

IN THE MATTER OF

Infrastructure Planning (Examination Procedure) Rules 2010

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

RESPONSES TO THE ExA'S SECOND WRITTEN QUESTIONS

**MYNYDD Y GWYNT LIMITED
(THE APPLICANT)**

PLANNING INSPECTORATE REFERENCE: EN010020

4th MARCH 2015

ExA's Second Written Questions

Ref No.	Respondent:	Question:	Applicant's Response
1.0	Policy and general matters		
1.1	Applicant, interested Parties (IPs)	Powys County Council (PCC) and Ceredigion County Council (CCC) undertook a refinement exercise of SSA D in accordance with Annex D of TAN 8 by ARUP in April 2007. Can a full version of this be provided as an Examination document?	This has been included at Appendix 1 .
1.2	Applicant, PCC	A report on the conjoined inquiry into five wind farms and the Llandinam grid connection was submitted to the Secretary of State last December. Has any indication been given as to when a decision on these is likely?	None, so far as the Applicant is aware.
1.3	Applicant, IPs	<p>The Cambrian Mountains National Park (Designation) Order 1972 was not confirmed.</p> <p>a) Had it been so, would the application site have been within the National Park?</p> <p>b) Does the fact that not designated as a National Park, whilst not providing the policy support that National Parks and Areas of Outstanding Natural Beauty have, diminish the intrinsic value of the landscape vis a vis these designated areas?</p> <p>c) It is suggested that there is a current proposal to recognise the value of the Cambrian Mountains landscape through designation as an Area of Outstanding Natural Beauty (Simon Ayres' submission, Deadline IV). Mr Ayres also suggests that as the area would effectively qualify for such status this means that it fulfils the International Union for</p>	<p>a) It is not known whether the proposed boundaries were settled at this point, or whether they would have been subject to further review and amendment. Had the order been confirmed in this form, all of Mid Wales over 300m would have been in a National Park. (See Appendix 2 attached). In that theoretical scenario the Cefn Croes, Rheidol and Bryn Titli wind farms would all have been within this designated area. In addition TAN8 SSAD (Nant y Moch), would have been in this context, together with the proposed Mynydd y Gwynt and Bryn Blaen wind farms.</p> <p>b) The intrinsic value of the landscape is not solely dependent on or related to any designations. Although designation might be a factor to take into account with regard to the value ascribed by the public, intrinsic value stems from a number of other factors including landscape quality, rarity, and perceptual aspects. Therefore, by not being designated it doesn't diminish the intrinsic value of the</p>

		<p>Conservation of Nature criteria for Category 5 Protected Area status and is, de facto, of national and international significance. Please comment.</p>	<p>landscape, or the value attached to it by the Applicant.</p> <p>On the basis of the applicant's landscape assessment, however, the value of this landscape cannot be regarded as being of the level of National Parks and Areas of Outstanding Natural Beauty because the landscape is not intrinsically sufficiently attractive to draw in visitors in the way in which National Parks and Areas of Outstanding Natural Beauty do.</p> <p>c) The applicant is not aware of any live proposals for designation of the Cambrian Mountains as an AONB and have not seen any references to this in the evidence put before the ExA by NRW.</p> <p>However, for an AONB to be designated there needs to be a considerable level of evaluation of the landscape resource and the setting up of an AONB takes a matter of years. Planning applications need to be considered on their own merits at the point of application. The Applicant does not consider that any potential for a future AONB designation could carry any weight in this context.</p> <p>The site does not fall within a Category 5 Protected Area. In addition, the applicant does not agree with the premise put forward by Mr Ayres that suggests that the area would effectively qualify for such status and thereby fulfil the International Union for Conservation of Nature criteria for Category 5 Protected Area status and is, de facto, therefore of national and international significance.</p> <p>A Category 5 area is a protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and</p>
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			<p>sustaining the area and its associated nature conservation and other values. It is one of the most flexible categories of international protection, and in the theoretical scenario put forward by Mr Ayres, this would apply to the whole of the Cambrian Mountains, including the wind farm sites mentioned under part a) of this response and not just the Mynydd y Gwynt site. The Applicant does not consider that designation under Category 5 would in itself prevent a wind farm being approved.</p> <p>It is also pertinent to record the change that the maturing and felling cycles of the broad-scale forestry in the northern parts of the Cambrian Mountains area have had on the intrinsic value of the area over the last 40 years in particular, in the time since national designation was considered. This means that the landscape of the northern part of the Cambrian Mountains would be unlikely to meet the criteria expected for AONB or NP status by virtue of the impact this forestry has had on the areas of natural beauty.</p>
1.4	PCC, Applicant	<p>What is the current total consented generating capacity of wind farms within SSAs B, C and D? Please provide updates of the current position regarding those proposals either with PCC, PINS or the Welsh Government (PCC's helpful tables in Section 2 of its LIR of schemes in development and their projected capacities is noted).</p>	<p>As far as the applicant is aware, the total consented (including operational) generating capacities in each of SSAs B, C and D are as follows:</p> <p>SSA B: 106.55MW SSA C: none SSA D: none</p> <p>Note that the most recent scheme consented in Area B was the 12 turbine Tir Gwynt scheme of 30MW. This was consented in 2010 and has a consented grid connection but the applicant understands construction work on it is yet to commence.</p>

			<p>Note also that the repowering of the Penrhyddlan & Llydiart y Waun scheme (better known as “P&L” or Llandinam) is one of the applications in the Mid Wales Conjoined Public Inquiry. This scheme (both the existing operational wind farm of 30.9 MW and its proposed replacement at 102MW) lies entirely outside both the designated and refined boundaries of SSA C, though adjacent to it.</p>
1.5	Applicant	<p>Has the applicant any documentary evidence to back up the assertion that the area within which the application site is situated was left out of TAN SSA D only because of a misinterpretation of low fly zones when the original SSAs were produced?</p>	<p>To be clear, the Applicant does not rely on the potential for the site to have been included in the SSA.</p> <p>The letter from Defence Estates of 22 July 2004 (MYG-AD-5-APP1) was written in response to the fact that the application site had originally been subject to Defence Estates’ objection – as the letter records. The proposers (who then consisted of the landowners and local businessman, assisted by Mr Martin Alder, a wind energy consultant) were unwilling to accept this blanket sterilization of the site and so Mr Alder secured a meeting with Defence Estates.</p> <p>That meeting revealed that the Defence Estates requirement was not for a blanket tactical training area but for a low flying zone, for which unimpeded access for low flying in the valleys was principally required, The resolution of this misunderstanding enabled the Defence Estates to clarify the position in its letter referred to above, and for the application area freed for wind farm development.</p> <p>As a result the original team then sought to have the area included in the TAN8 SSA D designation. Unfortunately, most written records have been disposed of, but discussions took place in 2005 and continued in 2006 to try and overcome the issue. During the course of these, Mr William Little, then Senior Environmental Consultant with ADAS (UK) Ltd, discussed the site with Simon Power of Ove Arup & Partners (“Arup”), the consultant leading the TAN8 SSA study (“Arup</p>

