

Examining Authority's First Written Questions

Question Reference No	ExA's Question	Response from Ceredigion County Council.
1.1	<p>National Planning Policy Statement (NPS) EN-1 sets out the framework for energy policy in England and Wales. It establishes the need for low carbon energy infrastructure, with a particular emphasis on the role of onshore wind farms in meeting this need. Bearing in mind para 4.1.2 of the NPS, are there any specific and relevant policies in either this or any other NPS which would clearly indicate that the ExA should not start with a presumption in favour of granting consent to the MyG wind farm proposal?</p>	<p>Development has to be environmentally, economically and socially acceptable to meet the tests in the balance of overall advantage.</p> <p>NPS EN-1 indicates that about a quarter of the UK's generating capacity is due to close by 2018 and new low carbon generation is required which is reliable, secure and affordable [2.2.16]. Energy capacity margins, at 4.1%, are no longer healthy. Electricity cannot be stored so demand for it must be simultaneously and continuously met by its supply. This requires:</p> <ul style="list-style-type: none"> • a safety margin of spare capacity to accommodate unforeseen fluctuations in supply or demand; • reliable associated supply chains (for example fuel for power stations) to meet demand as it arises; • a diverse mix of technologies and fuels, so that the UK does not rely on any one technology or fuel. <p>The UK must reduce, over time, its dependence on fossil fuels, particularly unabated combustion. The Government plans to do this by improving energy efficiency and pursuing its objectives for renewables, nuclear power and carbon capture and storage.</p> <p>The supply challenge that the UK faces is to balance the market so that there is not a supply surplus/deficit from wind. A deficit has to be made up or backed up by some other form of generation and a surplus has to be paid for whether the electricity generated is used or not. Weather prediction is improving, however, with wind, there will always be uncertainty.</p>

		<p>On the 16th December 2014, as part of its electricity market reform, the Government's first Capacity Market auction got underway. The aim of the Capacity Market is to make sure that there is enough capacity available to meet peak electricity demand in the future. Electricity providers will bid into this capacity auction, promising, if they win a contract, that they will be available to provide electricity when needed. In return, they receive a steady payment on top of the electricity that they sell. The Capacity Market auction is necessary because peripheral plant, such as gas and coal, has been losing money because it only operates on a part time basis only firing up to back up deficit from renewable generation.</p> <p>The original intention of the capacity market was to prevent loss-making gas plant from closing and to encourage the development of new gas plant, however, EU competition rules do not allow the government to restrict payments to a specific type of generation therefore the auction applies to coal plant as well. Over 13GW of coal capacity is expected to be included in the bidding.</p> <p>The paradox is that on the one hand coal is being taxed by the government to eventually price coal plant out of the market in line with the government's policy of reducing the UK's dependence on fossil fuels yet the capacity market will result in coal plant being subsidised by the customer resulting in higher bills for consumers.</p> <p>By the very nature of nuclear it has limited flexibility. It is ideally suited to the provision of the base load. Marginal plant, plant that needs to be called at short notice to meet demand, is always likely to be gas, coal or oil until biomass and carbon capture mature in the overall mix of generation.</p>
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		<p>of low paid consumers paying twice, once for the subsidy to renewables, and once to subsidise the capacity market does not make social or economic sense, and any addition to the wind fleet has to take the social and economic effects into account in the overall balance of advantage.</p> <p>The Council therefore points to the policy presumption in favour of nuclear as set out in NPS EN-1 and NPS EN-6 as representing the overriding need and the County Council question the efficacy of increasing the wind fleet at the present time given the present capacity margin and the nature of controlling surplus/ deficit of supply from renewables, particularly wind.</p>
1.2	<p>NPS EN-1 refers to the importance of good design. Para 4.5.3 notes that whilst there may be no or very limited choice open to applicants in the physical appearance of some energy infrastructure, there may be opportunities to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation (NPS EN-3 paras 2.7.48-49 also refers). To what extent is it considered the applicant has demonstrated that the best design in these terms has been achieved?</p>	<p>From the historical context it is clear that a scheme has been proposed in this area since 2004, however, engagement with the community only really started in early 2009. Engagement with the County Council did not commence until 2011.</p> <p>The applicant Company claims that eight principal iterations have taken place. It would have been useful to have the iterations of the layout and proposal changes detailed on plans. The setting out the iterations in a clear manner would have demonstrated how good design principles had affected the final proposal. Historic ZVI's indicating the reduction in numbers and the reduction in height of the turbines would have clearly demonstrated the mitigation impact of those iterations.</p> <p>The draft of the Environmental Statement was not provided to Ceredigion until May of 2013. Ceredigion has not had any face to face meetings with the applicant Company and none have been proposed. Ceredigion did not receive any preliminary detail, in particular on the landscape and visual impacts of the proposal, to allow comment prior to the publication of the draft ES.</p>

