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CAERPHILLY COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CAERFFILI

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**Date: 20th January 2016**

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Dear Sir/Madam,

A meeting of **Council** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 26th January, 2016** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

Chris Burns

**Chris Burns**
INTERIM CHIEF EXECUTIVE

**A G E N D A**

Pages

1 To receive apologies for absence.

2 Mayor's Announcements.

3 Presentation of Awards.

4 Short Film Presentation - "It's My Shout".

5 Declarations of interest.
Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

6 Council held on 17th November 2015 (minute nos 1 - 18).

1 - 10

To receive and consider the following report from the meeting of Cabinet held on 20th January 2016: -

7 Planning Guidance for Smaller Scale Wind Turbine Development/ Caerphilly County Borough Landscape Sensitivity and Capacity Study.

11 - 202

To receive and consider the following reports: -

8 Establishment of Audit and Risk Assurance Committee/Panel for South East Wales Education Achievement Service.

203 - 212

9 Caerphilly County Borough Council Response to the Draft Local Government (Wales) Bill.

213 - 220

10 Election of Caerphilly Youth Champion.

221 - 224

To receive and to answer the following question received under Rule of Procedure 10(2): -

11 Welsh Medium Education - to Councillor Passmore, Cabinet Member for Education and Lifelong Learning, from Councillor P.J. Bevan: -

The growth of Welsh Medium education is the result of parental demand, and to date authorities have merely responded to existing demand. In doing so, they have only made additional provision as and when existing schools have reached capacity.

The Schools Standards and Organisation (Wales) Act 2013 however, requires local authorities to "promote" Welsh medium education. But while there is sufficient short term capacity in most of our Welsh medium schools in Caerffili County, the authority is satisfied that it meets demand. The definition of "promote" however, is to "encourage further advance" and this requires the authority to create demand if it is to satisfy the requirements of the 2013 Act.

Will the Cabinet Member for Education say what steps the authority is taking to achieve the legal demands of the Act, which is to "promote" Welsh medium education i.e. opening new schools in areas where demand has been identified.

**Circulation:**
All Members And Appropriate Officers


# COUNCIL

## MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 17TH NOVEMBER 2015 AT 5.00 PM

PRESENT:

Councillor L. Gardiner - Mayor
Councillor Mrs D. Price - Deputy Mayor

Councillors:

L. Ackerman, M. Adams, Mrs E.M. Aldworth, A.P. Angel, J. Bevan, P.J. Bevan, Mrs A. Blackman, D. Bolter, D.G. Carter, Mrs P. Cook, C.J. Cuss, H.W. David, W. David, D.T. Davies, H.R. Davies, K. Dawson, C. Elsbury, M. Evans, Mrs C. Forehead, Miss E. Forehead, J.E. Fussell, Ms J. Gale, N. George, C.J. Gordon, R.W. Gough, D. Havard, C. Hawker, G.J. Hughes, K. James, M.P. James, Mrs B.A. Jones, Ms J.G. Jones, Miss L. Jones, S. Kent, G. Kirby, Ms P. Leonard, A. Lewis, K. Lloyd, C.P. Mann, S. Morgan, Mrs G. Oliver, Mrs R. Passmore, D.V. Poole, D.W.R. Preece, M.J. Prew, J. Pritchard, J.A. Pritchard, A. Rees, D. Rees, K.V. Reynolds, Mrs M.E. Sargent, J. Simmonds, S. Skivens, E. Stenner, J. Taylor, T.J. Williams, R. Woodyatt

Together with:-

C. Burns (Interim Chief Executive), C. Harrhy (Corporate Director – Communities), D. Street (Corporate Director of Social Services), N. Scammell (Acting Director of Corporate Services and Section 151 Officer), P. Elliott (Head of Regeneration and Planning), R. Kyte (Team Leader - Strategic and Development Planning), J. Morgan (Trading Standards, Licensing and Registration Services Manager), M. McSherry (Licensing Manager), A. Price (Interim Deputy Monitoring Officer) and R. Barrett (Committee Services Officer)

### 1. MAYOR'S ANNOUNCEMENT - PARIS TERRORIST ATTACKS

The Mayor referred to the recent terrorist attacks in Paris, France, on the evening of Friday 13th November 2015, which resulted in the deaths of 130 people and left hundreds more wounded. All present stood for a moment of silence as a mark of respect for the victims of this tragic event.

Members agreed that a letter be sent to authorities in Paris to convey the condolences of Caerphilly County Borough Council.

## 2. WEB-CASTING FILMING AND VOTING ARRANGEMENTS

The Interim Chief Executive reminded those present that the meeting was being filmed and would be made publicly available in live and archive form via the Council's website. He advised that decisions would be made by a show of hands.

Reference was made to the matter of sitting/standing whilst speaking at Council, and the Interim Chief Executive advised that although it had historically been customary for Members to stand whilst addressing Council as a mark of respect to their peers, this practice had been revised with the introduction of webcasting (whereby Members spoke in a sitting position instead to allow for a clearer video image). It had since been established that the video cameras worked equally well irrespective of whether speakers chose to sit or stand, and a number of Members had subsequently requested a review of the policy in that the practice of standing whilst addressing Council be reinstated.

Clarification was sought on whether there would be an exemption to the practice of standing for those Members who were disabled or had difficulty in standing, and it was confirmed that discretion would be afforded in such circumstances.

By a show of hands (and in noting there was 1 against) it was agreed by the majority present that the practice of Members standing to address Council be reinstated with immediate effect.

## 3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H.A. Andrews, Mrs K.R. Baker, L. Binding, N. Dix, Mrs P. Griffiths, A.G. Higgs, G. Johnston, J.E. Roberts, R. Saralis, Mrs J. Summers and L.G. Whittle.

## 4. MAYOR'S ANNOUNCEMENTS

The Mayor referred to the many events and visits that he and the Deputy Mayor have undertaken since the last meeting. He also made reference to the many commemorative events for Armistice Day that had been hosted across the county borough, which had been very well received. Of particular note was the unveiling of a new memorial garden in Princetown and Tafarnaubach, honouring those who served in the two world wars, and the Mayor paid tribute to the community spirit of those local residents involved in the creation of this memorial.

## 5. PRESENTATION OF AWARDS

**Winding House Museums and Heritage Service – Kids in Museums and Telegraph Award**

Members were informed that the Telegraph Family Friendly Museum award is the largest such award in the UK. The Winding House in New Tredegar was recently short-listed amongst 6 museums across the whole of the UK to be chosen as the most Family Friendly, and was the first museum in Wales to be short-listed for 10 years.

At the Telegraph Newspaper office in September 2015, the overall winner was announced, and although the Winding House did not win on this occasion, the Telegraph and Kids in Museums took the unprecedented step of creating a special award for the Winding House (Special Commendation for Outstanding Contribution to their Local Community).

The award was inspired by the positive and supportive swathe of comments from their visitors and the local community, as well as the Telegraph's own mystery visitors. On the night of the awards, the Director of Kids in Museums commented on the need to acknowledge the achievements of the Winding House and recognise their commitment to serving their community, welcoming families, and supporting and enabling them to discover their own heritage.

Helen Wilson and Emma Wilson from the Winding House Museums and Heritage Service came forward to receive the award from the Mayor.

**Cwmcarn Forest and Visitor Centre – Family Day Out of the Year**

Cwmcarn Forest recently achieved a V Award for 'Family Day Out of The Year' as voted for by the readers of Voice magazine (South Wales region) beating a number of other prestigious attractions within the area.

With a varied and full events programme, wildlife explorer trails for the children, toddlers' play area, many walking and cycling trails, Ravens Café and a four star campsite, the overall package of events activities and services all contributed to making Cwmcarn Forest the best family day out.

Tracy Hughes from Cwmcarn Visitor Centre came forward to receive the award from the Mayor.

**Blackwood Miners Institute - Theatre of the Year**

Blackwood Miners' Institute was recently awarded 'Theatre of the Year' at the V Awards, as voted for by the readers of Voice Magazine.

Blackwood Miners' Institute is the only professional theatre in the county borough, and hosts a comprehensive programme of arts and entertainment. It is also widely used by local community and amateur groups of all ages enabling them to rehearse and perform in first class facilities.

This award demonstrates that Blackwood Miners Institute is officially recognised for its high quality and varied programme and a commitment to raising the profile of the arts and creativity in the region.

Ian MacVicar on behalf of Blackwood Miners Institute came forward to receive the award from the Mayor.

**Caerphilly Apprentice of the Year**

Members were informed that in 2006 the Sector Skills Council introduced NVQs in recycling to meet the requirements of the Waste Directive and the need for skilled staff within the waste industry. In 2012 the Sector Skills Council introduced upgrade qualifications in the form of sustainable resource management in 2012, which was funded through the Welsh Government work-based learning apprenticeship program.

Nigel Phillips from the Waste Management Team saw this as an opportunity to further his career and after completing his Level 2 apprenticeship, signed up for a Level 3 Diploma in Sustainable Recycling Activities (Supervisory). Having successfully completed this, Nigel will now progress to Level 4.

The organisation who deliver this training, Safe and Secure Training, are part of the Quality Skills Alliance, a consortium managed by the Cardiff and Vale Colleges and monitored by ESTYN. At the end of each course the assessors nominate an apprentice who has continuously endeavoured to produce work of the highest quality and meet the set deadlines. From the 26 candidates successfully completing the course and receiving their certificates, the assessors had no hesitation in nominating Nigel as Caerphilly's Apprentice of the Year.

Since the funding was made available by the Welsh Government for work-based learning, Caerphilly's refuse and cleansing department has now over 100 staff with national vocational qualifications in recycling or sustainable resource management (nearly 50% of the workforce). This has contributed to the ongoing success of the department and high satisfaction levels expressed by residents.

Nigel Phillips came forward to receive the award from the Mayor.

**Alfie's Angels – Cardiff Half Marathon for Ty Hafan**

A group of Council employees tackled the Cardiff Half Marathon in October 2015 with help from Welsh rugby legend Gareth Thomas. The group, known as Alfie's Angels, featured in a new BBC series as part of the 'Live Longer Wales' season.

Hayley Bowen, Elizabeth Barrett, Sherell McLaughlan and Emma Matuszczyk-Jones participated in the training along with 12 friends from the local community. All the group successfully completed the Cardiff Half Marathon, raising over £10,000 for Ty Hafan.

Members congratulated Alfie's Angels on their achievement and thanked them for doing their part to promote the benefits of leading a healthy lifestyle.

Hayley Bowen, Elizabeth Barrett, Sherell McLaughlan, Emma Matuszczyk-Jones, Claire McLaughlan, Lisa James, Bethan Bowen, Natalie Williams, Avril Stephens, Louise Lott, Gail Temby, Helen Mayo, Chloe Mayo, Kelly Lewis and Adam Jones came forward to be congratulated by the Mayor.

The Mayor indicated that he would arrange for a letter of thanks to be sent to Ty Hafan, which is one of his chosen charities for 2015.

## 6. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

## 7. SPECIAL COUNCIL – 29TH SEPTEMBER 2015

RESOLVED that the following minutes be approved as a correct record and signed by the Mayor.

Special Council held on 29th September 2015 (minute nos. 1-8).

## 8. COUNCIL – 6TH OCTOBER 2015

RESOLVED that the following minutes be approved as a correct record and signed by the Mayor.

Council held on 6th October 2015 (minute nos. 1-16).

## 9. SPECIAL COUNCIL – 28TH OCTOBER 2015

RESOLVED that the following minutes be approved as a correct record and signed by the Mayor.

Council held on 28th October 2015 (minute nos. 1-5).

## 10. COUNCILLOR JOHN BEVAN

Councillor John Bevan referred to the recent loss of his wife, Councillor Gina Bevan, and thanked Members for the numerous messages of support and condolence that he and his family had received.

## REPORTS REFERRED FROM CABINET

Consideration was given to the following reports referred from Cabinet.

## 11. CORPORATE SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

The report, which was considered by Cabinet on 14th October 2015, outlined the final draft of the Corporate Safeguarding Children and Vulnerable Adults Policy and sought the approval of Council on its content.

Members were informed that between March and May 2014 the Welsh Audit Office (WAO) completed a review of Caerphilly County Borough Council's assurance and accountability arrangements for ensuring that safeguarding policies and procedures were in place and being adhered to.

The findings of the Review were published in October 2014 and 5 key areas for improvement were identified, mainly around corporate governance, which included updating the Safeguarding Policy, accountability and reporting and including Safeguarding within the Internal Audit work programme. Full details of the recommendations were contained within the report. These findings were reported to Cabinet on 10th December 2014, where it was agreed that a cross-directorate group of key Officers would be established to implement the recommendations made by WAO.

This report provided an update on the actions taken to meet the WAO requirements through the production of an overarching Corporate Safeguarding Policy. At the meeting of Cabinet on 14th October 2015, it was noted that there had been some amendments to the Policy since the time of printing. Details of these were outlined within the Officer's covering report that was presented to Council. The proposal to develop a Corporate Safeguarding portal on the Council's intranet site was noted by Cabinet and it was also agreed that Councillor Robin Woodyatt be named Lead Cabinet Member for Safeguarding.

During consideration of the report by Council, Members were asked to note that the Review did not identify any weaknesses in the operational day to day safeguarding arrangements for children and young people in Caerphilly and that the recommendations relate to the corporate governance of these arrangements. Officers also confirmed that nominations for Elected Member representation from each of the Political Party Groups to join the Corporate

Safeguarding Group would be sought following the meeting.

It was moved and seconded that the recommendations from Cabinet as outlined in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons set out in the report:-

(i) the Chief Executive be given delegated authority to make minor amendments to details within the policy as indicated during the meeting and that the draft Corporate Safeguarding Children and Vulnerable Adults Policy be approved as amended;

(ii) Councillor R. Woodyatt be nominated as Lead Cabinet Member for Safeguarding.

**12. PROPOSED CHANGES TO THE CCBC CIL REGULATION 123 LIST OF INFRASTRUCTURE**

The report was considered by the Regeneration and Environment Scrutiny Committee on 27th October 2015 and thereafter Cabinet on 11th November 2015. It presented the findings of the public consultation exercise undertaken in respect of the proposed changes to the Regulation 123 List and sought Members' approval on the publication of the Replacement Regulation 123 List in accordance with the implementation of Community Infrastructure Levy (CIL).

Members were advised that Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL. It is proposed to make some changes to this list which will enable school provision to be sought on-site in line with the aspirations of the adopted Local Development Plan (LDP) via Section 106 obligations. The proposed changes to the Regulation 123 List (as appended to the report) will have a minimal impact on the viability evidence that was considered by the CIL Examiner in that it will only impact on two specific sites (namely Waterloo Works and Bedwas Colliery).

Following consideration and discussion, it was moved and seconded that the recommendations from Cabinet as outlined in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED for the reasons set in the report:-

(i) the findings of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List be noted;

(ii) the Replacement Regulation 123 List be approved for publication in accordance with the implementation of Community Infrastructure Levy.

**REPORTS OF OFFICERS**

Consideration was given to the following reports.

## 13. LICENSING ACT 2013 – REVIEW OF STATEMENT OF LICENSING POLICY

The report, which informed Members of the necessity to review the Statement of Licensing Policy and the result of consultations carried out, was considered by the Licensing Committee on 24th September 2015.

The Licensing Act 2003 requires the Authority to publish a Statement of Licensing Policy to determine how licensing applications are considered. The Authority is required to review the statement every five years, with the current Policy published in January 2011 and a revised Policy required for publication in January 2016.

In reviewing the Policy, the Authority has consulted with relevant bodies and invited comments from residents and businesses throughout the county borough. Regard has been given to the guidance issued by the Home Office and reflected in the revised Policy (as appended to the report) and there have also been a number of legislative changes that have a direct effect on the Policy. A number of statutory controls, which have an effect on the Licensing function, are set out in the revised policy, together with the inclusion of relevant data from the Local Health Board.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

> RESOLVED that for the reasons set out in the report, the revised Statement of Licensing Policy be approved.

## 14. GAMBLING ACT 2005 – REVIEW OF STATEMENT OF LICENSING POLICY

The report, which informed Members of the result of consultation carried out to review the Statement of Gambling Licensing Policy, was considered by the Licensing Committee on 24th September 2015.

The Gambling Act 2005 requires the Licensing Authority to prepare, consult upon and approve a Statement of Licensing Policy that must be reviewed every three years. The current Policy was approved by Council and published in January 2013.

In reviewing the Policy, the Authority has consulted with relevant bodies and individuals and invited comments from residents and businesses throughout the county borough. Regard has been given to a number of legislative changes, together with new guidance and a Licensing Conditions and Codes of Practice (LCCP) document issued by the Gambling Commission, and reflected in the revised Policy (as appended to the report).

During the course of the ensuing debate, concerns were raised in respect of a perceived saturation of gambling premises across the county borough and links to poverty and anti-social behaviour within local communities. Officers explained that due to current legislation in place, a cumulative impact policy in respect of gambling premises could not be presently applied within the county borough but that this was a matter of concern that had been raised by the Welsh Local Government Association. Should there be a change to this legislation, then Officers would seek to re-examine the number of premises within a particular location. Members were reminded of the aims of the Licensing Objectives which also apply to gambling premises and address matters such as the prevention of crime and disorder.

A query was also raised regarding legislation surrounding fixed-odds betting machines located within gambling premises. Officers confirmed that although the Government were not currently minded to change such legislation, a special board within the WLGA were currently

considering an appeal in respect of this matter.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons set out in the report, the revised Statement of Gambling Licensing Policy be approved.

**15. MEMBERS' PLANNING SITE VISITS**

The report was presented to the Planning Committee on 4th November 2015 and advised Members of the Royal Town Planning Institute (RTPI) research in relation to the operation of Planning Committees in Wales and their recommendations in relation to site visits.

In order to meet the requirements of the Planning Wales Act 2016, the views of the Planning Committee were sought on the suggested changes to the current site visit protocol, prior to the report being presented to Council for consideration.

At that meeting, a number of comments and suggested amendments from Members were received in respect of the proposed changes. It was suggested that the RTPI recommendation that site visits be identified by Officers in consultation with the Chair be extended to include reference to the Vice-Chair. A query was also raised regarding the final decision in the event of any dispute about the need for a site visit and it was confirmed that this will be taken by the Chair and/or Vice Chair in consultation with the Head of Planning and Regeneration and/or the Development Control Manager, and be reflected in the revised protocol accordingly.

Full details of these comments and amendments were detailed in the covering report and amended site visit protocol, which were appended to the Officer's original report that had been presented to Planning Committee.

During consideration of the report by Council, clarification was sought on the new protocol in respect of Members requesting a site visit within 21 days of receiving the weekly list of planning applications, with it queried as to whether the Officer's report and recommendation to the Planning Committee would be available within this timeframe. Officers explained that the final version of such reports are published one week prior to Planning Committee but that Members could approach the relevant Case Officer to seek guidance on the anticipated recommendation for individual applications and then choose whether or not to request a site visit.

An additional recommendation to the report was moved and seconded, in that the proposed changes to the amended site visit protocol be reviewed in six months' time. As such, and subject to the inclusion of this additional recommendation, it was moved and seconded that the recommendations in the Officer's covering report be approved. By a show of hands (and in noting there was 1 against and 1 abstention), this was agreed by the majority present.

RESOLVED that for the reasons set out in the report:-

(i) subject to the foregoing amendments, the proposed changes to the site visit protocol (as outlined in the Officer's report and appended to the covering report) be approved;

(ii) the Council's Monitoring Officer be authorised to make the relevant changes to the Council's Constitution;

(iii) the changes to the site visit protocol be reviewed after a period of six months from the date of implementation.

## 16. STANDARDS COMMITTEE – APPOINTMENT OF INDEPENDENT MEMBER

The report outlined the need to appoint an independent member to the Standards Committee, and to consider a recommendation for the appointment of a reserve.

On 17th May 2015, Mr Phillip Morgan, stood down as an Independent Member of the Standards Committee. A Panel was established to consider all the applications for the subsequent vacancy and to make a recommendation to Council. Arising from the application process, three candidates were interviewed on 16th October 2015.

Following interview, the Panel considered that two of the candidates could be considered for appointment, and after discussion agreed the following:-

(i) that Mr Maldwyn Stone be recommended for appointment as independent member of the Standards Committee for a period of four years from 18th November 2015;

(ii) that Council be asked to agree that a reserve list of independent members be set up and Mr David Tolley be invited to remain on that reserve list for a period of six months from 18th November 2015.

During consideration of the report by Council, Members placed on record their appreciation to Mr Morgan for his invaluable contribution to the work of the Standards Committee.

It was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons set out in the report:-

(i) Mr Maldwyn Stone be appointed for a period of four years from 18th November 2015 as an independent member of the Standards Committee;

(ii) a reserve list of independent members be established and Mr David Tolley be invited to remain on that list for a period of six months from 18th November 2015.

## 17. ANNUAL LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES 2014-2015

The report was presented to the Standards Committee on 4th November 2015. Members were provided with the Annual Letter (2014-2015) from the Public Services Ombudsman for Wales regarding complaints received and investigated by the Ombudsman. The data attached as an appendix to the Annual Letter included a detailed breakdown of complaints received and investigated and response times to requests for information.

Members noted that in relation to Caerphilly, whilst there had been a noticeable increase in the number of complaints received by the Ombudsman compared with 2013/14, this figure remains below the local authority average.

The original Annual Letter from the Ombudsman indicated that all responses from the Authority in respect of requests for information were received more than four weeks after the request. Following clarification with the Ombudsman's office, it was agreed to amend the letter to clarify that one response was received by the time limit agreed with the investigator. An amended Annual Letter had since been received and presented to the Standards Committee, with a copy appended to the report that was presented to Council.