			<p>Study”). Mynydd y Gwynt had approached Arup to prepare a comparison of the Mynydd y Gwynt site with the Arup Study for SSAD, applying the same criteria. Although Arup was initially willing to carry out this exercise they ultimately determined not to do so. However, during the course of the conversations Mr Little had with Mr Power, Mr Power stated that without the objection from the MoD the site would have been their preferred Area D.</p> <p>Further, Mr Little attended a meeting in Aberystwyth with Mr Brian Barrows, then head of the Welsh Development Agency’s Energy Office. The intention of the discussion was to seek the assistance of the WDA in persuading its colleague bodies to revise the Area D designation. Mr Barrows also said that but for the objection from the MoD the site would have been included in Area D.</p> <p>Unfortunately, and no doubt due to the sensitivity of the information, neither Mr Power nor Mr Barrows were prepared to confirm this in writing. Mr Little will however be prepared to provide a statutory declaration confirming these discussions if required.</p> <p>The then development team also provided evidence to the Welsh Affairs Select Committee in 2005, a copy of which has been printed from the UK Parliament Website and is appended at Appendix 3. Whilst it is appreciated that this is a document produced by Mynydd y Gwynt, it is contemporaneous with the events set out above and in parts 3 and 4 sets out the MoD issue.</p>
1.6	Applicant, PCC, CCC, NRW, IPs	It is suggested that the proposed generating capacity of the scheme would represent less than 1% of currently installed UK wind generating capacity and around 0.1% of total electricity production capacity (and operating at a typical 25% of capacity the actual	Simon Ayres’ representation complains that at less than 1% of the UK installed wind capacity the site cannot claim to be ‘nationally significant’. This terminology is of course not the applicant’s but is Parliament’s assessment as set out in the Planning Act 2008 which defines an onshore wind farm over 50MW as a “Nationally Significant

		<p>contribution to electricity production would be around 0.025% of the total) (Simon Ayres submission for Deadline IV). Please comment on these figures.</p>	<p>Infrastructure Project”.</p> <p>The applicant’s calculations suggest the wind farm output is expected to be around 0.75% of the total UK wind capacity (or 6.9% of Welsh onshore wind capacity), so the applicant does not disagree with Mr Ayres’ mathematics.</p> <p>However, whilst Mr Ayres has correctly identified the average net capacity factor for operational Welsh windfarms (currently 25.4%), the net capacity factor for this windfarm is predicted to be between 33.3% and 37.8% (dependent on turbine) emphasizing the suitability of this open, elevated site for a windfarm. The predicted net windfarm output (after subtracting all predicted losses) for 4 possible candidate turbines currently varies from 236 to 286 GWh per year.</p> <p>To give some context to these electrical output figures, the wind farm will produce roughly the same electricity per year as needed for all of the households in Powys*.</p> <p>The applicant strongly disagrees with Mr Ayres’ assertion that this project should not be considered to be in the national interest and we simply point to NPS EN-1 in this regard. The applicant also contests Mr Ayres’ suggestion that the electricity can be generated by other technologies with fewer adverse impacts and again the applicant would point to NPS EN-1 Chapter 3.4 ‘The Role of renewable energy’ and The Welsh Assembly Government Energy Policy Statement from 2010 “A Low Carbon Revolution” which in the Cabinet Foreword describes “<i>Climate change is the greatest environmental, economic and social challenge facing the planet.</i>”</p> <p>*Using the latest DECC figures for domestic energy use (4,192MWh per</p>
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			annum per house) and the predicted outputs above, this project will provide electricity for 56,000-68,000 homes (depending on the turbine type) and there are 58,800 households in Powys.
1.7	Applicant, PCC, CCC, IPs	<p>CCC in its Deadline III submission states that in terms of Welsh Government Policy the material considerations are Planning Policy Wales, TAN 8 and Policy Clarification letters which are either issued by the First Minister or by Planning Division; individual Ministerial Statements do not constitute policy clarification letters and therefore carry little or no weight in the context of Welsh Government Policy. However, the Ministerial letter of July 2011 sets out Welsh Government policy and this is confirmed by the Welsh Government in its response. Do parties agree with this assessment? What weight should be given in terms of policy considerations to the Written Statement by the First Minister: Planning for Renewable Energy in Wales (17 June 2011) and the letter by John Griffiths, Minister for Environment and Sustainable Development (July 2011)?</p>	<p>1) The Ministerial Statement of 17th June 2011 is a statement that sets out WG's policy towards sustainable renewable energy with particular emphasis to on-shore wind, making reference to:</p> <ul style="list-style-type: none"> - A Low Carbon Revolution - PPW - TAN8 <p>The contention by CCC that such Statements carry 'little or no weight' is not accepted by the Applicant.</p> <p>2) The Ministerial Statement (17th June 2011) and the First Minister's letter of July 2011 do not change the policy approach of the Welsh Government towards large scale windfarm development. The Ministerial Statement and Ministerial Letter re-state the strategy to focus such development to the SSAs and restrict a proliferation of large scale windfarms across of the whole of Wales.</p> <p>The Ministerial Statement and Ministerial Letter should be read alongside TAN8, and be attributed weight in the same context as TAN8, namely an important planning policy consideration to which the decision-maker is required to have regard to, but not the primary policy basis for the determination of this application. As made clear at paragraph 4.1.5 of NPS EN-1 the preparation of the energy NPSs 'have taken account of... Technical Advice Notes (TANs) in Wales where appropriate'.</p> <p>The applicants' position regarding the hierarchy and relationship of</p>

			policy is fully set out in its Deadline II written representation at part 2, and in its Deadline III submission document, again at part 2.
1.8	Applicant	The applicant's answer to question 2.3 of the ExA's First Written Questions refers to a consultation document as included at Annex 1, but this was not provided. Please could the applicant provide a copy	This has been included at Appendix 4 .
1.9	Cambrian Mountains Society	In its relevant representations the Cambrian Mountains Society (CMS) indicates that it is a membership-based registered charity whose objectives include sustaining and conserving the landscape of the wider area within which the proposal lies. Can the CMS provide more information about its organisation and membership numbers?	
1.10	Applicant, PCC,CCC, IPs	Reference has been made to the Sarn Sabrina annual walk which passes close to the application site (Mr Kibble, written representation). Is there any information as to the number of participants taking part in this walk on an annual basis?	<p>The Sarn Sabrina organisers have confirmed that up to 200 walkers can participate in the annual event. However, a considerable proportion of that number choose to walk only the shorter Semi Sabrina circuit.</p> <p>The exact route can vary each year. However, the route does not run across the Mynydd y Gwynt site and, taking the example of the published 2015 route, the closest point of the walk to the site boundary is about 1.6km, within the Hafren Forest to the east of the site.</p> <p>To aid the ExA the applicant has overlaid the route of the longer Sarn Sabrina and shorter semi-Sabrina with the Mynydd y Gwynt tip height ZTV (included at Appendix 5).</p>