		<p>The County Council would have discussed the siting of turbines 1 -12 with applicant had the opportunity arisen. Viewpoint 1 (figure 8.11a(ii)) demonstrates how the turbines are clearly located in a ridge and valley landscape in which they both diminish in scale and appear awkward and chaotic within the viewpoint compared to the remaining turbines in the underlying simplicity of the hills. When only part of a turbine is visible it can be confusing. Turbines that are particularly close to the edge are 15 and 16. This would also be apparent from Viewpoint SWB on the Wye Valley Walk. The layout of the development does not present a simple image. There is stacking of turbines and uneven clustering which is particularly apparent in views from Pumlumon. Overall, the development therefore does not follow good practice in respect of the location of at least some of its turbines.</p> <p>A reduction in height or re-siting may have improved the situation. The County Council cannot say that, from its point of view, the best layout and design has been achieved by the applicant.</p>
1.4	Section 5.12 of NPS EN-1 relates to socio-economic impacts. Is it considered the applicant has carried out an adequate assessment of all relevant impacts?	<p>The ExA is required to consider relevant socio-economic impacts which may include employment and tourism. The proposal involves investment of in excess of £100 million.</p> <p>There are no sound economic arguments to support an assertion that the proposal will increase the level of employment in the medium or longer term. Claims about broader job creation rely heavily on anecdote, speculation and assertion so no weight can be attached to figures that are not supported by proper analysis of the mechanisms by which those jobs will be delivered. The broader claims about delivery of jobs as a result of the scheme are therefore overstated.</p>

		<p>Local content comprises: services (consultancy, planning advice); construction (roads, access, fences etc); cabling (throughout the site and from the site to the National Grid access point); and Operations and Maintenance. These are generally lower value activities (and are accounted for in the 30-35% balance in project value). The skills required are typical construction skills. Most firms employ subcontract personnel. Construction firms appear to partner with electrical contracting firms (and vice versa) when bidding for contracts.</p> <p>Where possible, personnel based in the farm's local area should be engaged on the basis of minimised cost and local knowledge, however, smaller sub-contractors typically do not have the necessary accreditation in place to enable them to avail quickly of emerging wind farm construction opportunities. Local impact on jobs is therefore likely to be limited.</p> <p>Wind farms have relatively few running costs and require little supervision. Given the small scale of the full-time employment effect of the operation of the wind farm little weight can be given to the local socio economic impact on jobs.</p> <p>There is little evidence of wind farms having an adverse effect on tourist numbers. Nor is there any robust evidence to support assertions that wind farms have no adverse impact on tourism numbers in the local areas affected by turbines with little evidence of before and after studies having been carried out. The Cambrian Mountains are marketed for their landscape, tranquillity and wildness and the socio-economic assessment does not consider the potential effect of the scheme on that landscape capital.</p>
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<p>1.5</p>	<p>Section 5.9 of NPS EN-1 concerns landscape and visual impacts. To what extent do the local planning authorities, NRW and interested parties consider that the applicant's assessment of these impacts meets the requirements set out in paras 5.9.5 – 5.9.7?</p>	<p><i>The applicant should carry out a landscape and visual assessment and report it in the ES. (See Section 4.2) A number of guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project.</i></p> <p>With regard to LANDMAP EN-1 states in paragraph 5.3.13:</p> <p><i>'The LANDMAP Information System methodology is an important resource upon which local planning authorities can draw in making the landscape assessments needed to inform local policy, guidance and decision making in this field..... They can help to inform supplementary planning guidance on landscape assessment (covering for example, local distinctiveness, special landscape areas and design).'</i></p> <p>LANDMAP is the relevant landscape character assessment tool in Wales. LANDMAP was developed to specifically evaluate quality. The LVIA indicates that, to be of a high value, the landscape has to be covered by a national designation. In Wales this would mainly apply to National Parks. Therefore an Outstanding value in LANDMAP would not qualify as high value in the LVIA and this affects the final sensitivity assessments.</p> <p>Natural Resources Wales has concerns about the degree to which LANDMAP has been used to inform the assessment. The applicant should demonstrate that all LANDMAP aspects have been assessed to the recommended distances in the latest LANDMAP Guidance Note 3.</p>

