoped into the EIA with further information provided about the watercourses involved and mitigation to prevent changes to the flow of water. We would advise that horizontal direct drilling or other forms of undergrounding are used wherever possible. Detailed information on the proposed methodology, along with evidence to demonstrate that there will not be impacts on fluvial geomorphology, should be provided within the ES. We advise that this information is also set out in a Water Framework Directive (WFD) Compliance Assessment (see comments below).

Paragraph 9.2.53 also refers to the need for vehicle watercourse crossings. We advise that the use of culverts is avoided. For access purposes, bridges should be used wherever possible in order to maintain the natural flow, allow natural channel migration and to maintain natural sediment and gravel movement downstream. Changes in hydromorphology (the physical characteristics and processes of the river) has the potential to cause deterioration in the WFD quality elements.

- o Flood Risk Activity Permit

There are a number of main rivers within the highlighted site(s). It should be noted that any works impacting a main river (on, under or over) will require a separate Flood Risk Activity Permit (FRAP) under the environmental Permitting Regulations (EPR) (2016). Further details can be seen on our website. We refer you to our [website](#) for further advice.

- o Lead Local Flood Authority

Denbighshire County Council drainage department in their capacity as lead local flood authority may be able to advise on any local problems in relation to surface water disposal and any associated flood risk.

Ground Conditions and Contaminated Land

- o Groundwater

The EIA Scoping Report currently states that the “*Ground Conditions and Contaminated Land*” will be scoped out of the ES. We disagree with this conclusion and advise **groundwater should be scoped in**. Groundwater is classified as High Vulnerability for the Clwyd Limestone Principal Aquifer at the western area of the cable run. Groundwater needs to be scoped in for this area and for all of the cable run as this will involve more substantial groundworks to bury the cable. In addition, the cable may be fluid (oil) cooled and therefore would present an additional risk of pollution to groundwater.

We advise the proposed CEMP should include a specific section on the protection of groundwater from pollution during the construction phase. A spill of a pollutant, such as petroleum fuels can be difficult and costly to clean up if it reaches groundwater – prevention is the best option.

We provide the following comments on section 9.9 Ground Conditions and Contaminated Land of the EIA Scoping Report.

- “*Not Significant Effects*” (sections 9.9.30 & 9.9.31)

We advise that all materials to be used in construction of the project be assessed for their long-term resilience and environmental safety. Not all materials used in the construction of solar farms and Battery Energy Storage System (BESS) are ‘harmless’; they can degrade and / or release chemicals to the environment over time. The materials, including solar panels, cabling, paints, agents used in ongoing maintenance (e.g. cleaning agents) should be assessed for their long-term safety in the environment; this includes assessing for the various contaminants of emerging concern.

- Sections 9.9.33 & 9.2.35

We generally agree with the statement that “*BGS data demonstrates that the aquifer designation matches the bedrock, with the areas of sandstone bedrock being classified as a ‘Highly Productive Aquifer’, with the mudstone, siltstone and sandstone as well as the limestone being a ‘Moderately Productive Aquifer’*”, however, we advise limestone should be considered most vulnerable.

- o Land Contamination

We generally agree with the conclusion (“*Summary*” - section 9.9.34) that “*the potential for contaminated ground to be present on the Site is considered to be low based on the identified current and historical land-use. Whilst potential receptors have been identified the effects associated with low levels of contamination would not be significant*”. However, we

advise that the potential contamination of soils and controlled waters during the construction phase is of more concern and should be addressed in the CEMP.

We also advise part of the proposal site is located adjacent to a historic landfill site. The Environment Agency provided the Local Authority with Historic Landfill data in 2007. The applicant may wish to consult the Local Authority's Environmental Health department with regard to this aspect.

We agree that the following reports relevant to ground conditions should be prepared and submitted with the planning application:

- A Phase 1 Ground Conditions Assessment (Phase 1 GCA) is being prepared which will present the findings of desk study research, the observations from walkovers, a Tier 1 contamination Preliminary Risk Assessment, and a preliminary ground stability assessment. The report will be prepared following guidance on how to assess and manage the risks from land contamination provided in Land Contamination Risk Management (LCRM).
- Desk Based Mineral Resource Assessment
- Detail UXO Assessment
- Soil Management Plan prepared with reference to Code of practice for the sustainable use of soils on construction sites (DEFRA, 2018).
- Outline CEMP

Major Accidents and Disasters

The storage of large battery systems contain lithium ion electrolytes which have the potential to cause pollution in the event of fire at the site as a result of battery failure.

We generally agree with the conclusions in paragraphs 9.2.67 – 9.2.71 relating to BESS storage and fires/run-off associated with fire-suppression water, and agree with paragraph 9.2.71 that the impacts of any fire incidents at the BESS are scoped in. We note however that Table 9.9 proposes to Scope out this matter on the basis that "*BESS fire management plan, including contained storage of runoff, would minimise impacts in the event of fire breakout*". As explained above, we advise that this matter should be **scoped in**, and the mitigation measures clearly set out in the ES.

The BESS elements of this proposal should be constructed in a way that, *should* there be a fire on site, that the run-off associated with the fighting of this fire is contained and does not enter the wider environment. This should be outlined along with drainage and emergency plans in the Outline Battery Safety Management Plan (OBSMP).

In order to prevent pollution, we advise that prior to determination it should be ensured that adequate measures will be in place for the containment or removal of contaminated firewater. We recommend that the applicant seeks advice from the relevant Fire and Rescue Service as we are not the appropriate body to provide advice regarding volumes of firewater required in the event of a fire, this information is important to determine the containment required on site. The ES should ensure the proposal is able to demonstrate the ability to contain fire water and/or that off-site transport can be demonstrated to be feasible in consultation with other consultees such as the fire and rescue services.

We advise that measures to minimise the risk of pollution from contaminated firewater should be clearly set out by the applicant in a detailed drainage scheme.

Water Framework Directive

We note and welcome paragraph 9.2.22 which states: “*The Proposed Development will be the subject of a WFD Screening and Scoping assessment. If likely significant impacts are identified through this process, a full assessment will be completed. The WFD assessment process would utilise NRW templates and guidance*”. We can provide further advice once the Screening and Scoping assessments have been completed. Please contact us if you require copies of our templates and guidance documents.

Table 9.2 describes ‘Sensitivity’ and identifies “*surface water bodies with a WFD Good ecological status and Good chemical status*” as being of medium sensitivity. In addition, table 9.3 describes the ‘Magnitude of Change’ categories and identifies “*effects that may cause a change to WFD status of a waterbody...*” as being of medium magnitude. Please note, any deterioration in class would not be compliant with the WFD Regulations 2017.

Other Matters

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

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

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

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

Yours faithfully,

Tristan Williams

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

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

Planning and Environment Decisions Wales

Eich cyfeirnod
Your reference

DNS CAS-03950-F9K3T4

Sent by email

Ein cyfeirnod
Our reference

PEDW.Infrastructure@gov.wales

Dyddiad
Date

28 January 2025

Llinell uniongyrchol
Direct line

[REDACTED]

Ebost
Email:

Cadwplanning@gov.wales

Dear Sir / Madam,

**Bodelwyddan BESS and Solar Farm, Land near Bodelwyddan, Denbighshire,
Conwy Border, North Wales, LL22 9SD – Scoping - DNS CAS-03950-F9K3T4**

Thank you for your letter of 23 December 2024 asking for Cadw's view on the above.

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

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

Advice

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

The request for a scoping opinion is accompanied by a scoping report with Chapter 8 Built Heritage being prepared by Cotswold Archaeology but proposing in chapter 9 that the impact of the proposals on archaeology can be "scoped out of the EIA".

Section 9.4 of chapter 9 suggest that an initial historic environment desk-based assessment has been carried out but fails to explain what methodologies have been used to produce this assessment and given that it has not been submitted with the scoping report it is impossible for us to determine currently if the results of this work are valid. The statements given in sections 9.4.3 – 5 of the scoping report

underestimate the likelihood that buried archaeological features may be located in the area of the solar park and the cable route, in particular when the recent work being undertaken to inform the cable route for the Awel y Môr Offshore windfarm following a similar route are considered. We also consider that sections 9.48 to 9.4.11 underestimate the potential for significant effects occurring to buried archaeological features, especially in regard to the cable route, especially where it crosses the statutorily registered Kimmel Park historic park and garden.

Section 9.47 of the scoping says that additional desk-based research and geophysical surveys are currently being undertaken, which suggests that the results of the initial assessment indicate that archaeological sites, of unknown significance, may be present in the application area. Consequently, we strongly recommend that Archaeology should be scoped into the EIA.

In general, we agree with the methodologies proposed for the assessment of the impact of the proposed development on the built heritage given in Chapter 8 of the scoping report: However, we disagree that the search area should only be 2km, which contrasts significantly with the search area for Landscape and Visual Impacts which is 5km. We therefore recommend that the search area should be extended to 5km, which would be in accordance with the distances given in the Annex to the Welsh Government document "The Setting of Historic Assets in Wales" when Cadw should be consulted on a planning application. We would expect the impact of the proposed development on the setting of the designated historic assets listed on Annex A attached (which are located inside 5km and in the ZTV of the proposed development) to be considered in accordance with the guidance given "The Setting of Historic Assets in Wales". This will require a stage 1 assessment to be carried out for all of these designated historic assets, which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific historic assets. The results of the stage 1 assessment should be included in the EIA probably as an appendix.

It should be noted that Cadw have particular concerns about the impact of the proposed solar farm on the setting of the statutorily registered Kimmel Park historic park and garden, as the solar farm adjoins part of registered area, and it is also in the identified significant views from the park.

Finally, the BESS site is located inside 5km of the registered The Vale of Clwyd and Lower Elwy Valley historic landscapes, the impact of the BESS site on their settings will therefore need to be considered in the EIA: However, this impact should be assessed using the methodology given in "The Setting of Historic Assets in Wales" and an ASIDOHL assessment is not required.