			<p>The analysis of this ZTV shows that there would be no view of the proposed turbines for the first 6 miles (9.5km) where the route heads west towards Llyn Clywedog from Llanidloes. The route of both walks then follows the southern edge of the reservoir for 4 miles (6.5km). This section of the route lies outside of the ZTV. For the following 0.5miles (1km) there would be intermittent views of turbine tips in the context of scrub and trees as the walkers head from the edge of the reservoir into the Hafren Forest. The distance from the nearest turbine would be 4.4km at this point. (Figure 8.11PCCA represents this part of the landscape) The magnitude of change of view would be very low or negligible, and would not bring about any significant effects. The walkers of the full route then head up to the Source of the Severn on forest paths with no view for 3 miles (4.5km). Where the path emerges from the forestry for the last 0.5mile (0.8km) there would be a few opportunities to view the proposed turbines, as shown on Figures 8.11p and q (Viewpoints 16 and 17), and Figure 8.11p-BB, between 3.6-3.8km distant. These would be side views for the walker heading to the source with a low magnitude of change in view, that would bring about moderate and not significant effects on the walkers. As the walker heads back down to the finish the only views would be for the short section of walk between the source of the Severn and the forestry. For the remainder of the Sarn Sabrina the turbines would be behind the viewer, covering a section of 11 miles (17.7km).</p> <p>The semi-Sabrina walkers peel off from the main group at Tycoch south of the reservoir and cross farmed land where a few glimpses of tips would be afforded at a distance of about 5.5km to the nearest turbines, bringing about negligible effects. The final 8 mile (12.8km) part of the walk is in the opposite direction from the site and therefore there would be no view of the turbines for walkers.</p>
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			Overall, there would be very few places where the turbines would be seen by walkers, and none where the magnitude of the view would create significant effects for these highly sensitive visual receptors.
1.11	Applicant	The applicant indicates that the car parking area to the south of the A44, currently used informally by the public, would be formalised. Can the applicant explain how this would be achieved?	It is now proposed to provide a horse car park on north side of the A44, to the north of the farm buildings, as shown on Appendix 6 (Figure 8.49c). This will be secured by an agreement with the landowners made under section 106 of the Town and Country Planning Act 1990.
1.12	Applicant	In its Deadline III submissions (para 10.7) the applicant indicates that it would be willing to offer additional permissive rights of way where a Public Right of Way is within 125m/200m of a turbine and not already on open access land, offering the opportunity to use a different route which would not pass as close to a turbine. Could the applicant point to the location of where these might be and in relation to which proposed turbine, and also indicate the mechanism by which such permissive rights of way could be secured?	<p>Following an onsite meeting with PCC on 6 February the applicant reconsidered and revised the offer of permissive PROW and horse car park to reflect the discussions. The locations of the permissive rights are shown on the plan at Appendix 7 (Figure 8.10d) and were submitted to PCC on 11 February and included:</p> <ol style="list-style-type: none"> 1. a permissive bridleway around the track loop to the west of turbine 1. 2. a permissive footpath up the track from the bridleway to the west of T4, which then cuts back north and turns east (as agreed with PCC) to cut the middle of the gap between T1 & T4. 3. a permissive bridleway around the north of turbine 13 (keeping 125m from T13) which links to the track and then permissive options that either continue on the track round T14 or go cross country south to keep away from T14 and then follow the ridgeline down towards the Afon Bidno valley bridleway BW49. <p>The applicant has sought to finalise the location of the permissive rights of way with PCC, but PCC responded at 4.55pm on 4th March 2015 that their comments will appear in their answers to these questions.</p>

			The applicant intends to secure the permissive rights of way by of a requirement in the DCO.
2.0	Landscape and visual		
2.1	Applicant	CCC in its LIR indicates at para 4.34 that the applicant's LVIA categorises significant effects as only those over 'moderate to substantial' and above. This means that effects such as 'moderate' or 'moderate/moderate to substantial' significance are not considered significant. CCC goes on to suggest that whilst this is often used for wind farm developments, it is not consistent with most LVIAs for other developments where 'moderate' is considered to be the normal threshold for significance. Can the applicant please comment on this?	<p>The approach taken in the LVIA and all subsequent considerations to the reporting of significant effects is fully consistent with current best practice. GLVIA3 records in paras 3.32 onwards that: The Regulations require that a final judgement is made about whether or not each effect is likely to be significant. The guidance set out in this section does not state that an empirical measure must be used, but that LVIAs should always distinguish clearly between what are considered to be the significant and non-significant effects. The guidance goes on to state in paragraph 3.34 that: When drawing a distinction between levels of significance is required (beyond significant/not significant) a word scale for degrees of significance can be used (for example a four-point scale of major/moderate/minor/negligible).</p> <p>CCC state that it is not consistent with most LVIAs for other developments where 'moderate' is considered to be the normal threshold for significance. However, for wind farms it is considered</p>

			<p>appropriate for the threshold to be higher, based on the median being moderate and that for an impact to be significant it should be greater than the median. This is the reason the applicant has consistently applied the moderate to substantial or greater threshold. The applicant has therefore followed appropriate and generally adopted practice.</p> <p>GLVIA3 sets out in paragraph 3.35 that: In reporting the significance of the identified effects the main aim should be to be draw out the key issues and ensure that the significance of the effects and the scope for reducing any negative/adverse effects are properly understood by the public and competent authority before it makes a decision. This requires clear and accessible explanations.</p> <p>The fact that the applicant very transparently identifies for each effect the magnitude of the change and the sensitivity of the receptor and then the magnitude of effect and where effects would be significant or not means that the application of this threshold can be read and understood throughout the submitted documents.</p>
2.2	Applicant, IPs	<p>In terms of landscape and visual impact, CCC suggests in its Deadline III comments that assessment of the study area to the west and south-west is conspicuous by its absence and there would potentially be cumulative effects. Can parties please comment on this assertion?</p>	<p>The significant cumulative effects on the whole of the study area were consistently reported; including the western and south-western parts of the study area.</p> <p>In its deadline III responses CCC cross-refers to Paragraphs 4.36-38 of its LIR.</p> <p>Reading paragraphs 4.36-38 of CCC LIR it appears that the concerns of CCC are concentrated on the north-eastern part of the Cambrian Mountains (South) (CRDGNVS313) aspect area that lie 8km from the nearest turbine at the closest point (See Figure 8.2i of the ES).</p>

			<p>Any views from this area north would be in the context of Cefn Croes in the near-distance between the viewer and Mynydd y Gwynt. Whilst there would be some distant views of Mynydd y Gwynt, and the potential for cumulative effects, the main effect would be that of the views of the Cefn Croes turbines in the near-distance of the views. This is clearly described and reported in paragraphs 8.456-458 of the ES.</p>
2.3	Applicant, NRW, PCC, CCC, IPS	<p>Why are varying heights above ground level used for differing viewpoint photographs and montages (eg viewpoints 1, 3, 4, 6, 8, 14, 19, 21) and how do these relate to GLVIA advice that height should be between 1.5m and 1.7m to equate to the height of an average man/woman? What are the implications for assessment using these and accompanying photomontages?</p>	<p>All viewpoint photographs and montages were taken within the GLVIA guideline advice of 1.5m to 1.7m. There are therefore no implications for assessment using these and accompanying photomontages. The varying height figures are have been printed in error and should be ignored.</p> <p>The software used to create the montages compares this actual elevation of the camera with the Ordnance Survey Digital Terrain Model which assigns an average height to 10m x 10m squares. The elevation within these squares is not uniform, and it is this that leads to the varying height figures.</p>
2.4	Applicant, NRW, IPs	<p>PCC LIR 5.25(6) notes that the applicant's LVIA identifies that for a landscape to be of 'high' value it has to be covered by a national designation. PCC considers that whilst appropriate to England and Scotland this is less so for Wales where LANDMAP has been developed to evaluate landscape quality; relating high value to designated landscapes only is not appropriate. It consequently means that no landscape within the study area can fall within the 'high' category, which ultimately lowers the final</p>	<p>PCC is incorrect in stating at paragraph 5.25(6) of its LIR that that the applicant's LVIA identifies that for a landscape to be of 'high' value it has to be covered by a national designation.</p> <p>What is actually said in para 31 of Appendix 8.1 of the ES is that High Value landscapes are those that are covered by a national designation for landscape value, and display a high number of locally valued features present <u>or</u> are very highly valued as a landscape for other reasons.</p>