Clarification was sought on the reasons for an increase in complaints in respect of Planning and Building Control compared to 2013/14. The Interim Chief Executive explained that as each complaint entailed an individual matter, it was difficult to generalise such complaints, but that the data had been monitored and there appeared to be no underlying reasons or circumstances for this increase. Assurances were also given that this matter had been fully debated by the Audit Committee.

It was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

> RESOLVED that for the reasons set out in the report, the contents of the amended Annual Letter be noted.

**18. QUESTIONS UNDER RULE OF PROCEDURE 10(2)**

There were no questions submitted under Rule of Procedure 10(2).

The meeting closed at 5.54 pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 26th January 2016, they were signed by the Mayor.

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MAYOR


## COUNCIL - 26TH JANUARY 2016

**SUBJECT:** **PLANNING GUIDANCE FOR SMALLER SCALE WIND TURBINE DEVELOPMENT/ CAERPHILLY COUNTY BOROUGH LANDSCAPE SENSITIVITY AND CAPACITY STUDY**

**REPORT BY:** **ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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1.1 The attached report was presented to Cabinet on 20th January 2016. The recommendations of Cabinet will be reported at the meeting.

1.2 Members will be asked to consider the recommendations of Cabinet.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendix Report to Cabinet – 20th January 2016

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# CABINET – 20TH JANUARY 2016

**SUBJECT:** **PLANNING GUIDANCE FOR SMALLER SCALE WIND TURBINE DEVELOPMENT/CAERPHILLY COUNTY BOROUGH LANDSCAPE SENSITIVITY AND CAPACITY STUDY**

**REPORT BY:** **ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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1.1 The attached report, which was presented to the Regeneration and Environment Scrutiny Committee on 8th December 2015, provided an update on technical work undertaken in respect of supplementary planning guidance for wind turbines and outlined the results of public consultation and representations received in respect of the Supplementary Planning Guidance for Smaller Scale Wind Turbine Development and the Caerphilly County Borough Landscape Sensitivity and Capacity Study.

1.2 The report sought the comments of Members on the representations received and the minor amendments proposed to the guidance in respect of wind turbine development as a result, prior to its presentation to Cabinet and thereafter Council for approval as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan (LDP) up to 2021.

1.3 Members were advised that concerns have arisen over the significant number of applications for single and multiple wind turbines being received in the area, and the cumulative impact arising from this. Landscape Officers felt there was insufficient guidance for local authorities or developers to allow consistent assessment of the potential impacts of these smaller scale developments. In response to this, Blaenau Gwent Council (on behalf of the Heads of the Valleys Authorities, including Caerphilly County Borough Council) commissioned a specialist company to undertake a study on this matter.

1.4 This work informed the new guidance, which has been prepared in two parts (Supplementary Planning Guidance for Smaller Scale Wind Turbine Development and the Caerphilly County Borough Landscape Sensitivity and Capacity Study). Details of the consultation process and the representations received in respect of the guidance were summarised within the report, together with a copy of the consultation reports included within the appendices.

1.5 Members commented on the low consultation response received from the public in respect of the new guidance and Officers explained that this could be due to the technical nature of the document in that it is of greater relevance to the planning and development industry than to the general public. It was confirmed that a good response had been received from a cross-section of environmental organisations, industry representatives and local authorities against both parts of the new guidance, who were in agreement with a number of the proposals contained therein.

1.6 Members raised concerns regarding the proposed landscape sensitivity and capacity guidance in that it did not stipulate additional policy. Members expressed a need for strict planning criteria to be applied to the development of wind turbines. Officers outlined current

policy in respect of such developments and explained that the Supplementary Planning Guidance is a piece of technical guidance that sits within the Council's planning policy (the Local Development Plan up to 2021). Officers confirmed that they would examine emerging policy to determine whether it can be strengthened in the forthcoming Replacement LDP in terms of required criteria for future wind turbine applications. Members requested that their concerns on this matter be reported to Cabinet and Council.

1.7 Following consideration and discussion of the report, and in noting the representations received, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet (and thereafter Council) that for the reasons contained therein:-

(i) the representations received as part of the consultations undertaken and the minor amendments proposed in Appendix 3 of the report with regards to the Supplementary Planning Guidance for Smaller Scale Wind Turbine Development and the Caerphilly County Borough Landscape Sensitivity and Capacity Study be considered;

(ii) the guidance be approved as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

1.8 Members are asked to consider these recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:
Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 8th December 2015 – Agenda Item 7

APPENDIX 1

# REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 8TH DECEMBER 2015

**SUBJECT:** **PLANNING GUIDANCE FOR SMALLER SCALE WIND TURBINE DEVELOPMENT /CAERPHILLY COUNTY BOROUGH LANDSCAPE SENSITIVITY AND CAPACITY STUDY**

**REPORT BY:** **CORPORATE DIRECTOR - COMMUNITIES**

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## 1. PURPOSE OF REPORT

1.1 To update members on technical work undertaken in respect of supplementary planning guidance for wind turbines.

1.2 To inform members of the public consultation exercise undertaken in respect of the following:

1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
2 Caerphilly County Borough Landscape Sensitivity and Capacity Study.

1.3 To outline to members the representations made in respect of this Supplementary Planning Guidance during the six week public consultation exercise held in August /October 2015.

1.4 To consider the recommendations contained within this report in respect of the guidance and make any necessary recommendations to Cabinet and thereafter Council.

1.5 To recommend to Cabinet and thereafter Council that the guidance be approved as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

## 2. SUMMARY

2.1 This study was commissioned by Blaenau Gwent Council on behalf of an informal group of Heads of the Valleys Local Planning Authorities, including Caerphilly County Borough Council. This was in response to concern over the significant number of applications for single or multiple wind turbines being received in the area. Landscape Officers felt that there was insufficient guidance for local authorities or developers to allow consistent assessment of the potential impacts of these smaller scale developments.

2.2 In response to this, Blaenau Gwent (the leading authority in this study) commissioned Gillespie's LLP to undertake work on behalf of the Heads of the Valleys Authorities. This informed the guidance which has been prepared in two parts as follows:

1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development; and

2 Caerphilly County Borough Landscape Sensitivity and Capacity Study.

2.3 Both parts have been subject to formal public consultation between November 2014 and October 2015. Representations received during these consultation periods are outlined in the consultation reports.

## 3. LINKS TO STRATEGY

3.1 The Single Integrated Plan ***Caerphilly Delivers*** has been prepared by the LSB and represents a determined commitment by all partners to accelerate change, strengthen partnership working, multi-agency collaboration, and accountability for delivery.

3.2 ***Caerphilly Delivers*** has been developed based on 4 key principles of:

- Sustainable development where we promote social justice and equality of opportunity and enhance the natural and cultural environment and respect its limits
- Equalities and Welsh language where we all promote and mainstream equalities and the Welsh language in accordance with our legislative requirements and strategic equality objectives.
- Early intervention and prevention goals with the aim of either preventing matters from getting worse or occurring in the first place, by identifying those in greatest need from their vulnerability, their risk of becoming vulnerable or from otherwise becoming disadvantaged.
- Community cohesion where people from different backgrounds enjoy similar life opportunities, understand their rights and responsibilities and trust one another and are trusting of local institutions to act fairly.

3.3 The Caerphilly County Borough Local Development Plan up to 2021 (LDP) is the statutory framework for the development and use of land within the County Borough. It provides the policy framework for the development and conservation needs of the County Borough and is used by the Council to guide and control development.

3.4 Policy SP10 of the LDP seeks to 'protect, conserve, enhance and manage the natural heritage of the County Borough in the consideration of all proposals within both the rural and built environments'. When approved this Supplementary Planning Guidance (SPG) will build upon this policy.

## 4. THE REPORT

**Policy Context**

4.1 Planning Guidance on Wind Turbines is contained in Planning Policy Wales and Technical Advice Note 8 (TAN 8) Planning for Renewable Energy (2005). TAN 8 states that '*Onshore wind power offers the greatest potential for increase in the generation of electricity from renewable energy in the short to medium term'* and that following extensive studies, large scale onshore wind turbines (over 25MW) should be concentrated into particular areas defined as 'Strategic Search Areas' (SSA's), and that 'most areas outside SSAs should remain free of large wind power schemes'. There is no SSA's designated within Caerphilly County Borough.

**Background**

4.2 Caerphilly County Borough Council, along with neighbouring authorities in the Heads of the Valleys Area, have received a high number of applications for wind turbines in recent years. Concerns are raised over the cumulative impact that a high number of wind turbines could potentially have on the landscape and there is an identified need to provide consistent guidance for local authorities and developers, to ensure that the potential impacts of these

smaller scale developments on landscape is adequately controlled.

4.3 In response to this, Blaenau Gwent (the leading authority in this study) commissioned Gillespie's LLP to undertake work on behalf of the Heads of the Valleys Authorities. This informed the guidance which has been prepared in two parts as follows:

1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development; and
2 Caerphilly County Borough Landscape Sensitivity and Capacity Study

4.4 Part 1 of the Guidance was prepared in 2014 for the sub region and *sets* out the technical requirements for applicants as follows:

- Minimum requirements for submission of a request for an Environmental Impact Assessment (EIA) Screening Opinion;
- A methodology to be employed for EIA Screening; and
- Minimum requirements and standards of information to be submitted as part of a Landscape Visual Impact Assessment (LVIA) for both EIA and non-EIA applications.

4.5 Part 1 was subject to public consultation for a 6 week period between 7th of November and 19th of December 2014. Over a hundred different organisations were consulted including all Welsh Local Planning Authorities, Statutory Bodies, National organisations and Planning & Landscape Consultants. A copy of the consultation report is attached at Appendix 1.

4.6 There was a low response rate, with only ten responses received. There was however a good cross section of environmental organisations, industry representatives and local authorities that responded. Seven of the respondents that completed the questionnaire agreed that guidance is required to ensure that landscape and visual impacts of wind turbines are addressed in a consistent manner. Generally, most agreed with the typologies proposed, the size of the study area, the minimum requirements for submission of an EIA screening, the methodology, the approach to cumulative effects and search distances and the cumulative threshold for other infrastructure. All seven agreed with the minimum requirements of information to be provided for Landscape and Visual Impact Assessment. Most agreed with the use of LANDMAP as part of the Landscape and Visual Impact Assessment.

4.7 Part 2 of the Guidance, namely Caerphilly County Borough Landscape Sensitivity and Capacity Study is split into 6 sections:

Section 1: sets out the background and policy context for the study
Section 2: Identifies the methodology used in the study
Section 3: sets out the study area, landscape types and the units proposed
Section 4: includes the landscape sensitivity and capacity funding for each landscape unit (incorporating the landscape units from the HOV study and the rest of Caerphilly study)
Section 5: covers general locational guidance
Section 6: includes supporting maps and figures.

4.8 Part 2 of the Guidance separates the county borough into sixteen landscape units. For each unit there is:

- A map;
- An assessment of each LANDMAP criteria;
- An Assessment of the value of the landscape;
- A summary of the sensitivity to the wind turbine categories;
- Landscape capacity and guidance for siting of wind turbines.

4.9 Part 2 of the Guidance has also been subject of public consultation. The Heads of the Valleys Area formed part of the original consultation in November 2014, whilst the remainder of Caerphilly was consulted on separately in August/October 2015. Over one hundred different organisations were consulted including all Welsh Local Planning Authorities, Statutory Bodies, National organisations and Planning & Landscape Consultants. A copy of the consultation report for Part 2 is attached at Appendix 2 and Appendix 3.

4.10 Although there was a low response rate in November 2014 (Appendix 2), with only 8 responses, there was a good cross section of environmental organisations, industry representatives and local authorities. All respondents agreed that a common methodology for undertaking Landscape Sensitivity and Capacity studies would be helpful. Not surprisingly there was disagreement on the proposed categories, definition of sensitivity, and the criteria for assessing landscape and visual susceptibility. All these comments have been taken into account and the document amended where appropriate.

4.11 A total of 4 responses were received during the consultation undertaken in August/October 2015 (Appendix 3). One representor raised an objection to the landscape units identified in Gelligaer and the information contained in LANDMAP. However, as individual wind turbine applications would still need to complete a Landscape Visual Impact Assessment (LVIA), and given that the LANDMAP data is set and managed by NRW, it is deemed that no changes to the study are required. The remaining responses were comments seeking greater clarification in respect of policy input.

4.12 Subject to consideration by elected members, the Guidance once approved will be adopted as Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

## 5. EQUALITIES IMPLICATIONS

5.1 Stakeholder engagement has been undertaken in line with the Agreed DA, which has full regard for the Citizens Engagement Strategy and the Equalities Strategy of the Council.

## 6. FINANCIAL IMPLICATIONS

6.1 There are no new financial implications.

## 7. PERSONNEL IMPLICATIONS

7.1 None

## 8. CONSULTATIONS

8.1 All comments received have been incorporated in the report.

## 9. RECOMMENDATIONS

9.1 To consider the representations received as part of the consultations undertaken in regards to and to recommend the minor amendments proposed in Appendix 3 with regards to:

1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
2 Caerphilly County Borough Landscape Sensitivity and Capacity Study.

9.2 To recommend to Cabinet and thereafter Council that the guidance be approved as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

## 10. REASONS FOR THE RECOMMENDATIONS

10.1 In order to provide consistency with adjoining local authorities on technical guidance to wind turbine development.

10.2 In order for the guidance note to be used in all planning applications and planning matters, where relevant.

## 11. STATUTORY POWER

11.1 Part 6 Planning and Compulsory Purchase Act 2004.

11.2 Town and Country Planning (Local Development Plan)(Wales) Regulations 2005.

Author: Adeline Wilcox, Senior Planning Officer, Strategic and Development Plans
Consultees: Cllr K James, Cabinet Member for Planning, Regeneration and Sustainability
C Harrhy, Corporate Director Communities
P Elliott, Head of Regeneration & Planning
R Kyte, Team Leader Strategic and Development Plans
P Griffiths, Acting Manager of Countryside and Landscape Service
T Stephens, Development Control Manager
N Daniels, Landscape Architect
G Williams, Acting Monitoring Officer

Background Papers:
1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
2 Landscape Sensitivity and Capacity Study

Appendices:
Appendix 1: Consultation Report: Planning Guidance for Smaller Scale Wind Turbine Development: Landscape and Visual Impact Assessment
Appendix 2: Consultation Report: Heads of the Valleys Landscape Sensitivity and Capacity Study'
Appendix 3: Consultation Report: Caerphilly County Borough Landscape Sensitivity and Capacity Study'

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# Planning Guidance for Smaller Scale Wind Turbine Development Landscape and Visual Impact Assessment Requirements Supplementary Planning Guidance

## Consultation Report

Gillespies were commissioned by Blaenau Gwent County Borough Council on behalf of the Heads of the Valleys Local Authorities to prepare this study. The assessment approach was developed with the client group and with representatives from the South Wales Landscape Liaison Group.

This report sets out the consultation that was undertaken on the draft document, including a summary of the responses received and how they have been taken into account by the Council.

A 6 week consultation exercise was carried out between 7th November 2014 and 19th December 2014. The consultation included an email to over 100 organisations which included all Welsh Local Planning Authorities, Statutory Bodies, National organisations, local interest groups and Planning and Landscape Consultants. The email informed them of the consultation and provided a link to the document and comment form.

A consultation event was held on Tuesday 16th of December at the Norwegian Church, Cardiff. This was well attended by environmental groups, local authority planners and landscape architects and landscape consultants.

Ten responses to the consultation were received. These were from a range of Local Planning Authorities, Industry Representatives and environmental groups including NRW.

The following table contains the representations made during the consultation period and the response to them. Where appropriate, the document has been amended to take account of the views received.

Questionnaire Results

- All 7 agreed that guidance is required to ensure landscape and visual impacts of wind turbines are addressed in a consistent manner.
- 4 agreed and no one disagreed with the typologies proposed in the guidance
- All agreed with the size of the study areas being proposed for each typology
- 3 agreed and 3 neither agreed or disagreed with the minimum requirements for the submission of and EIA screening
- 4 agreed and 3 disagreed with the methodology proposed for EIA screeing
- 6 agreed and 1 disagreed with the proposed approach to cumulative effects and the proposed search distances
- 4 agreed and 2 disagreed with the proposed cumulative threshold for other infrastructure

- All 7agreed with the general minimum requirements of information to be provided for Landscape and Visual Impact Assessment 6 agreed and 1 disagreed with the specific requirements for Landscape and Visual Impact Assessment
- 5 agreed and 1 disagreed with the use of LANDMAP as part of the Landscape and Visual Impact Assessment

Please note that not everyone answered the questionnaire and not everyone answered every question.