Yours sincerely

Nichola Smith
Historic Environment Branch

Annex A

Inside

Registered Parks and Gardens:

PGW(Gd)54(CON) Kinmel Park

Within a 5km developer ZTV:

Registered Parks and Gardens:

DE031 The Mount, Abergele

DE037 Bedd-y-Cawr Hillfort

DE082 Mynydd y Gaer Camp

DE114 Castell Cawr Hillfort

DE186 St George's Well, Abergele

FL004 Castell Rhuddlan

FL015 Twthill (Further and Additional Areas)

FL018 Rhuddlan Bridge

FL068 Rhuddlan Town Banks

FL102 Criccin Cross

FL129 Part of Site of Norman Borough

FL186 First World War Practice Trenches at Bodelwyddan Park

Registered Parks and Gardens:

PGW(Gd)58(CON) Gwrych Castle

PGW(C)2(DEN) Bodelwyddan Castle

PGW(C)28(DEN) Plas Heaton

PGW(C)54(DEN) Bodrhyddan

Registered Historic Landscape:

HLW (C) 1The Vale of Clwy

HLW (C) 4 Lower Elwy Valley

Listed Buildings/ Conservation Areas:

153	Plas Newydd	II*
160	Plas Harri	II
229	Kinmel	I
230	Ruins of Old Kinmel, in the grounds of Kinmel Park Gwrych Castle including attached walls and towers and	II
231	Stable Block. Tan-yr-Ogof Lodge including adjoining walls and towers to	I
232	S, E and W	II*
233	King's Lodge, also known as Abergele Lodge	II*
235	Tyddyn-Morgan	II
236	Pentre-mawr	II
237	Church of St Michael	II*
239	Abergele Community Centre	II
240	Morfa Lodge	II*
242	Llwyni Lodge, also known as the Golden Lodge and Gate	I

	Lodge	
243	Plas Kinmel	II*
244	Talrych Smithy and Forge	II
245	1 Terfyn Cottages	II
246	3 Terfyn Cottages	II
247	5 Terfyn Cottages	II
248	7 Terfyn Cottages	II
249	Terfyn Wellhead	II
250	Church of St Mary, with churchyard walls	II*
251	Ty'n Llan Nursing Home	II*
252	Towyn and Kinmel Bay Youth Club	II*
271	Telephone Call-box outside the Harp Inn	II
272	Telephone Call-box adjoining St George's House	II
	Barn, Agricultural Range and associated garden walls and	
275	towers at Hen Wyrch Farm	II
277	Former Medical Hall	II
1065	Plas Heaton	II*
1066	C-shaped Agricultural Complex at Plas Heaton	II
1356	Pengwern Hall (Pengwern College)	II
1357	Faenol Fawr	II*
1358	Faenol-bach with Domestic Boundary Walls	II*
1363	Belmont	II
1366	Parliament House	II
1367	Parliament House	II
1369	The Banquet House	II
1376	Bodeugan Farmhouse	II*
1377	Church of St Margaret (The Marble Church)	II*
1378	Barn to NW of Faenol-broper Farmhouse	II
1379	Faenol Fawr Old Farmhouse	II
1380	Fferm Farmhouse	II
1383	Bodelwyddan Castle	II*
1384	Bodelwyddan Castle Ice House	II*
1385	Pen-isa'r-Glascoed Farmhouse with Garden Wall and Gate	II*
1400	Church of Saint Mary	II*
1401	Criccin Cross	II
1402	Rhuddlan Bridge	II*
1404	Main Barn at Abbey Farm	II*
1418	Dovecote at Bodeugan Farm	II*
1422	Parish Church of St Thomas	II*
1423	Ty'n Rhyl	II
1431	The Court House	II
1434	Midland Bank	II
1435	Red Lion P.H.	II
1436	St. Asaph Auction Rooms	II
1437	House at St. Asaph Auction Rooms	II
1442	Southcroft including North Cottage	II
1443	Staverton	II
	Former Coach House, Stables & Outbuildings to Staverton &	
1444	Southcroft	II
1450	Kinmel Arms P.H.	II

1451	Greengrocer's Shop	II
1452	1 High Street	II
1453	1A High Street	II
1454	Including Yu's Chinese	II
1455	Conservative Club	II
1456	H.M. Cleaver & Co. (Solicitors)	II
1457	Barrow Crafts (including Antiques Shop)	II
1458	The Old Rectory	II
1459	Sundial at Kentigern Hall	II
1460	Cathedral Church of St. Asaph	I
1461	Translator's Memorial	II
1462	St. Asaph Diocesan Office	II
1463	Former Barber Shop	II
1464	Elwy Bank including D.P. Nash	II
	Glasgow House including County Cleaners, Halifax Building	
1465	Society & Shoe Repairs)	II
	Glasgow House including County Cleaners, Halifax Building	
1466	Society & Shoe Repairs	II
1467	Beulah House (K&M Massey, including St. Asaph Video)	II
1468	The Barrow Arms P.H.	II
1469	The Old Palace	II*
1475	Roe Gau	II
1482	Plas Coch Rest Home (main block only)	II
1483	St. Asaph V.P. School	II
1484	Rosslyn	II
	H.M.Stanley Hospital (front range plus attached cross-plan	
1485	ranges & Chapel only)	II
1487	Esgobty Farmhouse	II*
1489	Dovecote at Esgonty Farm	II
1490	Garden Wall at Esgobty Farm	II
1491	Bryn Asaph including Gate House Range	II
1492	Outbuildings to N of Faenol-bach	II
1495	Felin-y-gors	II
1498	Town Hall	II
1502	Plas Gwyn	II
1505	Rhyllon Farmhouse	II
1506	Stable Range at Rhyllon Farmhouse	II
1510	Lookout tower in Boundry Walll	II
1511	Apollo Cinema & Bingo Club	II
1514	Rhyl No.2 Signal Box	II
1515	Rhyl No.1 Signal Box	II
1516	Midland Bank	II
1521	Sussex Street Baptist Church	II
1522	Bee and Station Hotel	II
	Telephone Call-box on the up platform at Rhyl Railway	
1524	Station	II
1526	Rhyl Railway Station, Main Building	II
14136	The Gables	II
14137	Boundry Wall and Gate Piers at The Gables	II
14138	40 BATH STREET (E SIDE), CLWYD,	II

14139	42 BATH STREET (E SIDE), CLWYD,	II
14140	44 BATH STREET (E SIDE), CLWYD,	II
14141	46 BATH STREET (E SIDE), CLWYD,	II
14142	48 BATH STREET, (E SIDE), CLWYD,	II
14143	50 BATH STREET, (E SIDE), CLWYD,	II
14144	52 BATH STREET, (E SIDE), CLWYD,	II
14145	Bellevue Terrace	II
14252	English Methodist Church with former Sunday School	II
14253	Tan-Lan	II
14254	Springfields	II
14255	NO 2, BODFOR STREET (E SIDE), CLWYD,	II
14258	Main Building and Footbridge, Rhyl Railway Station	II
14259	Down-Platform Canopy, Rhyl Railway Station	II
14261	Former Manse to English Methodist Church	II
14262	Church House	II
14263	Gate Piers and Gated to Church House Side	II
14264	Welsh Presbyterian Church	II
	Gate Piers, Gates and Railings at Welsh Presbyterian	
14265	Church	II
14266	NO 2 CLWYD STREET (W SIDE), CLWYD,	II
14267	NO 3 CLWYD STREET (W SIDE), CLWYD,	II
14268	NO 4 CLWYD STREET (W SIDE), CLWYD,	II
14269	NO 5 CLWYD STREET (W SIDE), CLWYD,	II
14270	NO 6 CLWYD STREET (W SIDE) CLWYD,	II
14271	NO 7 CLWYD STREET (W SIDE), CLWYD,	II
14272	NO 8 CLWYD STREET (W SIDE), CLWYD,	II
14273	Marine Villa	II
14274	NO 13 CRESCENT ROAD (E SIDE), CLWYD,	II
14275	NO 15 CRESCENT ROAD (E SIDE), CLWYD,	II
14276	War Memorial	II
14279	Crescent Public House	II
14280	Grafton Lodge	II
14281	Grafton Lodge	II
14282	New Inn	II
14283	NO 90 HIGH STREET (W SIDE), CLWYD,	II
14285	NO 135, HIGH STREET (E SIDE), CLWYD,	II
14286	NO 137, HIGH STREET (E SIDE), CLWYD,	II
14287	NO 139, HIGH STREET (E SIDE), CLWYD,	II
14288	NO 141 HIGH STREET (E SIDE), CLWYD,	II
14289	Cynval Villas	II
14290	Royal Alexandra Hospital	II
14292	NO 12, PARADISE STREET (N SIDE), CLWYD,	II
14293	NO 14, PARADISE STREET (N SIDE), CLWYD,	II
14294	Plas Penyddeuglawdd	II
14295	Plas Penyddeuglawdd	II
14296	Pendyffryn	II
14297	NO 40-42, QUEEN STREET (W SIDE), CLWYD,	II
14298	NO 44-46, QUEEN STREET (W SIDE), CLWYD,	II
14299	Church of the Holy Trinity	II

14301	The Swan P H	II
14303	NO 31, RUSSELL ROAD (NSIDE), CLWYD,	II
14304	NO 33, RUSSELL ROAD (N SIDE), CLWYD,	II
14305	NO 35, RUSSELL ROAD (N SIDE), CLWYD,	II
14306	NO 37, RUSSELL ROAD (N SIDE), CLWYD,	II
14307	NO 39, RUSSELL ROAD (N SIDE), CLWYD,	II
14308	NO 41, RUSSELL ROAD (N SIDE), CLWYD,	II
14309	Bath Street	II
14310	Bath Street	II
14311	Bath Street	II
14312	Bath Street	II
14314	Bethel Calvinistic Methodist Church	II
14315	Former Schoolroom	II
14316	Manse	II
14317	NO 14, WATER STREET (W SIDE), CLWYD,	II
14318	NO 14A, WATER STREET (W SIDE), CLWYD,	II
14319	NO 16, WATER STREET (W SIDE), CLWYD,	II
14320	Ellis's Bar	II
14321	Ellis's Bar	II
14323	Church of Saint John	II
14324	Christchurch United Reformed Church	II
14325	NO 47, WATER STREET (E SIDE), CLWYD,	II
14326	NO 49, WATER STREET (E SIDE), CLWYD,	II
14327	NO 46 WATER STREET (W SIDE), CLWYD,	II
14328	NO 48, WATER STREET (W SIDE), CLWYD,	II
14329	NO 50, WATER STREET (W SIDE), CLWYD,	II
14330	NO 52, WATER STREET (W SIDE), CLWYD,	II
14331	NO 54, WATER STREET (W SIDE), CLWYD,	II
14332	NO 56, WATER STREET (W SIDE), CLWYD,	II
14333	NO 71, WEST PARADE (S SIDE), CLWYD,	II
14334	NO 72, WEST PARADE (S SIDE), CLWYD,	II
14335	NO 73, WEST PARADE (S SIDE), CLWYD,	II
14336	NO 74, WEST PARADE (S SIDE), CLWYD,	II
14337	NO 75, WEST PARADE (S SIDE), CLWYD,	II
14544	Glan Aber	II
14545	Stables and Coach-house Range at Glan Aber	II
14769	The Pen-y-bont Inn	II
14971	Cowhouse at Abbey Farm	II*
14972	Workshop Range at Abbey Farm	II*
14973	Rhydyddauddwr Farmhouse	II
14974	Cowhouse and Stable Range at Rhydyddauddwr Farm	II
14975	Shelter Shed at Rhydyddauddwr Farm	II
14976	Barn at Rhydyddauddwr Farm	II
14977	Rhuddlan Castle	I
14978	Chest Tomb to NE of Church of Saint Mary	II
14979	1. Chest Tomb to SE of Church of Saint Mary	II
14980	2. Chest Tomb to SE of Church of Church of Saint Mary	II
14981	Churchyard Cross	II
14982	Lychgate to Churchyard	II
14990	Bryn Cwnin Farmhouse	II