		landscape sensitivity assessments. Please comment.	Therefore landscapes that are not covered by national designations can be highly valued when applying the approach taken by the applicant.
2.5	PCC, applicant, IPs	PCC states 'Plynlimon is one of the most significant and publically valued peaks in Wales' (LIR, para 5.78). Can justification for this statement be provided?	<p>The applicant recognises the value of Plynlimon in the landscape and cultural heritage sections of its ES and in the supplementary information it has provided on these topics. These assessments have been made by highly able and experienced independent consultants following approved and tested methodology; the value of the asset and the potential impacts upon it are recognized, and have been objectively assessed within those accepted methodologies.</p> <p>As regards justification for PCC's statement, the applicant understands that PCC has opposed every wind farm application that has come before it, whether within an SSA or not, since TAN8 was introduced, with the sole exception of the 12 turbine Carno 2 and Tir Gwynt schemes in Area B, consented in 2006 and 2010 respectively. PCC's statement of opinion regarding Plynlimon has to be read in the context of both this blanket opposition to wind farm development and in terms of its specific opposition to this application.</p> <p>"Plynlimon" is not a peak, but the high points of the massif; as Mr John Morgan said in his evidence on 5th February, probably best translated from the proper Welsh name "Pumlumon" as five beacons. The misdescription of Plynlimon as a "peak" is revealing of PCC making claims for its significance, but this misconception is probably widely held.</p> <p>In reality, its "significance" and "public value" are, beyond the work done in the ES, impossible to assess in objective terms, but as the</p>

			<p>ExA will have experienced such claims are not supported by visitor numbers, paths on and around it are lightly trafficked and visitor facilities (including parking) restricted. This is consistent with the fact that, as the high part of a massif it does not offer the striking, dramatic views of, say, Snowdonia, the Brecon Beacons or the Black Mountains, and that it is difficult to see from any major public roads. Even from, say, the minor road on the western side of the Nant y Moch reservoir, where views of it are clear and close, it appears as a series of low, rounded hills.</p> <p>It is probable that a major factor in its significance is that Pen Pumlumon Fawr is the highest point in mid Wales (51st in Wales as a whole).</p> <p>PCC's claim also has to be seen in the context of the extremely low numbers of respondents (especially in the context of a large scale wind farm) expressing concern regarding the proposed development during consultation (see for example consultation report (MYG-AD-5), paragraph numbers 144-150).</p>
2.6	Applicant, PCC, CCC, IPs	The summary description drawn from LANDMAP of the Plynlimon VSAA suggests there is limited public access consisting of a couple of footpaths. However, other representations suggest that this is public access land, together with the unmarked Cambrian Way. Can the access situation be clarified?	<p>The summary description drawn from LANDMAP of the Plynlimon VSAA is correct in stating that there is limited public access and that it consists of a couple of footpaths. The OS plan only shows two footpaths to the cairns at the summit and nothing along the ridge. The un-waymarked Cambrian Way crosses the area, and the route of this is described in detail in the ES at paragraphs 8.332-335 and shown on Figure 8.9 of the ES.</p> <p>The majority of the area is afforded Open Access, (see Figure 8.10a&b of the ES) and therefore in theory anyone can walk anywhere. In reality to get onto the paths or open access land a walker needs to either walk a considerable distance or park at one of</p>

			a restricted range of locations: at the Hafren Forest Car Park, the private land on the south side of the A44 adjacent to the entrance to the Sweet Lamb Rally Complex, in one of the few lay-bys on the A44, in one of the lay-bys on the single-track road heading up through the Nant-y-Moch valley, or at the pay car park at Eisteddfa Gurig.
2.7	Applicant	NRW in its written representation (para 5.5 of its Evaluation of Proposals and Landscape and Visual Impact Assessment) suggests that a ZTV overlaying all LANDMAP figures within the ES showing aspect areas with value, rather than just visual and sensory, would be useful in informing findings. Can these be provided?	These figures have been generated and are included at Appendix 8 .
2.8	PCC, applicant	NRW in its written representation Landscape and Visual Impact Assessment Evaluation (para 8.2) suggests that current activities within the application site do not have planning permission. Can the planning background to the different current land uses be provided?	Please see the document at Appendix 9 .
2.9	CMS, IPs	At para 4.1.3 of its written representation CMS suggest that the A44 follows 'Telford's traditional and famous route'. This is not the applicant's understanding (para 3.88 of it Deadline III submission). Can this be clarified?	
2.10	PCC, CCC, NRW, IPs	The applicant has provided an updated cumulative landscape and visual impact assessment for Deadline IV. Can parties please comment on its methodology and conclusions?	
2.11	Applicant, PCC, CCC, IPs	NRW in its updated legal note submitted at Deadline IV states that the possibility of the use of turbines with a blade diameter of 105m has not been subject to	The LVIA is based on the worst case scenario and the consideration of a range of turbines and not just an 80m tower and 45m long blades.

		environmental visualisation assessment (all visualisation has assumed a 90m rotor diameter). Please comment.	Accordingly, whilst the visualisations are based on a 90m rotor on an 80m tower all ranges of component tower and blade parts that would combine to produce a 125m tip turbine have been considered through the assessment process. A number of wireframes from viewpoints were produced in draft for the 105m blades and these were drawn on in the assessment of effects by Miss Priscott of Anne Priscott Associates (LVIA consultant for the applicant).
3.0	Cultural Heritage		
3.1	PCC	In its Deadline III submissions the applicant draws attention to the advice received by PCC from Atkins and that the Council seems to have dispensed with the services of the Clywd-Powys Archaeological Trust (CPAT) which customarily acts as an archaeological and historic environment adviser to PCC. The applicant contends that CPAT's correspondence and opinions on the scheme should be considered as part of the Examination. The applicant also considers PCC to be dismissive of Cadw's opinion of the scheme's impact and that it seeks to undermine the conclusions drawn, whereas the applicant considers these should be given significant weight, are valid and are supported by adequate knowledge of the scheme and its impact. Can PCC comment on this?	N/A
3.2	NRW, Cadw	NRW is critical of the scheme suggesting that there has been an underscoring of impacts on Scheduled Ancient Monuments (SAMs) within registered landscapes. The applicant suggests that NRW is not the relevant consultee with regard to the impact on SAMs, and that Cadw, which is the relevant consultee, is satisfied that the applicant has correctly assessed the effect; any points NRW makes which are	N/A

		dependent on the level of impact to, or effect on, SAMs should be disregarded. Please comment.	
3.3	NRW, IPs, Cadw	The applicant suggests (Appendix 6.2, para 1.4.2 of its Deadline III submission) that parties, particularly NRW, have explicitly attempted to apply the same level of effect to a heritage asset as that which is reported in landscape and visual impact assessment for the area or location in which that asset lies. The applicant suggests that the conclusions of LVIA and cultural heritage assessments for the same scheme and the same location do not have to match since they look at differing impacts and receptors. Please comment.	N/A
3.4	NRW, CCC, Cadw	In looking at cumulative effects on heritage assets the applicant refers to the Upland Ceredigion Registered Historic Landscape (Appendix 6.2, Section 3.2 of its Deadline III submission). There are existing operational wind farms within this area and beyond, and the applicant suggests their presence, both physically within the registered landscape and in views out from it, is not significantly harmful to heritage significance. Please comment.	N/A
4.0	Ecology		
4.1	Applicant	The revised HRASR is dated July 2014, the same date as the version submitted with the application, and is it not apparent which text has been revised, or where additional text has been inserted. It would be helpful to all parties if a version could be provided showing the revisions as tracked changes, and including the revision date and version number, and if this approach	A tracked changes version of the HRASR which was provided at appendix 12.2 of the applicant's deadline III submission document (now marked version 2 and dated January 2015) has been included at Appendix 10 to this table. A further updated version of the HRASR (marked version 3 and dated

