



EIA Scoping Direction Addendum

DNS CAS-02977-Y9F1W7 Convatec Green Manufacturing Hub Rhymney

11/04/2024

Prepared by:

Tanya Leck BA (Hons) MSc

This Scoping Direction Addendum is provided on the basis of the Scoping Report submitted to Planning and Environment Decisions Wales on 9 November 2023 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”). This Scoping Direction Addendum should be read in conjunction with the original Scoping Direction for this potential DNS application issued on 7 March 2024. **Together the original Scoping Direction and this Addendum constitute the most recent Scoping Direction for the purposes of regulation 17(4)(c) of the 2017 Regulations.**

1. Consultation

Following the issue of the Scoping Direction on 7 March 2024, further advice was sought from Natural Resources Wales regarding ornithology matters. Additional consultation was also undertaken to inform a more detailed response regarding aviation matters. Further consultation was undertaken with the following bodies:

- Natural Resources Wales (NRW)
- Defence Infrastructure Organisation (DIO)

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

2. Planning and Environment Decisions Wales (PEDW) comments

Overall, the aspects of the environment scoped in and out of the Environmental Statement (ES) as outlined in the original Scoping Direction remain largely unaffected.

However, based on comments from NRW, **nesting passerine species and migratory waterfowl remain scoped in to the ES, and nightjar and black grouse are scoped out of the ES.**

PEDW draws the Applicant’s attention to the following consultation responses contained at Appendix 1:

2.1 Ornithology

Migratory Waterfowl

NRW note the rationale for scoping out of migratory waterfowl in the SR. However, they advise that migratory waterfowl cannot be scoped out until the full suite of surveys and results have been provided to inform this approach. PEDW therefore advise at this stage inadequate information has been provided to scope out this matter and **migratory waterfowl are scoped in to the ES.**

Passerine Species

NRW concur with the statement in the SR that passerines are generally considered to not be impacted negatively by wind turbines. However, given the scheme includes a solar array component and ancillary infrastructure, NRW advise that passerines, at least ground nesting

species, remain scoped-in at this stage. **PEDW therefore advise that ground nesting passerine species are scoped in to the ES.**

Nightjar and Black Grouse

NRW have confirmed that based on the habitat on site, they agree that nightjar and black grouse can be scoped out of the assessment. PEDW concur with this approach.

In summary, nesting passerine species and migratory waterfowl are scoped in to the ES, and nightjar and black grouse are scoped out of the ES. The applicant should continue to refer to comments at ID.23 of the Scoping Direction for other ornithology comments.

2.2 Aviation

DIO confirm that the site is within Low Flying Area 7 and the erection of wind turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area. DIO advise that to address the impact up on low flying aircraft, the turbines must be fitted with aviation safety lighting. In addition, sufficient data must be submitted to ensure that structures can be accurately charted to allow deconfliction.

PEDW concur with the approach set out in the SR and advise the applicant that the above matters should be considered, alongside ongoing consultation with relevant aviation stakeholders.

Appendix 1: Consultation Responses

From: [South East Planning](#)
To: [PEDW – Seilwaith / Infrastructure](#)
Subject: CAS-02977-Y9F1W7 - Convatec Green Manufacturing Hub Rhymney (DNS) (Scoping) (v2) - NRW Response
NRW:03300181
Date: 21 March 2024 09:39:11

Hello Tanya

Thank you for your email dated 6 March 2024. I have liaised with our ornithological expert, Dr Richard Facey, regarding your queries and trust the following answers them satisfactorily. However, please contact me again should you require any further clarification.

Based on the habitat on site we agree that nightjar and black grouse can be scoped out of the assessment.

In relation to migratory waterfowl, we note 9.5.1 of the Scoping Report lists waterfowl as a target species. While we note the rationale put forward for scoping out of migratory waterfowl, we would recommend that these are retained until the full suite of surveys and results have been provided.

Passerines are generally considered not to be impacted negatively by wind turbines. We agree that they could be scoped out if this scheme comprised solely of turbines. However, given the photovoltaic array component we recommended that passerines, at least ground nesting species, remain scoped-in at this stage.

Kind regards
Annabelle



Defence Infrastructure Organisation

Stefany Alves Veronese
Assistant Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference: CAS-02977-Y9F1W7

Telephone [MOD]:

Our Reference: DIO10060979

E-mail:

Tanya Leck
Planning and Environment Decisions Wales (PEDW)
Welsh Government

04 April 2024

By email only

Dear Tanya,

Application reference: CAS-02977-Y9F1W7
Site Name: Convatec Green Manufacturing Hub
Proposal: The Convatec Green Manufacturing Hub is planned to consist of three wind turbines (of approximately 150 m tip height) with a combined capacity of around 15 MW, and approximately 5 MW of ground mounted solar PV, plus associated infrastructure. Zero carbon electricity will be delivered directly from the project to the Rhymney factory through a private-wire, displacing grid sourced electricity and gas, and decarbonising manufacturing activities at the facility for 25 years.
Site address: Land SW of Convatec Manufacturing, Units 1&2, Heads of the Valleys Ind Estate, Rhymney, NP22 5RL

Thank you for consulting the Ministry of Defence (MOD) in relation to the Scoping through your communication dated 06 March 2024.

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

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

The proposal concerns a development of 3 turbines with maximum blade tip heights of 150 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in PEDW's email information dated 19 March 2024.

Turbine no.	Easting	Northing
1	310265	208115
2	309990	208323
3	309576	208320

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

Physical Obstruction

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

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

As a minimum the MOD would require that the development be fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016. It is likely that the CAA specified lighting will exceed that required by the MOD but to ensure the safeguarding of any low flying/rotary military aircraft, the MOD would request the wind farm is lit with no less than 25cd visible or infra-red (IR) lighting.

Summary

The MOD has concerns with this proposal for the following reasons:

- The potential to create a physical obstruction to air traffic movements.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled "Scoping Report", "Site Location" dated November 2023 and PEDW's further information email dated 19 March 2024. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

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

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

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

Yours sincerely,

[Redacted Signature]

Stefany Alves Veronese
Assistant Safeguarding Manager
DIO Safeguarding