		<p>LANDMAP is not used explicitly to help define value or sensitivity, with the method mainly focussed on English/Scottish landscape character based methods such as quality and value criteria.</p> <p>The methodology has not addressed the key characteristics defined for each LANDMAP Visual and Sensory Aspect Area and consequently has not assessed the effects of the development on those characteristics.</p> <p>Based on the latest LANDMAP Guidance Note 3, there is a gap in consideration of the Historic landscape and Cultural landscape aspects in the south west quadrant beyond 2-3km which will also inform the character of the two visual and sensory areas.</p> <p>The conclusion drawn is that there has been a failure to represent landscape value properly and consequently the effects of the scheme on the landscape have not been properly assessed.</p> <p><i>The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</i></p> <p>The Ceredigion Unitary Development Plan recognises that LANDMAP should be taken as the key landscape guidance for Wales. It is the use of all five layers of information that promotes sustainable landscape decision-making as what may be less important in one particular layer may be of high importance in another. Giving all five layers equal consideration ensures no aspect of the landscape is overlooked. The evidence indicates that Ceredigion encompasses some of Wales' most valued landscapes and therefore a variety of policy approaches are needed to manage them.</p>
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1.19	<p>A 2007 ARUP study was undertaken to refine the TAN8 SSA Area D. This did not include the project site. The applicant commissioned a report to replicate this study but with the inclusion of the project site. This was to assess whether this site could be considered to be 'unconstrained land close to the SSA' and if so whether it would have been likely to have been selected in the refinement exercise. This study concludes that the site is unconstrained and in landscape and visual terms is less disruptive than much of the core of SSA D; the site would, if it had been included in the</p>	<p>Welsh Government policy adopts a spatial approach to the development of onshore wind farms as set out in TAN 8. The TAN recognises that a single, or number, of large-scale wind farms will be required in SSA D in order to achieve the Assembly Government's energy target therefore there is an inevitability that wind farm development will take place within SSA D. The TAN indicates that Local Planning Authorities are best placed to assess detailed locational requirements within and outside SSAs in the light of development, that wind turbines would be sited across the Country.</p> <p>The concept of environmental limits and related concepts such as environmental sustainability, and critical natural capital relate to the basic understanding that resource use must be kept within the capacity of the environment and that there are critical thresholds beyond which there is a risk of triggering significant and adverse change. The Council refer to the</p>