		could be applied to any subsequent iterations.	March 2015) has been included at Appendix 11 to this table.
4.2	Applicant	Paragraph 42 of the revised HRASR refers to ES Figure 11.12a as showing the location of the five European sites included in the assessment but this has not been provided and it is not specified whether it replaces or is additional to ES Figure 11.12, which is a plan showing the location of the European sites. Please could the applicant clarify and provide the missing plan?	<p>The proposed Bryn Blaen Wind Farm was submitted for planning after acceptance of this application for examination. Figure 11.12a is an updated version to replace Figure 11.12 of the ES, to include the Bryn Blaen proposal., has been added to the original figure 11.12.</p> <p>Figure 11.12a is included at Appendix 12 to this table.</p>
4.3	Applicant	In relation to the interest features of the Afon Gwy SAC, paragraph 128 states that white clawed crayfish, transition mires and sea lamprey 'are not present above Builth Wells', and that therefore they have not been considered in the assessment. It is not clear from this statement whether these species are present in the Afon Gwy SAC Management Units 2b and 8 selected for the assessment. Please could the applicant clarify?	<p>White-clawed Crayfish and transition mires are not present in the Afon Gwy SAC Management Units 2b and 8 as shown in Table 8 of the HRASR (see also page 11, 14 and 15 of the Core Management Plan in Appendix 2 of the HRASR).</p> <p>Sea Lamprey are not present in Unit 8 but they are present in Unit 2b, and have been recorded spawning as far upstream as Rhayader (see para 82 of the updated HRASR). This was an error in version 2 of the HRASR.</p>
4.4	Applicant	Paragraph 48 of the revised HRASR includes dry heaths in the list of features for which the Elenydd SAC is designated. However, no subsequent reference is made to it. Please could the applicant include in the HRASR an assessment of the potential impacts of the scheme on this feature?	<p>The Elenydd SAC is discussed in paragraph 76 of the updated HRASR (found at Appendix 8 of this table) where it is scoped out because:</p> <p><i>Although part of the site lies within the catchment of the Afon Gwy (River Wye), the habitats are upland habitats and therefore feed into the Afon Gwy (River Wye), rather than being fed by it. With the exception of disturbance, all the pathways described in Table 3 that could cause an effect are via the river itself; therefore there is no route by which materials released on the Mynydd y Gwynt site could reach the Elenydd SAC. As the SAC is designated for habitats and plant</i></p>

			<i>communities, disturbance in the form of noise and movement will not affect these features; although given the separation distance from the SAC neither of these effects would be experienced at the SAC in any event.</i>
4.5	Applicant	It is stated in the applicant's 'Comments on Written Representations, Local Impact Reports and Responses to the ExA's First Written Questions' that the revised HRASR has been changed to include all the features of the Afon Gwy SAC and Elenydd - Mallaen SPA within the screening report. However, while the conservation objectives have been included for the additional features, it is not clear whether an assessment has been made of the potential impacts on those features, and whether Tables 7 and 10 - 'Impacts and Significance' have been updated to reflect the findings. Can the applicant please clarify?	<p>An assessment has been made on the SAC and SPA features and the tables have been updated. The assessment considers the impact on the conservation objectives of the SAC and SPA which in turn relate to specific features of the SAC and SPA.</p> <p>For example Objective 1 for the Elenydd Mallaen SPA specifies the target population of red kite which are one of the SPA features. The assessment records no significant effect on Objective 1 as the population of red kite would not fall below the level described in Objective 1, therefore the features have been assessed too.</p>
4.6	Applicant	Paragraph 101 of the revised HRASR, under 'Proposed Mitigation', states that since the application was submitted changes have been made to the proposed mitigation measures for culverts, river crossings, and settlement ponds, and that these are detailed at Appendix 5. However, although there is a cover sheet at the back of the HRASR titled Appendix 5, no such document has been provided. It is also not clear if and how these revised mitigation measures have been reflected in related documents such as relevant ES chapters and appendices such as, for example, the draft Construction Environmental Management Plan and the draft Surface Water Management Plan. Please could the applicant provide	<p>A copy of this document has already been sent to PINS but, for completeness, a copy is attached at Appendix 13 to this table.</p> <p>There are some consequential changes to:</p> <p>Chapter 11 – Ecology Chapter 14 – Geology, hydrology and hydrogeology Appendix 6.1 – Draft construction environmental management plan Appendix 14.3 – Draft surface water management plan</p> <p>It would be premature to make the necessary changes to these documents at this time as the discussions with NRW have not concluded. In any event, the proposed changes are not significant and</p>

		<p>a copy of Appendix 5 immediately, explain how the revised mitigation measures relate to other application documents, and clarify whether any other documents should and will be updated accordingly?</p>	<p>do not change the assessment in any way as they are alternative methods of achieving the same level of mitigation with possibly less impact. These documents will be updated if and when agreement is reached with NRW.</p>
<p>4.7</p>	<p>Applicant</p>	<p>It is stated that an EPS licence could be required in relation to otters in the last row of column 3 of Table 10 (page 57) of the revised HRASR. There appears to be text missing about what would happen in the event that a pre-construction survey discovered otter holts or resting places. A new insertion in Table 10 on page 59 titled 'Barriers to movement', about the installation of new culverts etc, concludes no likely significant effects on the Afon Gwy SAC features as there is no evidence that any of the species except otter occur on site, and cross-refers to Appendix 5. In the absence of Appendix 5, it is not clear therefore whether effects on otters have been fully considered, and appropriate mitigation measures proposed if necessary. Please could the applicant clarify the position and provide the text missing from page 57?</p>	<p>The effects on Otters have been fully considered. Otter movements normally follow water-courses and they will probably under normal conditions pass through the culverts. However, as Appendix 5 of the HRASR shows, a number of the culverts have been modified (for example a switch to bottomless ones) to make them more suitable for Otters to utilise.</p> <p>Missing Text (which has now been added to HRASR)</p> <p>If breeding sites (otter holt) are found work will either be suspended until the pups are sufficiently mobile to move to other resting sites, or an exclusion buffer zone of at least 100m will be implemented (details would be agreed with NRW).</p> <p>Where works are suspended, pup mobility will be assessed & confirmed through survey under licence and in consultation and agreement of NRW. Otter pups are typically mobile and following their mother at 4 months of age (Harris & Yalden, 2008).</p> <p>Where an otter resting place is found (couch); where practicable a 50m permanent exclusion zone will be put in place. Where this is not possible and in Consultation and with the agreement of NRW, either a smaller exclusion zone will be used or works within 50m of the couch will cease for 1 week. Couches are daytime resting sites and Otter which are typically mobile, and with large ranges, are only likely to use a couch for one or a few days at a time. Male otters are more likely to</p>