14991	L-Plan Range of Farmbuildings at Bryn Cwnin Farm	II
14992	Clarence House (Old Vicarage)	II
15010	Criccin Fawr Farmhouse	II
18472	Bodoryn Cottages	II
18473	Bodoryn Cottages	II
18474	No 3, Bodoryn Cottages	II
18475	No 4, Bodoryn Cottages	II
18658	Tower on Tower Hill	II
	Estate Boundary Wall to Gwrych Castle Park (part in	
18659	Abergele Community)	II
18661	Lych Gate to Church of St Michael	II
18662	Eglwys Mynydd Seion	II
18663	Bowden House	II
18664	Church of St Theresa of Lisieux	II
18667	Village Hall	II
18668	Kinmel Arms	II
18669	Church of St George	II
18670	4 Main Street	II
18671	5 Main Street	II
18672	6 Main Street	II
18673	6A Main Street	II
18674	7 Main Street	II
18675	Llwyni Lodge Gate Piers	II
18676	Roberts Monument at Eglwys Mynydd Seion	II
	Gazebo and Summer House in Venetian Garden at Kinmel,	
18677	including attached steps	II
18678	Fountain in Venetian Garden at Kinmel	II
18679	Columns in the quadrants of the Venetian Garden at Kinmel	II
	Walls and Gate Piers to the Venetian Garden at Kinmel,	
18680	with 3 sets of steps	II
	Coach-house and Stable Range at Kinmel with terrace	
18681	walls, steps and archway to E	II*
18682	Kitchen Garden Walls SE of Kinmel	II
18683	St Paul Addoldy yr Eglwys Fethodistiadd	II
18684	Eglwys Crist Addoldy'r Annibynnwyr	II
18685	Dinorben Lodge	II
18686	Barn at Dinorben Hall	II
18687	St George Gate Lodge to Kinmel Park	II
	Garden Bridge and attached sunken service road walls and	
18688	abutments at Kinmel	II
18689	Adam and Eve Gate at Kinmel	II
18690	Icehouse to the NW of the Kitchen Garden at Kinmel	II
18691	Gates and Gate Piers at the W end of the Broad Walk	II
18692	Gates and Gate Piers at the E end of the Broad Walk	II
18693	Entrance Screen to the main entrance front at Kinmel	II*
18694	The Turnpike	II
18695	Toll Bar Cottage	II
18696	English Presbyterian Church	II
	Monument to the great rail disaster of 1868 in the	
18697	Churchyard of Church of St Michael	II

18698	The Castle, Y Castell	II
18699	National Westminster Bank	II
18700	Ty-mawr Terrace	II
18701	Ty-mawr Terrace	II
	Schoolmaster's House to the former Abergele Church	
18702	School, with outbuildings to the E.	II
18703	Abergele and Pensarn Railway Station Booking Hall	II
18704	Abergele and Pensarn Station, 'Up' Platform Building.	II
18705	Abergele and Pensarn Station, 'Down' Platform Building	II
18706	Signal Box at Abergele and Pensarn Railway Station	II
18707	West Range of Farm Buildings at Plas Kinmel	II*
	North Range of Farmyard Buildings at Plas Kinmel with the	
18708	enclosed muck yard and entrance gate pier	II*
18709	East Range of Farmyard Buildings at Plas Kinmel	II*
18710	Piggery at Plas Kinmel	II*
18711	Bryngwenallt	II
18713	Hendre-fawr	II*
18714	Outbuilding at Hendre-fawr including yard walls.	II
18715	Hendre-uchaf	II
18716	Lodge to Bryngwenallt	II
18717	Garden House	II
18718	Bodoryn-fach	II
18719	Pillar Box adjacent to St George's House	II
18720	Shop adjoining former Medical Hall	II
19036	Lady Eleanor's Tower	II
19037	Nant-y-Bella Lodge	II
19038	Hen Wrych	II
	Hen Wrych Lodge including adjoining crenellated boundary	
19039	walls and towers	II*
	Plas Tan-yr-Ogof including adjoining walls and arches to E	
19040	and W	II*
	Tan-yr-Ogof Farmhouse including adjoining arch and walls	
19041	to E	II*
19042	Stable and Cart House Range at Tan-yr-Ogof Farm	II
19043	Northern Towers	II
	Gwrych Estate Boundary Wall from Tan-yr-Ogof to Gwrych	
19044	Lodge	II
19186	Holy Trinity Church	II*
19200	Former Rectory	II
19215	Milestone	II
19924	Church of St Mary	II
19925	Wigfair Hall	II*
19941	Groesffordd Marli Chapel	II
20162	Former Brewhouse at Faerdre	II
20897	Glascoed Lodge on Bodelwyddan Park Boundary	II
23514	Sundial at Plas Heaton	II
	Carthouse Range at Plas Heaton (with incorporated flat to	
23515	first floor)	II
23516	Stable and Carthouse Range at Plas Heaton	II
23517	Ice House at Plas Heaton	II

	Kitchen Garden Walls including associated Lean-to Sheds	
23518	and adjoining Melon House at Plas Heaton	II
26024	Bodeugan Outbuildings	II
26090	Tir-hwch Farmhouse	II
80714	1, The Village	II
80715	10, The Village	II
80716	11, The Village	II
80717	12, The Village	II
80718	13, The Village	II
80719	14, The Village	II
80720	15, The Village	II
80721	16, The Village	II
80722	17, The Village	II
80723	18, The Village	II
80724	2 Terfyn Cottages	II
80725	2, The Village	II
80726	3, The Village	II
80727	4 Terfyn Cottages	II
80728	4, The Village	II
80729	5, The Village	II
80730	6 Terfyn Cottages	II
80731	6, The Village	II
80732	7, The Village	II
80733	8 Terfyn Cottages	II
80734	8, The Village	II
80735	9, The Village	II
80736	Bodelwyddan Park Wall with entrances and cottages	II
80737	Bodelwyddan Village Hall (former School)	II
80738	Bryn Celyn Lodge on Bodelwyddan Park Boundary	II
80739	Churchyard Wall of St Margaret's	II
	Coach House at Pengwern Hall with Outbuildings Range to	
80740	W	II
80741	Faenol Fawr Barn	II
80742	Faenol Fawr Dovecote	II*
80743	Farm Range to N of Faenol-bach Farmyard	II
80744	Farm Range to W of Faenol-bach Farmyard	II
80745	Bodelwyddan Vicarage	II
80746	Garden Cottage at Pengwern Hall	II
80747	Garden Shelter in Bodelwyddan Castle Garden	II
80748	Georgian House (former Stables) at Pengwern Hall	II
80749	Glan-y-morfa	II
80750	Gors Mill Cottage	II
80751	Kinmel East Gatepiers and Railings	II
80752	Obelisk in Bodelwyddan Castle Garden	II
80753	Pen-isa'r-Glascoed Outbuilding	II
80754	Play House in Bodelwyddan Castle Garden	II
80755	Farm Ranges to W of Faenol-bach Farmyard	II
80756	Sundial in Bodelwyddan Castle Walled Garden	II
80757	Terrace wall of main front of Bodelwyddan Castle.	II
80758	Tyddyn-isaf	II

	Wall of Bodelwyddan Castle Garden with Bothy at W and	
80759	Gateway at E	II
80760	Woodwork Block (former Coach House) at Pengwern Hall	II
87542	Fountain near Marble Church	II
87609	Bryn Awel and Fondella Building	II
87903	Catholic Church of Christ the King	II
87906	Catholic Church of St Illtyd	II



Ref: DNS CAS-03950-F9K3T4

Robert Sparey
Planning & Environment Manager
Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Via Email: PEDW.Infrastructure@gov.wales

31st of January 2025.

Dear Robert Sparey,

Re: Scoping Direction Consultation Response – DNS CAS-03950-F9K3T4 – Proposed BESS and Solar Development Land near Bodelwyddan, Denbighshire, Conwy Border, North Wales, LL22 9SD.

In reference to the recent e-mail from PEDW consulting the Department on the above Scoping Direction request, the Department offers the following response for your consideration regarding agricultural land quality and the use of soil resources.

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

- Best and Most Versatile (BMV) agricultural land.
- Maintaining soil services and functions.

1. Agricultural Land Classification (ALC) – Information and Advice:

The Department can confirm that we do not hold any previous ALC field survey information for the proposed sites. The Predictive ALC Map¹ notes that the site contains mostly Subgrade 3b land with two areas of Subgrade 3a (BMV) agricultural land within the proposed red-line boundaries.

As per published Departmental Guidance², if BMV is identified on the Predictive Map, a detailed ALC survey is required to confirm the grades and their distribution. The Department

¹ <https://www.gov.wales/agricultural-land-classification-predictive-map>

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

notes in Section 9.12.3 of the Scoping Report that an ALC survey has been undertaken of the proposed sites with the grading maps included at Appendix G.

However, the full ALC survey report and finding have not been included in scoping consultation to enable the Department to validate the survey findings. The Department therefore at this stage cannot confirm the grading on site and if Agricultural Land quality should be scoped out of the assessment.

The Department would be available to validate the ALC survey report for the applicant if requested. If the ALC survey report, including full auger boring schedule and soil pit descriptions, could be sent to LQAS@gov.wales the Department would validate within 6 weeks.

2. Policy Context:

The Department considers the policies and guidance below are also applicable to this development: -

- Technical Advice Note (TAN)⁶³
- Paragraph 3.58 and 3.59 of Planning Policy Wales (PPW)⁴.
- Paragraph 6.4.3 (bullet 4) of PPW
- Policy 9 of the National Development Framework (NDF) – Future Wales⁵
- Policy 17 of NDF Future Wales - states '*all proposals should demonstrate that they will not have an unacceptable adverse impact on the environment*'.
- Policy 18(11) of NDF Future Wales – sets out the requirement for '*...acceptable provisions relating to the decommissioning of the development at the end of its lifetime, including the removal of infrastructure and effective restoration*'.
- DCPO letter – '*BMV agricultural land and solar PV arrays*' – 1st March 2022⁶

3. Baseline information:

The location and extent of soils on site and their physical characteristics would be beneficial to assess potential impacts and inform decisions on infrastructure siting and decommissioning, restoration and beneficial after use of the site. The volumes of soil units that will be excavated for any on site infrastructure should be clear and based on survey evidence. The majority of this information may be derived from the ALC survey information for the sites.

³ <https://www.gov.wales/technical-advice-note-tan-6-planning-sustainable-rural-communities>

⁴ <https://www.gov.wales/planning-policy-wales>

⁵ <https://www.gov.wales/future-wales-national-plan-2040-0>

⁶ <https://www.gov.wales/best-and-most-versatile-agricultural-land-and-solar-pv-arrays>

4. Infrastructure and potential impacts on soil functions (installation and decommissioning).

The type, location and level of infrastructure proposed as part of the development will need to be fully detailed for the assessment. The Assessment should include detailed information on the total number and spacing of piles installed; the extent of cable trenching and if any imported fill materials used (e.g. cement bound sand), track extent type and location, inverter pads number and locations and areas for construction compounds, etc.

The assessment will need to provide detailed information on the methodology for the installation and decommissioning of the infrastructure and, considering the soils on site, how any likely impacts have been assessed and avoided.

5. Soil Management Plan (SMP).

Mineral, organo-mineral and peat soils are finite and provide crucial ecosystem services and functions to Wales such as food production, water regulation, carbon storage, and biological functioning. The soils described on site combined with the climatic regime (Section 9.13.1) do put the soils at a high risk of damage if inappropriately managed. It is welcome that the applicant proposes to produce a Soil Management Plan. The plan should be informed by the baseline ALC report and soil resources and physical characteristics, and be considered as part of the ES process.