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| **Q1: Do you agree that the use of a common methodology across Wales for undertaking Landscape Sensitivity and Capacity studies would be helpful?** | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | It is agreed that a common methodology across Wales would be helpful nevertheless there are several important caveats and points that should be emphasised.<br>Firstly that even more than the Heads of the Valleys Report such a nationwide study would be at a strategic level and would not be a substitute for a more detailed study for each proposed individual wind turbine development.<br>Secondly that such approach and its implementation are rather belated given the level of proposed, consented and operational wind farm development across Wales in the past two decades. There is the issue of how such a study would relate to TAN8 which was based upon a similar type of exercise.<br>Thirdly there is the issue of cost and logistics as well as how to assure that all the Welsh local authorities treat the results of the study in the same manner. | Noted<br>Agree<br>Agree<br>Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Agree | We agree with this in principle; however there are still significant inaccuracies which persist, e.g. as highlighted by the report authors in Unit 24 (presumably referring to LANDMAP Aspect Area (AA) 13); and AA1b which has recently changed its' name, which can result in confusion. | As LANDMAP is being constantly updated it is inevitable that there will be changes. All Guidance stresses that the most recent LANDMAP data should be used for an application |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | Agree | We agree that this type of study is very helpful for developers, local planning authorities and third parties, such as the local community, in providing clarity and identifying sensitive areas. We welcome this particular study, as the Heads of the Valleys area is complex and varied in terms of landscape, with areas that are highly vulnerable and areas that can accommodate some wind turbine development.<br><br>However, applying this methodology across Wales will need to take regional variation, such as differing priorities into account. The obvious example will be that National Parks and AONBs will have stricter criteria than other areas, and the methodology must accommodate this. Similarly, there must be flexibility within the methodology to reflect the differing development priorities for different areas. | Noted. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Sergio Zappulo Development Manager REG Windpower | Agree | Providing that an appropriate and robust methodology is to be applied, it would be very welcome for a common methodology to be used across Wales, as this would offer certainty and comparability of all such assessments.<br>In this regard, it is important to ensure that judgements made in this study are benchmarked in relation to the whole of the Welsh landscape, not just the study area. That is to say, those landscapes considered to be of 'high' sensitivity are truly the highest-sensitivity landscapes across Wales, not simply the most sensitive in the Heads of the Valleys. | Noted<br><br>It was not within the scope of our study to do this. We do not know of any sensitivity studies in England or Wales that have attempted to assess sensitivity on a national basis. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Agree | Whilst agreeing that a common methodology across Wales would be helpful, the methodology itself causes specific concern for Rhondda Cynon Taf County Borough Council in relation to the TAN 8 SSAs. Rhondda Cynon Taf is the only LPA with land in a SSA in the HOV area (part of SSA F).<br>Stage Three of the methodology adopts the implicit objective of TAN 8 to accept significant change in landscape character resulting from wind turbine development located within the SSA. This overlooks the intention in TAN 8 that local planning authorities will undertake local refinement of their SSAs (paragraph 2.4), and so applies the acceptance of significant change to the whole, broad-brush, unrefined SSA (in Rhondda Cynon Taf). The methodology thereby risks producing an outcome that overrides the intrinsic sensitivity of the SSA landscape derived from its underlying susceptibility and value.<br>The refinement of SSA F in Rhondda Cynon Taf was carried out by multi-criteria analysis in accordance with the methodology in TAN 8 Annex D. The refined SSA F in Rhondda Cynon Taf (significantly smaller than the unrefined SSA) has been criticised as lacking weight in planning since it was “noted as a background paper” by the County Borough Council i.e. it was neither adopted nor rejected.<br>Nevertheless, two important point emerge: | Noted<br><br>References in the introduction have been strengthened to confirm that this study is intended for developments that considered suitable for areas outside SSA only. Wording used in the guidance has been repeated. Note added and reference made to the TAN 8 Annex D Study of Strategic Search Areas E and F: South Wales Valleys Final report (2006) both in the introduction and in the landscape objectives section to make explicit that the current study does not supersede there refinement study. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| | | 1. The refined SSA has generally been successful in guiding where development should be carried out in SSA F (see attached map);<br>2. Due to the density of built and approved development, SSA F is now nearing the maximum target set by the Welsh Government Minister for Environment and Sustainable Development in July 2011. This relieves development pressure in the undeveloped parts of the unrefined SSA (that is, outside the refined SSA).<br>The methodology of accepting significant landscape change within the unrefined SSA F but outside the refined SSA F risks additional development on the high ground between the Cynon and Rhondda Fach valleys and between the Rhondda Fawr and Ogmore valleys, with significant cumulative landscape and visual effects on the residents of the densely-settled valley floors.<br>There are two suggested options.<br>· The TAN8 annex D study and the refined SSA boundary are noted and mapped respectively, with text to state that the study does not supersede these boundaries, or areas of high landscape sensitivity defined in the study.<br>· The HOV study excludes areas 1, 3, 4 and 5.<br>The SSAs present special issues of intensity of development and proximity to settlements. Therefore, it is suggested that more thought will need to be given to the methodology for assessing sensitivity not only in and around SSA F but also in other SSAs elsewhere in Wales. A strong vision is needed to prevent unacceptable effects on the landscapes and populations of these areas: the methodology does not adequately address these. | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Q2: Do you agree with the proposed wind farm typologies? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | Please see the related response to Q2 of the landscape and visual impact assessment requirements questionnaire. | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | Whilst it is agreed that the adoption of a set of typologies is helpful (notwithstanding the constant overarching caveat that there will always be the need for detailed individual LVIAs for any proposed wind turbine development), we do not agree with the definition of the wind farm typologies that has been proposed. It is biased towards the generation of a definition that a proposed wind farm should be categorised as being 'large' or 'very large' with the commensurate greater restrictions upon its strategic acceptability.<br>Under the proposed typology a proposed wind farm would be categorised as being 'very large' if it consists of more than five turbines of any height or a single turbine with a blade tip height in excess of 109m. This typology does not adequately reflect the recent development in turbine technology or the numbers of turbines contained in the wind farm developments that have been consented or become operational in the area that is covered by the Heads of the Valleys Study. It would appear inappropriate that the proposed Pen Bryn Oer Wind Farm which comprises three 110m blade tip turbines would be placed in the same 'very large' typology as the currently being constructed Pen-y-Cymoedd Wind Farm which consists of 76 turbines that will be 145m blade tip height. | Because this study is concerned with smaller scale development only it is appropriate that both these schemes should fall into the very large category |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| | | The typology should be redefined so as to better reflect the range of wind turbine development that is operational, consented and proposed across the Heads of the Valleys study area. The corollary of adopting the present typology will be the sort of distribution of sensitivities for 'large' and 'very large' turbines as shown in Figures 14 and 15 in which the large majority or all of the study area is categorised as being of 'medium-high' or 'high' sensitivity. This outcome is not particularly helpful in differentiating varying sensitivity and capacity across different landscape units nor does it reflect the actual pattern of wind farm development that has arisen across the study area. | The aim of the study was not to reflect what has happened but to look at landscape sensitivity - this is only one possible aspect of the suitability of a site for WTD |
| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Disagree | One very fundamental issue is that the Airvolution Energy (AvE) proposals for two turbines at Hafod-y-Dafal south east of Cwm do not fit into any of these proposed "Typologies". At two turbines in extent, it should fall under the "Small" typology. However at a maximum of 131m to tip, it could also fall under "Very Large".<br><br>Another example might be a single turbine of 80m to tip which could be categorised as either "Micro" or "Medium" depending on whether the tip height or extent criteria were used. | We hope we have resolved this confusion by making the criteria clearer. Development must meet both criteria. The turbines at Hafod-y- dafal are greater than 109m to blade tip height and must therefore be in the very large typology.<br><br>We have revised the typology tables to try and make this clearer.<br>We have omitted the between ranges for the turbines - which we now realise |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| | | Planning Guidance for Wind Turbine Development Landscape and Visual Impact Assessment Requirements (LVIAR) which is referred to as the source document for the Typologies, states under Table 1: "…to decide in which typology a development belongs it must satisfy both the height and the turbine numbers criteria. See the examples on page 0.5". However if a development (such as Hafod) does not satisfy both criteria, there is no indication of how to resolve this incompatibility, and the illustrated examples in LVIAR (Figure 1) merely compound this conundrum.<br><br>Since this underpins the determination of any and all conclusions arising from the Landscape Sensitivity and Capacity Study Final Report (LSCS), the report "falls at the first hurdle" and is therefore effectively not fit for purpose. Surely it is not being suggested that every development must comply with both criteria, or otherwise be automatically rejected?<br><br>Interestingly, in LSCS it appears that the authors have "interpolated" between the two typology criteria as in Fig.07 and also Section 4 Hafod appears to be classified as "Medium" (and wrongly recorded as being two proposals) even though this approach is contrary to the aforementioned guidance as laid out in LVIAR. For this reason, we are unsure as to which typology the Hafod development should be classified under and hence the appropriate specifics which apply, both in terms of the standard and extent of information now considered acceptable for the typology in question (LVIAR) and the capacity and sensitivity of the landscape to the typology in question (LSCS). | confused the issue.<br><br>Hafod was incorrectly shown on the plan and described previously.<br><br>Plan amended to show Hafod-y-Dafal as Very Large and text changed |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Disagree | There needs to be greater clarity as to how to determine the typology of a wind turbine development. For example, should a single 109m turbine be classified as a micro, large, or something in between? | |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | The typologies include consideration of both turbine height and turbine numbers. We query the interaction between height and number. This can lead to inconsistencies such as, for example, a single turbine of 110m and a group of five turbines at 79m would both be considered a 'very large' development, despite having significant differences in terms of their likely interaction with the landscape. In our experience, turbine height is more critical in judging the principle of wind turbine development within an area (ie sensitivity). Turbine numbers may be more relevant to a consideration of 'capacity'. It is noted that, for operational and consented schemes, only height has been considered (page 11) and the reasons for this difference is not stated. If this is appropriate for operational and consented schemes, it may be appropriate to focus on height for all schemes. | We have addressed this emphasising the fact that this sensitivity study is for smaller scale development and by clarifying the typologies. |
| | | It could be more clearly stated how the cut-off heights were arrived at. Reference is made to the *Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements*, although the consultation draft of this document does not provide this detail either. In defining these typologies, it is not clear if regard was had to the turbines currently operating and planned in the study area, or likely future trends. For example, there are a number of consented schemes in the study area with turbines of 145m, which is significantly greater than the 110m cut-off for the 'very large' category. The document could clarify that the 'very large' | Cut off heights were chose to align with other studies |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| | | category does indeed have no upper limit, and that the conclusions in relation to 110m turbines would remain valid for turbines of 150m+ which may be proposed in the future. | |
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Neither Agree nor Disagree | The typologies are simple but seem to be quite restrictive. With most wind energy sensitivity studies, the size of turbine and the number of turbines are separated to allow flexibility in the future with changes in technologies and pattern of development. Single or double turbines over 109m to VBT are now coming forward so it is likely that the Very Large category will be challenged. | Developments in the *Very Large category will be assessed on a case by case basis.* |
| | | It is apparent that the strategy is to concentrate any Large or Very Large developments in SSAs and Medium or smaller developments everywhere else. Whilst this might be true of the HOV study area, we are not sure that this will achieve government policy/targets if applied everywhere in Wales. | This study is only concerned with the landscape sensitivity of the HOV area and not with achieving government policy/targets across Wales. |
| | | The only difficulty encountered with applying the typologies is where one development comprises turbines in more than one height category e.g. 3 at 100m plus 7 at 120m. Splitting the scheme into two typologies results in one Large typology adjacent to one Very Large typology, which should probably be treated as one Very Large typology. A note to cover this situation is needed. | Generally we think that schemes which incorporate different turbines should be discouraged. The scheme described would fall under the very large typology due to the number of turbines involved (10). I believe such situations, which are likely to be rare, can be left to the good sense of the planning officer. In addition the scheme described would be greater than 5MW and we have made it clearer that the study is aimed at under 5MW schemes. |
| **Q3: Do you agree with the proposed definition of sensitivity?** | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Disagree | The inconsistent use of terminology between definitions of sensitivity makes comparisons between them more difficult. For instance, the definitions for "low and high sensitivity" explicitly address the vulnerability of the key landscape characteristics, while the term "vulnerable" is absent from the definition of "medium" sensitivity.<br>It would also be beneficial if there was more consistency between the definitions when describing the impacts on the character of the landscape and the value placed on the landscape. The descriptions currently vary as follows: "significant adverse effects", "result in change" and "significant effects". | We have reviewed these and consider that these are not inconsistences in terminology but aim to describe the different kinds of effects that might be expected from landscapes that have low medium or high sensitivity |
| Ian Gates<br>Associate Director,<br>Landscape<br>AMEC E&I UK Ltd | Disagree | The definitions are broadly correct but there are some amendments that would be helpful and reflect the reality of wind farm landscape assessments. Amongst these small-scale changes are:<br>For Low Sensitivity given that for almost any wind turbine an LVIA would conclude that there would be some significant effects upon landscape character even if these are spatially restricted to the immediate vicinity of the proposed turbine, it is unrealistic to state that this definition only applies to areas (or landscape units) where no significant adverse effects would arise. | This would be true in an English context but TAN 8 explicitly refers to no significant change outside SSAs |
| | | We consider that the use of the terms 'area' and 'landscape' appear to be used interchangeably. This definition is too vague in the context of this Study and should be replaced by 'landscape unit' as this is the scale at which the Study has been undertaken. | The effect are not just limited to the landscape unit in which the development is proposed but may be on the surrounding or adjacent units - therefore to replace area and landscape with landscape unit would be inaccurate |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | Table 2; Definition of Sensitivity; although the text correctly acknowledges that sensitivity is determined by consideration of both susceptibility and value, the sensitivity criteria in Table 2 are not specifically referred to in the text; make no mention of either susceptibility or value, and appear to "pre-judge" significance of effects; reading in fact more like effects criteria than sensitivity criteria. | The sensitivity definitions are a two sentence summary and cannot include everything. The detailed consideration of susceptibility and value and made clear in the methodology and in the actual study |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | The sensitivity definitions are appropriate and clearly stated. It is generally accepted by planners that all commercial-scale wind turbines are likely to give rise in a change in landscape character at a local scale. It would be helpful for the study to acknowledge this to ensure that these definitions are not read to imply that any change in character, no matter how small, is unacceptable. | TAN 8 explicitly refers to no significant change outside SSAs which is the wording used her for low sensitivity |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | There are 3 definitions (low, medium and high) but 5 different levels of sensitivity identified in the study area. This is confusing and could be contentious at public inquiries. There should be 5 definitions to explain low to medium and medium to high. | It is very common for intermediate assessments of medium/high to be given without a separate definition |
| Q4: Do you agree with the proposed criteria for assessing landscape and visual susceptibility to wind turbine development? | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Disagree | It is unclear whether cultural heritage features, such as scheduled ancient monuments (SAMs) and listed buildings, form part of the criteria for assessing landscape and visual susceptibility. These heritage features are known to be susceptible to wind turbine development, particularly in respect of harm to their settings. Whilst it is possible that SAMs and listed buildings are considered under the criteria relating to *Built Environment* and *Skylines and Settings*, it is not explicit in the explanatory text. | In this study heritage features are assessed in terms of their contribution to the landscape. A separate cultural heritage assessment of impacts on setting would need to be undertaken. |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | This response will provide brief comments on each criterion.<br>Scale – agree that VS8 is the correct LANDMAP Survey Collector Response to use. Do not agree with the statement that "A large height differential ... by lessening the size of the turbines" as poorly sited turbines in an elevated location close to lower lying areas can increase the sense of the turbines being overbearing in these less elevated areas in the manner that has been identified in some LVIA reviews provided to local authorities in south Wales that have been prepared by White Associates, as is implied in the remainder of the commentary on this criterion in the Study. This sentence could be interpreted as contradicting the justification for the landform criterion. | We think this criterion is clear. They are inevitably very brief description of some quite complex ideas which are likely to be explore in depth for particular schemes. |
| | | Landform – see comment above. Suggest altering so that 'high hills/mountains' is high susceptibility and 'hills/valleys, rolling land undulating' is medium susceptibility. Landcover pattern – broadly agree apart from the statement that the presence of a field pattern will | As above |
| | | inherently result in high susceptibility: if the field pattern is regular and/or large scale and/or is formed by ditches; low trimmed hedgerows or post and wire fences. | A mosaic field pattern, not just any field pattern has high susceptibly |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Built environment – it is agreed that the presence of existing manmade features will generally reduce a Landscape Unit's (LU's) sensitivity to the presence of wind turbines. As is recognised in the supporting text the statement that the frequency of "built form and human intervention" is indicative of reduced sensitivity does appear to contradict the need for visual sensitivity to be considered (as it correctly is later on). The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are weak proxies for considering effect s upon built environment compared with the other three criteria listed under this heading. | Don't understand how this contradicts the need for visual sensitivity to be considered. It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less likely that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.<br>The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are additional information not proxies |
| | | Skylines and setting – generally agree although if it is accepted that wind farms themselves form a distinctive skyline feature then this criterion would mitigate against extending existing wind farms or grouping together wind farm developments thereby reducing the potential for extending existing wind farms. | Whilst turbines are clearly skyline features they are not generally considered to be distinctive features requiring protection. We always have to believe that decision makers will apply common sense when they consider individual applications |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Movement – Generally agree but the criterion needs to be more subtle and specific about different types of movement within an LU and do not agree that the responses to Survey Collector Question VS18: Level of Human Access provides a good indication of the amount of movement in an LU. Had always assumed it was a reference to the density of the PRoW network or presence of Open Access Land. These are not good proxies for the effects that would be generated by the movement of turbine blades. Should rely upon observation during survey. | Question VS18: Level of Human Access provides additional information to observation during survey. The method for assessing VS18 refers to busy roads, motorways, town centres, small villages, rural roads, mountain footpaths etc. and in this respect supported observations during field survey. |
| | | Visibility, key views and vistas – This criterion runs the risk of conflating landscape and visual sensitivity. With regard to landscape sensitivity it is not agreed that a high degree of enclosure and topographical variation and/or high levels of landcover are less susceptible. For VS9: enclosure, the equation of a sense of enclosure with low susceptibility to wind turbine development and exposure with high susceptibility are not in accordance with wind farm design guidance. | The difference here is that we are dealing with smaller scale development where enclosure in some instances may enable a smaller turbine to be accommodated. |
| | | Intervisibility and Associations with Adjacent Landscapes. – This criterion is essentially a repeat of the previous criterion. | It depends on similar physical characteristics but focuses on different aspects |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Typical Receptors – Whilst the comments on the relative visual sensitivities of different broad categories of visual receptors is agreed as they accord with the general approach that has always been adopted in the different editions of the GLVIA, it could be interpreted as being contrary to the earlier built environment criteria. It also effectively requires an outline visual receptor baseline study to be undertaken. | It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons. |
| | | Views to and from important landscape and cultural heritage features. – Whilst it is agreed that these are important considerations, they are better considered at the more detailed stage when an LVIA and/or Cultural Heritage Impact Assessment is undertaken. As it is proposed that the response to this criterion is prepared solely upon the basis of site visit(s) it is not clear how this could be meaningfully considered at the scale of LUs and it is best considered under more detailed assessments for individual wind energy developers. | In the actual LU assessments this criteria is very useful as it indicates the features that are important to consider that this should be helpful to both developer and LPAs |
| | | Scenic Quality and Character – at the strategic level at which this Study is concerned it is agreed that Survey Collector Responses VS46-VS48 are appropriate to use although as the supporting text strongly indicates there is a large degree of overlap with the criterion applied for landscape value. Also given that for many of the other criteria suggested the Study correctly advocates that LANDMAP data is supported by observation during study, the same approach should be adopted for this criterion. Simple reliance upon LANDMAP Collector Survey Responses seems to be a broad brush approach even at this 'strategic level'. | Text added |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Remoteness Tranquillity – It is agreed that LANDMAP Survey Collector Response VS24 is useful for reviewing this criterion, it is not the case that inaccessible or remote LUs are inherently of high susceptibility to wind farm development nor are "accessible /frequented /busy" landscapes always of low susceptibility. There is some contradiction with the criteria suggested under the 'movement' and 'built development' headings. Also at the scale of LUs these attributes are likely to vary considerably within individual LUs. | It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons. |
| | | Landscape Value – compared with the 12 separate criteria that are advanced to assess landscape and visual susceptibility the use of just two criteria for landscape value; one of which is solely concerned with historic value could be considered to be unbalanced. Also the approach of using designations as a proxy could be criticised for ignoring earlier statements in the Study (as well as in other guidance) that even some nationally designated areas may have potential in some of their parts to accommodate certain types of landscape change. The statement that local landscape designations, namely SLAs, closely follow very sensitive national designations is disputed especially given that in some parts of the study area SLAs are very extensive covering nearly all the upland areas. | Wording has been amended |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Also it is not agreed that the outstanding or high values for LANDMAP Survey Collector Responses LH45; GL31; and GL33 should be interpreted as these LUs having a high landscape value with regard to wind turbine development. This is because these geological or ecological evaluations are often generated by the presence of one or two RIG sites or a small number of locally rare habitats; phenomena that would be avoided by any well-designed wind turbine proposal. The presence of a RIG site at the other side of an LU should have no influence upon suitability to host a wind turbine development. | This section is not identifying susceptibility to wind turbines. It is identifying indicators of landscape value as recommended by GLVIA3. |
| | | Historic Value – Again even at a strategic scale this approach is simplistic; there should be a consideration of the reasons for the high or outstanding evaluations for the HL38-HL40 Survey Collector Responses to allow a review as to whether these could be affected by wind turbine development. Also from experience of undertaking LVIAs in this part of south Wales we are aware that a high proportion of HLAAs have been ascribed with high or outstanding evaluations thereby making it highly likely that a high proportion of LUs will be attributed with high landscape value in this study. | This criteria is measuring the value placed on the landscape and if a large number of aspect areas have been ascribed a high historic value that it a fact to be taken into consideration. The assessment for each LU has looked in more details at the reasons for the evaluation. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | Table 3 and Stage 1"Landscape and Visual Sensitivity Criteria". LSCS purports to be informed by GLVIA3. However GLVIA3 indicates that landscape and visual assessment should be carried out as two separate but related activities. In this report they appear to be combined. This could lead to some confusion. Whilst we agree with some perceptual attributes such as skylines and settings, key views and vistas and intervisibility can help to determine landscape susceptibility (even though it's wrongly in our opinion listed under "visual criteria") we do not agree with the specific "typical (visual) receptors" criteria. This is because visual assessment relates to point-based rather than generic receptors and its inclusion in the criteria could render the overall conclusions questionable (see below , Q12,for an example of this). | Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap.<br>Typical (visual) receptors is one criteria and we do not consider that it could render the overall conclusions questionable. |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | The criteria are clearly described and their application is explained. There is some doubt as the specific applications of LANDMAP answers: for example under the Landcover Pattern criterion, the answers for VS16 include 'formal' under low sensitivity, although a formal landscape may be more sensitive to interruption. VS16 also includes the possible answer 'organised' which does not fall under any of the sensitivity levels. Other examples could be quoted but generally the approach is both clearly set out and properly grounded in established good practice. | The study does not remove the need for case by case analysis which should highlight a 'formal' landscape that would be harmed by interruption |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jill Kibble<br>Planning Liaison<br>CPRW<br>Montgomeryshire Branch | | We feel this is a very thorough appraisal and that similar work could usefully be done in other LPAs. We are not landscape experts and would not presume to comment on the detailed methodologies. We have considered the response made by CPRW Brecon and Radnorshire Branch and would fully endorse all the points they have cogently made particularly as regards Third Party Consultation requirement with interested stakeholders who have intimate understanding of the area under consideration. We would also emphasise that landscape has an economic component and that in some areas of wales, for example Montgomeryshire, rural tourism and quiet outdoor pursuits are of considerable importance (12% of GDP) and that there is a considerable value to employers in the quality of the environment when recruiting senior staff. Landscape thus has more than an aesthetic value and planning officers must weigh economic value in the balance. Failure to do so has, of course, been the subject of recent applications for Judicial Review in Powys. | The impact on tourism is part of the planning balance but not part of the landscape sensitivity assessment although scenic value is often an indicator of value to tourism |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Our only additional comment over and above those provided by Brecon and Radnorshire would be on Landmap.<br>Landmap can be a useful tool but has a tendency to encourage ' salami slicing' of the landscape into parcels that are not necessarily topographical entities and when considering massive, moving and vertical structures in the landscape the visibility over a considerable area, that probably encompasses a number of Landmap classifications, is essential. It is not the Landmap Visual / Sensory classification of the land on which the turbine itself stands that is of prime importance but the whole context of the landscapes in which it is seen. Landmap is irrelevant to the viewer who has a sensory perception of the quality of the landscape in its entirely. | Our Landscape Units are wider than the LANDMAP aspect areas but the assessment also requires a consideration of intervisibility between landscape units which should encompass the idea of seeing the landscape as a whole. |
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Disagree | The criteria are agreed except:<br>**Landcover pattern:**<br>VS 16 –'formal' is defined in LANDMAP as elements/features with a formal designed relationship with each other. This is clearly sensitive. Suggest that:<br>low susceptibility is regular,<br>medium susceptibility is organised and<br>high susceptibility is random and formal.<br>Aesthetic/perceptual and experiential criteria: | In fact the only time in the study area the answer for VS 16 is formal it is in relation to commercial forestry which clearly does not have high sensitivity |
| | | The use of scenic quality, character and integrity values may be seen as double counting with overall value. | We see it as confirmation rather than double counting as we do not use a scoring system |
| | | VS 24 – safe and settled are duplicated in medium and high | Corrected |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | susceptibility | |
| Q5: Do you agree with the proposed Stage 1 Assessment Framework? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | Whilst we agree with the overarching approach and the need to draw upon LANDMAP Survey Collector Responses and strongly agree that these need to be supported and enhanced by site work there are a number of weaknesses in the approach suggested. In particular some of the criteria are contradictory with regard to attributes such as topography and landform; the relative isolation of the LU with regard the presence of settlements and level of public access; how to deal with relative isolation; and the use of Collector Survey Responses that are determined by the presence of location specific phenomena such as RIG sites. | It is acknowledged in the study that some indicators of susceptibility <u>are</u> contradictory and this has to be considered in the overall assessment |
| | | Also it is important to understand that whilst LANDMAP is a very useful source of information and has the large advantage that it is a quality assured database that extends across all parts of Wales, the Survey Collector Responses were generally compiled on the basis of field work that was undertaken almost a decade ago i.e. before the majority of the present operational wind turbines were present. Although this is acknowledged later in the methodology, it is not clear how they incorporated into the final indicative landscape capacities | They were incorporated into the final indicative landscape capacities through the use of the online WT database & site survey |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Disagree | See Above | Noted |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | We broadly agree with the assessment framework as setting out an appropriate approach to landscape sensitivity and capacity evaluation. It is accepted that there is no published guidance on carrying out a landscape sensitivity study. Nevertheless, a widely accepted approach has been developed and implemented by landscape consultants, using a criteria-based analysis of landscape characteristics to determine relative sensitivity. We are content that, in outline, the Heads of the Valleys study follows this approach to arrive at a clear and robust methodology.<br>However, we are less clear as to the way that cumulative effects have been incorporated. This remains the most problematic area of assessing landscape capacity for wind energy.<br>The overview on page 8 states that sensitivity is based on landscape susceptibility, value and presence of wind turbines. This page goes on to state that capacity is based on sensitivity, unit size and presence of wind turbines. Since presence of wind turbines is considered in sensitivity, it is being double-counted in the assessment of capacity. | We see it as confirmation rather than double counting as we do not use a scoring system |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | On page 12, the judgement of sensitivity is explained differently. Here it is stated that landscape susceptibility, visual susceptibility, landscape value, and visual receptors are the factors contributing to sensitivity. There is no mention of wind turbines. "Presence of modern structures such as wind farms" is referred to under the 'Built Environment' criterion as a factor which may reduce landscape susceptibility. But presence of wind turbines is not set out as a separate factor as indicated on page 8.<br><br>Pages 19-20 detail the sensitivity evaluation process. This describes a desk-based assessment of sensitivity based on susceptibility and value, backed up by field work. In contrast to the overview on page 8 there is no mention of existing wind turbines. However, at Stage 3, the first paragraph on page 21 states that sensitivity was derived from susceptibility, value and 'the potential for cumulative effects'. It is unclear how this 'potential' was assessed or how it has been incorporated into sensitivity, other than as one factor affecting the 'Built Environment' criterion.<br><br>This lack of clarity continues into the actual assessments. For example, Landscape Unit 1 is assigned medium-high sensitivity in part because of the 'presence of existing large scale wind farm' (page 34). Mention is made of wind turbines in the susceptibility evaluation for this unit, but in the context of the evaluation criteria this would have the effect of reducing susceptibility.<br><br>In summary, it is not clear how the study addresses existing development, and how this affects sensitivity in particular. Our view is that the presence of wind turbines, in common .th other forms of development, may affect the susceptibility of the landscape, but should not be additionally considered as a separate 'layer' in the assessment of sensitivity. It is more appropriate to consider this aspect in the evaluation of (remaining) capacity (see our response to Q9) | It is not possible to mention everything every time. The study must be read as a whole.<br><br>Decisions on those circumstances where adding turbines to a landscape that already contains turbines is acceptable, possibly because the existing turbines mean that the degree of change is reduced, and where it results in cumulatively adverse effects is a judgement that still needs to be made on a case by case basis. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Agree | Generally agree. Suggest that it is important that all the main text paragraphs are numbered as this document is likely to be referred to frequently, especially at inquiries. | It would be quite a task to go back and number all the paragraphs now. This has not been raised before and many sensitivity studies do not have numbered paragraph but rely on page numbers. |
| Q6: Do you agree with the proposed methodology for assessing Landscape and Visual Sensitivity? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Ian Gates<br>Associate Director,<br>Landscape<br>AMEC E&I UK Ltd | Disagree | As stated in the response to Q5 it is not clear how the key field survey component is taken into consideration in Stage Two. Whilst we agree with all the field survey bullet points that are listed on pages 19-20 with regard to the amalgamation of these with the results of the LANDMAP Desktop review under the 14 separate criteria the methodology merely states in the final paragraph on page 20 that "Based on the results of the field surveys, the draft evaluations of landscape unit sensitivity were refined ...". This absence of methodological clarity is a major weakness. This is reflected in the key comment on page 19 (second text column, second paragraph) in which it is stated that "Sensitivity can vary locally within landscape units and the overall evaluation represents the general sensitivity across the landscape unit to reflect the strategic nature of the study." The corollary of this statement must be that whilst the Study provides some broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any proposed wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA. | It is correct that whilst the Study provides broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any particular wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA. This is always the case with sensitivity studies which cannot assess individual sites or individual proposals. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | See above; in our opinion visual receptors *per se* have no place in a landscape sensitivity and capacity study and may lead to misleading and inaccurate conclusions being drawn (see above qualified explanation under Q4 comments).<br><br>A judgement on the sensitivity to change to each typology is made for each landscape unit. However Table 2 is not referred to and even if it were, we have reservations about the criteria used, and the way in which they may have been used, as aforementioned in Q3.<br><br>Although it is stated that field survey was used to test and refine the findings of the report, it still comes across as a primarily GIS- based desk exercise with little evidence of this "refinement". | Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap. |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | Although we support the overall methodology and the different data sources and criteria used, the weak point in this methodology is that the ultimate judgement on overall sensitivity is subjective. Obviously the judgement is informed by the available information, and made by experts, but this could potentially introduce inconsistency if the methodology is applied elsewhere. | There is no alternative to subjective judgement with regard to wind turbines and landscape impact |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | We comment in Q5 in relation to the inclusion of cumulative effects in this section. Otherwise we accept that this section clearly sets out the process undertaken. | See answer above |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | The methodology omits consideration of the TAN 8 annex D SSA refinement studies, their refined boundaries, and the implications arising from these. | See answer above where consideration of wind farm scale development has been specifically excluded |
| Q7: Do you agree with the use of professional judgement to determine the most appropriate landscape objectives? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | The use of professional judgement is in line with the overarching approach advocated within GLVIA3 and the manner in which the Landscape Objectives are tied into the TAN8 objectives provides a sense of consistency. | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Agree | Yes, in principle we agree with the use of professional judgement to determine landscape objectives, but this must be carried out with the help of stated criteria. With this in mind, we have the following query.<br><br>Stage 3; Objective 2 states;<br><br>"Landscape accommodation is applicable to landscapes where the conservation of landscape character and visual amenity has been assessed to be of moderate to high importance".<br><br>Presumably this is referring to LANDMAP but there is no cross-reference to this and begs the question, in the context of this report, exactly how is this "importance" assessed and using what criteria? | How the importance is assessed and the criteria used are set out in the susceptibility and value criteria tables |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Disagree | It is unclear as to why professional judgement is needed as the objectives are very clearly allied to SSAs, Designated Landscapes, and land outside SSAs and Designated Landscapes. It would be simpler to apply the objectives accordingly. As for question 6, using subjective judgement could potentially introduce inconsistency if the methodology is applied elsewhere. | Professional judgement is always required |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | The application of professional judgement is appropriate, and is an approach advocated by GLVIA3. However, the three objectives are simply applied to protected landscapes (protection), landscapes outside TAN8 search areas (accommodation), and landscapes within TAN8 search areas (change). The use of professional judgement was presumably quite limited. | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | | Question not clear. | |
| Q8: Do you agree with the Landscape Objectives set for the Heads of the Valleys Area? | | | |
| Judith Jones Head of Town Planning Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates Associate Director, Landscape AMEC E&I UK Ltd | Neither Agree nor Disagree | Although as stated above it is agreed that linking in the study to TAN8 is beneficial, the reliance upon TAN8 criteria in the determination of Objectives 2 & 3 does have the consequence that the landscape objectives for the landscape units has essentially been pre-determined by the TAN8 study which is nearly a decade old and whose underlying methodology has been subject to criticism and refinement. | We have now emphasised the fact that the study is not aimed at large scale wind farms i.e. those associated with SSAs |
| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Disagree | Stage 3; Objective 2 states;<br>"This objective aims to retain the overall character, quality and integrity of the landscape, whilst accepting that occasional small to medium scale developments may be allowed. Such development may have an effect on the local landscape *but should not bring about significant adverse changes in character*." Does this latter half of the sentence mean throughout the Landscape Unit? Or would localised significant effects be acceptable? This is not clear. | It would depend on the degree of harm |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | "Wind turbines should not become either the dominant or the key characteristic of a landscape". Again is this referring to the whole landscape unit, or is, for example, a two turbine proposal at the extremities of the Unit within which a development is situated and with limited effects elsewhere, likely to be considered acceptable? Again, not clear. | The units have been defined for the purpose of the study so a development at the extremity of the unit could be dominating in an adjacent unit. |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | See Question 7. | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | The introduction of landscape objectives is to be welcomed and provides a clear means by which the study can be applied to planning decisions. The objectives for protection and change appear appropriate as the end points on a continuum of sensitivity, but accommodation must necessarily incorporate a broader spectrum including some sensitive areas and some less sensitive. The statement that only "occasional small to medium scale developments may be allowed" implies blanket restriction rather than recognising this variability. The statement that "wind turbines should not become either the dominant or the key characteristic" is a more appropriate test to apply, rather than a height-based restriction. | This has been changed as the small to medium did not refer to the typologies |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | **Objective 2** states that only up to occasional medium scale developments may be allowed. This effectively means no windfarms or turbines over 80m to VBT outside SSAs. Whilst desirable in many areas this seems highly restrictive overall. | This has been changed as the small to medium did not refer to the typologies |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | **Objective 3' s** definition indicate a 'notable amount of wind turbine developments'. This effectively covers the descriptive range of a landscape with windfarms, a windfarm landscape and a windfarm. All these will occur in an SSA and it is suggested that this should be explained. We also suggest that the definition should be changed to a 'notable amount of windfarms'. The reason is that in SSAs different rules apply as the areas are under particular pressure. Smaller developments are causing cumulative impact problems between the larger clusters of windfarms which are there to effectively meet the national targets. | We have added a note referring to the SSA studies and changed the definition to windfarms |
| Q9: Do you agree with the methodology for identifying the indicative landscape capacities? | | | |
| Judith Jones Head of Town Planning Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates Associate Director, Landscape AMEC E&I UK Ltd | Neither Agree nor Disagree | The four listed criteria are all important in establishing the indicative landscape capacity of each of the 33 LUs. However, once again it is not clear how the four criteria have been balanced in arriving at the final indicative capacity. It is noted that the individual LU sheets contained in Section 4 list the wind farm developments operational, consented or proposed for each LU but it is not apparent how the size of each LU has been taken into consideration. It would be useful if each LU's size in ha were given somewhere on the LU information sheet.<br><br>It is assumed that the Study is relying upon "*professional judgement*" in interpreting the information set out on each LU's sheet to determine that LU's indicative landscape capacity but the structure of | The study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | the study and the LU sheets means that there is inevitably a strong emphasis upon the first bullet point i.e. the landscape and visual susceptibility and landscape value with the other three bullet points considerations being 'bolted on'. Consequently contrary to the indication that the Study seeks to promote, it is heavily based upon the desktop study of the LANDMAP Survey Collector Responses under its 14 headings which as has been established earlier in this response contains a number of weaknesses, contradictions and double counting.<br><br>This is tacitly acknowledged in another of the caveats that are occasionally inserted into the text; namely in the second paragraph of the second column on page 23 when it is stated that "*The indicative landscape capacity helps to identify the type of developments which could be potentially accommodated. However, this does not in itself suggest that all planning applications for the wind turbine development of the typology identified will be appropriate to these areas.*" It could also be argued that the corollary of this statement may be to suggest that no developments of a typology identified as being above the capacity of an LU will necessarily be inappropriate in that area. | |
| | | With regard to the untitled and un-numbered figure on page 23 it is helpful to note that the Study concludes that landscapes (or LUs) with low sensitivity have the greatest capacity and that these are described as "*Typically a landscape with a number of wind turbine developments*". However the Study does not make it clear whether the presence of the wind turbine developments contributes to a landscape's low sensitivity. | We have reconsider this figure and omitted it |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | See above Comments in Q8. | See response above |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | We broadly agree with the approach taken here, which is adequately set out and accords with accepted good practice. The inclusion of existing and consented turbines is a key factor in determining the remaining | Noted |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Neither Agree nor Disagree | Suggest that the landscape sensitivity left-hand column should indicate *higher* sensitivity at the top and *lower* sensitivity at the bottom rather than just high and low which is too definite.<br><br>Also the threshold definitions should have the same wording as the objectives e.g. Typically a landscape with a notable amount of windfarms- on the bottom right column. | We have omitted this figure |
| Q10: Do you agree with the assessment of the Landscape Character Baseline? | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | Factual information with no errors identified | Noted |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Neither Agree nor Disagree | | Noted |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Neither Agree nor Disagree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | This is useful background context which summarises the relevant sensitive landscapes of the study area. | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | Second paragraph, page 24- 'Millstone Grit' should be substituted with 'Pennant Sandstone'.<br><br>We suggest that the TAN8 annex D study should be mentioned here if the study ultimately covers this area. The wording could read:<br><br>TAN8 and Strategic Search Area (SSA) F<br><br>An Annex D refinement study has been carried out for SSA F including an assessment of landscape sensitivity for technically feasible areas and the definition of a refined SSA boundary. This boundary is shown on figure X in conjunction with the overall SSA boundary. It should be noted that this study has not reviewed the Annex D study or come to a view on its findings. It does not supersede the definition of the refined boundary, or areas of high landscape sensitivity defined in the Annex D study. | Changed<br><br>Note added to reflect this |
| Q11: Do you agree with the proposed Landscape Types? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | It is agreed that the LANDMAP Visual & Sensory Aspect Level 3 Classification is appropriate. | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
|---|---|---|---|
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Neither Agree nor Disagree | | Noted |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Neither Agree nor Disagree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | We have not examined the proposed landscape types in detail, though they are clearly derived from application of LANDMAP and appear to be appropriate. | Noted |
| Q12: Do you agree with the proposed Landscape Units? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Neither Agree nor Disagree | It remains unclear as to how the LUs were defined. It is not explained in Section 3 or in Section 2 page 11 where they are introduced.<br><br>These comments are only concerned with the LUs that are relevant to the proposed Pen Bryn Oer Wind Farm which would be located in Caerphilly Borough Council on elevated ground between Tredegar and Rhymney.<br><br>The boundaries of the most relevant LUs (LU16; LU18; LU19 & LU20) are logical and relate to the boundaries of the LANDMAP VSAAs found in this area. | The basis for defining the study units is set out on page 11 |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Disagree | Landscape Units embody a number of the individual LANDMAP aspect areas (AAs) which can produce potentially misleading and confusing results. For example, Unit 23 (encapsulating the Upland Grazing AA where the Hafod proposals would be located) includes extensive Urban and Amenity AAs which, because of the inclusion of visual criteria in the capacity assessment, results in a much higher sensitivity to turbine development than would be the case if just the Upland Grazing AA was assessed, despite Unit 23 generally being classed as a "medium to large scale landscape" and therefore less sensitive to development. The Unit 23 assessment concludes that it would have " …higher sensitivity to larger development due to the presence of visual receptors and the potential effects on the scale, landform and pattern of the valley". Considering the proposed development is not within the valley itself and has very little intervisibility with it and that, in our opinion, visual receptivity should not feature in the assessment (see Q6), we would question the relevance and accuracy of this conclusion in respect of Hafod. | The definition of the landscape units has taken into account visual links between adjacent aspect areas. As explained above the key impact of wind turbines on landscape character is as a result of visual change |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | Neither Agree nor Disagree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | We have not examined the proposed Landscape Units in detail, though they appear to be logical in their definition of discrete areas. We note that most of the units incorporate a selection of landscape types. Landscape sensitivity is generally driven by landscape type, with upland moorland types being generally less sensitive than enclosed valley types, for example. There is likely to be significant variation in landscape sensitivity within those landscape units which include a variety of types. It is important that this variation is recognised in the unit-based evaluations. | Noted. We believe it is addressed. The aspect areas which are discrete types were too small to be useful for a strategic study. |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Neither Agree nor Disagree | Note that the only ridge top which is not a character area, Cefn y Rhondda, lies between the Rhondda Fawr and Rhondda Fach valleys. This is of concern and even if it is physically omitted it must be properly addressed in the descriptions of the 2 adjoining areas.<br>1: description should include the scarp slopes to the north.<br>2: description should include the scarp slopes to the south.<br>3: mention narrow ridge top<br>4: mention narrow ridge top | Information added in relation to detailed comments below |
| | | 12: Merthyr East Valley Side – these are not the earthworks but a large scale coal recovery scheme (Ffos y Fran) which has about a 15 year life span and then will be completely restored. Does this affect any of your conclusions? | No. Still a man-made earthwork in the landscape |