			<p>use a couch than female otters and male otter are less susceptible to disturbance than females.</p> <p>Barriers to Movement</p> <p>'Appendix 5 - Revised Proposed Mitigation for Culverts and River Crossings' lists and describes all the Culverts planned to be used at MyG; as the Appendix shows these are being designed in Consultation with NRW. Most of the culverts are replacing / extending existing culverts; there are also some new Bottomless and Clear span culverts.</p> <p>Many small culverts presently exist within the Study Area. The development will see some extra culverts in place, however there will be no new sections of greater than 10m where water courses will be channeled. Otter movements normally follow water-courses, and they will probably under normal conditions, pass through the culverts. In stormy conditions or in the circumstance that a culvert is blocked otter will traverse the short distance overland. Otters are mainly nocturnal and crepuscular and at these times there will normally not be any traffic on site. In winter months when service vehicles may be present on site during twilight (when otter could potentially be active), the likely small number of vehicles coupled with the probable slow vehicle speeds (given the rough nature of the tracks) means that the probability of traffic mortality of otter will be very low.</p>
4.8	Applicant	<p>In the HRASR the scope of the in-combination effects assessment has been revised in relation to the Afon Gwy SAC and the Elenydd - Mallaen SPA and a number of additional projects have been included in the assessment in the revised HRASR. However, updated matrices have not been provided. Please could the applicant provide updated matrices to reflect the revised assessment?</p>	<p>Updated Matrices have been supplied as appendix 1 to the updated HRASR which can be found at Appendix 11.</p>

4.9	Applicant	In relation to the in-combination assessment for the Elenydd - Mallaen SPA, paragraph 132 of the revised HRASR refers to Figure 11.12b as showing the location of each wind farm considered. However, this has not been provided. Please could the applicant provide it?	Figure 11.12b has been provided as Appendix 14 .
4.10	Applicant	The revised in-combination study area for the Afon Gwy SAC is described in paragraph 40 of the revised HRASR as extending as far as the catchment of the Afon Gwy SAC's upper management unit, on the basis that sites outside the catchment could not affect the water quality. No further justification is provided for this assumption. The extent and location of the revised study area is not clear from the text and no plan has been provided. Please could the applicant clarify the extent of the study area and provide a corresponding plan?	<p>Unit 2B extends some 40km south of the site to the confluence with the Afon Ithon. It is considered that below this confluence, increase in river flow volumes from the Ithon and tributaries will dissipate any effect. Flows south of the confluence with the Ithon are over 18 times greater than close to the site (37 m³/s as opposed to 1.99 m³/s).</p> <p>Sites outside the catchment of the River Wye and its tributaries could not affect the SAC as they drain into other rivers and consequently there is no pathway for an effect to be caused. Sites within the catchment of the Ithon could theoretically affect the SAC because the river flows into the SAC near Builth Wells. However, the distance of the sites within the River Ithon from the SAC means the likelihood of pollution or sediment transport to the waters of the SAC was considered to be negligible</p> <p>A new Appendix 6 to the HRASR (to be found at the most recent HRASR at Appendix 11 to this table) illustrates the extent of the Upper Wye catchment and the adjacent catchment used to identify schemes for the in combination effects.</p>
4.11	Applicant, NRW	Please could the applicant/NRW confirm if the revised scope of the in-combination assessment and the additional projects considered were agreed with NRW? Does NRW agree that only Afon Gwy SAC Management Units 2B and 8 need to be considered in the Afon Gwy SAC in-combination assessment?	The revised scope was discussed at a meeting with NRW on 10th November 2014. The discussion focused principally around the scope of the in-combination assessment for the Elenydd Mallaen SPA and the features to include within the assessment for the River Wye SAC. It was agreed that some of the features for which the SAC was designated (e.g white clawed crayfish, Twaite and Allis shad) could be scoped out as they do not occur in the upper units it was understood

			by the applicant that the scope as proposed was accepted by NRW.
4.12	Applicant	Paragraph 134 of the revised HRASR refers to effects of the two operational wind farms closest to the application site (Cefn Croes and Bryn Titli) and states that there is no evidence that they have had a negative effect on the Red Kite population. It also refers to a bird monitoring programme undertaken at Bryn Titli which it is stated shows that its effect on birds has been 'minimal'. Please could the applicant provide further information to substantiate or explain these statements?	Please see the attached Appendix 15 .
4.13	Applicant, NRW	Paragraph 135 of the revised HRASR refers to the effects of the scheme on Red Kite. It is stated that a SNH 2011 literature review estimated that the core foraging range of Red Kite from nest sites during the breeding season is 4km with a maximum range of 6km, and during the winter the foraging range from roost sites is estimated as 10km. It is concluded that the Red Kite from the SPA are unlikely to be affected as only a 'small part' of the SPA is within 4km of the scheme site and only the 'northern part' of the SPA is within 10km of the scheme site; it can therefore be inferred that there is unlikely to be movement of Red Kite between the scheme site and the SPA during the breeding season and that only a small number of Red Kite from the SPA are likely to forage on the scheme site in winter. Please could the applicant provide further evidence to substantiate these conclusions? Please could NRW provide their views on these points?	Further evidence is now provided in the revised HRASR. Please see the attached Appendix 15 .