The SMP should be a clear scheme and programme setting out how all soils and their function will be conserved and reinstated and that can be confidently conditioned against.

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

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

The Department considers in light of the infrastructure for commissioning, and the decommissioning of the development, impacts to soils (including the services and functions they provide) should be scoped into the assessment.

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

Yours sincerely

Arwel Williams
Soil, Peatland & Agricultural Land Use Planning
Welsh Government
Department for Climate Change & Rural Affairs
Landscapes, Nature & Forestry Division
LQAS@gov.wales

Development Control
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
LL16 3RJ

Eich cyf / Your ref CAS-03950-F9K3T4

Ein cyf / Our ref 24/NM-7027

27 January 2025

Dear Sir/Madam,

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

Bodelwyddan BESS and Solar Farm, Land near Bodelwyddan, Denbighshire, Conwy Border
The construction, operation and maintenance of proposed solar photovoltaic electricity generating system and battery energy storage system ('BESS'), associated solar arrays, inverters, transformers, cabling, substations, access tracks landscaping, ecological enhancement areas and associated ancillary development

I refer to your consultation of 23/12/2024 regarding the above planning application and advise that the Welsh Government as highway authority for the A55 trunk road does not issue a direction in respect of this application.

General Notes

- 1) The solar panels should be positioned and shielded so as not to cause any significant glint or glare to the users of the A55 trunk road.
- 2) It is Welsh Government's understanding that no components will require Abnormal Indivisible Load (AIL) deliveries to site. Should this viewpoint be incorrect, the developer will be required to inform the Welsh Government, at the earliest opportunity, as further information would be required.
- 3) It should be brought to the applicant attention, that as the proposals develop the Welsh Government will be interested in the details, Risk Assessments and Method Statements (RAMS) for the cable crossing of the A55. It shall be noted we would not accept any method of construction which included the excavation of the existing A55 pavement layers.

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

Yours faithfully

Jason Ingram



Sarn Mynach
Cyffordd Llandudno
LL31 9RZ

Sarn Mynach
Llandudno Junction
LL31 9RZ

Ebost/Email: NorthandMidWalesDevelopmentControlMailbox@gov.wales

Your Ref: 40/2024/1575/EIA-SCO
Our Ref: C1793488

17.01.2025

SENT BY EMAIL

Planning and Environment Decisions Wales

PEDW.Infrastructure@gov.wales

Dear Mr Sparey,

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

Potential DNS Application: Bodelwyddan BESS and Solar Farm.

Site Address: Land near Bodelwyddan, Denbighshire, Conwy Border, North Wales, LL22 9SD

PHW is the national public health agency for Wales and works in collaboration with the seven health boards within Wales to protect and promote health and wellbeing. The Environmental Public Health Service (EPHS) in PHW has reviewed the applicant's scoping report and associated documents.

We are encouraged by any projects that mitigate the impacts of climate change by reducing reliance on fossil fuels and the transition to renewable energy sources and welcome the opportunity to comment on this scoping opinion request.

The 'one health approach', specifies the need for collaborative, multisectoral and transdisciplinary approaches, local, regional, national and global levels. We believe that optimising health outcomes relies on an understanding of the connections between people and the environment. The elements of this development for our EPHS are noise, air quality, landscape, ground conditions, electromagnetic fields (EMF), transport, water resources, climate, community benefit and health.

Proposed Development

The proposal includes construction, operation and maintenance of proposed solar photovoltaic electricity generating system and battery energy storage system, associated solar arrays, inverters, transformers, cabling, substations, access tracks landscaping, ecological enhancement areas and associated ancillary development.

Opinion on the scope of an Environmental Impact Assessment

Our opinion is based on the information provided. If the environmental impact of the proposed development is appropriately assessed, we have no comment on the need for a formal Environmental Impact Assessment.

We suggest that any application is supported by an assessment of the potential impacts arising from;

- electro-magnetic radiation,
- any fire at the battery energy storage system and,
- the construction of the development.

The supporting assessments should include any control measures in place to mitigate the identified impacts.

PHW works closely with health boards across Wales. This project is located within Betsi Cadwaladr University Health Board (BCUHB) area, we will work with the Director of Public Health (DPH) to make them aware of the project and any health concerns that may arise from the project. There may be some aspects of the development relating to health of the population that can be fielded directly by the DPH, as the lead for local public health issues.

We hope this response has been useful and welcome correspondence on any points of clarity or concerns raised.

Yours sincerely

Gwasanaeth Iechyd Cyhoeddus Amgylcheddol yng Nghymru

Environmental Public Health Service in Wales

From: Shirley Rance **On Behalf Of** NSIP Applications
Sent: 10 January 2025 12:21
To: PEDW – Seilwaith / Infrastructure <PEDW.Infrastructure@gov.wales>
Cc: NSIP Applications <NSIP.Applications@hse.gov.uk>
Subject: DNS - Bodelwyddan BESS and Solar Farm - EIA Scoping Consultation - HSE Response dated 10/1/25

Dear Mr R Sparey,

Thank you for your email dated 23 December 2024 consulting HSE on the Proposed Bodelwyddan BESS and Solar Farm - Development of National Significance (DNS).

Please find HSE's advice below.

HSE's Land Use Planning Advice (CEM HD5 Contribution)

1. With reference to the plan with the title **RBL Plan (v.2 01/11/2024)** found in [<https://planningcasework.service.gov.wales>, **Case Reference: DNS CAS-03950-F9K3T4 - Bodelwyddan BESS and Solar Farm. 2024-12-19 - EIA Scoping Request - Scoping Report Final Part 1, Appendix A Site Location Plan & Layout Plans**] on which is shown a redlined **RBL Area**, there are areas of the proposed development that fall within HSE public safety consultation zones associated with Major Accident Hazard Pipeline(s) operated by Wales & West Utilities:
 - a. Brookes Farm / Llanellian Road (HN009 Part 2a) [HSE ref: 4130012, Transco ref: 1895]
 - b. Bodfari / Rhosgoch (VN082) [HSE ref: 7610, Transco ref: 1862]
2. The redlined areas do not currently fall within the consultation distances of any Major Accident Hazard Installation(s).
3. HSE will not advise against the proposed development, providing the proposed development does not introduce populations, either permanent or temporary, into any of HSE's public safety consultation zones which are assigned to individual Major Accident Hazard Pipeline(s). Further information is available at <https://www.hse.gov.uk/landuseplanning/methodology.htm>
4. Please note if at any time a new Major Accident Hazard Pipeline is introduced or existing Pipeline modified prior to the determination of a future application, the HSE reserves the right to revise its advice.

5. Likewise, if prior to the determination of a future application, a Hazardous Substances Consent is granted for a new Major Hazard Installation or a Hazardous Substances Consent is varied for an existing Major Hazard Installation in the vicinity of the proposed project, again the HSE reserves the right to revise its advice.

Would Hazardous Substances Consent be needed?

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

Explosives sites

CEMHD 7's response is no comment to make as there are no HSE Licensed explosives sites in the vicinity of the proposed development.

Kind Regards

NSIP Consultation Team

Health and Safety Executive

Shirley Rance | Business Support Team

Health and Safety Executive | CEMHD - DBST

NSIP.Applications@hse.gov.uk



From: Neil Upton
Sent: 04 February 2025 11:57
To: PEDW – Seilwaith / Infrastructure
Cc: ConwyOffice
Subject: CAS-03950-F9K3T4

Good morning,

Apologies for my late response to the above consultation.

At this stage our only comments relate to section 9.17.5 of Environmental Impact Assessment Scoping Report and we await to find out what the Battery Safety Management Plan will be and whether it includes the provision of an adequate sufficient water supply, fire appliance assess and the provision for the containment of contaminated fire water run-off.

Should you require any additional information then please get in touch.

Kind regards,

Neil Upton *AlFireE*

Rheolwr Cydymffurfio - Compliance Manager

Gwasanaeth Tân ac Achub Gogledd Cymru - North Wales Fire and Rescue Service

E-bost/ E-mail:

Ffôn symudol/ Mobile:



From: [Edwards, Steven](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Subject: DNS CAS-03950-F9K3T4 - Bodelwyddan - Ymgynghoriad Cwmpasu AEA | EIA Scoping Consultation
Date: 20 January 2025 12:37:13
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[SPM UMV Plan 4 EIA Scoping Cons DNS CAS-03950-F9K3T4.pdf](#)
[SPM UMV Plan 1 EIA Scoping Cons DNS CAS-03950-F9K3T4.pdf](#)
[SPM UMV Plan 2 EIA Scoping Cons DNS CAS-03950-F9K3T4.pdf](#)
[SPM UMV Plan 3 EIA Scoping Cons DNS CAS-03950-F9K3T4.pdf](#)
[SPM UMV Plan 5 EIA Scoping Cons DNS CAS-03950-F9K3T4.pdf](#)

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

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

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

SP Energy Networks requires reference in any baseline studies to SPM network and assessment of the impact of the proposals on this network. The applicant can contact SP Energy Networks any time to obtain the GIS data in order to show on the relevant plans.

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

SPEN would be pleased to discuss the proposals and the above further with the applicants as soon as possible.