| Respondent | Comment | Response |
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| **Q13: If you have any other comments on the Heads of the Valleys assessments, please use this space to report them.** | | |
| Judith Jones Head of Town Planning Merthyr Tydfil CBC | It is recommended that the assessments be tested against previous planning applications and appeals to ascertain whether they are broadly in line with previous decisions. | That is on going |
| | The assessments should also be updated at appropriate intervals in order to take account of landscape change. | Most sensitivity studies are only updated if major landscape change takes place |
| | Finally, it should be noted that Planning Policy Wales was revised in July 2014. | Change made |
| Ian Gates Associate Director, Landscape AMEC E&I UK Ltd | As a general comment on the LU sheets it is not clear what the percentage figures quoted in the tables refer to. | Appendix 4 added to explain this |
| | Comments are provided on the two LUs: LU18 – Mynydd Bedwellte and Associated Upland and LU19 – Heads of the Valleys Corridor.<br>LU18 - Mynydd Bedwellte<br>This would be the host LU for the three proposed 110m blade tip height turbines at Pen Bryn Oer Wind Farm. | Sentence reworded to say: a very large development comprising three turbines at the northern end of the unit currently in planning. |
| | Landform – disagree that a broad ridge should be assessed as having a high sensitivity to wind turbine development. If the topography at Bryn Oer Patch were to be reasonably considered to be a plateau as opposed to a broad ridge it would be considered to possess low landscape susceptibility. | This is a matter of professional judgement. VS4 Topographic states 65% hills and valleys which does not suggest plateau. The remainder is high hills/mountains or rolling/undulating. Also the contours do not suggest this is a plateau. The northern end of the unit is broader and it may be argued is more of a hill than a broad ridge but with regard to the unit overall broad ridge is more appropriate. |

| Respondent | Comment | Response |
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| | Built environment –it is acknowledged that LU18 contains only severely limited built development, although there are two properties in the northern part of the LU. In these circumstances little weight can be given to the response to VS20: use of construction materials. The main comment relates to the Study's approach of relating low levels of built development with high susceptibility as the corollary is that wind turbines are better sited close to areas with a high level of built development which is likely to mean a large number of visual receptors, probably including a large number of high sensitivity visual receptors. The explanation of this criterion (Page 14) states that "it is concerned with the presence of built structures and human development present in the landscape." Hence consideration should not be restricted to identifying built development but instead should be extended to fully include indications of human presence. In the case of the northern part of LU18 around the Pen Bryn Oer Wind Farm site the land-use history of the area which has included open cast mining and relatively recent restoration is apparent in landscape and visual terms through the readily discernible presence of restored rough grazing, access tracks and post and wire fencing. | As noted above. The criteria may result in differing susceptibility. The overall judgement is made taking all attributes into account. The detail given in this response is appropriate at detailed LVIA level but not at strategic sensitivity study level. The overriding reason for high susceptibility here is the fact there is little built development and a strong sense of place which could be affected by incongruous development. |
| | Skylines and setting – it is strongly disputed that the skyline formed by the elevated northern end of LU18 is "distinctive". There are no cairns present in the northern part. The Cefn Golau Cemetery does not contribute to the skyline (being on the lower side of the Sirhowy Valley and in LU19) and the Cemetery cannot be seen from the Rhymney Valley to the west. Consequently the medium susceptibility assessed for this criterion should be revised to low susceptibility. | Not agreed. The uplands form very distinctive skylines for the valleys that are not dependent on the presence of cairns. Skyline is an important and valued element of the setting of surrounding settlement.<br>Reworded to make clear that the cairns are not necessarily on the skyline. Distinctive open skyline. Cairns and the Cefn Golau cholera cemetery, seen from the valleys on either side. Upland setting for neighbourhood settled valleys. |

| Respondent | Comment | Response |
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| | Movement – it is reiterated that the level of human access can be assumed to be an accurate proxy for the level of movement. It is disputed that the northern part of LU18 should be described as secluded given the relative proximity of Tredegar, Rhymney and the A465 corridor (with the recently upgraded A465) and if it is accepted that the presence of PRoWs is a proxy for the level of movement it should be noted that there is a moderate density of PRoWs in the northern part of LU18 as well as a carpark and an area of Open Access Land. Hence the high susceptibility assessed for this criterion should be reduced to medium susceptibility. | Currently movement may be visible from this LU but within the LU there is very little movement which give it high susceptibility to the introduction of movement. |
| | Visibility, key views and vistas – it is reiterated that the attribution of susceptibility for this criterion is counter intuitive: wind farms are overwhelmingly located in open upland locations and such locations are generally favoured by wind farm siting and design guidance. Consequently whilst it is agreed that the northern part of LU18 is open and therefore has extensive outward views, this attribute applies to all upland areas in the Study Area that aren't under forestry. Consequently the assessment that LU18 has a high susceptibility to this criterion is not accepted and should be reduced to medium. | Disagree with the premise. Wind turbines do tend to be located in upland areas but this does not mean that they will always impact on distinctive skylines. Where there is a possibility that they will impact on distinctive skylines there will be an increased susceptibility |
| | Intervisibility – this is a criterion where a general assessment is of limited value as it will be largely determined by the details of the individual wind farms that are operational, consented or proposed for any LU. As was demonstrated in the ZTV figures that accompanied the LVIA in the Pen Bryn Oer ES, the ZTVs that would be generated by the proposed wind farm would be relatively compact and would not extend as far south as Mynydd Bedwellte itself. | The sensitivity study does not remove the need for a detailed LVIA. |
| | Views to/from landscape and cultural heritage features – the proposed Pen Bryn Oer Wind Farm would not impact upon views to the west or into the (Sirhowy) Valley from Cefn Golau. The aforementioned ZTVs also show that from the southern part of LU18 the proposed Pen Bryn Oer turbines would not be visible in northern views towards the Brecon Beacons national Park. Consequently the assessed medium landscape susceptibility should be reduced to low landscape susceptibility. | The sensitivity study does not remove the need for a detailed LVIA |