4.14	Applicant	<p>The information in paragraph 136 of the revised HRASR about the proposed wind farms is not consistent with the information in Table 11 about the proximity of those wind farms to the Elenydd - Mallaen SPA. It is stated that all are more than 6km away so are further than the maximum breeding foraging range (6km) and are 'located towards the edge of the regular winter foraging range' (10km). However, Table 11 shows that Bryn Blaen is within 6km of the SPA, and of the other three, two are 8km and one is 9km away. Please could the applicant explain the apparent inconsistency?</p>	<p>There is an error in Table 11, the nearest turbine at Bryn Blaen is about 6.7 km from a small outlying part of the SPA south of Bryn Titli. The main body of the SPA is further than the figures given in Table 11. It was assumed that the majority of birds originate from the main body of the SPA (because it is a much larger area) and therefore these proposals could only affect a very small proportion of the birds within the SPA during the winter period.</p> <p>Figure 11.12b of the ES shows the relationship of the windfarms to the SPA. Paragraph 136 of the HRASR has been revised to explain their location more clearly:</p> <p><i>136. The other proposed wind farms mentioned above are all located further away from the main body of SPA than Mynydd y Gwynt. They are all located more than 6km from any part of the SPA and therefore are further away than the maximum breeding foraging range and are located towards the edge of the regular winter foraging range from the main body of the SPA. These wind farms are likely to have less of an impact than the existing wind farms and the proposed Mynydd y Gwynt Wind Farm.</i></p>
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4.15	Applicant, NRW	<p>In the revised HRASR, in relation to the in-combination assessment for the Afon Gwy SAC, limited information on the other projects has been provided. Details of proximity of the wind farms to the SAC are only provided for Llandinam Wind Farm Repowering & Extension. In relation to Hendy Wind Farm, it is stated that the impact of silt-laden-run-off is considered to be of minor significance. In relation to Garreg Lwyd Hill Wind Farm, reference is made to a 'Habitats Regulations Assessment letter' and it is stated that '...with the proposed mitigation measures the impact should not be significant'. In relation to Hirrdywell Wind Farm, the position is unclear. It is stated that through the use of mitigation measures any negative impact on the water environment would be at most of minor significance. It is then stated that no significant impacts are predicted on designated sites. In addition, the status of each wind farm is unclear. Paragraph 143 suggests that none have yet been constructed, so it is not clear if any mitigation measures have yet been put in place. a) Please could the applicant provide further information on these other projects and to substantiate these statements? b) Please could NRW provide its comments on the applicant's assessment of in-combination effects with these other projects? c) The applicant has provided a brief in-combination assessment of grid-connection Option 2 (para 147 of the revised HRASR). Does NRW agree with the applicant's conclusion regarding Option 2? d) Whilst accepting that Option 2 would be the most likely route for grid connection, given a grid connection offer being in place, the ExA requests that the applicant</p>	<p>a) The applicant confirms the wind farms considered in the cumulative assessment are still in the planning stage and therefore mitigation measures would not yet have been put in place. Further information on them is provided as follows:</p> <p>Llandinam Wind Farm Repowering & Extension – in planning (part of the Mid Wales (Powys) Conjoined Wind Farms Public Inquiry) The proposed wind farm's site boundary is 6km away from the SAC. See paragraph 5.3 of Appendix 16.1</p> <p>Llaithddu Wind Farm – in planning (part of the Mid Wales (Powys) Conjoined Wind Farms Public Inquiry) The proposed wind farm is approximately 2.5km from the nearest point of the Llaethdy Brook designated as part of the SAC. See paragraph 6.42 of Appendix 16.2</p> <p>Llanbadarn Fynydd Wind Farm – in planning (part of the Mid Wales (Powys) Conjoined Wind Farms Public Inquiry) The proposed wind farm is within 100m of the River Ithon designated as a part of the SAC. See page 7 of Appendix 16.3</p> <p>Hendy Wind Farm – in planning (ref. P/2014/0672) The proposed wind farm is located over 15km downstream of the River Wye but as part of the River Edw has been designated as part of River Wye SAC, the wind farm is approximately 1.3km from the nearest point of the River Edw designated as part of the SAC.</p> <p>Garreg Lwyd Hill Wind farm – Appeal in progress (ref.</p>
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		<p>provides an updated cumulative assessment of the scheme together with the Option 1 grid connection route.</p>	<p>APP/T6850/A/13/2209593) See Appendix 16.4</p> <p>The proposed wind farm is approximately 1km from the nearest point of Gwenlas Brook designated as part of the SAC.</p> <p>Hirddywel Wind Farm – in planning (ref. P/2010/0650)</p> <p>The proposed wind farm is located approximately 4.5km from the nearest point of Llaethdy Brook designated as part of the SAC. The Non-technical Summary for Hirddywel states that impacts on the water environment are considered to be minor. Impacts are therefore not significant.</p> <p>b) NRW will answer c) NRW to answer</p> <p>d) the HRASR has been updated to provide an cumulative assessment of the scheme both of the Elenydd Mallaen SPA and the Afon Gwy SAC.</p>
<p>4.16</p>	<p>NRW</p>	<p>NRW stated in its relevant representation that it considers that the project will have a significant effect on the Afon Gwy SAC, for which an appropriate assessment will need to be undertaken. Following receipt of information submitted for Deadline II and III by the applicant, does NRW remain of the view that additional information is needed from the applicant to inform an appropriate assessment in relation to the Afon Gwy SAC?</p>	<p>The applicant considers that with the proposed water quality monitoring and the changes to the culvert design, that the principal concerns of NRW have been addressed. Taken in combination with the Requirements in the dDCO that would prevent micro-siting of turbines and their immediate infrastructure closer than 50m to a water feature, there is no risk to the River Wye SAC. NRW has only requested dialogue about water quality monitoring (which is now largely resolved) and despite several offers of further meetings with our experts have not indicated that they have further concerns.</p>

4.17	Applicant	Paragraph 5.23 of the applicant's comments submitted for Deadline III, refer to a Red Kite nest survey that was undertaken between March and July 2014. Please could the applicant provide a copy of the survey report, and state whether or how these findings affect the impact assessments in the ES Ecology chapter and the HRA? In the event that they do, an updated impact assessment will need to be provided.	A nest survey has been attached as Appendix 17 . As no nests were found there has been no effect on the impact assessments in the ES Ecology chapter (chapter 11) or the HRA.
4.18	Applicant, NRW, IPs	ES Chapter 17 confirms that the related, although separate, grid connection route has not yet been finalised, and that two possible options have been proposed, either of which could be progressed. NPS EN-1, para 4.9.3 states that where consent is to be sought for a separate application an applicant must provide sufficient information to comply with the EIA Directive including the indirect, secondary and cumulative effects, which will encompass information on grid connections. The applicant sets out in Section 11 of its Deadline III submission why it considers there is compliance with the EIA Directive. Given this response, do other parties agree?	Whilst marked as being a matter for the Applicant, NRW and IPs, the inclusion of the Applicant appears to be an error as the question raised is for the other parties to address.
4.19	Applicant	Can the applicant please comment on NRW's views (its Deadline III submission relating to FWQ 1.8) that: a) The Option 2 grid connection route does not appear to follow the Holford Rules. b) Further information is needed on whether the grid connection to the proposed Mid Wales grid system would necessitate any step changes in the design of the system. c) As it is stated that the grid connection would be interdependent on the Carno 3 wind farm it is unclear how consenting of this project would affect the	a) Simon White for NRW in paragraph 9.2 of Appendix B1 contests that <i>"Whilst some of the route is in conifer plantation, other parts of the line passes through regenerating broadleaf woodland. This would mean that felling would be almost inevitable to maintain a linear corridor, with associated effects. This is contrary to the Holford Rules Rule 5 which indicates that extensive swathes through woodland blocks should be avoided."</i> The relevant Holford Rule 4 & 5 and associated notes say

		<p>grid line design for the MyG project.</p>	<p><i>“Rule 4: Choose tree and hill backgrounds in preference to sky backgrounds wherever possible; and when the line has to cross a ridge, secure this opaque background as long as possible and cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees.</i></p> <p><i>Rule 5:</i></p> <p><i>Prefer moderately open valleys with woods where the apparent height of towers will be reduced, and views of the line will be broken by trees.</i></p> <p><i>Note on Rules 4 & 5</i></p> <p><i>Utilise background and foreground features to reduce the apparent height and domination of towers from pan viewpoints.</i></p> <p><i>Minimise the exposure of numbers of towers on prominent ridges and skylines.</i></p> <p><i>Where possible avoiding cutting extensive swathes through woodland blocks and consider opportunities for skirting edges of copses and woods.”</i></p> <p>The applicant therefore contends that it has chosen a route corridor in line with the recommendations of the Holford Rules. Examination of the option 2 grid route in MYG-ES-APP17.5 ‘Cable Route options Study’ as depicted on MYG-ES-Fig17.12 clearly shows that this rule has been considered and a potential corridor has been suggested that already consists of a wide swathe of open land within the Hafren forest (see photographs in Appendix 17.5). The Hafren Forest is a commercial forest and the NRW Felling Plan shows that large swathes of the Forest are regularly felled as part of the commercial forestry operation. The final choice of route corridor will be subject of a separate NSIP planning application by the DNO and will be subject to</p>
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			<p>consultation and agreement in due course.</p> <p>b) The inclusion of Mynydd y Gwynt into the Mid Wales grid system will not necessitate any step change in the design of the system as currently proposed. As detailed in paragraph 11.28 of our deadline III response the capacity of the new mid Wales hub substation will considerably exceed the demand from currently contracted parties and other wind farm proposals likely to wish to connect to it. The substation will be capable of exporting around 1,800MW compared to 553MW currently contracted. Similarly the 132kV line proposed for the Carno III project will be capable of carrying around 160MW, whereas Carno III as proposed is 48MW.</p> <p>c) In capacity terms whether the Carno III windfarm gets consent or not will not affect the technical specification of the MYG grid line, which is intended to be a 132kV wooden pole line. SPM are currently consulting on the 132kV line from Carno village to Carno III as they currently assess this as their lowest impact route. If Carno III fails to gain consent but MYG goes ahead it is likely that SPM would keep to their preferred route up to this point as it conveniently lies on a direct line route from Mynydd y Gwynt to the Mid Wales hub at Bryngwyn. In financial terms if Carno III failed to gain consent the grid connection costs for the applicant would be proportionately higher, but not prohibitively so.</p>
4.20	Applicant	The in-combination assessment in the revised HRASR includes a number of wind farms that were not previously considered. Their current status in terms of stage of development is unclear. The ExA requests that the applicant confirms which of those schemes have been taken into consideration in the assessment of ecological impacts contained in the ES. In the event	An updated cumulative assessment has been undertaken and is included at Appendix 18 .