	<p>original refinement exercise, possibly have been considered suitable for development as part of the 2010 target for renewable energy and that it was apparently only outside the TAN8 SSA D because of a misinterpretation of low fly zones when producing the original SSAs. Please comment on this assessment.</p>	<p>“landscape capital” represented by the Cambrian Mountains and there will be a limit to the capacity of that landscape to accept exploitation from wind farms. This has been recognised by the Welsh Government in the production of TAN 8.</p> <p>The Council consider that that spatial limit has been achieved in the Annexe D Document and that the granting of consent for Mynydd y Gwynt would trigger significant and adverse change to the environment which would not be sustainable.</p> <p>ES Section 4.0 compares the performance of the proposed windfarm site, named Yr Foel, with zones assessed as part of the TAN8 Annex D refinement study for SSA D. However, the approach and the premise on which it is based is flawed. It is noted that the analysis is carried out in the context of a development proposed for a particular site rather than a strategic overview for the area, predating proposals for development.</p> <p>The comparative analysis is predicated on the idea that the site should have been allocated as the SSA rather than Nant y Moch but was not because of spurious MOD constraints (referring to personal communications with Simon Power of Arup). This does not appear to be officially documented.</p> <p>The capacity of the site is stated as 81MW which is significantly less than the original SSA D target of 140MW, now 212MW. It is therefore questionable if Yr Foel would ultimately have been considered large enough to contribute towards the overall national target. The ES analysis assumes that SSA D would include both the Yr Foel and Nant y Moch areas. This is a false premise as the nearest turbine is over 6km from the boundary of SSA D with the massif of Pumlumon lying between. This dispersed and highly separated pattern is not a feature of SSAs which,</p>
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		<p>though they include hills and intervening valleys, are not otherwise divided by landform at such a scale, at over 750mAOD in elevation.</p> <p>‘Zone 19 Yr Foel’ is not fully analysed to the level of detail of the SSA Annex D study so the sensitivity of medium is not fully justified or underpinned. The visibility analysis has not been independently verified. I note that the turbine layout has been used rather than turbines at 500m centres across the whole site, as in the other zones. This may reduce visibility as a tighter formation but this may not be significant.</p> <p>Notwithstanding the above issues, which might affect the site’s ranking, TAN8 Annex D indicates that expert judgement should be used to bring the various factors together (7.2). The Arup report sets out a reasoned argument of which combination of the best performing zones should be developed to arrive at a refined area in which achieves the overall target. However, crucially, the ADAS analysis does not do this. As already stated, Yr Foel on its own would not be sufficient to achieve the SSA target. Therefore, theoretically, this would necessitate development on the other side of Pumlumon as well. In the Council’s view this would have cumulative effects on landscape character and walkers along the ridge which would be significantly adverse. A reasoned argument would be likely to arrive at the conclusion that this was not acceptable and logically, the Nant y Moch area in the refined area of SSA D would be recommended, leaving out Yr Foel. This pattern of trying to limit the spread of effects is a feature of most SSAs refined areas.</p> <p>The applicant’s case for considering the application site to be a logical extension of SSA D does not carry any weight for the following reasons:</p>
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		<ul style="list-style-type: none">• The draft SSA boundaries were rigorously reviewed prior to the publication of the TAN and were found to provide sufficient potential to meet, or even exceed the target installed capacity;• The review indicated that there was no need to extend the boundaries – indeed the advice set out in TAN 8 was that local planning authorities should look to refine the boundaries, and, in the case of Ceredigion/Powys the refinement exercise involved reducing the area of the SSA in accordance with the guidance set out by Welsh Government ;• Pumlumon, and its surroundings have an outstanding evaluation the visual and sensory layer of LANDMAP and it is recognised that this will reduce the capacity of the surrounding areas to accept wind farm development.• By no stretch of the imagination can the application site be considered to be immediately adjacent to the SSA D boundary. Allowing development to the east of Pumlumon, which was deliberately left out of the search area because it is an absolute constraint to development, has no logic in the context of extension of the SSA boundary;• There has been insufficient underpinning of landscape sensitivity and the lack of the expert judgement approach bringing the various factors together which is required by TAN8.• The Ceredigion area has important historic landscape designations;
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1.21	<p>What weight should be attached to designated Special Landscape Areas within Ceredigion, the closest of which to the project site is SLA 12?</p>	<p>Policy DM18 of the Ceredigion Local Development Plan Special Landscape Areas (SLAs) states that proposals within SLAs will be assessed in relation to scale and nature of development on their ability to be accommodated without significant damage to, where possible the enhancement of, the visual, historic, geological, ecological and cultural characteristics of the SLA. The nearest SLA is the Northern Uplands which runs to the local authority boundary which is 1.8km from the nearest turbine at its closest point near Pumlumon Arwystli. This was designated in the previous UDP as Upland Ceredigion and continues. It is described in the draft SPG in 2014 which is underpinned by a TACP report dated October 2010.</p> <p>The SPG text indicates that the Upland Ceredigion area has been drawn to include part of the proposed Cambrian Mountain National Park designation (1970). It also lies within the wider area identified on the register of landscapes of outstanding historic interest in Wales.</p> <p>The key characteristics include an irregular pattern of 'peaks' and knobs'. Pumlumon Fawr is specifically mentioned as the Cambrian Mountains' highest mountain. The primary landscape qualities and features text states</p>

		<p>that:</p> <p><i>‘The SLA represents a key landscape unit that reflects its underlying geology, the effects of glaciation and later men’s activities, which today results in a wild, open, expansive landscape area.’(SLA SPG 3.1.97)</i></p> <p>Key policy and management issues include the cumulative effects of windfarm development upon the overall quality and value of the area. This draft SPG therefore reinforces the justification for the current designation in this area and provides qualities against which the effects of the windfarm can be measured. Whilst the text indicates that policy relates a development within the area, the size and extent of the Mynydd y Gwynt development in combination with Cefn Croes will mean that the SLA’s qualities of the wild landscape centred on Pumlumon, which is particularly sensitive, would be likely to be significantly damaged.</p> <p>The Council therefore conclude that significant weight should be attached to the SLA as the Northern Uplands SLA includes Pumlumon which is affected by the proposed development. It is 1.8km from the nearest turbine at its closets point near Pumlumon Arwstli.</p>
2.1	<p>ES Chapter 8 (Landscape) paras 8.30 - 8.37 set out the consultation undertaken with relevant stakeholders. This consultation extended over the period 2004 – 2012. The scope of the Landscape and Visual Impact Assessment (LVIA) was agreed in writing in October 2005 with NRW and PCC. CCC was consulted later in 2011 –</p>	<p>Given the significance of the trans-boundary effects on Ceredigion the applicant Company’s engagement with the County Council, as a statutory consultee, was very limited in the early, formative, development of the proposal. This significantly reduced the ability of the County Council to affect the way in which the scheme developed. In reality substantive consultation with the County Council did not commence until 2011 when the scheme had substantially been finalised. The County Council had no input into the scope of the LVIA.</p>

