

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 XI**

MYG's response to the ExA's request for further information  
(dated 19<sup>th</sup> May 2015)

20<sup>th</sup> May 2015

## **Introduction**

1. This document has been prepared in response to the Examiner's request for further information dated 19<sup>th</sup> May 2015. This document responds to the points raised by Powys County Council ("PCC") in relation to the amendments to the draft Development Consent Order.

## **Article 6 – Power to Deviate**

2. MYG considers that the proposed wording that was submitted in the final Development Consent Order at Deadline X offers the same protection as the wording proposed by PCC.
3. However, should the Examiner be more comfortable with the wording proposed by PCC then MYG would be willing to accept the new wording.

## **Requirement 3 – Time Limit**

4. MYG does not agree with PCC's proposed amendment. This matter has been dealt with in MYG's 'DCO Table' that was submitted at Deadline VII (Document No 7) at pages 11-15.
5. MYG does not wish to delay the construction of the wind farm and does not seek an extended time limit for any reason other than a real concern that its development consent may expire before it is possible to commence construction, this being dependant upon the grid connection project having made satisfactory progress.

## **Requirement 5 - Decommissioning and Site Restoration**

6. In relation to point (2)(b) MYG contends that the proposed wording that was submitted in the final Development Consent Order at Deadline X offers the same protection as the wording proposed by PCC however it is prepared to accept the proposed amendments.
7. In relation to PCC's concerns regarding Requirement 5(4) and 5(5), MYG agrees that the securing of funds for restoration, remediation and monitoring costs is appropriate and confirms this is not in dispute. MYG notes that the wording deleted in the Garreg Lwyd Hill decision differed from that agreed for this scheme and that that decision was not, of course, made under the

Planning Act 2008. In short, MYG does not agree that the mechanism proposed and agreed with PCC is defective. In any event, MYG agrees that should it not be capable of being secured by way of a requirement then it will work with PCC to secure the funds by way of an alternative mechanism.

**Requirement 8 – Construction Traffic Management Plan**

8. MYG does not agree with PCC's proposed amendment. This matter has been dealt with in MYG's 'DCO Table' that was submitted at Deadline VII (Document No 7) at page 16.
  
9. MYG contends that the requirement as submitted in Deadline X offers adequate protection to the highways that could be affected by the proposed development. The road concerned is entirely trunk road, designed and intended to carry the type and quantity of traffic associated with the construction of the proposed development, and in respect of which the MYG construction traffic will be only a minor component of the traffic overall (ES, chapter 13). MYG will however agree to a revision of the requirement so that it is as proposed by PCC but with the distance reduced to "within 1km" of the site entrance, on the basis that any effect upon the trunk road is likely to be concentrated on the area where traffic is turning into and out of the site, and accelerating away from and braking towards the site entrance.