| Respondent | Comment | Response |
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| | Scenic quality and character – it is acknowledged that the values quoted are extracted from LANDMAP but with regard to the northern part of LU18 it is strongly disputed that scenic quality and integrity should be assessed as high given that a good proportion of the northern part of LU18 has only recently been restored. Consequently the high landscape susceptibility assessment should be downgraded to medium landscape susceptibility. | VS48 Character is 98% high for the area which demonstrates that although VS46 Scenic Quality is 50% high the unit as a whole has merit in terms of its strength of character and has an important role to play in separating development in the valleys east and west along its whole length. |
| | Remoteness and tranquillity – the description provided for LU18 is not applicable to its northern part around the proposed Pen Bryn Oer Wind Farm. It is disputed that this part of LU18 should be described as "attractive" although the assessment of medium landscape susceptibility for this criterion is accepted. | The sensitivity study does not remove the need for a detailed LVIA |
| | Landscape value – given that a proportion of the northern part of LU18 is located in an SLA (local landscape designation) it is agreed that a medium landscape susceptibility for this criterion is justifiable. Historic value – given that the land-use history of the northern part of LU18 has been associated with open cast mining and restoration it is not agreed that it should be assessed as high for historic rarity and integrity. Reference to the LANDMAP HLAA database shows that most of the northern part of LU18 including the Pen Bryn Oer site itself is not within an HLAA with an overall evaluation that is high or outstanding. Consequently the high landscape susceptibility for this criterion should not be high but should be reduced to low. | The unit is assessed as a whole because of the role it plays in separating the two valleys and associated development. Impacting on part of this unit will affect the unit as a whole. |
| | Summary of sensitivity to wind turbine development– with regard to what the typology defines as large and very large wind turbine development the reasons stated for the high assessed landscape sensitivity are weak. They are primarily derived from the two value criteria (thereby supporting the criticism of the methodology that the number of variables used to derive the value component of the sensitivity is too small and therefore results in it being imbalanced and places too much importance upon the historic value which is a weakly accessed criterion) within which the historic criterion is inappropriately assessed. Aside from the disputed high assessment of LU18's historic value the other stated reason for the LU's high landscape sensitivity to large or very large wind turbines is that they would be seen from the Brecon Beacons National Park. This reason prompts two comments: | The sensitivity criteria explanations were brief for all units because the evaluation against each criteria provides more detailed explanation. The summary of sensitivity points out key reasons where appropriate. |

| Respondent | Comment | Response |
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| | Once again the extent of the ZTV within the National Park will be heavily dependent upon the design and location of an individual wind turbine development. With regard to the proposed Pen Bryn Oer Wind Farm, despite its location in the northern part of LU18 i.e. the closest part to the National Park, the landscape assessment in the ES calculated that its blade tip ZTV only covered 5.2% of the total area of the National Park which does not equate to a high score on this criterion; | The sensitivity study does not remove the need for a detailed LVIA. The importance of the impacts on Nationally designated landscapes are not determined by the proportion of the nationally designated landscape affected. |
| | This is a good example of the problems in the adoption of an unbalanced typology. It remains unclear as to how a reduction in the blade tip height of the proposed wind turbine from 110m (as per Pen Bryn Oer and classified as very large) to 80m (classified as medium) could result in the assessed sensitivity of LU18 dropping from high to low. The reduction in the extent of the ZTV for the same number of turbines at 80m blade tip height within the National Park would be at most a couple of percent less than that for the proposed 110m blade tip height turbines. It is also not agreed that landscape effects upon the National Park would be the same were the proposed wind farm at Pen Bryn Oer to be for 30 turbines of the same height as it is for three turbines yet this is the conclusion that the adopted typology is forced to draw. | Only sensitivity to turbines less than 50m to Blade tip has been assessed as low. Medium turbines have been assessed as low/medium which on reconsidering has been revised to medium<br>The typology has been misunderstood. 30 turbines would result in the same impact and for this reason any development of six turbines or more would be considered very large. |
| | Landscape Objective – the stated landscape objective is Objective 2: “to maintain the landscape character” which is defined in Table 5 as “accepting that occasional small to medium developments may be allowed.” Consequently the critical issue once again is the distorted typology under which the proposed Pen Bryn Oer Wind Farm is assessed on the basis of it being a “very large” development by virtue of it comprising turbines that are over 109m high. It would still be considered to be “very large” even if it were to be comprised of a single 110m high turbine. The adherence to the typology places too great a restriction on potential wind farm development in LU18. Given the detailed assessment that is provided for LU18 it is not clear why if Pen Bryn Oer were to consist of four 80m high turbines it would be acceptable but because it consists of three (or even one) 110m high turbine it is assessed as being unacceptable. A proposed wind farm consisting of four 80m high turbines in the same location would have similar intervisibility to the north and the National Park; would still be intervisible with other upland LUs and the Sirhowy and Rhymney Valleys; would still impact upon the purported distinctive skyline; would still be visible from the Cefn | The wording of the landscape objective has been revised to make it clear that it refers to wind turbine development that is potentially suitable outside SSAs rather than referring to the typologies |

| Respondent | Comment | Response |
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| | Golau Cemetery and would have the same, if not greater effect upon the moderate number of PRoWs and the open access area. | |
| | Baseline wind turbine development (March 2014) – the veracity of the Study is bought into question by the fact that it does not mention the proposed Pen Bryn Oer Wind Farm despite the planning application being submitted in the Summer of 2013. | Reference added |
| | Indicative Overall Capacity – the Study accepts that there is “some capacity for medium scale development” which once again leads to the issue of the way in which the typology is distorting the results of the Study undermining its credibility. | Hopefully the revised typology descriptions will make this clearer |

| Respondent | Comment | Response |
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| | Guidance on siting – this states that effects upon views from the National Park from the north of LU18 must be considered. The Pen Bryn Oer landscape assessment did assess effects upon the National Park in depth and concluded that landscape effects upon the National Park would not be significant. It should be noted that the National Park did not object to the proposed Pen Bryn Oer wind Farm. Likewise the historic environment assessment concluded that there would be no significant effects upon designated and other cultural heritage features whilst it should be noted that despite extensive consultation on viewpoint selection no consultees considered it necessary for the selection of a viewpoint within or close to Cefn Golau Cemetery. *The* cumulative assessment considered the potential for sequential cumulative effects in detail (using a accurate cumulative baseline) and concluded that there would be no significant cumulative effects and that there would be visual separation with the other single and two turbine wind turbine developments within 10km. It again should be noted that no objection has been raised on cumulative issues. The visual assessment included all the various groups of residential and recreational visual receptors located in the settlements of Tredegar and Rhymney (as well as many other settlements) and broke these receptors down into much smaller groups and concluded that whilst some residential visual receptors located within 1.5km and a smaller number of recreational receptors within 3km would sustain significant visual effects their numbers were relatively low for a wind turbine development and should be considered to be acceptable. Once again no objections were raised in this regard. The only stated reason for refusal was the effect upon the SLA and this will form the basis of the forthcoming appeal. Given the land-use history and baseline characteristics of the northern part of LU18 it is difficult to accord with the statement that this part of the SLA provides a strong example of natural beauty. | As noted this scheme is going to appeal and these site specific issues will no doubt be considered in detail at the appeal. |

| Respondent | Comment | Response |
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| | Hence it is concluded that even when assessed against LU18's siting guidance the proposed Pen Bryn Oer Wind Farm accords with at least four of the five criteria. This conclusion must serve to indicate that with regard to LU18 at least the Study is overly restrictive and does not result in a balanced assessment of landscape sensitivity and capacity. | The sensitivity study does not remove the need for a detailed LVIA |
| | LU19 – Heads of the Valleys Corridor<br>This is located to the immediate north and east of the proposed Pen Bryn Oer Wind Farm which is located in LU18. However a detailed review has been undertaken of the completed assessment sheet for LU19 in accordance with the Study's methodology regarding the inclusion of LUs as set out in the bottom paragraph in the left hand text column on page 11. | |
| | Landform – the landform is more accurately described as hills and valleys as opposed to undulating and rolling (as is demonstrated in the LU's title). Under the criteria set out for this criterion a hills and valleys type of landform would still be considered as being a landform of high susceptibility to wind turbine development but the veracity of this assertion has already been questioned. Based upon numerous site visits to LU19 it is concluded that a more reasonable assessment would be that LU19's landform possess medium susceptibility to this type of development. | LANDMAP VS4 Topographic - rolling undulating 95% |
| | Landcover pattern – it is agreed that LU19's landcover pattern is complex with broken patterns and the juxtaposition of different land-uses but overall it is more accurately assessed as having low as opposed to medium landscape susceptibility. | Our professional judgement concluded that the susceptibility was medium because of potential cumulative effects of further change (not wind turbine development) in this corridor. |
| | Built Environment – the large majority of the Clydach Gorge Registered Historic Landscape is sited outside LU19 and the western end that is within LU19 is outside the proposed Pen Bryn Oer Wind Farm's blade tip ZTV. It remains difficult to understand how the contributory components of this criterion relate to an LU's capacity to accept a wind turbine development e. g. the fact that 51% of the built development in LU19 is apparently considered to be constructed using inappropriate construction materials. | Information has been taken from LANDMAP and the evaluation follows the method agreed with the client group. |

| Respondent | Comment | Response |
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| | Skyline and setting – agree that LU19 does not possess a distinct skyline and that therefore landscape susceptibility under this criterion is low. | Noted |
| | Movement – agree that the key landscape role that is played by the recently upgraded A465 ensures that landscape susceptibility under this criterion is low. | Noted |
| | Visibility, key views and vistas – as LU19 consists primarily of urban development it is more likely that views are generally relatively restricted by nearby built development however on the basis of site visits it is acknowledged that views to the surrounding elevated areas are important hence the medium landscape susceptibility assessment is justified. | Noted |
| | Intervisibility – on the basis of detailed knowledge of LU19 gained through site visits it is difficult to understand how the LANDMAP derived comments utilised in this response can be helpful in determining landscape susceptibility nor how they can act as a proxy for actual on-site observation for this criterion. This is a good example of where less reliance on LANDMAP and greater emphasis upon the field survey component as set out in the bullet points on page 19 would be helpful. Indeed it is difficult to identify where information gathered during the field survey has been utilised in any of the responses in the LU19 survey sheet. | This sensitivity study does not remove the need for a detailed LVIA. It does highlight where and why there is higher susceptibility. |

| Respondent | Comment | Response |
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| | Types of Receptors – it is agreed that there are a large number of visual receptors within LU19 but as the response emphasises a good proportion of these are people at their place of work and using the 'A' roads, especially the A465. Under GLVIA3 (and early versions of GLVIA) these types of visual receptor are usually accorded lower visual sensitivity in comparison to residential and recreational receptors. It is also worth noting that just taking account of the overall number of potential visual receptors in an LU is an unsophisticated approach even at this strategic level; LVIA authors are aware that in settlements the availability of outward views is frequently restricted by nearby built development and/or vegetation and is influenced by the settlement's morphology and aspect. Once again the veracity of the Study would be aided were the observations of the field survey component to be utilised in framing the response to this criterion. Consequently the high assessed susceptibility under this criterion is not accepted and should be reduced to medium susceptibility. | Due to the presence of a large number of residential receptors in this LU we feel the susceptibility remains as high. It is clearly within the scope of any individual application to demonstrate (via detailed LVIS) that due to the location chosen there are no significant residential issues. |
| | Views to/from landscape and cultural; heritage features – given that the main topographical feature of LU19 is a valley and based again on site visits there is only limited intervisibility with the National Park from within LU19, especially once the high level of built development is taken into account (for outward views). With specific regard to the proposed Pen Bryn Oer Wind Farm, its location to the south-west would ensure that its presence would have no effect upon the intervisibility between LU19 and the National Park. Consequently with specific reference to the proposed Pen Bryn Oer Wind Farm the assessed medium landscape susceptibility should be reduced to low landscape susceptibility. | This sensitivity study does not remove the need for a detailed LVIA. |
| | Scenic quality and character – agree with the assessed low landscape susceptibility. | Noted |
| | Remoteness and tranquillity - agree with the assessed low landscape susceptibility. | Noted |

| Respondent | Comment | Response |
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| | Landscape value – given that this is a strategic level study there is little benefit in bringing in site specific sites and features such as Bedwellte Park unless it is in relation to actual field observations (Bedwellte Park is in the midst of Tredegar and contains a high level of mature trees so is unlikely to be affected by wind turbine development and certainly not by the proposed Pen Bryn Oer Wind Farm). The relatively low values quoted for VS50; VS49; LH45; GL31 & GL33 are more indicative of low landscape susceptibility than medium landscape susceptibility. | Specific sites are referenced to ensure that proposals take into account their presence. Not all proposals within an LU are likely to have an impact on the sites identified |
| | Historic value – again would dispute that the quoted LANDMAP evaluations justify the high assessed landscape susceptibility for this criterion. The use of the Tredegar Conservation Area as a justification is an example of an overly deterministic approach and failure to use the field work to add a degree of realism to the Study to make it more accurate and therefore credible. The Tredegar Conservation Area is focused upon the town centre of an industrial settlement and rather than simply stating that its designation automatically results in high value it would be helpful if some consideration were to be given as to how the presence of wind turbine development elsewhere in LU19 could affect the attributes for which the Conservation Area has been designated. | This sensitivity study does not remove the need for a detailed LVIA. |
| | Summary of sensitivity to wind turbine development – the Study's commentary text notes that "although a number of criteria suggest lower or medium sensitivity this area (LU) is densely settled and there will be residential amenity issues which will limit the potential size of wind energy development." This is a sweeping statement which implies that a high settlement density outweighs not just all the other components included in the sensitivity study but also the other factors purportedly included in the Study as listed on pages 19 and 23. It could be argued that the Study is being wilfully naive in implying that a wind turbine development would ever be sited in close proximity to settlements of the size that are found in LU19. Issues such as residential visual amenity have to be assessed on a site by site basis. Even where a wind turbine development is located in moderate proximity to a number of residential properties as is the case with the proposed Pen Bryn Oer Wind Farm, effects upon residential amenity do not necessarily make the wind turbine unacceptable with regard to residential visual amenity. | This sensitivity study does not remove the need for a detailed LVIA. |

| Respondent | Comment | Response |
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| | Finally it is again difficult to understand how LU19 would have low assessed sensitivity to a small wind turbine i.e. with a blade tip height of 50m but were the turbine's height to increase to 51m and therefore become a medium wind turbine under the typology, LU19's assessed sensitivity would increase to medium or high. | This sensitivity study does not remove the need for a detailed LVIA. Any development close to the boundary between typologies would be considered against both conclusions. |
| | Landscape Objective 2: Maintain the landscape character – it is not agreed that this is the correct landscape objective for LU19. In the context of the large amount of change that is taking place in parts of this LU, in particular the recent change associated with the A465 corridor itself, low levels of landscape management; the presence of restored landscapes that are only becoming established and the mosaic of sometimes competing land-uses, the objective should be to encourage suitable landscape change although the landscape objectives have been defined so that this landscape objective can only be applied in an SSA. | TAN 8 has been used to determine the objectives which related to wind turbine development - not other forms of development. |
| | Indicative Overall Capacity – same comments as provided for this subject for LU18. | |

| Respondent | Comment | Response |
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| | Guidance on siting – with specific regard to how the proposed Pen Bryn Oer wind Farm would accord with the guidelines for LU19 the following brief comments apply:<br>i) Views into and out of National Park – the location of the proposed Pen Bryn Oer Wind Farm to the immediate south-west of LU19 would ensure that its turbines could have no effect upon these views;<br>ii) No development in Clydach Gorge and National Park - the proposed Pen Bryn Oer Wind Farm fully accords with this guidance<br>iii) Maintain natural beauty of SLAs in the area and their special qualities – SLA in LU19 is restricted to its eastern parts therefore the proposed Pen Bryn Or Wind Farm would have minimal effects upon it;<br>iv) Maintain the role of green wedges – as the only green wedge in LU19 is on the eastern side of Tredegar the limited presence of the proposed Pen Bryn Oer Wind Farm would not have an adverse impact upon its purpose and function;<br>v) Bedwellty Park Registered Park and Garden - as noted earlier the Park's setting and attributes would be unaffected by the proposed Pen Bryn Oer Wind Farm;<br>vi) Tredegar Conservation Area – as noted earlier the Conservation Area's valued characteristics and setting would not be significantly affected by the highly limited presence of the proposed Pen Bryn Oer Wind Farm in this part of LU19 (as demonstrated by the ZTVs in the LVIA in the June 2013 ES);<br>vii) Protect the settings of designated and other important cultural heritage features and key views to and from these features – not enough information to comment;<br>viii) Avoid cumulative effects with other large scale infrastructure – as set out in the assessment sheet for LU19 there are three other proposed single turbines in LU19 and these were all included in the cumulative assessment contained in the LVIA and ES. No significant cumulative effects were assessed and cumulative landscape and visual effects were not given as a reason for refusal;<br>ix) avoid loss of trees and woodland – no trees or woodland would be lost in LU19 (or any other LU). | These responses are appropriate in terms of an individual application they are not relevant to the study itself. However, they do indicate how an individual application can be assessed against the criteria identified. We have not reviewed the statements made here with regard to the Pen Bryn Oer wind Farm and cannot say whether the scheme does or does not comply with the criteria. |

| Respondent | Comment | Response |
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| Sorrel Jones Conservation Officer Gwent Wildlife Trust | We feel that this report performs well in assessing landscape sensitivity, but is less clear in terms of landscape capacity for turbine development. One of the most difficult issues faced by planners is assessing cumulative impacts of development, with turbines being a particularly difficult issue.<br>The assessments generally give an indication of the type of wind turbine development that would be acceptable, **but fall short in indicating how much development can be accommodated**. It is clear that many individual, small scale turbines can be as damaging as a large scale development, and local authorities urgently need guidance as to where to draw the line. This is particularly important where turbine development have already been approved and built; some developers feel that once one turbine has been accepted, this provides a green light for more. It would be helpful for local authorities to have some guidance to support their decision, should they need to refuse development when landscape capacity has been reached.<br>We strongly advocate an additional step in each assessment to determine an overall capacity for each landscape unit, whereby the acceptable number of developments as well as the typology is considered. | This is not possible and has not been attempted in other sensitivity studies that have been undertaken outside SSA's. Within SSAs a different approach was adopted where the aim was that they should accommodate the maximum possible. This is not the approach outside the SSAs |
| Sergio Zappulo Development Manager REG Windpower | We have looked in detail at the assessments for Unit 1 and Unit 4, as these are areas in which REG Windpower hold a specific interest. However, based on our review of the document we feel that similar observations may be made in relation to many of the unit assessments. | |
| | We broadly agree with the assessments in relation to the separate criteria for Landscape Unit 1. However, the overall conclusion for sensitivity to 'Very Large' wind turbines states: "Medium - high sensitivity to very large development on account of historic value and presence of existing large scale wind farm". The assessment elsewhere (including in the assessments for built environment and movement) notes that the presence of wind turbines reduces susceptibility; this seems logical. It is therefore not clear why or how the presence of turbines increases overall sensitivity in this unit (see our comments on Q5). | It is commonly accepted that whilst existing turbine development may reduce sensitivity it also has the potential to increase sensitivity due to the potential for cumulative impacts. |

| Respondent | Comment | Response |
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| | The section on Landscape Capacity is less clear. The 'Baseline wind turbine development' includes the Abergorki 3-turbine scheme (in planning), whereas the approach to the assessment only refers to operation and consented schemes being considered. It is not clear how this scheme influences overall capacity: i.e. does the assessment of capacity consider the capacity of the unit over and above Abergorki, or without Abergorki? | Abergorki is mentioned for information even though it is not yet consented. Any developer proposing development in this unit would have to be aware of the proposed scheme at Abergorki because if it is consented and built it will reduce the capacity for wind turbine development in this unit. |
| | It is not clear how the conclusions of 'Indicative overall capacity' have been reached. The conclusion explains that it is possible that there is little capacity in the northern extent due to developments which are consented but not yet built. However, it does not explain why this is the case for the remainder of the unit. It also states that there is limited capacity for large or very large scale development – this is despite the sensitivity assessment concluding different sensitivities for these two scales of development – a medium sensitivity to large turbines, and a medium-high sensitivity to very large turbines. | Sensitivity and capacity do not correspond directly and the limited capacity of the unit relates to the fact that there is already a large amount of development in the SSA in the unit. |
| | The indicative overall capacity does not make clear the influence of TAN8 SSA F which covers 78% of the area. The landscape objective is to accept landscape change within the SSA – but the overall capacity suggests there is limited capacity for large or very large scale development. | The SSA designation does not influence sensitivity but does indicate acceptance of landscape change within the SSA. This study is not concerned with development within the SSA. Outside the SSA the objective is to maintain landscape character. |
| | We note the final point within the guidance on siting - that proposals should appear separate from existing large scale wind farms. However, we consider this should be expanded to include, alternatively, siting proposed wind farms so that they form a logical and natural extension to existing wind farms. | Not appropriate as this study is not concerned with 'wind farms' that may be proposed for the SSA |
| | For Unit 4 the Summary of Sensitivity states that landform, built environment, sensitive receptors and historic value contribute to "high landscape sensitivity" to large and very large development. However, the adjacent coloured boxes seem to rate these as medium- high. | Wording changed to medium-high to reflect the assessment |