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

Regards

Steve



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



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



Cheshire, Merseyside, North
Wales & North Shropshire

Connections **0845 270 0783**

General enquiries **0330 10 10 444**

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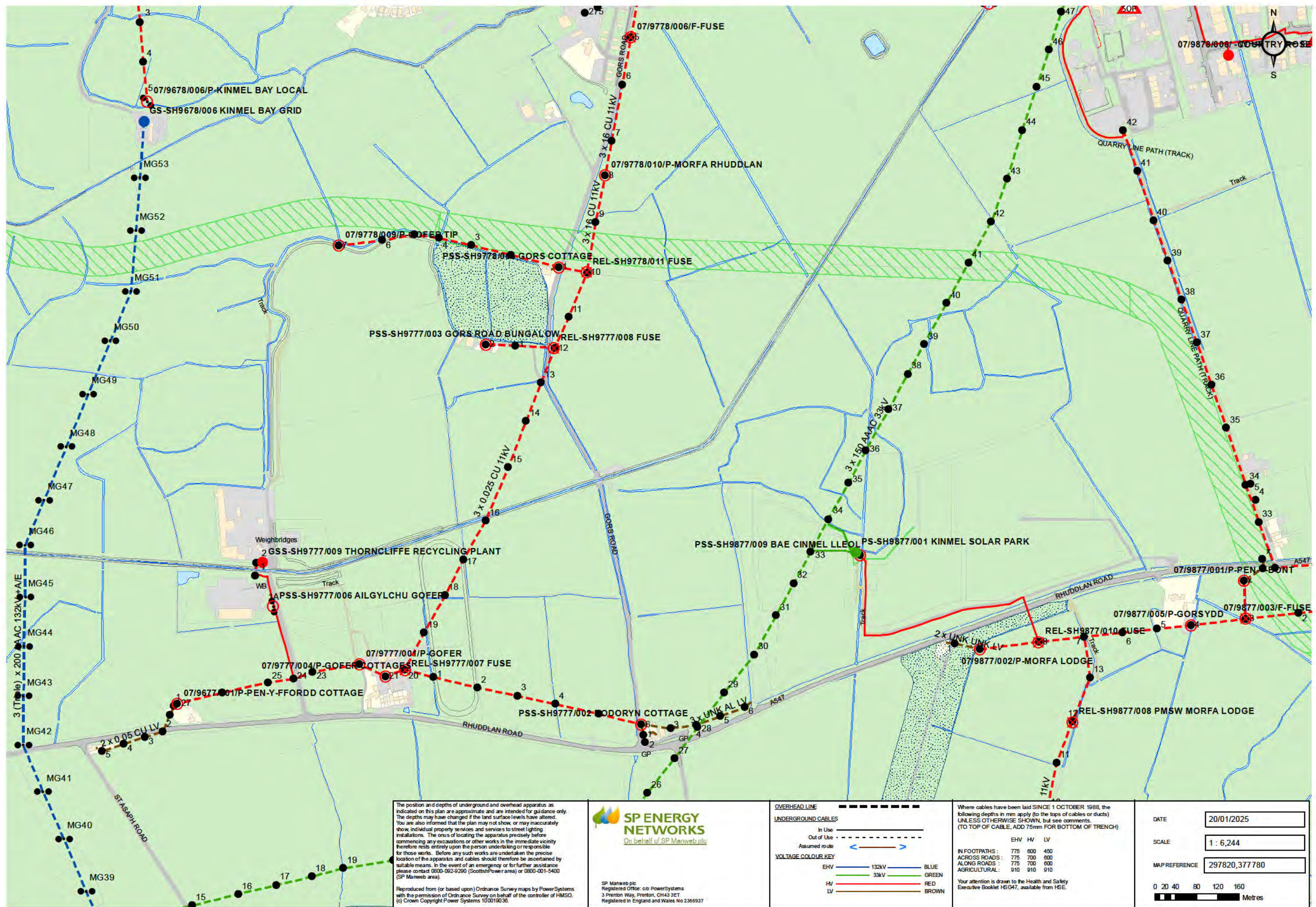


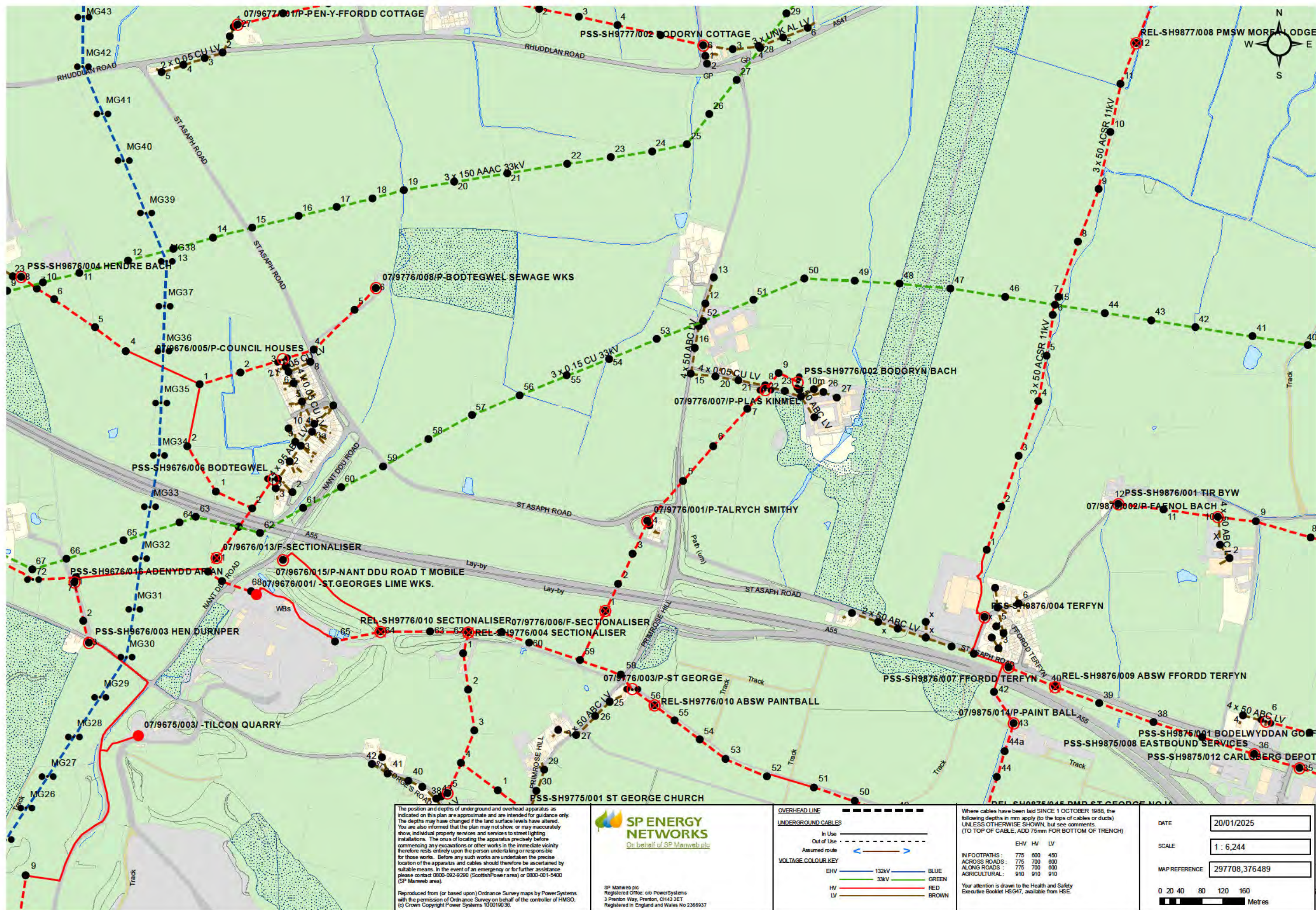
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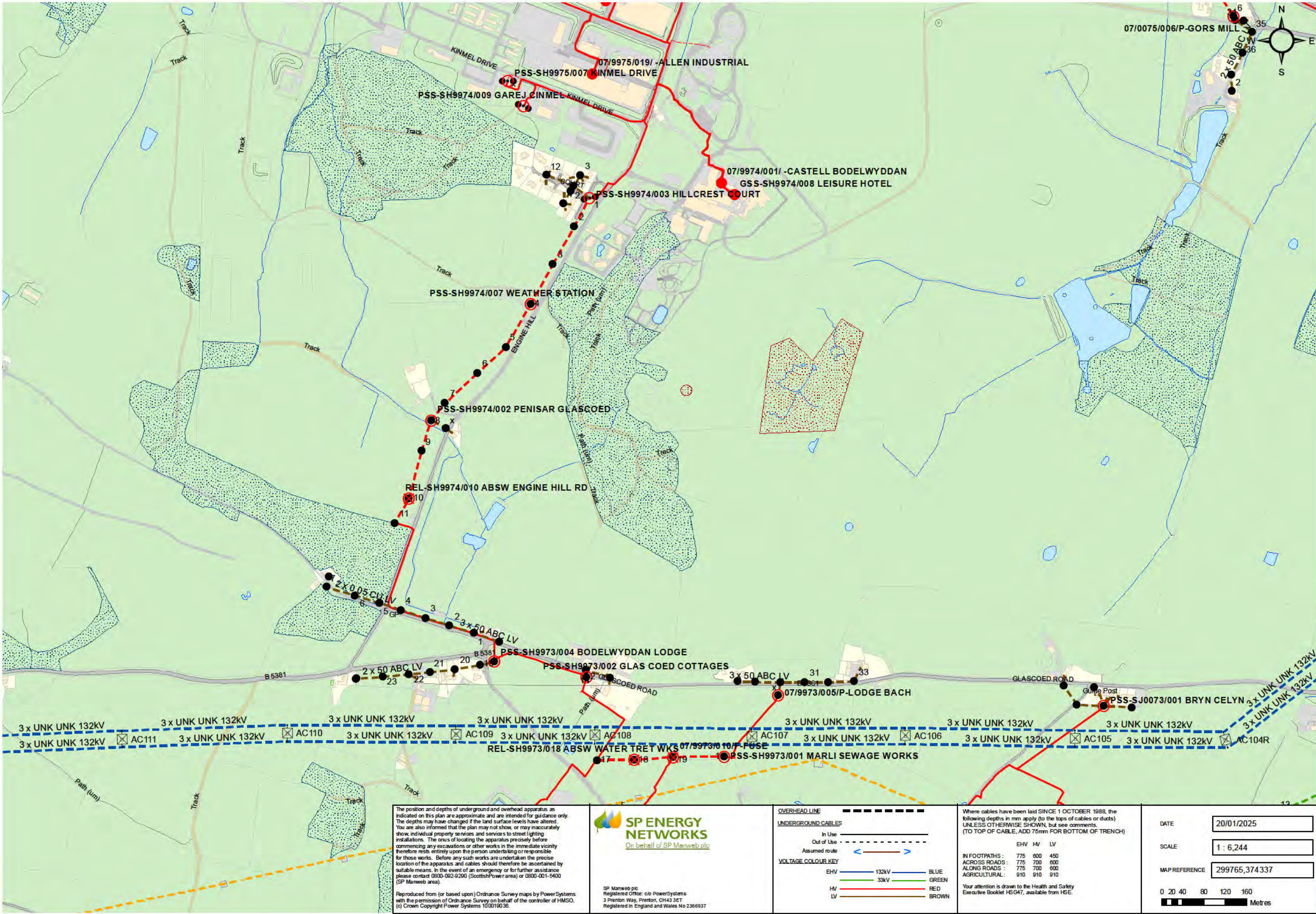
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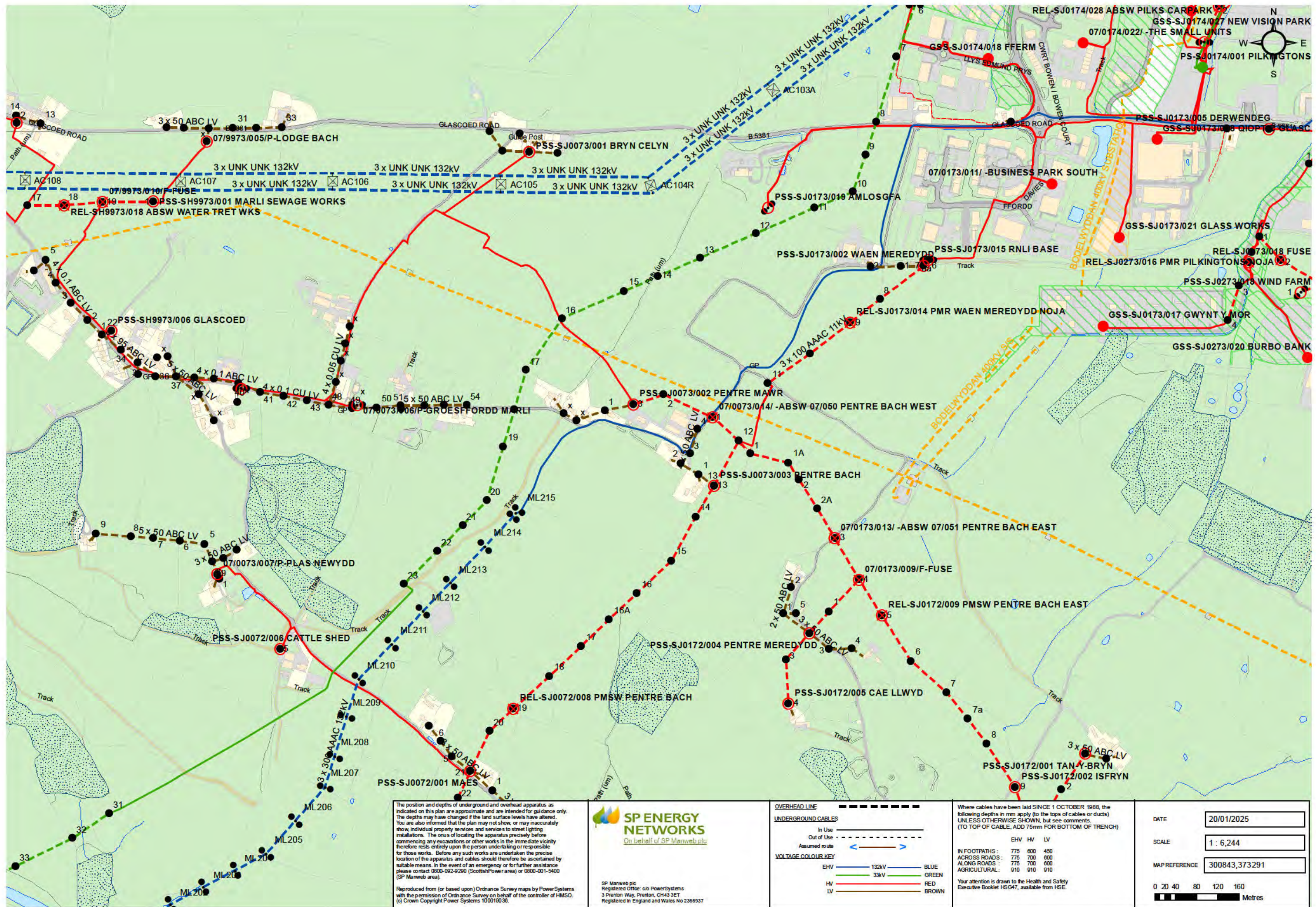
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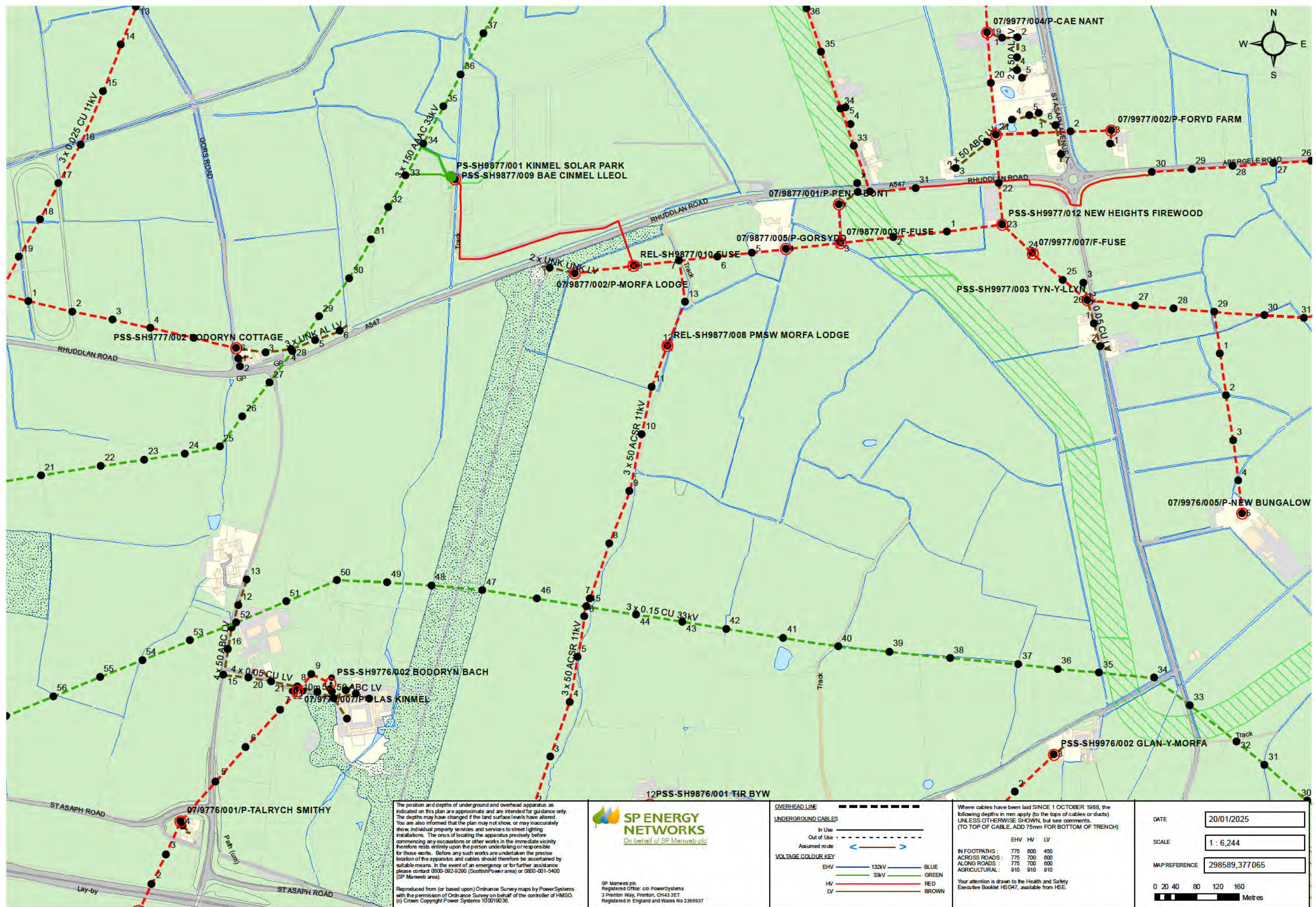
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The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. The depths may have changed if the land surface levels have altered. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to street lighting installations. The onus of locating the apparatus precisely before commencing any excavations or other works in the immediate vicinity therefore rests entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus and cables should therefore be ascertained by suitable means. In the event of an emergency or for further assistance please contact 0800-062-9200 (ScottishPower area) or 0800-001-5400 (SP Manweb area).

