



Mynydd y Gwynt Windfarm

Planning Inspectorate EN010020

Natural Resources Wales' Response to Examining Authority's  
Request of 24 April 2015 for Further Information

Deadline X, 14 May 2015

1. This is Natural Resources Wales' (NRW's) response to the Examining Authority's request of 24 April 2015 for additional information. The Examining Authority's requests are set out in italics followed by NRW's response.
2. *Article 12 (5) of the applicant's latest version of the draft DCO (Deadline VII, 16 April) refers to an undefined area. Could the parties confirm how this area is to be defined e.g. by reference to a plan or OS Grid Reference or can either party provide a suitable paragraph for this article?*

NRW's plan of the necessary areas is attached as **Appendix 5**. This plan was sent to the Applicant and PCC on 8 May 2015.

3. *The main update to the HRA Screening Report appears to be the deletion of references to new and existing settlement ponds. However, while some references have been deleted in the draft CEMP and SWMP some remain, e.g. paragraph 48 in the CEMP, and paragraph 8 in the SWMP. Therefore, there appear to be inconsistencies between the documents, and it is not clear whether settlement ponds will be used. The deleted paragraph 18 of the CEMP stated that a new settlement pond (near Turbine 27) would be used to reduce the risk of sediment entering a watercourse, however it is not clear if alternative measures have been proposed in the absence of a pond to prevent sedimentation occurring.*

The proposed new settlement pond at turbine 27 has been deleted by the Applicant. NRW agree with the Applicant that alternative measures can be used in the vicinity of turbine 27 to control sediment including the measures as outlined in the surface water management plan.

However there are a number of existing settlement ponds at the site which are currently used to try and control sediment release to the River Wye from the existing roads and hardstandings, especially during rally events. These are located on the Nant Cwm-y-foel river (two of the ponds are national grid reference (NGR) SN 83077 84306 and SN 82981 83972) and in the vicinity of the proposed turbine 7. In addition there are a number of other ponds which have been constructed on the site for various purposes e.g. NGR SN 83192 84775 and SN 83312 84351. Many of these ponds have been constructed using an impoundment with the current access road passing along the impoundment.

As stated in NRW's Written Representation of 18 December 2015 at least some of these impoundments will require amendments for the upgrading of the proposed windfarm access roads and it is likely that these works will require impoundment licences from NRW. The need for the settlement ponds will be considered by NRW in the determining of these consents.

4. *There are currently no draft submission plans relating to species protection, bat protection or access management, and it is understood that the relevant parties are working on these. Could the relevant parties please ensure that these are submitted no later than Thursday 14 May (Deadline X)?*

No draft plans for bat protection or access management were included in the ES and NRW is not aware that such plans exist. Our understanding is that these plans would be drafted post consent and would be subject at this time to consultation with NRW. Requirements 17 and 18 of the DCO (24 April 2015) set out the information that NRW considers would need to be included in the plans.

No draft species protection plan exists to fulfil the provisions in requirement 15 of the DCO. As set out in NRW's Written Representation of 18 December 2014 Deadline II paragraph c1.36 there is a draft species protection plan in appendix 11.20 of the ES however this plan lacks a number of provisions which NRW consider to be necessary. No further work has been undertaken on this plan during the Examination process. NRW therefore considers that the species protection plan would require further drafting prior to the commencement of the authorised development.

NRW considers that Requirement 15 of the DCO should be amended to include '*No authorised development is to commence until a Species Protection Plan has submitted to and approved by the relevant planning authority subject to prior consultation with and the issue of written advice by Natural Resources Wales*'. This would bring requirement 15 in line with the wording in requirements 8, 9, 14, 16, 17 and 18.

5. *In light of the updated HRA Screening Report, draft DCO and further information provided by Deadline VII, please could NRW specify for which European sites (if any) and which features of those European sites, outstanding issues remain?*

Our response is attached within 'NRW's response to the RIES, Deadline X, 14 May 2015'.

6. *Is NRW satisfied that the mitigation measures proposed by the applicant to avoid effects alone and in combination on the Afon Gwy SAC and Elenydd Mallaen SPA are now secured in the draft DCO?*

Our response is attached within 'NRW's response to the RIES, Deadline X, 14 May 2015'.

7. *Does NRW remain of the view that further information is required to inform appropriate assessments in respect of the Afon Gwy SAC and the Elenydd Mallaen SPA?*

Our response is attached within 'NRW's response to the RIES, Deadline X, 14 May 2015'.