	<p>2012.</p> <p>Can the applicant confirm whether there are more recent agreements regarding the scope of the LVIA between it, the relevant LPAs and NRW?</p>	<p>When the County Council eventually formally received the Preliminary Environmental Information published in May 2011 it provided scant information for the Council to work with. Whilst there is nothing laid down in the 2008 Act or relevant Regulations that requires preliminary environmental information to be provided at s42 consultation stage, in practice, if very little information on the project is provided the ability to demonstrate that comments have been taken into account in developing the proposal will be difficult to sustain.</p> <p>It would have been helpful to the Council to have received the draft ES prior to the onset of formal consultation under section 42 in May 2013. The draft ES, submitted to the Council on the 7th May 2013, was the first real opportunity the Council had to assess the proposal in detail, particularly in respect of the landscape and visual impacts.</p> <p>It is therefore not unreasonable for the County Council to conclude that they had less than full information during the consultation process and less than sufficient time to consider the proposal. The County Council has not commented on the scope of the LVIA at any time, and there have been no recent agreements regarding it.</p>
2.2	<p>The baseline for assessment is stated to be less than that recommended in The Guidelines for Landscape and Visual Impact Assessment. Para 4 of ES Appendix 8.1 states that 'These guidelines have been broadly adhered</p>	<p>The magnitude or size of wind farm elements, and the distance between them and the viewer, are basic physical measures that affect visibility, but the real issue is human perception of visual effects, and that is not simply a function of size or distance.</p>

	<p>to in all respects other than they advocate a 35km study area for turbines of over 100m or over. Initial zone of influence diagrams, confirmed by wire frames, indicated that whilst there may be some views at distances over 20km, they will not be large elements of the view and over this distance would not bring about any significant effects’.</p> <p>Could the applicant explain how this conclusion is arrived at on the basis of the ZVI diagrams?</p> <p>Do other parties agree with this approach?</p>	<p>It is accepted that at distances much over 30km the limits of visibility to the human eye is being reached and that therefore there may be some justification, dependent on circumstance, to reduce a study area from the guided 35km. The study area should be adjusted either upwards or downwards to suit local circumstances and in the context of local or regional landscape character and landscape or visual sensitivity. It is not agreed that at distances between 20 and 30km that the proposed turbines would not potentially bring about significant cumulative effects, however, it is generally agreed that a 20km radius is sufficient to explore the likely significance of most effects.</p>
2.4	<p>At para 8.200 of ES Chapter 8 it is stated that 6.5km is a threshold at which in the most open locations significant effects would cease to be experienced by a viewer in the landscape. Para 8.233 suggests the magnitude of change of view would fall to medium at a distance of about 3.5km in the west, 6km in the north and 6.5km in the south and east from the project and at these distances highly sensitive receptors would cease to be significantly affected by the</p>	<p>The magnitude or size of windfarm elements, and the distance between them and the viewer, are basic physical measures that affect visibility, but the real issue is human perception of visual effects, and that is not simply a function of size or distance.</p> <p>It is difficult to understand on what authority the 6.5km is considered to be a threshold at which significant effects would cease to be experienced by a receptor. For turbines of the size proposed it is not unreasonable to take the view that significant effects could occur up to 10km, or possibly beyond depending on sensitivity. Turbines are considered to be visually prominent at up to 10km (Mynydd y Gwrwydd: APP/y6930/A/1189610 para 19).</p>

	<p>proposed wind turbines.</p> <p>i) Please explain the basis for this assessment.</p> <p>ii) Do other parties agree with this assessment?</p>	<p>To the west, medium to high effects are stated in the LVIA at Plynlimon Fawr which is 3.9km away- this is in excess of 3.5km.</p> <p>To the north, significant adverse effects are found at 8.7km north of Glaslyn and 8.8km from Foel Fadian.</p> <p>To the east, 6.5km may be a reasonable distance but this is not verified by viewpoints although two at Llyn Clywedog at 6.1km are medium.</p> <p>To the south this is not verified by viewpoints but is considered reasonable, in part due to the presence of Cefn Croes.</p>
2.5	<p>TAN 8 (2005) indicates that intervisibility of the area within a 20-30km radius should be mapped using GIS. What are the implications of this given the chosen methodology and study area used?</p>	<p>Annex D to TAN 8 sets out a typical approach for undertaking a local authority-led study of any of the Strategic Search Areas. The purpose of the local planning exercise was to achieve a finer grain of development allocation within the SSA, taking into account landscape, visual and cumulative impacts.</p> <p>The visibility assessment should be computer based, using a Geographical Information System (GIS) and an Ordnance Survey Digital Elevation model.</p> <p>The analysis should have two several separate but interlinked elements:-</p> <ul style="list-style-type: none"> • The relative visibility from outside the SSA of the different sub-areas within the SSA. The inter-visibility of the area within a 20-30km radius should be mapped using a GIS. The visibility information should be prepared for the likely size of wind turbines rather than be undertaken