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SP ENERGY NETWORKS
On behalf of SP Manweb plc

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

OVERHEAD LINE

UNDERGROUND CABLES

In Use ————
Out of Use - - - - -
Assumed route <--->

VOLTAGE COLOUR KEY

EHV: 132kV (Blue), 33kV (Green)
HV: Red
LV: Brown

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

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

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

DATE: 20/01/2025

SCALE: 1:6,244

MAP REFERENCE: 298589,377065

0 20 40 80 120 160
Metres



Submission to Planning and Environment Decision Wales

PEDW ref: **CAS-03950-F9K3T4**

Comments by Cefn Meiriadog Community Council in response to Island Green Power, 'Bodelwyddan Solar and Energy Storage, Environmental Impact Assessment Scoping Report': *EIA Scoping Opinion for the construction, operation and maintenance of proposed solar photovoltaic electricity generating system and battery energy storage system ('BESS'), associated solar arrays, inverters, transformers, cabling, substations, access tracks landscaping, ecological enhancement areas and associated ancillary development.*

Please note that this document supersedes the document submitted to Denbighshire County Council (DCC) on 17/1/25 following DCC's invitation to Cefn Meiriadog Community Council to comment on the above Environmental Impact Assessment Scoping Report.

1. Cefn Meiriadog Community Council (CMCC/the Council), is fully cognisant of the need to replace fossil-fuel based energy generation by the increasing use of renewable energy sources, and fully understands the Welsh Government's (WG) long-term commitment to net zero and to supporting the development of green energy projects.
2. The Council's main concern with the Island Green Power (IGP) proposal will naturally be with its effect on the community of Cefn Meiriadog, in particular its landscape and visual impacts and how these would affect the identity and well-being of the community. The proposed BESS site and the cabling route are therefore the focus of the Council's concerns. However it will also comment on other issues where appropriate.
3. It finds that the scope of the IGP EIASR wholly fails to acknowledge the fundamentals of the background to and context of the proposal, as outlined below.
4. Denbighshire County Council (DCC)/Conwy County Borough Council (CCBC)'s

submitted a Local Impact Report (LIR) to the Mona Examination for that Examination's Deadline 1 of 7 August 2024. The LIR's conclusion stated: "The Councils are of the opinion that in combination, these schemes and the proposed development would have the cumulative effect of altering the landscape and visual environment to the extent that energy infrastructure would become a prominent or defining aspect of the local landscape and views".

5. While "the proposed development" refers to the Mona onshore substation, by "these schemes" was meant the three existing substations in the area, i.e. Burbo Bank, Gwynt y Môr, and National Grid, together with the consented Awel y Môr (AyM) substation. In addition, National Grid (NG) had already provided outline details of its planned extension to its existing substation and of additional pylon lines, which it says are needed for it to be able to accommodate the power to be generated by the consented AyM and the under-examination Mona.

6. The IGP development had not emerged at this point, therefore DCC's conclusion that "energy infrastructure would become a prominent or defining aspect of the local landscape and views" was expressed wholly without reference to it. It having now come forward, it shows the 16.11-acre (6.5-hectare) BESS site as virtually contiguous with the Mona onshore substation site of similar size. Furthermore, and somewhat surprisingly, it shows the site boundary not simply adjacent to the NG extension site but actually extending to cover most of the area to be occupied by the extension itself.

7. If DCC's view is that "these schemes and the proposed development would have the cumulative effect of altering the landscape and visual environment to the extent that energy infrastructure would become a prominent or defining aspect of the local landscape and views", when the said schemes and proposed development do even not include IGP's 16.11-acre (6.5-hectare) BESS, then clearly, factoring in the BESS to the landscape and visual impact and cumulative effects, central as it would be, would make a very substantial, indeed critical, difference to those effects.

8. If, as it must be, the assumption is made that the Mona scheme will go ahead and the NG substation will be extended to accommodate it, it is clearly the case that Cefn Meiriadog is becoming saturated with major infrastructure projects. In this context, it is the Council's view that further such project will lead to complete saturation, and cannot be accommodated without fundamental damage to the character and identity of the community of Cefn Meiriadog.

9. This 'enough is enough' approach is clearly supported by WG and DCC policy. The WG's commitment to the well-being of communities is expressed across numerous documents covering the whole range of its activities, but with particular relevance to Cefn Meiriadog's current infrastructure situation in its Deadline 1 submission to the Mona Examination. There the WG identifies the need "to ensure local communities are protected", and "to secure and sustain vibrant, cohesive and sustainable communities that promote and protect culture, heritage and the Welsh language". This commitment is profoundly important to the survival and well-being of Wales's smallest communities, not least to the community of Cefn Meiriadog with its 359 people occupying an area of approximately 5 square miles.