| Respondent | Comment | Response |
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| | The indicative overall capacity for Unit 4 could be written more clearly to distinguish between the area within the SSA and the area outside the SSA. | Wording has been changed to make this clearer |
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | **Landscape Unit 1:**<br>Landform- should note that plateau less sensitive but areas close to and on scarp slopes/dramatic landforms are very sensitive. | Wording amended |
| | Skylines and settings- as above. | Wording amended |
| | Visibility etc.- there are two scenic viewpoints, at Craig y Llyn and Bwlch y Clawdd, which should be mentioned. | Reference to viewpoints added |
| | Summary of sensitivity- this appears to suggest that medium or large turbines can be accommodated in the area just because very large development can be accommodated. Our experience with various planning applications have shown that these will appear awkward or incongruous in relation to the existing large scale windfarms in the area or visually link them together potentially resulting in complete visual coverage of the whole SSA and its surrounds. We suggest that this should be properly addressed and discouraged. We suggest that these should also be medium to high in sensitivity and text should address the issue in the additional comments and in the guidance on siting in the landscape capacity/guidance. | The issue with regard to potential cumulative impacts where large schemes are seen with smaller development is addressed elsewhere in the study |
| | Other susceptible landscape... Features- these should include dramatic glacial landforms | Wording amended |
| | Baseline turbine development- spellings incorrect | Spellings amended |
| | Indicative overall capacity- suggest that 2nd sentence should read:<br>*'Although the sensitivity to medium to very large scale development ranges from medium to high it is possible that due to the scale and extent of development consented and constructed that this unit has little capacity left for further development.'* | Wording amended as suggested |
| | Guidance on siting- suggest add:<br>Large scale development should be located in the TAN 8 SSA F **refined areas.** | Wording amended |

| Respondent | Comment | Response |
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| | *'Avoid siting single/double turbines where they can be seen in juxtaposition with large scale developments, or where they may visually link large scale developments.'* | Wording amended as suggested |
| | **Landscape Unit 2:**<br>Scale is actually medium and large – LANDMAP is wrong | Percentage for medium – vast 21%, large 30% Medium 49% |
| | Landform – add to first sentence 'with dramatic glaciated landforms'. | Wording amended as suggested |
| | Landcover pattern – the fieldscapes east of Rhigos are actually reclaimed to very high standard- this should be acknowledged so that the medium susceptibility still takes this into account. | Reference to high standard of reclamation added |
| | Skylines and settings- the distinctive skyline of Hirwaun Common should be stated as being very sensitive. | Reference to the distinctive skyline of Hirwaun Common added |
| | Summary of sensitivity – medium and large and very large- should mention sensitivity in the relationship with the scarp slope as well. | Wording amended |
| | Indicative overall capacity- the proximity of medium, large and very large scale development to the scarp slope, and the juxtaposition with the larger scale development to the south are also issues. | Wording amended |
| | **Landscape unit 3:**<br>Landform should mention narrow Cefn Rhondda ridge top. | Wording amended |
| | Intervisibility etc. – built form in the Valley bottom *sometimes* restricts views.... Also note views over the area from Bwlch y Clawdd viewpoint to the west . | Wording amended |
| | Summary sensitivity- large/very large turbines – add 'and association of the very large windfarm typology with the coalfield plateau, not the valley '. | Wording amended |
| | Guidance on siting- amend first sentence-' large scale development should be located in the TAN 8 SSA F **refined areas.** | Wording amended |
| | Add : Consider cumulative effects of development on both sides of the Valley to avoid 'surrounding' settlement with development. | Wording amended |
| | Avoid siting wind turbines on... add Graig Fach after Graig Fawr... | Wording amended |
| | Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development. | Wording amended |

| Respondent | Comment | Response |
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| | *Add*- Avoid siting single/double turbines where they can be seen in juxtaposition with existing large and very large developments, or where they may visually link those developments.' | Wording amended |
| | **Landscape unit 4**:<br>Indicative overall capacity- first sentence should read: 'The focus within TAN 8 SSA F and its refined areas is on strategic scale windfarms. Second sentence should read 'the area in and around this area is already developed an overall remaining capacity is very limited' | Wording amended |
| | Guidance on siting – Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development. | Wording amended |
| | **Landscape unit 5:**<br>Summary of sensitivity – suggest that large should also be medium high. 'Proximity to, and intervisibility with, valleys' should also be mentioned in this and the very large turbine comments. | Sensitivity has not been changed but reference to valleys added |
| | Note that sensitivity to large turbines is low on the map- which is hopefully incorrect. | Plan amended |
| | Baseline wind turbine development- note that the area is outside the TAN8 annex D study refined area. | Reference to the refined area added |
| | Indicative overall capacity – suggest that just states that the capacity of the area is limited where there is intervisibility with the adjacent valleys. | Wording amended |
| | Guidance on siting – omit first sentence starting 'larger scale development...' | Wording amended |
| | **Landscape unit 8**:<br>Guidance on siting – 5th bullet – substitute significant adverse for overbearing. | Wording amended |
| **Q14: What status should Landscape Sensitivity and Capacity Assessments have? Should they be adopted as Supplementary Planning Guidance by Local Planning Authorities?** | | |

| Respondent | Comment | Response |
|---|---|---|
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | The Landscape Sensitivity and Capacity Assessments have the potential to be adopted as supplementary planning guidance within Merthyr Tydfil as they provide advice on landscape capacity and guidance on the siting of wind turbines which is linked to the landscape related criteria within LDP Policies BW5 and TB7. The Local Development Plan Manual does however state that an SPG should not be used to determine the appropriate type, scale and level of development for particular sites (paragraph 7.3.5). Can the *indicative overall capacity* findings be interpreted as doing this? | The indicative overall capacity findings do not relate to specific sites |
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | **1. This is a highly specialised study of one part of Wales** | |
| | We are not professional landscape consultants and do not think we have sufficient expertise to comment in detail on the methodology used. | Noted |
| | Without detailed knowledge of the area, it is difficult to comment on whether the precise findings accord with the public understanding of landscape value and capacity. However we welcome the general advice and methodology, and the clear presentation of capacity in relation to different turbine sizes. We also endorse the emphasis on the role of unbiased professional judgement of experienced landscape architects. | Noted |
| | **2. Extension to other parts of Wales** | |
| | A stated aim is to achieve consistency across local authorities when considering applications for single or multiple applications which fall short of “wind farms”. If this is to be extended beyond the pilot area, it would obviously be desirable for the capacity studies to performed by the same team, or at least by applying the same principles with the same care and similar balance of professional judgement. This is particularly important since the Heads of Valleys region is very different from other areas of Wales which may, for instance, rely more heavily on outdoor pursuits and rural tourism for regeneration. | Noted |
| | In as much as the capacity study protects landscape from inappropriate development and sites development as sensitively as possible, it is right that all LPAs have similar protection. This is both because impacts will be experienced across LPA boundaries and because curbs on irresponsible development in one area of Wales will inevitably divert wind turbine development to anywhere regarded as more permissive. | Noted |

| Respondent | Comment | Response |
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| | However, we fear that, in practice, motivation and cost could prevent extension to the detriment of poorer, less populated rural areas whose LPAs may remain without any such assessment. Perhaps worse, some LPAs may end up with less objective, sensitive and discriminating capacity studies incorporating vested interests of Developers. | Noted |
| | **3. Reaching Capacity and Feed-back Effect of Turbine Development.** | |
| | Although it is beyond the remit of this guidance, it is unclear whether "capacity" can be reached and, if so, how this will be decided. This will depend upon planning decisions about whether areas with wind turbines are regarded as having a changed "wind turbine" character and can thus "accept" more turbines or whether there is a threshold of cumulative impact of existing turbines which becomes a bar to any more. The capacity assessment assumes that industrialised, populated areas are more suitable for new construction and, if this principle is applied to wind-turbines, turbine construction will have a positive feedback on future development and capacity studies will only have a very limited impact in landscape protection. Similarly, we do not know whether capacity studies done at a future date would prove more restrictive or more permissive. Wind turbine siting is caught in this inherent ambiguity because developers tend to choose prominent skylines in tranquil, sparsely populated rural areas without any vertical buildings over 15m – precisely those areas deemed most vulnerable in the LANDMAP-based capacity assessment. It remains to be seen how the present capacity study will be applied and whether there is a planning will to protect any of these areas lying outside National Parks and AONBs from small and medium wind development. | Noted |
| | The Campaign for the Protection of Rural Wales (CPRW) established in 1928 is Wales' foremost countryside Charity. Through its work as an environmental watchdog it aims to secure the protection and improvement of the rural landscape, environment and the well being of those living in the rural areas of Wales | Noted |

| Respondent | Comment | Response |
|---|---|---|
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | We believe that these assessments should be adopted as SPG to ensure that they are used as guidance by developers and Planning Authorities. Adoption will also help to raise overall awareness of landscape sensitivity. This guidance, together with the forthcoming *Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements* will help developers to select appropriate locations for turbines, and also help to protect sensitive and valued landscapes. | Noted |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Should not be as SPG in RCT until the SSA issues are resolved. It would be helpful to have this status elsewhere (outside SSAs). | Noted |
| | **Additional Comments** | |
| | **SECTION 5: GUIDANCE FOR WIND ENERGY DEVELOPMENT**<br>5th para page 164- suggest for sentence should read 'No settlements should have the sense of being surrounded by wind turbines, such as developments on both sides of a valley'. | Amended |
| | Turbine size and scale- the '50% higher' rule would mean that most turbines near buildings should not be higher than 12m tall which seems rather restrictive. | Amended |
| | Factors relating to location – landscape character- topography – suggest sentence is amended to read 'turbines can dominate the landform if not carefully sited'. | Amended |