		<p>at ground level; wind turbines of a minimum of 110m in height should be assumed. The visibility of existing and consented proposals should also be considered and mapped.</p> <ul style="list-style-type: none">• The identification of landscape and visual sensitive receptors, typically key viewing points from which visibility of wind turbines will be assessed e.g. roads, National Trails, National Parks/AONBs, areas of settlement, key viewing points or visitor sites. Typically 6 view points would be used, the locations for which would be agreed in conjunction with the appropriate local authority officers. <p>MYG Chapter 4: Review of Site Selection Against TAN 8 indicates that the methodology used was based principally – not entirely - on the advice given in TAN 8 Annex D and the method adopted by Arup in the Annex D Study of SSA D. The study area does not exceed 10km. The reasons for choosing a 10km study area was because turbines are considered to be visually prominent at up to 10km and extending the boundary by more than this distance would result in a coalescence of SSA B and D.</p> <p>The specific purpose of adopting a GIS system is to aid assessment of performance by addressing two key information needs:</p> <ul style="list-style-type: none">• The potential for additional “extra over” visual impact; and• The degree to which sensitive receptors are influenced by any additional visual impact. <p>In the case of the Annex D study for SSA D an outer radius limit of 20km was adopted.</p>
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		<p>The adoption of a 20km study area based on a GIS system would, it is suggested, have resulted in differing performance for Y Foel in the Summary Landscape and Visual Performance of SSA D and Mynydd y Gwynt (Table 4.5 MYG Chapter 4).</p> <p>The fact that the same methodology has not been adopted brings into question the veracity of the conclusions drawn in Chapter 4. The approach and the premise on which the study is based is flawed.</p>
2.6	<p>Para 8.70 of ES Chapter 8 refers to Scottish Natural Heritage (SNH) Guidance (2012) and GLVIA3 (2013) as the basis for the methodology used in the Cumulative Landscape and Visual Impact Assessment. SNH Guidance on Visual Representation of Wind Farms was issued in July 2014. What are the implications of this latest guidance in respect of the way the present project should be assessed?</p>	<p>Scottish Natural Heritage (SNH) Guidance (2012) relating to cumulative effects is similar to the previous SNH guidance. The LVIA does not define if it is assessing additional or combined effects as defined in that guidance which states that '<i>Cumulative impacts can be defined as the additional changes caused by a proposed development in conjunction with similar developments or as the combined effect of a set of developments, taken together....</i>' (paragraph 7, page 4).</p> <p>GLVIA3 also expands on this point, stating it is up to the LVIA assessor to choose what approach they take but also indicating that the assessment should be true to the generic definition (7.15).</p> <p>SNH Guidance on Visual Representation of Wind Farms issued in July 2014 increases the size of visualisations from the previous minimum of 300mm viewing distance (usually at A3) to photomontages at A1 size with a comfortable viewing distance. NRW in previous consultation responses requested photomontages preferably at 500mm and the developer has therefore provided A1 versions of the previous A3 visualisations with their 23.78cm viewing distance. The A1 sheets are regarded as satisfactory to</p>

		<p>assist in hearings.</p> <p>The outstanding issue is that the SNH guidance indicates that A3 full frame visualisations should be provided for site visits. This was requested by NRW as this was Highland Council guidance at the time which appeared to be desirable. These have not been provided. If the small, sub-standard visualisations have to be used on site the relative size of the turbines will need to be carefully compared with features in the view to ensure that their scale can be appreciated.</p>
2.11	<p>The cut-off date for inclusion of schemes in the cumulative impact assessment was August 2013 (para 8.76 of ES Chapter 8). Have any further schemes been advanced since this date within the study area which would require the cumulative impact assessment to be updated to take them into account?</p>	<p>There are no schemes in Ceredigion that should be taken into account in the assessment of cumulative impact.</p>
2.13	<p>Whilst the approach to assessment has been agreed, the ES does not provide evidence that the results of assessment have been agreed with NRW of the relevant local planning authorities. What is the position regarding the agreement or otherwise of the assessment results?</p>	<p>There has been no agreement with Ceredigion regarding the assessment results.</p>