10. DCC's commitment to protecting and sustaining communities is expressed under numerous themes and sections of the current LDP (and presumably its work-in-progress successor), but notably under the 'Respecting Distinctiveness' theme when, for example, it states: "Respecting distinctiveness is concerned with the identity of an area, about what makes it unique and what creates a sense of place. This includes aspects such as the character of the communities within Denbighshire, the quality and variety of the built and natural environment, the use of the Welsh language and the culture of the area... Key aspects include the promotion and maintenance of the distinct identities of Denbighshire's towns, villages and landscapes". The criteria listed under 'Policy RD 1 - Sustainable development and good standard design' could be quoted as sufficient reason not to support the IGP development proposal.

11. In its Design Review Report submitted to the Mona Examination, the Design Commission for Wales stated: "Given the context for renewable energy in Wales, the local authority working with neighbouring authorities, Welsh Government, National Grid and other stakeholders should take steps to develop a comprehensive strategic masterplan that addresses this particular location and its landscape capacity as renewable energy development proposals increase in number and at pace". In the absence of any such approach, by default the only 'strategy' being applied to the siting of infrastructure in the area is in effect that of National Grid (NG) directing Mona and other developers to connect to its 'Bodelwyddan' (i.e. Cefn Meiriadog) substation, obviously in accordance with its own interests, and developers such as IGP bringing forward projects whose only strategic basis is that opportunistic individual landowners are willing to sell or lease their land to them.

12. Clearly this situation has produced a 'free for all' of project proposals being brought forward purely on the basis of the interests of the various individual developers. The result is that the community of Cefn Meiriadog is being saturated with infrastructure projects which have already had a detrimental effect on its character and its sense of identity and well-being. Further large-scale infrastructure development of the kind proposed by IGP can only increase significantly these inimical effects, leaving the community irreparably blighted, its character changed and its identity permanently scarred.

13. In this situation therefore it is critical that the scope of any examination into further proposals for the area be as comprehensive, extensive and as detailed as possible in order to understand all the ramifications of any specific proposal, both in itself and in relation to other projects which are existing, consented, under examination or proposed. In this respect the Council finds that the Environmental Impact Assessment Scoping Report (EIASR) documents submitted by IGP display significant shortcomings and raise numerous further questions, as discussed below.

14. An important aspect of current practice would appear to be to co-locate solar farms and BESS sites, as evidenced by numerous current projects at various stages of planning and development in a wide range of geographical locations. Given the excessively congested nature of the area for which the IGP BESS is proposed, the question is therefore raised of why the EIASR does not extend to considering the possibility of co-locating the BESS with the proposed solar farm, where the land is much less congested. There is no indication in the EIASR that alternative sites were

considered, although the Council is naturally aware that for the developer, finding of a site is wholly dependent on the contingency of a particular landowner being willing to sell or lease his or her land, rather than any systematic consideration of a series of alternatives based on standard criteria.

15. In their publicity materials and in communications with CMCC, IGP state that the BESS is purely to store the energy generated by the solar farm. However in their 'Bodelwyddan Solar and Energy Storage Environmental Impact Assessment Scoping Report' (EIASR), under Battery Energy Storage Systems (BESS) Equipment, 3.2.12 It is stated that "The BESS would be utilised to reinforce the power generated by the solar farm and other renewable generation assets [emphasis added]". To gain a full picture of the intended scope of the project, an indication should be given of which "other renewable generation assets" might be involved or come under consideration.

16. IGP's BESS connection to the NG substation

CMCC has major concerns over the omission from the EIASR of any reference to the facilities and equipment required to transform the 132kV input from the solar site to the BESS into the 400kV output required to feed into the NG substation. Such a stepping-up from 132kV to 400kV would require an additional substation over and above what is described in the IGP documentation.

17. While the proposed development is described as "The construction, operation and maintenance of proposed solar photovoltaic electricity generating system and battery energy storage system ('BESS'), associated solar arrays, inverters, transformers, cabling, substations, access tracks landscaping, ecological enhancement areas and associated ancillary development", nowhere do IGP refer to the BESS requiring the substation that would be necessary to achieve the required stepping up, referring instead to a "converter station".

18. In public consultation events held on 29 and 30 January 2025, IGP confirmed their intention to site the facilities and equipment required for the stepping up process at the proposed location of the BESS and, following extensive email correspondence with CMCC, they finally confirmed in an email dated 3/2/25 that *"Transformers within the proposed substation compound (shaded in blue on the Indicative Proposed Layout which accompanied the EIASR) would facilitate the stepping up of the voltage from 132kV to 400kV. There would be an underground cable (stepped up to 400kV) from the northern section of the proposed substation compound, routing north east into the (proposed extension to) Bodelwyddan Substation"*.

19. The significance of the stepping up/substation issue to scope of the project is in relation to the land area it would require and the dimensions of the structures that would be needed, which is simply not dealt with in the EIASR. The reader of the EIASR is led to assume that the only significant structures involved would be container-sized battery units. However CMCC notes that the proposed Mona substation if consented will cover an area of 16-acres (6.5 hectares) and will have a height of 20 metres, while to convert from AC to DC and reduce voltage, the developers of the planned MaresConnect project have indicated they would require a 15-acre (6-hectare) site for a converter station.

20. It is important to note, therefore, that IGP's Kinmuck project in Scotland, a 105MW battery scheme under development, indicates a substation of approximately 7 acres and building heights of 13m, for approximately 168 batteries, suggests substantial infrastructure and a not insignificant substation requirement. It is worth noting also that fire reasons this development proposes an on-site water storage tank holding 240,000 litres.

21. In attempting to understand the landscape and visual impacts of other infrastructure projects, a useful point of comparison has been the prominent local landmark of nearby St Asaph Cathedral, the tower of which is approximately 30m high. Clearly, a 13m building height as at the Kinmuck development would be nearly half the height of the Cathedral.

22. It is clearly of the utmost importance to an understanding of the project that the scope of the EIA is expanded to include comprehensive details of the infrastructure required for the 400kV connection to the NG substation.

23. It is perhaps worth mentioning as an aside that it is possible that IGP intends to utilise a different operator's substation to then connect to NG, but this would have required that operator to receive planning consent for and to build a larger substation than was necessary for its own power generation needs which, it is believed, would contravene planning regulations.

24. Solar farm to BESS 132kV connection.

A major concern of CMCC is that the EIASR does not adequately reflect the significance of the proposal that 132kV underground cables be run for a full 2 miles underneath the B5381 Glascoed Road from the top of Engine Hill to the junction with a minor road running south at the southwest edge of St Asaph Business Park, to form the connection between the solar site and the BESS site. The scope of the EIA would need to be expanded significantly in order to fully take into account the issues presented by such use.

25. This is a busy thoroughfare bringing traffic from western areas including Llanrwst and the Conwy Valley to St Asaph and beyond, including to join the A55. It is obviously used by people working on St Asaph Business park and is the main route for traffic within Cefn Meiriadog and the surrounding areas, including agricultural traffic attending St Asaph livestock market. It is also used several times daily by funeral corteges attending cremations at the Denbighshire Memorial Park and Crematorium on Glascoed Road itself.

26. CMCC notes, therefore, that the statement in the EIASR (9.7.7) that "within the vicinity of the BESS Site, Glascoed Road (B5381) is subject to a 40mph speed limit, reducing to 30mph...", is simply erroneous in relation to IGP's proposed use of Glascoed Road. The 40mph and 30mph speed limits referred to apply to portions of the B5381 Glascoed Road wholly to the east of junction from which it is proposed to access the BESS site and therefore do not overlap at all with the proposed cable route. The speed limit for the entire length of the B5381 Glascoed Road under which it is proposed to route the cables, i.e. from the top of Engine Hill to the junction referred to is the National Speed Limit of 60mph. Users of the road are only too aware that due to the relatively straight stretches of this section (an indication of its

origins as a Roman Road) and the descending gradient in an easterly direction, traffic along it is relatively fast, frequently reaching the 60mph limit, requiring caution to be exercised when driving along it, turning off it, and especially when emerging onto it, particularly from the junction that IGP are proposing to use onto the minor road to access the BESS site during construction.

27. The EIASR makes no reference to the consented AyM substation project's 400kV cables to the NG substation crossing under the B5381 Glascoed Road at right angles to the carriageway where they emerge from the site of the substation, nor to the Denbighshire Memorial Park and Crematorium's electricity cables running under the B5381 Glascoed Road for approximately 150 metres of the route proposed by IGP, going directly across the junction with the minor road along which it is proposed to run the cables from the B5381 to the BESS site.

28. Glascoed Road is designated a Roman Road and if two miles of this Roman road were to be dug up to bury underground cables, extensive archaeological investigations along the length of the route would be imperative. It is understood to be part of the Roman road linking Deva (Chester) with Segontium (Caernarfon). The location of the intermediate settlement known to the Romans as Varae has never been definitively identified but is thought to have been at modern-day St Asaph due to its strategic location on a ridge overlooking the Clwyd and Elwy valleys, its position roughly half way between Deva and Segontium, and place names in St Asaph such as Bryn Polyn, thought to be derived from Paulinus, Roman Governor of Britain from 58AD. The scope of the EIA needs to reflect the need for detailed archaeological study in order to establish whether there was evidence that St Asaph or its environs were indeed the site of Roman Varae, rather than the references to very limited investigations contained within it. In this context it is particularly important to note that what is described as INITIAL archaeological investigation carried only AFTER the Awel y Môr project had been consented have very recently (October 2024) revealed, immediately adjacent to Glascoed Road at the location of the AyM substation, evidence of two ancient roundhouses and domestic artefacts, which are thought to date back to the Iron Age or the Roman occupation. The principal archaeologist involved (Liz Statham of Wessex Archaeology) has stated, "This site sits on what is now the modern B5381... it is thought to follow the course of a Roman road, so it might be that this settlement was built or enlarged based on the opportunities the road provided for trade and transport". The importance therefore of including comprehensive archaeological investigation in advance of any work cannot be overstated.

29. The Council finds that the scope outlined in the EIASR is inadequate as a means of assessing the various impacts of laying underground cables along Glascoed Road, and a far wider scope is required in order to give any assessment the robustness needed.

30. **Cumulative Effects.** The greatest concern of the Council regarding the scope of the EIASR is its conspicuous failure to take account of the other major infrastructure projects situated or being developed near to it, in other words to consider cumulative effects, both generally and in relation to specific issues. The omissions are especially concerning since the cumulative effects of the various projects taking place in Cefn Meiriadog were identified by the Mona Examination as a critical issue, recognition in

effect of the saturation which is overtaking the area as the incremental effects of each project proposal are added to those already existing or going ahead. These other major infrastructure projects are, as detailed above, the existing Burbo Bank, Gwynt y Môr, and NG substations, the consented AyM substation, and the Mona substation (like AyM an NSIP), on which the Planning Inspectorate's recommendation to the Secretary of State will be made by 16 April. To these must be added the planned extension of the NG substation, and indeed this is of particular interest due to the overlapping of the IGP and NG sites.