| Respondent | Comment | Response |
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| | Factors relating to siting – Filling in gaps between clusters of wind turbines- suggest entire text should read:<br>Where there are large scale windfarms in an area, the introduction of single or double turbines between clusters can create visual links between developments. There is also potential for incongruous juxtapositions between the different scales of developments. Therefore, where site analysis indicates that maintaining visual separation between and around windfarm clusters is desirable, the gap between developments should be maintained. | Amended |
| | **APPENDIX 2 REFERENCE DOCUMENTS**<br>SNH visual representation of windfarms guidance should be updated to 2014. Consequently the Highland Council standards should be deleted, as this has influenced the revised SNH guidance. | SNH guidance updated but reference to Highlands Standards retained. Neither of these are proscriptive in Wales and the Highlands council standards are well suited to smaller scale development |
| | **APPENDIX 3 BASELINE INFORMATION**<br>Add:<br>Consortium of South Wales Valleys Authorities (2006): TAN8 annex D refinement study for strategic search areas E and F: South Wales valleys. Prepared by Arup. | Added to reference documents |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Q1: Do you agree that guidance is required to ensure landscape and visual impacts of wind turbines are addressed in a consistent manner? If you agree please indicate below what status should the guidance have, should it be Supplementary Planning Guidance, a Planning Advisory Note or simply for information? | | | | |
| Phil Ratcliff, Development Planning Officer Rhondda Cynon Taf County Borough Council | Agree | Planning Advisory Note status is more appropriate than SPG, since the material is procedural rather than policy. However, it will be a matter for individual Local Planning Authorities to decide. | | |
| Sarah Chapple Landscape Architect Soltys Brewster Consulting | Agree | | | |
| Judith Jones Head of Town Planning Merthyr Tydfil CBC | Agree | In terms of status, the guidance would most likely be adopted as a planning advisory note for the purposes of Merthyr Tydfil due to the procedural nature of the guidance and the non-direct link to the requirements of renewable energy and landscape related policies within the Local Development Plan. | | |
| Oliver Buxton Project Manager Seren Energy Ltd | Agree | Supplementary Planning Guidance | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree | Guidance is very welcome in principle.<br><br>Guidance encourages LPAs to go through a systematic process and demand a minimum of maps of proper scale, precise information about locations and details of turbines applied for and of other turbines (in planning, consented and operational), precise details of distances from dwellings, correct ZTVs, photomontages and wireframes, and other key features. We have witnessed the hasty determination of many wind turbine applications without the Developer being required to supply very basic essential information of the proper quality. Consistency in EIA screening is very welcome.<br><br>EIA, where appropriate, tends to provide better quality environmental information and gives a better time-scale for third parties to respond to bring up important environmental information missed by Developers. We agree that there should be a transparent relation between threshold for EIA and both the scale of development and environmental sensitivity of the location.<br>Guidance would carry most weight as SPG applied throughout Wales. | Noted | |
| Mary O'Connor<br>Associate Director<br>WYG Group | Agree | For information only. | Noted | |
| Natural Resource Wales | Agree | Optional to each planning authority, they may use as guidance or adopt as SPG. | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Q2: Do you agree with the typologies being proposed in the guidance (pages 0.3 and 0.5)? (Introduction) | | | | |
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Neither Agree nor Disagree | The typologies are simple but seem to be quite restrictive. With most wind energy sensitivity studies, the size of turbine and the number of turbines are separated to allow flexibility in the future with changes in technologies and pattern of development. Single or double turbines over 109m to VBT are now coming forward so it is likely that the Very Large category will be challenged.<br><br>It is apparent that the strategy is to concentrate any Large or Very Large developments in SSAs and Medium or smaller developments everywhere else. Whilst this might be true of the HOV study area, we are not sure that this will achieve government policy/targets if applied everywhere in Wales.<br><br>The only difficulty encountered with applying the typologies is where one development comprises turbines in more than one height category e.g. 3 at 100m plus 7 at 120m. Splitting the scheme into two typologies results in one Large typology adjacent to one Very Large typology, which should probably be treated as one Very Large typology. A note to cover this situation is needed. | Not entirely sure what is meant by *it is likely that the Very Large category will be challenged*. These would fall within the V large category.<br><br>We are unable to comment on government policy/targets.<br><br>Generally we think that schemes which incorporate different turbines should be discouraged. The scheme described would fall under the very large typology due to the number of turbines involved (10). I believe such situations, which are likely to be rare, can be left to the good sense of the planning officer. In addition the scheme described would be greater than 5MW and we are proposing to make it clearer that the guidance is aimed at under 5MW schemes. | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster<br>Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | The proposed typologies in Table 1 are generally considered to be appropriate. There are, however, inaccuracies in Figure 1 (Illustrative Example) and it is considered that this illustration could cause confusion.<br>There is a minor concern that the typologies could encourage a high number of wind turbines within certain landscape units. For instance, certain landscape units are identified as having no capacity for large/very large scale wind turbines, but some capacity for medium scale wind turbines. In order to generate 2MW of energy within this landscape, a developer is likely to propose four, 0.5 MW, medium scale turbines rather than one, 2MW, large scale turbine. Would the former have a less detrimental impact on the landscape than the latter? | Noted<br><br>If an area has been assessed as having no capacity for large /very large turbines that is a landscape judgment. A developer could put forward a scheme with 4 turbines up to 45m although there is not much evidence that this is the current pattern of development proposals. Such a proposal would fall to be judged on its merits and whether it was consistent with the siting criteria. | Inaccuracies have been corrected |
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Neither Agree nor Disagree | A clear typology is useful in principle but:<br>Incorporating the potentially independent variables of turbine tip-height and turbine number into a single typology of "development size" causes conceptual difficulties.<br>The information could be clearer. Introduction Table 1 says "*To decide in which typology a development belongs it must satisfy both the height and the turbine numbers criteria. See the examples on page 0.5*." This is misleading as you cannot necessarily satisfy both. Deciding on development size is a sequential process: you have to decide turbine height and, after this, apply the number to find the minimum development size.<br><br>If the advantages of a single typology are accepted, is this typology the best possible for purpose?<br><br>The results are often difficult to reconcile with ordinary experience: examples are: 1 x 80m turbine, 4 x 80m turbines and 4 x 50m turbines are all in same medium type which does not necessarily require EIA; 5 x 50m turbines do not necessarily require EIA; 3 x 50m turbines are three magnitudes of type different from 6 x 50m turbines. A "small" 50m turbine is | You must satisfy both criteria to be included in a typology. So, for example, more than five turbines of any size would constitute a very large scheme. This is not however a common development scenario and we considered that significant numbers of small turbines would be likely to have significant impacts and therefore justify being included in a typology for which the requirements are more onerous<br><br>We looked at a number of typologies . Most are concerned with 'wind farms' rather than smaller scale development and have not come across a better example that addresses smaller scale development<br><br>The guidance cannot state categorically that any development which is not Schedule 1 (EIA regs) must have an EIA, that is the role of the LPA.<br>Any typology will have a range across a category where the top of the range is closer to the bottom of the range | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| | | already 3 times higher than most neighbouring buildings and towers over trees. In view of the devastating negative impact turbines can have on our landscape, visual receptors, and residential amenity, we think the "numbers" contribution to the final typology is too permissive (number in each typology too high) with respect to EIA being required..<br><br>Suggest reducing the numbers to reflect impact: Small - 2 or fewer; Medium - 3 or fewer; Large - 4 or fewer<br><br>The Typologies have not addressed the problem of same Developer adding to existing development. | above. Consequently our requirements have been considered in terms of being sufficient for the top of the range (not the middle) although sometimes this may make them appear quite demanding from the lowest point of the range.<br><br>This change is minor and we do not feel it is justified<br><br>This is addressed in the cumulative section | |
| Mary O'Connor<br>Associate Director<br>WYG Group | | The category "very large" is confusing; surely even six wind turbines especially at over 100m height must constitute a "wind farm" scale development?<br><br>Categories might be better expressed in a matrix | This is a good point. I think it has become clear that we need to explicitly exclude 'wind farms' (over 5MW) from the guidance. This will need a revision to the introductory sentence and to be made explicit on the matrix proposed in response to comment below.<br><br>As the topologies have not been well | Revise introduction. *This guidance is aimed at smaller community based wind farm schemes (generally less than 5 MW) as described in Planning Policy Wales Technical Advice Note 8 Planning For Renewable Energy as suitable for areas outside Strategic Search Areas.*<br><br>Add matrix - use the |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| | | where the height of turbines and the number of turbines can be accounted for<br><br>Other categories seem logical | understood we will add a matrix | matrix to exclude schemes above 5MW |
| Natural Resource Wales | Neither Agree or Disagree | We would prefer to have typologies that also refer to power output in addition to heights. An example of this multi faceted typology is evident in the recently adopted Conwy LDP, elements copied below*. There are many similarities to the typology of this guidance and combining some of the additional detail from this approach would be more informative and our preferred approach.<br><br>• Align the terminology used in Table 1 to be consistent with the thresholds used for SSAs and NSIPs to provide clarity.<br>• State the range in all typologies rather than 'or less'. For example, small to medium with range 50-79m<br>• Identify the size of turbines and range of cluster sizes separately to give multiple contexts to the scale of development in the note at the bottom of the | The guidance is intended to help LPAs dealing with small scale development proposals. It is very hard for guidance that tries to cover everything to provide the nuanced guidance that we were asked to prepare for the range of small scale wind turbine applications that the LPAs are having to deal with. We will make the guidance more explicit that it is excluding schemes that would considered as wind farms within an SSA. this will automatically also rule out NSIPs. The landscape and visual impact of WTD is not dependant on the power output and we therefore do not think it is useful to include it.<br><br>We have removed the range from all the tables as 'less than' is more accurate. | Add note to intro that this guidance is not intended for either SSAs or NSIPs projects<br><br>Range removed from all tables |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| | | table. There is a considerable difference between 6 or more small scale turbines and 6 or more very large turbines. For example, could a medium class be either 51-80 m OR comprising of 4 turbines?<br>• Any modifications in the typologies may need to be reflected in updated study area distances and the document updated accordingly.<br>• It would be important to link any changes to the typology & study areas with any Natural Resources Wales Turbine and Vertical Structures guidance for consistency. Natural Resources Wales would welcome engaging in any discussion relating to any proposed amendments/additional information to be included in the typology.<br><br>*We would prefer to have typologies that also refer to power output in addition to heights, example from Conwy.<br>Micro Under 50kW<br>• Single or twin turbine applications.<br>• Turbine below 20m to blade tip.<br>Small Under 5MW<br>• Turbines up to 3 in number.<br>• Turbines below 50m to blade tip.<br>• Viewed as a small group.<br>Medium Over 5MW but below 25MW<br>• Turbines up to 9 in number.<br>• Turbines below 80m to blade tip.<br>• Viewed as a large group.<br>Large Over 25MW<br>• Turbines over 10 in number. | We would welcome discussions with NRW in achieving consistency with any forthcoming guidance on Wales Turbine and Vertical Structures.<br><br>See comment above | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| | | • Turbines over 80m to blade tip.<br>• Viewed as a large-scale wind farm.<br>• Located within the SSA.<br>Very Large Over 25MW<br>• Turbines over 10 in number.<br>• Turbines over 110m to blade tip.<br>• Viewed as a very large-scale wind farm.<br>• Located within the SSA.<br>Strategic Over 50MW<br>• Typically over 15 in number<br>• Turbines typically over 100m to blade tip.<br>• Viewed as nationally strategic<br>• Located within the SSA<br>Applications for which are determined by National Infrastructure Planning delivered through PINS. | | |
| Q3: Do you agree with the size of study areas being proposed for each typology | | | | |
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Agree | Need to state in all the tables that the study area is a radius from the turbine site (i.e. not a diameter!). | Agreed | Will add |
| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree (given revision of numbers in Typologies) | A clear definition of "**study area**" would help non-professionals not to confuse this with the variable search areas for specific features in Q4 | Will add however this guidance is aimed at professionals, both those submitting applications and those reviewing them and some level of knowledge has to be assumed. It is our experience that non-professional who are interested in wind turbine applications quickly become very knowledgeable. | Will add clearer definition of study area |
| Mary O'Connor<br>Associate Director<br>WYG Group | Agree | No evidence base is given for the study area extents; however, the range of "minimum" study areas is reasonable & possibility of flexibility in relation to presence of sensitive receptors beyond these | Noted | |
| Natural Resource Wales | Agree | NRW has provided comments previously on the size of the study areas proposed. The study area distances have been slightly increased following these discussions so we are happy with the current relationship of height to study area. If there are any changes to the height classes in the typology then | Noted | |
| Q4: Do you agree with the minimum requirements for submission of an EIA screening opinion for each typology | | | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Neither Agree nor Disagree | Page 1.1 states that Large and Very Large developments will require a detailed LVIA, which seems to be the explanation of why there is no Section D or E for Large and Very Large developments. Could this important point be made more clear and prominent? Should it say LVIA *and CLVIA*? | | We will reiterate this point and include CLVIA as well as LVIA |
| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted | |
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Neither Agree nor Disagree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree (given revision of numbers in Typologies) | Mention that Public Rights of Way must be clearly visible<br>Each section mentions the on-line database:<br>All parts of Wales need an online wind turbine data base.<br>The database for S.Wales is an exceedingly impressive and powerful tool. The amount of development, reporting and data-input required may make it too costly and technically ambitious as a model for all other areas. However it would be very useful if a reduced version with more limited data and features were required for all areas of Wales.<br>As an absolute minimum LPA's should be required to have an up-to-date map of all OCP turbines with location and height in order to verify application information and to inform developers and third parties. Maps could be backed up by clearly arranged tables of applications awaiting data entry. | It is not within the power of this guidance to require this. | Will add |
| Mary O'Connor<br>Associate Director<br>WYG Group | Neither Agree nor Disagree | Generally agree except requirements re "other large scale infrastructure" (c10, d10) for which the information may not be readily available; heights of mast and pylons are not likely to be available. | If they are unavailable that will be sufficient 'defence' for not providing them. It would be useful if the demand for such data promoted its more ready availability. | |
| Q5: Do you agree with the methodology for EIA Screening | | | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Disagree | "Indicates that EIA is required" replaces the draft version "EIA required" in 2 places, as mentioned in the 16/12/14 presentation. For clarity, I think the phrase needs to be "Indicates that EIA is required on landscape and visual grounds".<br>The heading "Turbine Class" is confusing. Does "class" here mean "height" or "typology"? It would be logical for the heading to be "Turbine Typology", which means the chart can be simplified slightly:<br>• Under "Micro", only 1 turbine is possible, so the confusing "2 turbines or more" line can come out.<br>• Under "Small", only 1, 2 or 3 turbines are possible, so the confusing "4 turbines or more" line can come out.<br>• Under "Medium", only 1 to 4 turbines are possible, so the confusing "5 turbines or more" line can come out.<br>The four sub-headings are confusing. They appear to refer to the typologies (which are already defined earlier by height and number), yet have overlapping height specifications (e.g. 50m is in both small and medium), which must be unnecessary anyway. There should be no need for the "No. Of Turbines" line of boxes, for the same reason – i.e. the typologies are already defined by height and number. | Proposed changes will improve the clarity | Will add<br><br>Diagram to be changed |
| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | In general, the methodology for EIA Screening is considered to be acceptable. The recognition in the explanatory notes that professional judgement will still be required in certain circumstances is particularly welcome given that the distance thresholds are likely to indicate that more EIAs may be required.<br>It is recommended that the methodology be tested against previous screening opinions and directions to ascertain whether it is broadly in line with previous decisions.<br><br>Finally, Figure 2 indicates that both small and medium scale wind turbines include 50 m high turbines. This should be amended to avoid confusion. | This would only confirm that the guidance is in line with current practice. It would not provide any information on whether current practice is based on sound and consistent principles. It is the principles set out in the guidance that we need to be agreeing. | Will amend |
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree (given revision of numbers in Typologies) | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Mary O'Connor<br>Associate Director<br>WYG Group | Disagree | The methodology provides a simplified approach to screening, and where "EIA may be required", the focus should be on whether the proposal is likely to give rise to significant effects<br><br>In Note 1, p2.2, distinction should be made between landscape & visual impact assessment (LVIA) forming part of an EIA and landscape and visual appraisal which is outside the EIA framework. The guidance in GLVIA3 and Landscape Institute's Statement of Clarification in this regard should be followed. (http://landscapeinstitute.org/PDF/Contribute/GLVIA3StatementofClarification1-13.pdf) | The presence of sensitive receptors within certain distances **is an indicator** of whether the proposal is likely to give rise to significant effects. However professional judgements will still be required as their presence may not give rise to significant effects (due for example to screening) or receptors beyond the distance identified may have very heightened sensitivity. This can only be judged in the context of a particular application | Note added to the bottom of page 0.2. *There is a difference between a landscape and visual assessment that forms part of an EIA, a Landscape and Visual Impact Assessment (LVIA), and one that does not form part of an EIA which is described as a Landscape and Visual Appraisal (LVA). Throughout this guidance the term LVIA has been used to cover both kinds of assessment.* |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| | | Query whether the LANDMAP requirements are consistent with Guidance Note 3 | | *Guidelines for Landscape and Visual Impact Assessment Third Edition Statement of Clarification 1/13 published by the landscape Institute provides further clarification.* |
| Natural Resource Wales | Disagree | • The assessment for whether a project requires an Environmental Statement (ES) should be based on whether a project is a schedule 2 project and then meets the thresholds as set out in Circular 11/99. The criteria in figure 2 in assessing whether an ES is required are misleading and removes the judgement from the decision maker as to whether significant effects are likely. | The presence of sensitive receptors within certain distances **is an indicator** of whether the proposal is likely to give rise to significant effects. Professional judgements will still be required as their presence may not give rise to significant effects (due for example to screening) or receptors beyond the distance identified may have very heightened sensitivity. This can only be judged in the context of a particular application | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| | | • The figure 2 methodology should take on board the comments in question 2 on definitions of turbine class. The Environment Circular 11/99 Indicative Criteria/ Thresholds states 'the likelihood of significant effects will generally depend upon the scale of the development, and its visual impact, as well as potential noise impacts. EIA is more likely to be required for commercial developments of 5 or more turbines, or more than 5 MW of new generating capacity'.<br><br>• Figure 2 requires a reconsideration to take this point on board. As an example, if a scheme consists of 5 turbines or more it does not automatically mean an ES is required. All it means is that an ES is more likely to be required and this is where an assessment of the significance of effects is important. | Unclear what the point here is. the Environment Circular 11/99 Indicative Criteria/ Thresholds states that developments of more than 5 turbines are likely to require an EIA. However EIAs have been required of many smaller schemes and the brief for this work was to help LPAs decide when they should be asking for an EIA for schemes that are less than 5 turbines / 5MW but above the EIA regs schedule 2 criteria.<br>Figure 2 is clear that it cannot say that an EIA is required this is a decision for the LPA it can only provide guidance on when it is likely. | |
| Q6: Do you agree with the approach to cumulative effects and the proposed search area distances | | | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Disagree | There is a slight confusion throughout page 2.3 and table 3 where turbines are said to have / belong to a typology. This is confusing because *turbines* have heights, whereas *turbine developments* have typologies. For example:<br>• Where it says "Small turbines within 8km", I believe it really means "Small developments within 8km";<br>• In table 3, instead of "Typology of Application Turbine(s)", for clarity it needs to say "Typology of Application Development"<br>• In table 3, I believe "the typology will be determined by the height to blade tip criteria only" is meant to say "the typology will be determined only by (a) the height to [vertical] blade tip and (b) the number of turbines" - unless the existing sentence is factually correct, in which case some more explanation would be helpful.<br><br>For clarity, a definition is needed within the body of table 3, e.g. the CSA will be land within the stated distance of the application development. | The online database only categories turbines by height. It does not consider turbine numbers. We do not consider that this causes a problem with regard to CLVIA issues as turbine heights are the most determinative feature with regard to the distance at which there is potential for cumulative issues. Page 2.3 and Table 3 have been revised to make this clearer. | Page 2.3 and Table 3 revised to clarify the fact that the Online database only categorises turbines in terms of height |
| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree | Make clear that this refers to EIA screening and LPAs have discretion to increase distances in scoping requirements for LVIA | This is the case for all the distances given in this section of the guidance . | |
| Mary O'Connor<br>Associate Director<br>WYG Group | Agree | | Noted | |
| Natural Resource Wales | Agree | As with Q3, NRW has provided comments previously on the size of the study areas proposed. The study area distances have been slightly increased following these discussions so we are happy with the current relationship of height to study area. If there are any changes to the height classes in the typology then the study area distances would require appropriate amendment based on the agreed parameters to redefine the study and search areas. | Noted | |
| Q7: Do you agree with the proposed cumulative thresholds for Other Infrastructure | | | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Agree | Last paragraph above Table 4:<br>• "... potential cumulative *landscape and visual* impacts ..."<br>• There is some confusion here as the first sentence refers to EIA and the second to LVIA /CLVIA. This needs expanding to say what it really means, which isn't clear now. I suspect the first sentence should refer to LVIA/CLIA and not to EIA. | Do not agree that there is any confusion here. This part of the guidance relates to EIA screening. the comment is making a separate point that even if an EIA is not required large and very large developments will always require a detailed assessment of landscape and visual effects and cumulative landscape and visual effects . | added |
| | | Other Large Scale Infrastructure is defined elsewhere in the document, but the definition needs repeating in table 4. Need to clarify in Table 4 that occurrence of only *existing* OLSI is being taken into account. | Definition repeated. It would be reasonable to assess large scale infrastructure that was consented or in planning so we do not thing we should stress existing | Definition repeated. |
| | | Important Note on page 2.4:<br>Need to add another caveat to the effect of: "This guidance only considers landscape and visual effects. Even if the LPA concludes that EIA is not necessary on landscape and visual grounds, EIA may still be necessary on the grounds of likely significant effects other than landscape and visual effects." | We don't think this is necessary as the Guidance says early on that it is only concerned with L&V effects. The note here is to address an approach we have come across in applications that say because no EIA was required it means there can be no significant effects and no reasons for refusing it. | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
|---|---|---|---|---|
| Sarah Chapple<br>Landscape Architect<br>Soltys Brewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | Although examples of other infrastructure can be found within the document, it would be helpful if they were clearly defined within this section. | | Definition repeated. |
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Disagree | **Table 4.** Given the vast range of possibilities, it seems too ambitious (and provocative) to establish these cumulative thresholds. Table 4 is confusing because micro, small, and medium seem to apply to application typology but it is not clear to this reader to what turbine heights the numbers of turbines in the (horizontally colour-coded) second column apply and how anyone can establish a threshold when there is a mixture of turbine sizes and infrastructure of different height in any study area | The second column is derived from the cumulative search areas in Table 3. Professional judgement will be required. The thresholds are indicative | add<br>within cumulative search areas<br>to Table 4 |
| Mary O'Connor<br>Associate Director<br>WYG Group | Disagree | "other large scale infrastructure" is not defined;<br>Why only infrastructure and not other forms of development?<br>Comment re distinction between LVIA and appraisals above applies here too. | Large scale infrastructure is the most likely to be an issue but professional judgment may bring in other forms of development | Definition repeatedLVIA /LVA distinction referred to in introduction |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Natural Resource Wales | Neither Agree nor Disagree | • P.2.3 Table 4 – do the distances in Table 3 apply? E.g. more than 15 medium (80m) turbines within 12km would be a threshold for EIA? 15 seems like quite a lot – significant effects could potentially result from less than this if they were close to a sensitive asset?<br>• Table 4 sets out cumulative thresholds. Whilst this may be useful as a guide, it should always be based on a case by case assessment depending on the topography, landscape, setting and so on. | Note added about case by case assessment. This stage in the screening process only comes into play if it has been concluded that there are **no other reasons** (such as the presence of sensitive assets) that might trigger an EIA | |
| Q8: Do you agree with the general minimum requirements of information to be provided for Landscape Visual Impact Assessments | | | | |
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Agree | Non-EIA LVIAs are often called landscape and visual appraisals (LVAs). Need to specifically include this term to clarify that they are covered by the guidance. | | Note added to introduction |
| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted | |
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree | Suggest amendment to include:<br>The details of any road construction/road improvement schemes required to provide access to the proposal site beyond the site boundary should be included in the minimum requirements.<br>The preferred route or options for any new grid connections should be included even if there is no definitive decision. | | Added<br><br>Added |
| Mary O'Connor<br>Associate Director<br>WYG Group | Agree | Make & model of turbine is unlikely to be known at this stage<br>Details of grid connection is unlikely to be known at this stage<br>Comment re distinction between LVIA and appraisals above applies here too. | It says where known<br><br>It says where known | Added to introduction |
| Natural Resource Wales | Agree | | Noted | |
| Q9: Do you agree with the proposed specific requirements for Landscape Visual Impact Assessment | | | | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Agree | 3.3<br>• The Typology column is confusing by including qualification of the listed typologies with overlapping height criteria (e.g. 50m is both Small and Medium), but the typologies are defined by height and number in the repeated Table 2 on page 3.2, so the typologies shouldn't need any qualification in Table 5.<br><br>• Need to state Study Area is radius. Suggest it should be called a Minimum Study Area.<br><br>The requirement for a written assessment has been missed out for Large and Very Large – or is written assessment implicit in "Full CLVIA"?<br><br>**Application of LANDMAP data:**<br>2nd sentence is inaccurate. Should read: "Aspect areas outside the site should be considered in line with LANDMAP Guidance Note 3: using LANDMAP for landscape and visual impact assessment of onshore wind turbines" (see Part 3: Section C of this guidance). | We were asked to add heights as a quick reminder so people didn't need to keep referring back to the original table. Although Table 2 is opposite in the document here people often print out single pages. I think the document as a whole makes it clear that typologies also include number of turbines<br>Table 2 says it is a minimum study area radius to be clarified elsewhere<br><br>Yes implicit in full CLVIA | Adjusted to avoid overlap<br>Will consider adding numbers as well<br><br>Will consider adding to this table<br><br>Revised in line with suggestion<br>*All aspect areas affected by the footprint of the development should be considered in detail. Aspect areas outside the site should be considered in line with LANDMAP Guidance Note 3: Using LANDMAP for Landscape and Visual Impact Assessment of Onshore Wind Turbines. (See Part 3: Section C of this guidance).* |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted | |
| Oliver Buxton<br>Project Manager<br>Peren Energy Ltd | Agree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree with reservations | **Objective visualisation of the proposed scheme, easily understood by the public, is important for all schemes.**<br>A 25m Micro turbine is higher than surrounding residences and a visualisation of its relation to existing buildings is important in assessing impact. Wirelines alone should not be sufficient for Small and Medium Types as they do not give the LPA and the public a clear enough impression of the impact of the proposal on its site and surroundings .<br>**Residential Study Areas**<br>We agree that it is better to have Residential Study Area as a function of tip height rather than Development Type but query the smaller Residential Study Areas generated for Micro and Small Types and suggest a minimum RSA of 500m to allow impact on residential amenity to be properly assessed.<br><br>**Public Access**<br>Although National Trails are mentioned in the guidance, there is no mention of other rights of way or the impacts of any scheme when viewed from land designated as Open Access land under the CROW Act. There does not seem to be any discussion of key visual receptors which should be included in a LVIA.<br><br>Any micro siting allowance should be included in the application information and all distances adjusted accordingly.<br><br>Without this, the indicative distances in the guidance can be breached. | It is not considered proportionate to ask for wirelines or photomontages for micro turbines.It is not considered proportionate to insist on photomontages for small and medium turbines but LPAs may request them if they believe they are dealing with a particularly sensitive location.<br><br>10 x blade tip height has been generally shown to include all properties where it is likely that unacceptable effects will occur. The note says that if there is clear visibility then properties just beyond this distance should also be included<br><br>The Guidance says the assessment should be carried out in accordance with GLVIA3 which sets out how an assessment should be undertaken and, for example it identified that the users of PRoWs and open access land have high sensitivity.<br><br>Agreed that Micro-siting can be a significant issue with regard to the residential assessment so a note has been added to this effect | Residential study area note to be amended to include a reference to micro siting<br>T*he Residential Study Area is the area within which a residential visual amenity assessment should be* |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Mary O'Connor<br>Associate Director<br>WYG Group | Disagree | Computer generated ZTVs should not be required; manually drawn zone of visual influence or visual envelopes may be acceptable – the emphasis should be on the purpose i.e. to identify where visual receptors may be found.<br>The LANDMAP requirements should be consistent with Guidance Note 3 | Computer generated ZTVs are a commonly expected requirement for wind turbines<br><br>We have worked with NRW to agree requirements | |
| Natural Resource Wales | Agree | | Noted | |
| Q10: Do you agree with the proposed use of LANDMAP as part of the Landscape Visual Impact Assessment | | | | |
| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Agree | | Noted | |
| Sarah Chapple<br>Landscape Architect<br>SoltysBrewster Consulting | Agree | | Noted | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted | |
| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | Agree | | Noted | |

| Respondent | Agree Disagree Neither Agree or Disagree | Comment | Response | Change |
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| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | Agree with reservations | We appreciate the importance of LANDMAP for Wales and the advantages of the "layer/aspect" methodology but nevertheless we recognise that LANDMAP data is more robust in some instances than others and evaluations made in the past are themselves a matter of judgement and may not always reflect contemporary situations or value attributed by the public. We think it is important to allow flexibility to take this into account to avoid excessive wind energy development on aspect areas which are highly valued by the public but not classified as high or outstanding in Visual/Sensory Scenic quality or Character. | Agree that the quality of LANDMAP data can be variable and have added a note to this effect to the note at the bottom of page 3.6 | It is essential that the LVIA analyses and interprets the LANDMAP data and does not merely quote from it. *The quality of LANDMAP data can be variable.* |
| Mary O'Connor<br>Associate Director<br>WYG Group | Neither Agree nor Disagree | Any LANDMAP requirements should be consistent with Guidance Note 3<br>It is not always straightforward to "interpret" the LANDMAP information and the interaction of the aspects | Agreed | |
| Natural Resource Wales | Agree | Under initial consideration<br>• The first sentence 'all aspect layers' should be changed to 'all aspect areas'<br>• Second paragraph, add 'regardless of their overall evaluation' at the end (so that it is clear that if the turbine is located within an aspect area it is considered fully even if it is not outstanding or high)<br>Under detailed consideration<br>• The first sentence 'all aspect layers' should be changed to 'all aspect areas' | I think adding this note may be confusing here. It is stressed n Table 6 in the heading to column 4 | Changed to all aspect areas<br><br>Changed to all aspect areas |

| Respondent | Comment | Response | Change |
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| Phil Ratcliff<br>Development Planning Officer<br>Rhondda Cynon Taf County Borough Council | Part 3 section C photomontage guidance:<br><br>As stated above, the visual representation of windfarms good practice guidance, SNH 2014 should be referred to. Therefore the Highland Council guidance is not needed. | 2014 SHN Guidance will be referenced. Highlands Council Standards have not been superseded. As we are in Wales photomontages are not required to be done to either of these standards but it is worth pointing developers to the Highlands Council Standards as we consider they are less onerous than the latest SNH guidance and as informative, especially when dealing with small scale developments. | |
| Kay Foster<br>Senior Landscape Officer<br>Conwy Council | I would like to say that I find the document very concise | THANK YOU - WE TRIED HARD | |
| Sarah Chapple<br>Landscape Architect<br>Soltys Brewster Consulting | I attended the consultation seminar at the Norwegian Church which was really helpful. One comment – Is there anyway a 'How to Use' guide could be produced for the ICLOUD Mapping system It looks like a great resource but it would be helpful if there was some kind of tutorial available to make better use of the system | This may depend on if funding is available. There is some quite good guidance on the GIS cloud site | |

| Respondent | Comment | Response | Change |
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| Colette Bosley<br>Principal Landscape and Countryside Officer<br>Monmouthshire County Council | • Introduction 0.7 – A statement on the need for suitably qualified Landscape Architect here would be helpful to ensure landscape consultants are at the table from the beginning. e.g. "Developers and agents considering the submission of a planning application for wind development are advised to engage a Landscape Consultant from an early stage to ensure professional judgement is applied in undertaking the Landscape and Visual Impact Assessment (LVIA). A LVIA will be required of all wind turbine applications. This document however clarifies that the scope of the LVIA study varies and is to be proportionate to the scale of proposed development and sensitivity of its landscape and visual context, and sets out the steps and considerations required in establishing whether or not the proposal requires an Environmental Impact Assessment."<br>• Part one; minimum requirements for the EIA screening<br>It came up in the seminar, but needs clarification in the document after section D the information to be provided for Large and Very large developments, otherwise it appears there are some missing pages.<br>• 3.4 note 3. "The choice of viewpoints and which ones require photomontage visualisations will need to be agreed with the determining authority".<br><br>• 3.11 – the text loses the message. Suggest inserting at the top – The assessment of cumulative effects often needs to look beyond the Typology Study Area | We have added a note about a Landscape Consultant but we think the other part reiterates what is said elsewhere<br><br>Note on page 1,1 given more emphasis and note added to Page 1.2 under turbine typologies | Added<br>*Developers considering the submission of a planning application for wind development are advised to engage a Landscape Consultant from an early stage to ensure professional judgement is applied in undertaking the Landscape and Visual Impact Assessment (LVIA)*<br><br>*The location of viewpoints and visualisations will need to be agreed with the planning authority.*<br><br>Text revised |