<p>2.14</p>	<p>Is there agreement that the 26 viewpoints analysed in the Landscape and Visual Impact Assessment (LVIA) are representative of the main landscape character types and visual receptors? If not, what other viewpoints should be assessed?</p>	<p>CCW/NRW were consulted on the viewpoints and the 26 viewpoints were agreed although strong reservations were expressed by NRW about the Wye Valley Walk viewpoint 13 as the nearby view was screened by trees.</p> <p>Further site work in the run up to the submission of statements has flagged up further viewpoints that the assessor should have addressed.</p> <p>The main omissions are:</p> <ul style="list-style-type: none"> • On the Wye Valley walk just north of Pont Rhydgaled (Viewpoint SWA) • On the Wye Valley walk close to the source of the Wye, west of the development (Viewpoint SWB). • Pumlumon Arwystli, as this is the closest point on the Pumlumon ridge. <p>Whether formally assessed or not by various parties Ceredigion strongly recommend that they should be visited by the ExA.</p>
<p>2.15</p>	<p>Some of the viewpoint photographs within the ES date from 2005 and most are from 2012. Have there been any substantive changes in the views (such as the development of other wind farms) that would suggest the views illustrated are no longer an accurate representation of what can be currently seen?</p>	<p>Cefn Croes was completed in June 2005. There have been no other wind farms developed in Ceredigion since then.</p>

<p>2.19</p>	<p>There are long-distance footpaths which pass through or close to the application site (Wye Valley Walk, Severn Way, Cambrian Way). The applicant's assessment suggests that anticipated magnitude of view likely to be brought about by the development of wind turbines is generally substantial for footpaths within 3.5km in unforested areas and substantial under 1.8km for the named long-distance paths including the Wye Valley Walk and Severn Way. ES Chapter 8 para 8.615 and Appendix 8.3 suggest low usage of the footpaths crossing the site. User data has not been recorded for the Severn Way but it is suggested that use is highly unlikely to be anywhere near that of the peaks visited in National Parks.</p> <p>Are there any comments as to the accuracy of the analysis of footpath use?</p> <p>Are there any data on use of the sections close to the application site of the long-distance Severn Way and Cambrian Way?</p>	<p>Enplan, on behalf of Powys County Council, assesses that the Cambrian Way has been significantly unrepresented with suitable viewpoints, and they do not concur with the LVIAs assessment of the Magnitude of Change from Viewpoint 1. Enplan assess that approximately 8.5km of the trail would have the potential to experience views in an area 10km from the site. 6km of the trail within 6km of the site would be affected albeit that views would be broken. Enplan therefore take the view that the effects within 6km of the site would be significant rather than the 3.5km assessed by the applicant.</p> <p>The Cambrian Way as shown on Figure 8.9 appears to run partly on the western side of ridge at Pumlumon Arywstli. However, as stated in the LVIA, the route is generally unmarked. The apparently most used route between Pumlumon Fawr and the high point above the source of the Severn runs along, or close to, the fence lines which are to the east of the ridge, passing a series of slate markers.</p> <p>This route overlooks the site in parts and would have views of the development sometimes at much closer range than the view from Pumlumon Fawr. This includes points around 2km at Pumlumon Arywstli and a little further away just above the source of River Wye. The effects here would be likely to be at a substantial magnitude of effect resulting in major adverse significance of effects. Further away along the route, a substantial/moderate magnitude of effect would result in a major adverse significance of effect.</p> <p>Ceredigion make the point that the value of the area is based on its wild and tranquil character which is of national, if not international importance. The area is not the honey pot that the National Park is and this is what defines it. The fact that the footfall on the path is low enhances the value of the path.</p>
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2.22	Is there any update as to the position regarding the proposed Nant y Moch wind farm?	<p>Danny Harper, SSE Renewables, has indicated to Ceredigion County Council that:</p> <p><i>“SSER needs to see progress and get confidence from National Grid Transco (NGT) on their proposed program for the 400kV overhead line. It is difficult for SSER to commit to any time table ourselves considering the conjoined planning enquiry in Powys and further delay in the NGT grid program. We remain committed to the wind farm and as our confidence builds again, we can advise on our program, timescales and next steps.</i></p> <p><i>Unfortunately, I cannot advise when this might be, however, I am a dedicated resource on the project and I am making monthly recommendations to senior management on how best to proceed. I currently see no change in status in the short term “.</i></p> <p>The application remains registered with PINS and the applicant’s view that only a much reduced scheme will be possible on site and that the proposal may ultimately not be progressed to an application is pure speculation and the applicant’s assessment of the cumulative effects of the Mynydd y Gwynt scheme in the absence of a development at Nant y Moch should be disregarded.</p> <p>Given the uncertainty and delay generated by the conjoined planning enquiry in Powys and the delay in the NGT grid programme SSE are in no hurry to progress Nant Y Moch any further at present and it is easy to see the advantage to SSE of allowing the Mynydd y Gwynt application to test the veracity of Welsh Government spatial policy as represented in TAN8. The certainty is that if Mynydd y Gwynt is consented SSE will be far better</p>
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		<p>placed to challenge the Ceredigion/Powys refinement exercise, challenge the SSA boundaries, and challenge whole ethos of the spatial approach to large scale wind farms in Wales.</p>
<p>4.20</p>	<p>There is no indication that the assessment methodology was agreed with relevant bodies. ES Table 11.3 provides details of consultations undertaken. It states that discussion took place with CCW/NRW on several occasions and that it centred on survey methodologies for bird surveys and the scope of the vegetation survey. However, dates are not provided and the extent of consultation with NRW since 2005 is unclear. It is noted that CCW suggested in 2005 that the local authority biodiversity officer should be consulted. Other than a comment in Table 11.3 that the Applicant met with PCC in September 2009 to discuss the transport route, there is no indication that the methodology was agreed with PCC. NRW raises concerns in its relevant representation about the bat survey and bird surveys methodology. PCC in its relevant representation includes biodiversity in a list of concerns pending full assessment during the examination process.</p>	<p>The assessment methodology was not agreed with Ceredigion County Council and the in house Ceredigion ecologist was not consulted.</p> <p>CCW (one of NRW's legacy bodies) provided scoping advice dated 11 August 2005. Since this scoping advice was provided there have been significant changes in policy and guidance with respect to windfarms and a number of other windfarm applications have been submitted and assessed in Mid Wales. The scoping advice provided by CCW (now NRW) in 2005 for birds and bats in particular will no longer be relevant because of changes in good practice guidance and the understanding, with regards to the impact of windfarms, on these species.</p>