31. Cumulative effects issues will be mentioned below as different specific topics are addressed. However given the immediate proximity of the IGP BESS site to the NG substation (and its extension) site to the east, and to the 16-acre Mona substation site to the southeast, the EIASR's (2.1.4) description of the site as "To the east, south and west of the BESS Site lies agricultural land", appears excessively economical.

32. In IGP's treatment of cumulative effects in the EIASR (Section 10 Cumulative Effects) it states (10.1.3), "The ES will consider the potential for likely significant effects on the environment resulting from committed developments". While it is understandable that IGP should wish to limit its consideration of cumulative effects in this way, the Mona examination made clear that in a situation of an area threatened with saturation by infrastructure projects, there is a need for a more comprehensive approach, and indeed the Inspectors required Mona to consider the potential cumulative effects of IGP's proposed development although the latter is only at its current stage and therefore a long way from being "committed".

33. There follows in the EIASR, Table 10.1, 'Cumulative Developments', which is particularly problematic. In the table:

- i. 'Awel y Mor Offshore Wind Farm' is listed as "Approx 25km" from site, and so is 'Scoped Out'. Whereas the AyM offshore array is no doubt approximately 25 kilometres from the proposed IGP sites, in fact AyM's 81.5-acre (33-hectare) substation site is only a few hundred metres along Glascoed Road from IGP's proposed BESS site. Further, as referred to above, AyM's 400kV cables to the NG substation will cross under the B5381 Glascoed Road at right angles to the carriageway along which IGP propose to run their own underground cables.
- ii. 'Mona Offshore Wind Farm', although included in the table, is also 'Scoped Out', presumably on the grounds that it is "Currently under consideration" rather than 'committed', although as stated the Mona Examination made clear the need for Mona to take the IGP proposal, so far as its details were known, into account. No "Distance to/from site" is shown, but the IGP and Mona site plans provided by the respective companies show the 16-acre (6.5-hectare) IGP BESS to be some 30-50 metres from the 16-acre (6.5-hectare) Mona substation.
- iii. The existing NG substation is omitted despite its western limit being immediately adjacent to the eastern limit of the IGP BESS site boundary.
- iv. The NG substation extension is likewise omitted. While this is no doubt on the grounds of it not being 'committed', NG has publicised its plans for the extension. Indeed, the EIASR's own Appendix A 'Site Location Plan & Layout Plans' (p.99) shows some 80% of the NG substation extension as extending

- into the eastern side of the IGP BESS site boundary.
- v. The existing Burbo Bank and Gwynt y Môr substations are omitted, although it is noted that the latter is referred to elsewhere in the EIASR in relation to noise.
- vi. The exclusion or scoping out of these projects is surprising considering (1) the importance which the Mona examination placed on achieving the maximum possible awareness of cumulative effects; (2) how much is already known about the AyM, Mona and NG extension which is already in the public domain; and (3) the fact that IGP have stated explicitly as part of their public consultation that they are in regular contact with AyM, Mona and NG.

34. Construction Phase. In terms of cumulative effects, the main area of concern for CMCC are landscape and visual effects as they are permanent and will affect the character and identity of the community of Cefn Meiriadog irreversibly. However where projects are taking place concurrently with other projects in the same area, it is equally important that the full range of cumulative effects during the construction phase is also included within the scope of the assessment, standard categories including Noise and Vibration, Traffic and Access, and Lighting.

35. As well as the geographical proximity to each other of the AyM, Mona, NG extension and IGP BESS projects, it is important to note that it is beyond reasonable doubt that on current timetables the construction phases of all four projects will overlap.

- i. It has already been established in examination that construction of AyM and Mona substations will be concurrent.
- ii. NG have made known their plans for their substation extension, and the area it will occupy is even shown as such on IGP's site plans (EIASR Appendix A, p.99), although NG have yet to submit their planning application. However they have stated that the extension is needed to accommodate the additional power to be generated by the AyM and Mona wind farms, with the obvious implication that it will need to be operational by the time the wind farms become operational.
- iii. The construction phases of the AyM and Mona projects have been stated as three years, covering the period 2026-29.
- iv. IGP state (EIASR, 9.7.20), "Based on similar sites, the construction period is expected to take approximately 12-24 months". It is evident therefore that, given the consultation and examination periods involved, the construction phase would overlap with the construction phases of the other three projects.

36. As stated above, CMCC finds it a serious misjudgement to further 'Scope Out' the other developments from any consideration of cumulative effects. However it is also concerned at the wide range of topics excluded from the EIASR (Section 9: Topics Not Included in the EIA Scope), not only in a consideration of cumulative effects, but considered on their own merits. Several topics are 'Scoped Out' which are of key importance to the proposed project's effects on the community:

- i. Archaeology: As discussed above, Glascoed Road's origins as a Roman Road clearly require serious archaeological investigation if it is to be dug up over a length of two miles.
- ii. Noise and Vibration: with four major projects under construction, three in close proximity to each other, it goes without saying that the potential for noise

pollution is significant. Stating as the EIASR does (2.2.24) that “Specifically for the BESS Site, the dominant noise source is from the Gwynt y Môr Offshore Wind Farm Substation within the eastern part of the Bodelwyddan substation compound” betrays a lack of understanding and awareness of a site and of developments surrounding it, presumably due to the limitations of desk-based research. It should perhaps be noted also that sound levels are only measured at receptors and that they drop off quite quickly, suggesting the need for an awareness of noise levels at roads and paths nearer to the site that are likely to be used for leisure purposes.

- iii. Transport and Access: all four infrastructure projects would be using Glascoed Road concurrently. Clearly the potential impacts would be major. Access from certain side roads on to the B5381, especially the one IGP propose to use for access to the BESS site, is particularly difficult, requiring extreme care. Specifically regarding this unnamed road, it is also the one Mona propose in their DCO application to use for access to their onshore substation site.
- iv. Lighting: Night-time assessment of the effects on visual amenity for residents within 100 metres of the Site boundary are again ‘Scoped Out’, showing a fundamental lack of awareness of the impact of lighting at night in an otherwise dark landscape, and an equal lack of awareness that in an open, rural landscape, visual amenity is affected by lighting at night at distances of very substantially greater than 100 metres. The cumulative effects of three sites in close proximity are not even considered.

37. As well as the four ‘scoped out’ topics referred to above, it is proposed that a further TWELVE topics be excluded from consideration. Whilst CMCC would not presume to offer an opinion on many of these, it is unacceptable for a project:

- i. seeking to take agricultural land out of use virtually permanently to exclude consideration of ‘Agricultural Land’ and ‘Land Use’, especially where the community in which it is seeking to locate takes its character and identity to a large extent from its rural and agricultural character.
- ii. acknowledging that “there is some element of (fire) risk associated with emerging battery technology” (EIASR 9.17.5) yet excluding it from examination, especially where (1) instances of BESS fires have been known to occur recently, (2) the site is in close proximity to St Asaph Business Park, and (3) IGP’s inclusion of a 240,000 litre water storage facility at its Kinmuck development is itself an acknowledgement that the risk of fire is real and with it, presumably, the risk of toxic fumes. It cannot be in the public interest therefore, for this to be excluded from the scope of the EIA.

38. Within the topic area of ‘Major Accidents and Disasters’, which the EIASR seeks to scope out, it does not seem wholly inappropriate to question the wisdom, from a strategic point of view, of concentrating numerous major infrastructure projects in a very small area. While this is clearly not an area that a developer can be expected to address on an individual basis, reference to current international circumstances suggest that it should at least be considered within the overall scope of any project of this nature.

39. Landscape and Visual Impacts

[Due to the errors of numeration in the document ‘2025-01-10 - Bodelwyddan Solar and BESS Scoping Report Chapter - LVIA Updated’, references below are to the

original '2024-12-19 EIA Scoping Request - Scoping Report Final' documents]

- i. The EIASR's Table 7.3 shows the 'Proposed Photoviewpoint (PVP) Locations' to be used. Four of these (20-23) relate to the proposed BESS site. A mere four PVPs are completely insufficient to satisfactorily assess the landscape and visual impact of a 16-acre site in (currently) open farm land, especially one where rising land in the immediately vicinity gives views down over the proposed site, as do lanes and minor roads well-used by walkers, riders, cyclists and motorists.
- ii. By way of comparison, it is to be noted that in the Mona examination, the Applicant's 'Environmental Statement Volume 3, Chapter 6: Landscape and visual resources' (14/1/25), there are no less than thirty 'Receptors at representative viewpoint locations' considered in relation to the Applicant's onshore substation, which at 16 acres is identical in size to IGP's proposed BESS, and would be less than 50 metres distant from it. Of these 30 viewpoints, NINE are in very close proximity to the proposed substation site, with a further five only slightly further away.
- iii. The suggestion (7.2.2) that a Residential Visual Amenity Assessment (RVAA) undertaken to examine effects on the visual component of residential amenity for properties be limited to a 100m radius from the Site boundary betrays a rather obvious failure to grasp the difference between living in open countryside as opposed to a built-up urban environment, as far as visual amenity is concerned. This echoes the comment above regarding night-time assessment of lighting.
- iv. Similarly, the proposed 7 km radius limit from the Site boundary for visual receptors overlooks the fact that there are popular viewpoints and walks which lie outside this distance but which provide a view over the Bodolwyddan and Abergele area and the Irish Sea beyond, for which a site the size of the proposed solar farm would be highly visible.
- v. It is interesting that the 250-metre limit drawn around the Site boundary in Section 8 'Built Heritage' for the 'Baseline Description' (8.2.5), as shown in the EIASR Part 3, Section 11 'Visual and Cultural Designations' should be set so as to marginally exclude the nearest listed building to the BESS site, i.e. the Grade 2 listed property Pentre Meredydd.

40. Socio-Economics

- i. In the EIASR, section 9.3 'Socio-Economics - Baseline Conditions', it is stated: "The nearest resident populations to the BESS Site are located northeast of the BESS Site in the settlement of St Asaph" (9.3.6); and "The nearest community facilities to the BESS Site are also located in St Asaph comprising shops and services, recreational facilities and schools" (9.3.7).
- ii. These statements are incorrect. The nearest resident populations to the BESS site are located in the settlements of Groesfordd Marli, Cae Onnen and Glascoed, to the West of the proposed BESS site and forming part of the community of Cefn Meiriadog. The nearest school to the proposed BESS site is Ysgol Cefn Meiriadog at approximately 1 km, while Capel Cefn Meiriadog, whose vestry is used for recreational events, is approximately 900 metres, and the Neuadd Owen village hall, used for a wide range of events, is approximately 2.2 km. The community within which the BESS would be sited and through which the cables would pass needs to be considered within the scope of the assessment.

41. Cefn Meiriadog

The proposed 16-acre BESS site and two miles of the cable route are within Cefn Meiriadog and would of necessity have a profound effect on the community of 180 households if it were to go ahead, especially when considered in combination with the other infrastructure projects that have been mentioned above. Having received an email from IGP on 5/11/24 stating their “commit(ment) to working with the community to develop the proposals”, the Council could not help but note that in the 95 pages of IGP’s main EIASR (i.e. Part 1) there is not a single reference to the community of Cefn Meiriadog. Mention of the community which would be most affected by the BESS and cable route is limited to a list of three old mining cavities in Appendix F.

Cefn Meiriadog Community Council
7/2/25