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To all interested parties

Your Ref:

Our Ref: EN010020

Date: 14 September 2015

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended) –**

**Application by Mynydd y Gwynt Limited for an Order Granting Development
Consent for the Mynydd y Gwynt Wind Farm**

**REQUEST FOR COMMENTS FROM MYNYDD Y GWYNT LIMITED, NATURAL
RESOURCES WALES AND OTHER INTERESTED PARTIES ON THE APPLICATION
FOR THE PROPOSED MYNYDD Y GWYNT WIND FARM**

Following the completion of the examination on 20 May 2015, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusions on the above application to the Secretary of State for Energy and Climate Change on 20 August 2015 which the Secretary of State is currently considering. In accordance with section 107 of the Planning Act 2008, the Secretary of State has three months to determine the application.

There are a number of issues on which the Secretary of State should be grateful if parties identified in bold, and any other parties who wish to comment, could provide an update or further clarification. The issues are grouped by topic heading:

Habitats Regulation Assessment Screening Report version 6

1. The Secretary of State wrote on the 1 July 2015 to notify Interested Parties of the following two documents that were brought to her attention following the close of the Examination:

- A clean version of the Habitats Regulation Assessment Screening Report (HRASR) version 6; and

- A tracked changes version of the HRASR version 6.

Anyone wishing to view these documents can do so via the internet on the National Infrastructure Planning website:

<http://infrastructure.planningportal.gov.uk/projects/Wales/Mynydd-y-Gwynt-Wind-Farm/>

The Secretary of State has reviewed all representations and notes that in the submission by Natural Resources Wales (NRW) dated 28 July 2015, NRW sought clarity on the legal status of any representations received in response to her letter of 1 July 2015. The Secretary of State confirms that she will take these documents and any representation on them into consideration when considering the recommendation report of the Examining Authority and taking her decision as to whether to grant or refuse development consent.

In their submission NRW also stated that the documents in question had been submitted during the Examination by the Applicant at Deadline X on 14 May 2015. The HRASR documents submitted on 14 May 2015 contained only part of photographic records submitted as Appendix A of version 6 of the HRASR, and did not contain the final body of the HRASR.

In order to inform her decision-making, the Secretary of State requests a response from **NRW** confirming whether it has any comments on the final body of version 6 of the HRASR.

Habitats Directive and Ecology, Biodiversity and Protected Species

2. The Habitats Directive requires the Secretary of State to consider whether the proposed project could have a likely significant effect on any European Sites. Is there any additional information that can be provided by **any Interested Party** which could be used to inform an appropriate assessment, into the in-combination mortality rates for red kite of the Elenydd Mallean Special Protection Area (SPA) from each of the proposed windfarms within 10km of the SPA 2km buffer?
3. In relation to the interest features of the Elenydd Mallaen SPA, please could **NRW** advise what is the maximum level of collision mortality and maximum level of displacement for there to be no adverse effect on the integrity of the SPA?
4. Do **NRW or the Applicant** foresee any potential barriers to the agreement of:
 - Construction Environment Management Plan;
 - Surface Water Management Plan;
 - Water Quality Monitoring Strategy;
 - Habitat Management Plan;
 - Bat Protection Plan;
 - Species Protection Plan; and
 - Peat Management Plan?
5. Is there any information that can be provided by **the Applicant** which could be used to inform an appropriate assessment of the in-combination impacts of the project with the necessary associated development of stage 2 and 3 of the grid connection? (Stage 2 being the connection between the Carno substation and the

Mid Wales substation and stage 3: the connection between the Mid Wales substation and the existing national electricity network at Lower Frankton, Shropshire).

The deadline for any responses is Monday 28 September 2015

Responses to the points outlined in this letter should be submitted by email to MYG@pins.gsi.gov.uk. Please send any hard copy responses to:

Mynydd y Gwynt Consultation Team,
Secretary of State for Energy and Climate Change,
c/o the Planning Inspectorate, Eagle Wing 3/18,
Temple Quay House,
Temple Quay, Bristol,
BS1 6PN.

If you will have difficulty in submitting a response by the consultation deadline, please inform the Case Team.

Your response will be published on the Mynydd y Gwynt Wind Farm project page of the Planning Portal website as soon as possible after **28 September 2015**.

This letter is without prejudice to the Secretary of State's decision whether or not to grant development consent for the Mynydd y Gwynt Wind Farm, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

Giles Scott

Giles Scott
Head of National Infrastructure Consents and Coal Liabilities

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.