	<p>i) Could the applicant please provide more detailed information, including dates, on consultation with relevant bodies?</p> <p>ii) Can NRW, PCC and CCC comment on the methodology applied?</p>	
4.22	<p>ES Chapter 11 considers direct and indirect impacts, such as on aquatic systems and species as a result of sedimentation of watercourses, and pathways for impacts, such as the hydrological link to the River Wye SAC via the tributaries on site. Effects are described as permanent or temporary, and adverse or beneficial. Table 11.28, 'Residual Effects' predicts the geographical extent of residual effects and whether they will be temporary or permanent.</p> <p>However, the extent of the study areas for each ecological receptor is not clear, and the reasoning for selecting them is not provided, so it is unclear whether all receptors that may be impacted by the project have been identified. For instance, the chapter only discusses European sites within about 3km of the</p>	<p>Ceredigion agree that the relevant study areas for ecological receptors are not clearly identified in the ES. There is also no definition of 'local' with regard to the geographical extent of effects for each receptor. Ceredigion will be better placed to respond further when a response to this question is received from the applicant.</p>

	<p>project site (the River Wye SAC and the Elenydd – Mallaen SPA), although the HRA Screening Report identifies that there are five European sites within 10km of the project site.</p> <p>The terminology used to describe the study areas is inconsistent and it is not indicated in relation to the majority of surveys whether the study areas were agreed with relevant bodies.</p> <p>i) Can the applicant please clarify the study areas for each survey and provide justification for choosing them?</p> <p>ii) Can NRW, PCC and CCC comment on the extent of the study areas and whether in their view all relevant receptors have been identified and assessed?</p>	
4.23	<p>An assessment of effects during the construction period is contained in paras 11.311 – 11.380 of ES Chapter 11 and it is concluded that there will not be any residual significant effects on receptors. However, the levels of significance are not clearly defined for each feature both pre-mitigation and post-mitigation.</p>	<p>The methodology is unclear and contradictory.</p>

	<p>i) Could the applicant set out clearly in tabular form the level of significance of effects both prior to mitigation and post-mitigation of all features identified in the Ecology Chapter? (Please also see question 2.8 above).</p> <p>ii) Can NRW, PCC and CCC comment on these conclusions?</p>	
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