		that any of these developments have not been considered as part of the baseline, the applicant will need to update the cumulative assessment in the ES.	
4.21	Applicant	Paragraph 5.23 of the applicant's comments submitted for Deadline III states that although ES Figure 11.4 (Visibility from Viewpoints) appears to show that small areas of the site were not visible, they were in practice. Please could the applicant provide an updated Figure 11.4 to correct this inaccuracy in the information provided?	<p>An updated map can be found in Appendix 19. The map over-estimates areas that cannot be seen as it is based upon ground visibility, while at 30m above ground a greater area will be visible. The only areas that could not be directly seen from one of the two viewpoints were deeply incised valleys and steep slopes. These are the valley of the Nant y Crug in the south and the valley of the Afon Bidno east of T14, along with the west facing steep slope west of Y Foel and T16 and the steep south and west facing slopes of the river Wye, south west of T20 to T25.</p> <p>The geography of the site encompasses steep hillsides and incised valleys, and with such a landform it is very difficult to provide absolute visibility upon all areas. The VP locations chosen, provide on balance the best visibility across the Study Area, based upon any 2 available VP locations. The areas that could not be directly observed (noted above), do not accommodate any turbines or the swept areas of any turbines and birds emerging from these to within visible viewshed would at that point be observed.</p>
4.22	Applicant	The applicant's comments submitted for Deadline III, Appendix 14.3: 'Table detailing the pre- and postmitigation significance levels' is split between pages and presented in such a way that it is not possible to view or understand the information. It is also not clear if this reflects the revised mitigation measures stated to be detailed in Appendix 5 (omitted). Please could the applicant provide an updated (as necessary), reformatted, accessible version?	An updated pre and post-mitigation significance table is provided at Appendix 20 to this table.

4.23	Applicant	<p>Figure 6.6 shows details of the meteorological mast. This does not show cable supports. At the Issue Specific Hearing on the draft DCO it was suggested that it was self-evident that cable support for a mast of this type would be required. Can the applicant provide confirmation that such support is required and whether the presence of supporting cables has been accounted for in the assessment of impacts, particularly regarding bird flight/strike?</p>	<p>The ES was based upon (and assesses) an unstayed, lattice tower met mast. However, since the ES was originally prepared tubular stayed masts have become the industry norm. Stayed masts are lighter with smaller foundations. This is a significant gain over the substantial concrete base that the unstayed lattice tower mast would require.</p> <p>In order to address any concerns regarding potential bird strike of the stays, the applicant would be happy to agree a requirement that the guys be fitted with bird diverter markers – discs approximately 135mm / 5.3” in diameter at 5m intervals on the outer wires, which are effective in deterring collisions.</p> <p>The site has been granted planning permission by PCC for a stayed 65m meteorological mast in the past: copies of the relevant permissions have been requested from PCC but are held in a paper archive and will not be available in time for this response.</p> <p>With these considerations in mind, the applicant would invite NRW to agree that a stayed tubular mast has a lesser impact than a lattice tower mast and to remove its objection, failing which MYG will revert to construction of an unstayed lattice tower mast.</p>
4.24	Applicant, NRW	<p>NRW in its written representation (para A1.8) notes the potential for pollution and effects on the River Wye SAC from operational and post-decommissioning phases of use of the new and upgraded roads for rallying or other activities. In discussions, the applicant has suggested that mitigation could include limiting the use of tracks for rallying via a planning obligation. What is the situation regarding this and is the applicant intending offering such an obligation?</p>	<p>The new tracks will be of limited use to Rallying activities, the great majority being dead ends. NRW initially raised a concern regarding their use for rallying activities during the operational life of the wind farm; the applicant confirmed it is willing to restrict their use and suggested this be done simply through the HMP (to which the landowners will need to be a party and which will be legally binding upon them).</p>

			NRW has subsequently extended this concern to post-operational use and seeks the removal of the new tracks at decommissioning. It is the applicant's view that the removal of tracks may not be justified, that in line with best practice at the time it may be that the least environmental harm will arise from leaving them in situ. However, the applicant is content to agree NRW's request that the new tracks be taken up and remediated on decommissioning.
4.25	Applicant	In the applicant's comments submitted for Deadline III, Appendix 14.4: 'Table of proposed mitigation measures for effects on ecological receptors' there appears to be a problem with the formatting and lines of text are missing throughout from the mitigation column. It is also not clear if this reflects the revised mitigation measures stated to be detailed in Appendix 5 (omitted). Please could the applicant provide an updated (as necessary) and complete version?	<p>A reformatted table has been included at Appendix 21.</p> <p>The table of proposed mitigation measures for effects on ecological receptors includes the mitigation measures detailed in appendix 5 of the HRASR.</p>
4.26	Applicant	During the course of the Examination, the applicant has produced other environmental information with the aim of addressing concerns raised by the statutory nature conservation bodies (SNCBs) and others. In addition to this, there is also relevant information included within other documents, such as Statements of Common Ground (SoCGs) and responses to the ExA's Questions. The ExA wishes to ensure that all interested parties are aware of all environmental information submitted to the Examination (which can be found on the project page on the National Infrastructure pages of the Planning Portal website). The ExA is concerned that over the course of the Examination it may become difficult to identify the most recent environmental information on each topic and the sequence through which it has developed.	A sign posting document has been included at Appendix 22 .

		When the ExA submits his report to the Secretary of State it will also be important that he should be able to follow this evolution of the evidence. The applicant is requested to provide a signposting document to ensure that the evolution of all environmental information is captured, and to update this periodically throughout the Examination. An example of such a document can be found via this link: http://infrastructure.planningportal.gov.uk/document/2528512/	
4.27	Applicant/NRW	A peat management plan is being produced and discussed with NRW (applicant's Deadline III submission, para 5.13). Can an indication be given as to when this is to be submitted as an Examination document?	A draft Peat Management Plan (PMP) was sent to NRW on 9th February, for their comments. At the time of writing NRW has not provided any feedback. Nevertheless, the draft PMP that was sent to NRW has been included at Appendix 23 . A peat overview document has also been provided at Appendix 24 .
5.0	Highways		
5.1	NRW	The applicant has provided further information regarding ecological impacts associated with works to the off-site access route (Appendix 5.1 of its Deadline III submission) following NRW's concerns. Can NRW please comment on this?	