

IN THE MATTER OF

The 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

Deadline VII

COMMENTS BY MYG ON THE INTERESTED PARTIES' DEADLINE VI
SUBMISSIONS

Miscellaneous

16th April 2015

MYG

Miscellaneous Comments on Deadline 6 Responses

1. PCC at paragraph 16 of its written summary of case on policy says, with reference to the applicant's answer to ExA2:

"the applicant has now abandoned any suggestion that the site should have been in SS a D. It is plain that there was never any basis for including the site within and SSA (refined or otherwise) and the decision maker may well think this is "important and relevant" to the decision in the context of EN-3, paragraph 2.2.2"

PCC misunderstands the applicant's position. The applicant's position is very clear and is that it "does not rely on the potential for the site to have been included in the SSA".

As shown in the applicant's response to Simon White's evidence on behalf of NRW at number 1.5 it is, however, clearly the case that the site was scoped out of the TAN8 studies as a result of a misunderstanding of the limitations arising from the Mid Wales tactical training area.

2. In the Cambrian Mountains Society's statement, by Professor Roger Earis, it is said that "[the applicants]... have ranged against them: –
 - all the statutory bodies,
 - the NRW,
 - the county councils,
 - the Welsh government,
 - as well as the landscape bodies.

It is correct to say that there is a debate as to the extent of the landscape impact with, for example, NRW. However, NRW is not a decision-making body in this context and is not engaged in the important balancing exercise which the NPSs require to be undertaken. It is therefore misleading to suggest that NRW can ever properly form an opinion in that regard.

Further, it is assumed that Professor Earis did not intend to include in his list statutory bodies that might not have an interest in landscape and who have no objection to the scheme, such as the National Air Traffic Service, and the applicant does not read such bodies into Professor Earis's list. It is nonetheless not correct to claim that all the statutory bodies and all the landscape bodies are opposing the scheme. In particular, both CADW and the Clwyd Powys Archaeological Trust, which certainly come under the umbrella of "landscape bodies" as well as being statutory bodies, do not oppose the scheme.