

DATED

DECEMBER 2014

IN THE MATTER OF

AN APPLICATION BY MYNYDD Y GWYNT LIMITED FOR DEVELOPMENT  
CONSENT TO CONSTRUCT AND OPERATE A WIND TURBINE  
GENERATING STATION IN POWYS, MID-WALES

STATEMENT OF COMMON GROUND

On

LANDSCAPE AND VISUAL IMPACT

Between Mynydd y Gwynt Ltd (1) and Cambrian Mountains Society  
(2)



AARON & PARTNERS<sup>LLP</sup>

SOLICITORS

Grosvenor Court  
Foregate Street  
Chester  
CH11HG

Tel: 01244 405555  
Fax: 01244 405566  
Ref:KM.CPR.MYN1.1

## **1. Introduction**

- 1.1 Mynydd y Gwynt Limited (“MYG”) has made an application (“the Application”) to the Secretary of State for development consent to construct and operate a 81-89.1MW wind turbine generating station (“the Wind Farm”) at the Sweet Lamb Rally Complex, near Llangurig, Powys, Mid Wales (“the Site”).
- 1.2 The Secretary of State has appointed the Examining Authority to carry out an examination of the Application.
- 1.3 This is a statement of common ground between (1) MYG and (2) Cambrian Mountains Society (“CMS”) on landscape and visual (including cumulative) matters relating to the Application.

## **2. Policy and Legislative Context**

- 2.1 The parties to this statement agree that the relevant national, regional and local policies that relate to the landscape and visual impacts of the Wind Farm are:
  - 2.1.1 Planning Policy Wales, Edition 7, July 2014
  - 2.1.2 The National Policy Statements (“NPS”) relevant to this application are:
    - The Overarching National Policy Statement for Energy (EN-1) and
    - National Policy Statement for Renewable Energy Infrastructure (EN-3).
  - 2.1.3 Technical Advice Note (TAN) 8: Planning for Renewable Energy
  - 2.1.4 Powys Unitary Development Plan Policy ENV2 - Safeguarding the Landscape

### **3. Baseline and Assessment Methodology**

- 3.1 Details of the baseline and assessment methodologies for the assessment of the landscape and visual impact of the Wind Farm are set out in chapter 8 (and its accompanying appendices and figures) of the ES. The parties to this statement are in agreement that the baseline and assessment methodologies used were appropriate save for the concerns raised by CMS in **paragraphs 3.2 and 3.3** of this statement.
- 3.2 CMS considers that the impact assessments produced by MYG do not adequately portray the sensitivity of receptors, the magnitude of change or their combined significance of effect.
- 3.3 CMS is additionally concerned that the Zone of Theoretical Visibility information produced by MYG was incomplete, inadequate in its presented scale, and failed to record the location of representative viewpoints in that context. While CMS appreciates the steps since taken by MYG to remedy the matter following their being raised at the Preliminary Meeting, it remains concerned that a) the improved material was not available prior to that point, and b) it has not yet been made fully available by publication on the NSIP web-site.**

### **4. Landscape Effects**

- 4.1 An assessment of the landscape effects of the Wind Farm is set out at paragraphs 8.133-211 and at paragraphs 8.138-146 of chapter 8 the ES. The parties to this statement are in agreement that the effects noted in these paragraphs reflect the landscape effect of the Wind Farm save for the concerns raised by CMS in paragraph 4.2 of this statement.
- 4.2 CMS considers that the Wind Farm would create significant and adverse impacts on the landscape character of the eastern flanks Pumlumon and surrounding areas **and thus differs in its assessments of certain viewpoints, as supplemented by additional locations indicated in its own submissions.**

## 5. Visual Effects

- 5.1 An assessment of the visual effects of the Wind Farm is set out at paragraphs 8.299-350 of the ES. The parties to this statement are in agreement that the effects noted in these paragraphs reflect the visual effect of the Wind Farm save for the concerns raised by CMS in paragraph 5.2 of this statement.
- 5.2 CMS considers that the Wind Farm would have an unacceptable and unwarranted negative effect on visual amenity and the enjoyment of public access within and around the site **and thus differs in its assessments of certain viewpoints, as supplemented by additional locations indicated in its own submissions.**

## 6. Cumulative Effects

- 6.1 An assessment of the cumulative effects of the Wind Farm is set out at paragraphs 8.351-569 and 8.407-569 of the ES. The parties to this statement are in agreement that the effects noted in these paragraphs reflect the visual effect of the Wind Farm save for the concerns raised by CMS in **paragraphs 6.2 and 6.3** of this statement.
- 6.2 CMS contends that the cumulative effect of the Wind Farm and the wind turbines that were constructed prior to TAN 8 would lead to an unacceptable and unwarranted negative effect **in landscape terms**, on visual amenity and the enjoyment of public access within and around the site. **Given the proximity of SSA 'D' in relation to views either side of Pumlumon, these impacts would be exacerbated in contravention to the intentions of TAN 8.**
- 6.3 **CMS also considers that the catalogue of potentially cumulative wind energy projects in the neighbourhood may need updating and their effects re-evaluating in the light of evidence emerging during the Examination of the proposal.**

## 7. Residential Amenity

7.1 An assessment of the effects of the Wind Farm on residential properties is set out at 8.244-254 ~~and 8.597-606~~ of the ES. The parties to this statement are in agreement that the effects noted in these paragraphs reflect the residential amenity effect of the Wind Farm.

This statement has been agreed by:

Signed.....

On behalf of Mynydd y Gwynt Limited

Date.....

This statement has been agreed by:

Signed.....

On behalf of the Cambrian Mountains Society

Date.....