| Respondent | Comment | Response | Change |
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| Barbara Morgan<br>Network Rail | Network Rail has been consulted by Blaenau Gwent County Borough Council on the Wind Turbine Development. Thank you for providing us with this opportunity to comment on this Planning Policy document.<br><br>Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.<br><br>Developers of turbines must consider shadow flicker and its effect upon railway infrastructure. Network Rail would request that developers must consider when constructing wind turbines or wind farms the likely effect upon the railway, particularly where safety is critical. There may be a minimal risk to driver's vision (how they perceive signalling, the route ahead, stopping in the case of emergency etc.) which may be impacted by a wind turbine(s).<br><br>Network Rail utilises radio/signalling equipment and we would not want to see this interfered with by wind farms/wind turbines, particularly as it is safety critical and absolutely integral to the operation of the railway.<br><br>There is some concern that vibration from turbines can affect ground conditions; with the possible issue here being embankments and potential instability, in which case Network Rail would raise an objection to any applications for turbines close enough to the railway to create these issues and would wish consultation on a possible repositioning. The construction of the towers, heavy blades, gearbox and generator as well as guy lines | I do not think that any of these comments are relevant to the landscape and visual aspects of wind turbine development | |

| Respondent | Comment | Response | Change |
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| | to hold the tower in place put strain on the ground at the base of the structure.<br><br>Many wind turbines are now a minimum of a 45 metre long tall tower with concomitant long blades, as such it may be necessary for the developer of any proposal for a wind turbine or turbines to gain consent from Network Rail's Structures Engineers and Level Crossing Managers to cross Network Rail infrastructure in particular over a Network Rail bridge prior to construction on site. Consent may be needed as bridges have a maximum load and a wind turbine(s) plus blades and vehicle transporting said equipment may be over the limit for that bridge.<br><br>Network Rail should be consulted on applications for wind turbine(s) as standard, and this should be added to the council's policy. We would also request the policy to require applicants to engage in pre-application consultation with the Network Rail Asset Protection Team to determine if a proposed wind turbine(s) / wind farm(s) impacts upon Network Rail land and the safety, integrity and operation of the railway and its infrastructure for the reasons as stated above.<br><br>At this stage the construction and usage of wind turbine(s) is relatively rare, but Network Rail Town Planning has seen an increase in applications and it is highly probable that the numbers of developments with wind turbine(s) will increase as the drive toward sustainable, renewable, carbon neutral energy production increases. | | |

| Respondent | Comment | Response | Change |
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| Oliver Buxton<br>Project Manager<br>Seren Energy Ltd | I welcome this more prescriptive advice for smaller scale wind development. However my only concern is the line "*it is likely that all wind turbine development where the turbine height to blade tip is greater than 80m or where there are more than five turbines will require an EIA.*" There is already clear guidance from a circular in regards to EIA thresholds and guidance. This additional threshold for 80m tip is unnecessary. A single turbine with a tip height of, for example 86.5m (Enercon E53 800kW) in an appropriate location away from sensitive landscapes should not be subject of an EIA. The screening process is already suitable and this addition is unnecessary. | Many authorities do not find the existing guidance clear enough hence commissioning this guidance. The guidance says 'it is likely an EIA will be required'. In the example given of a turbine towards the bottom end of its typology in a non-sensitive location it would be up to the developer to put forward a case as to why an EIA was not required. | |
| Peter Seaman<br>Chairman<br>Campaign for the Protection of Rural Wales (CPRW) | CPRW welcomes a fairer, clearer and more consistent approach to EIA screening and LVIAs for wind energy applications which can be applied throughout Wales.<br><br>**Third Parties should be mentioned in the Guidance.**<br>The guidance says it is written for Planning Officers and Developers to introduce clarity, consistency and avoid lengthy discussion of irrelevant issues. Third Party stakeholders are not mentioned. All those current and future generations who derive health and pleasure from the countryside, Welsh residents and independent organisations, including conservation charities, are also stakeholders – perhaps the most important ones. They have a right to public consultation processes and an interest in improved information and fair process resulting from good guidance.<br><br>**A plan for on-going assessment and timely review and updating of the guidance should be included.**<br>The problems of applying out-dated guidance are amply illustrated by the plight of wind farm neighbours resulting from the retention of ETSU-R-97 guidance for noise assessment of wind turbines. | We agree that third parties should be involved. With regard to the process of deciding what should accompany an application for WTD this involvement will be via consultation with the LPA. It is beyond the remit of this guidance to prescribe what those consultation processes should be - that would need a separate piece of work.<br><br>I don't know what provision there is for review of the document | |

| Respondent | Comment | Response | Change |
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| | We can predict neither the future of onshore wind energy nor the unintended consequences of this guidance. We have all witnessed how rapidly the wind energy sector changes in response to energy and planning policy, economic incentives, technological development and the decrease in available sites. It is significant that we are calling the 79m single turbines so popular with Developers "medium developments" when these turbines are larger than those making up extensive windfarms a decade ago. 70m to 80m turbines are usually derated to 500kw in order to avoid the step-decrease in feed-in tariff over 500kw, demonstrating how quickly development adapts to economic incentives. The proposed guidance itself could have an analogous impact on patterns of application by making it clear how to bring a development in under the EIA threshold – like the impact of the recently abolished stamp-duty "slab-tax" on house prices. For instance, the guidance might encourage the peppering of the countryside with small groups of 3 turbines just under either 51m or 81m. | Whilst there is truth in this comment, taken to its logical conclusion it would mean that no guidance was ever produced and no thresholds set for fear of unintended consequences. A review of the effectiveness / consequences of the Guidance would be good practice. | |
| | It should be made even clearer at the outset that this is not guidance for making planning decisions. | It is clear in the name - one of the reasons for sticking with a long winded name instead of something snappy | |
| | Perhaps the "Important notes" (2.4.) should be highlighted in the introduction. | We think that it is better where it is. the heading **Important Note** should make it hard to overlook. | |
| | Ultimately an ES is a Developer's business case targeted at LPA permission and it is only too easy for a demonstration of superficially correct <u>procedure</u> to be interpreted by Planning Officers and Statutory Consultees as a demonstration of correct information and correct <u>planning conclusions.</u> This very slippery slope should be avoided at all costs. ETSU-R-97 illustrates how | A well produced, clearly written assessment that includes all the correct information is always a help and never a hindrance in | |

| Respondent | Comment | Response | Change |
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| | "*guidance for assessment of wind turbine noise*" has made it virtually impossible for Planning Officers not to accept any Developer's noise assessment, whatever the scientific shortcomings. | determining applications. | |
| | **If the current approach is to be successful:**<br>· All EIA screening assessments and scoping exercises should be undertaken by accredited staff. Staff should be required to complete specific professional training in this approach and should only be accredited when they have demonstrated their competence in applying the methodology. | We do not have a remit to impose this | |
| | A public register of all turbine schemes should be maintained and the outcome of any screening / scoping exercise of any such scheme should be included in the register. | We do not have a remit to impose this but the online database is planned to include information of refused and withdrawn applications as well as approved ones | |
| | · An Authority should be required to publish their decisions, with reasons, why a scheme submitted to them does not require an EIA screening request or how a EIA screening decision is reached. | It is unclear as to whether this is already required by the EIA regs with regard to Schedule 2 development | |
| | We are also aware that the success of this approach relies heavily on the quality of the data and landscape information upon which any judgements are based. We therefore believe that any such assessment must be based upon professionally and independently accredited landscape capacity and sensitivity studies which themselves use the same methodology. | Independently accredited landscape capacity and sensitivity studies are currently being undertaken for various areas within Wales | |
| | **An on-line Database is essential to this project**<br>As an absolute minimum LPA's should be required to have an up-to-date map of all OCP turbines with location and height in order | We do not have a remit to impose this | |

| Respondent | Comment | Response | Change |
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| | to verify application information and to inform developers and third parties. Maps could be backed up by clearly arranged tables of applications awaiting data entry. | | |
| Mary O'Connor<br>Associate Director<br>WYG Group | Photomontages: the guidance referred to is now out of date: revised SNH guidance has been published in July 2014 and supersedes Highland Council guidance; the LI Advice Note is under revision in response to the new SNH guidance;<br>NB: the SNH guidance on visualisations is for commercial scale wind farms in Scotland (see Introduction to the Guidance) not for smaller scale development and not for developments outside of Scotland; it should be reviewed critically before adopting it for less than commercial scale wind developments in Wales and only adopted so far as it is usefully applicable.<br><br>p3.12: there is confusion here about location and visual receptor – see GLVIA3 which is clear that the visual receptor is the person viewing the landscape and not the location of the person e.g. the national trail as stated here.<br><br>Consistency should be ensured between this and the Carmarthenshire & Pembrokeshire Guidance.<br><br>The Online WT Database is very welcome; support should be | To be updated<br><br>Agreed<br><br>Agreed<br><br>This has been achieved as far as possible although one of the key purposes of this guidance was to establish study and search areas which more accurately reflected likely significant effects and this has meant a reduction in the minimum study areas from some existing guidance. If we keep consistency with everything that has gone before we can't bring in change.<br>Agreed | We will revise this section in the light of the updated guidance and add a note on scale.<br><br>Changed |

| Respondent | Comment | Response | Change |
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| | sought from Welsh Government to extend it to all Wales. | | |
| **Natural Resource Wales** | Natural Resources Wales welcomes this guidance and the collaborative approach that has been instrumental in developing it.<br>We have engaged in providing feedback on this document on previous occasions whilst it was still in draft form, notably on 5th March, 6th March, 4 June, 9 June and 1 July 2014. Our comments have been considered and included at all stages and where they have not been included – satisfactory explanations have been given. Therefore only additional comments are included in this document.<br>An officer has recently used this draft guidance in a live case as a test and found it to be a very logical process that will help in deciding on EIA requirements. Previously a ZTV would have been requested for the extent of visibility in order to inform their decision, but as the flow chart in figure 2 follows a logical process based on distances from more sensitive landscape areas, they felt it would make the screening process much simpler.<br>Natural Resources Wales would be very pleased to work with you to arrange an event to launch and communicate the Guidance to Local Planning Authorities, Natural Resources Wales staff, consultants and developers.<br>Additional comments on the draft document follow:<br>0.1 Suggest replace 'Environmental assessment is a procedure that ensures that the environmental implications of proposals are taken into account before decisions are made. An Environmental Impact Assessment (EIA) assesses the possible impact that a proposed project may have on the environment and this information is submitted to the Local Planning Authority (LPA) or the Welsh Government in the form of an Environmental Statement (ES)'.<br>With: | This wording followed legal advice and we would like to keep it. It is more strictly factual with regard to EIA regulations than the suggested replacement. | |

| Respondent | Comment | Response | Change |
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| | 'Environmental Impact Assessment (EIA) is a process by which information about the likely environmental effects of certain projects is collected, assessed and taken into account both by the applicant, as part of project design, and by the decision making body (Local Planning Authority or if called in, by Welsh Government) in deciding whether permission should be granted. Thus EIA has two roles – improving decision making and project planning.' | | |
| | Introduction p.2 - CLVIA – should this say that other development as well as wind turbines should be considered (as referenced on p.4 Part 2)? | | Reference added |
| | P.1.2 a8 – it would be helpful if the site plan showed features such as mature trees/woodland/hedgerows as well as contour lines/spot heights. | This would not be a usual requirement at a screening stage. If an applicant was relying on such screening as a reason for not requiring an EIA it would be up to them to add it to their plans and make their case. | |
| | P1.3 b4 –Include sensitive seascapes? | We are not aware of an agreed definition of a sensitive seascape | |
| | P.1.5 – the screening distances e.g. 3km from the National Park for medium, there could be significant effects within the 5km study area? | Effects with 5km would be assessed even if an EIA was not required. The purpose of the screening is to identify likely triggers for an EIA not to cover all possible significant effects | |

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# Heads of the Valleys Sensitivity and Capacity Study Supplementary Planning Guidance

## Consultation Report

Gillespies were commissioned by Blaenau Gwent County Borough Council on behalf of the Heads of the Valleys Local Authorities to prepare this study. The assessment approach was developed with the client group and with representatives from the South Wales Landscape Liaison Group.

This report sets out the consultation that was undertaken on the draft document, including a summary of the responses received and how they have been taken into account by the Council.

A 6 week consultation exercise was carried out between 7th November 2014 and 19th December 2014. The consultation included an email to over 100 organisations which included all Welsh Local Planning Authorities, Statutory Bodies, National organisations, local interest groups and Planning and Landscape Consultants. The email informed them of the consultation and provided a link to the document and comment form.

A consultation event was held on Tuesday 16th of December at the Norwegian Church, Cardiff. This was well attended by environmental groups, local authority planners and landscape architects and landscape consultants.

Eight responses to the consultation were received. These were from a range of Local Planning Authorities, Industry Representatives and environmental groups.

The table on page 3 contains the representations made during the consultation period and the response to them. Where appropriate, the document has been amended to take account of the views received.

**Questionnaire Results**

- All respondents agreed that there should be a common methodology for landscape sensitivity and capacity studies across Wales
- 3 out of 6 disagreed with the proposed wind farm typologies
- 4 out of 6 disagreed with the proposed definition of sensitivity
- 4 out of 6 disagreed with the criteria for assessing landscape and visual susceptibility
- 4 out of 6 disagreed with the Stage 1 Assessment Framework
- 3 agreed and 3 disagreed with the methodology for assessing Landscape and Visual Sensitivity
- 4 out of 5 agreed with the use of professional judgement to determine the most appropriate landscape objectives
- 2 agreed and 2 disagreed with the Landscape objectives set for the Heads of the Valleys Area

- 3 agreed and 1 disagreed with the methodology for identifying the indicative landscape capacities
- 3 agreed and 1 disagreed with the Landscape Character baseline
- 3 agreed and no one disagreed with the proposed Landscape Types
- 1 agreed and 1 disagreed with the Landscape units

Please note that not everyone answered the questionnaire and not everyone answered every question.

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| **Q1: Do you agree that the use of a common methodology across Wales for undertaking Landscape Sensitivity and Capacity studies would be helpful?** | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | It is agreed that a common methodology across Wales would be helpful nevertheless there are several important caveats and points that should be emphasised.<br>Firstly that even more than the Heads of the Valleys Report such a nationwide study would be at a strategic level and would not be a substitute for a more detailed study for each proposed individual wind turbine development.<br>Secondly that such approach and its implementation are rather belated given the level of proposed, consented and operational wind farm development across Wales in the past two decades. There is the issue of how such a study would relate to TAN8 which was based upon a similar type of exercise.<br>Thirdly there is the issue of cost and logistics as well as how to assure that all the Welsh local authorities treat the results of the study in the same manner. | Noted<br>Agree<br>Agree<br>Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Agree | We agree with this in principle; however there are still significant inaccuracies which persist, e.g. as highlighted by the report authors in Unit 24 (presumably referring to LANDMAP Aspect Area (AA) 13); and AA1b which has recently changed its' name, which can result in confusion. | As LANDMAP is being constantly updated it is inevitable that there will be changes. All Guidance stresses that the most recent LANDMAP data should be used for an application |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | Agree | We agree that this type of study is very helpful for developers, local planning authorities and third parties, such as the local community, in providing clarity and identifying sensitive areas. We welcome this particular study, as the Heads of the Valleys area is complex and varied in terms of landscape, with areas that are highly vulnerable and areas that can accommodate some wind turbine development.<br><br>However, applying this methodology across Wales will need to take regional variation, such as differing priorities into account. The obvious example will be that National Parks and AONBs will have stricter criteria than other areas, and the methodology must accommodate this. Similarly, there must be flexibility within the methodology to reflect the differing development priorities for different areas. | Noted. |
| Sergio Zappulo Development Manager REG Windpower | Agree | Providing that an appropriate and robust methodology is to be applied, it would be very welcome for a common methodology to be used across Wales, as this would offer certainty and comparability of all such assessments.<br>In this regard, it is important to ensure that judgements made in this study are benchmarked in relation to the whole of the Welsh landscape, not just the study area. That is to say, those landscapes considered to be of 'high' sensitivity are truly the highest-sensitivity landscapes across Wales, not simply the most sensitive in the Heads of the Valleys. | Noted<br><br>It was not within the scope of our study to do this. We do not know of any sensitivity studies in England or Wales that have attempted to assess sensitivity on a national basis. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Agree | Whilst agreeing that a common methodology across Wales would be helpful, the methodology itself causes specific concern for Rhondda Cynon Taf County Borough Council in relation to the TAN 8 SSAs. Rhondda Cynon Taf is the only LPA with land in a SSA in the HOV area (part of SSA F).<br>Stage Three of the methodology adopts the implicit objective of TAN 8 to accept significant change in landscape character resulting from wind turbine development located within the SSA. This overlooks the intention in TAN 8 that local planning authorities will undertake local refinement of their SSAs (paragraph 2.4), and so applies the acceptance of significant change to the whole, broad-brush, unrefined SSA (in Rhondda Cynon Taf). The methodology thereby risks producing an outcome that overrides the intrinsic sensitivity of the SSA landscape derived from its underlying susceptibility and value. The refinement of SSA F in Rhondda Cynon Taf was carried out by multi-criteria analysis in accordance with the methodology in TAN 8 Annex D. The refined SSA F in Rhondda Cynon Taf (significantly smaller than the unrefined SSA) has been criticised as lacking weight in planning since it was “noted as a background paper” by the County Borough Council i.e. it was neither adopted nor rejected. Nevertheless, two important point emerge: | Noted<br><br>References in the introduction have been strengthened to confirm that this study is intended for developments that considered suitable for areas outside SSA only. Wording used in the guidance has been repeated. Note added and reference made to the TAN 8 Annex D Study of Strategic Search Areas E and F: South Wales Valleys Final report (2006) both in the introduction and in the landscape objectives section to make explicit that the current study does not supersede there refinement study. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | 1. The refined SSA has generally been successful in guiding where development should be carried out in SSA F (see attached map);<br>2. Due to the density of built and approved development, SSA F is now nearing the maximum target set by the Welsh Government Minister for Environment and Sustainable Development in July 2011. This relieves development pressure in the undeveloped parts of the unrefined SSA (that is, outside the refined SSA).<br>The methodology of accepting significant landscape change within the unrefined SSA F but outside the refined SSA F risks additional development on the high ground between the Cynon and Rhondda Fach valleys and between the Rhondda Fawr and Ogmore valleys, with significant cumulative landscape and visual effects on the residents of the densely-settled valley floors.<br>There are two suggested options.<br>· The TAN8 annex D study and the refined SSA boundary are noted and mapped respectively, with text to state that the study does not supersede these boundaries, or areas of high landscape sensitivity defined in the study.<br>· The HOV study excludes areas 1, 3, 4 and 5.<br>The SSAs present special issues of intensity of development and proximity to settlements. Therefore, it is suggested that more thought will need to be given to the methodology for assessing sensitivity not only in and around SSA F but also in other SSAs elsewhere in Wales. A strong vision is needed to prevent unacceptable effects on the landscapes and populations of these areas: the methodology does not adequately address these. | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Q2: Do you agree with the proposed wind farm typologies? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | Please see the related response to Q2 of the landscape and visual impact assessment requirements questionnaire. | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | Whilst it is agreed that the adoption of a set of typologies is helpful (notwithstanding the constant overarching caveat that there will always be the need for detailed individual LVIAs for any proposed wind turbine development), we do not agree with the definition of the wind farm typologies that has been proposed. It is biased towards the generation of a definition that a proposed wind farm should be categorised as being 'large' or 'very large' with the commensurate greater restrictions upon its strategic acceptability.<br>Under the proposed typology a proposed wind farm would be categorised as being 'very large' if it consists of more than five turbines of any height or a single turbine with a blade tip height in excess of 109m. This typology does not adequately reflect the recent development in turbine technology or the numbers of turbines contained in the wind farm developments that have been consented or become operational in the area that is covered by the Heads of the Valleys Study. It would appear inappropriate that the proposed Pen Bryn Oer Wind Farm which comprises three 110m blade tip turbines would be placed in the same 'very large' typology as the currently being constructed Pen-y-Cymoedd Wind Farm which consists of 76 turbines that will be 145m blade tip height. | Because this study is concerned with smaller scale development only it is appropriate that both these schemes should fall into the very large category |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | The typology should be redefined so as to better reflect the range of wind turbine development that is operational, consented and proposed across the Heads of the Valleys study area. The corollary of adopting the present typology will be the sort of distribution of sensitivities for 'large' and 'very large' turbines as shown in Figures 14 and 15 in which the large majority or all of the study area is categorised as being of 'medium-high' or 'high' sensitivity. This outcome is not particularly helpful in differentiating varying sensitivity and capacity across different landscape units nor does it reflect the actual pattern of wind farm development that has arisen across the study area. | The aim of the study was not to reflect what has happened but to look at landscape sensitivity - this is only one possible aspect of the suitability of a site for WTD |
| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Disagree | One very fundamental issue is that the Airvolution Energy (AvE) proposals for two turbines at Hafod-y-Dafal south east of Cwm do not fit into any of these proposed "Typologies". At two turbines in extent, it should fall under the "Small" typology. However at a maximum of 131m to tip, it could also fall under "Very Large".<br><br>Another example might be a single turbine of 80m to tip which could be categorised as either "Micro" or "Medium" depending on whether the tip height or extent criteria were used.<br><br>Planning Guidance for Wind Turbine Development Landscape and Visual Impact Assessment Requirements (LVIAR) which is referred to as the source document for the Typologies, states under Table 1: "…to decide in which typology a development belongs <u>it must satisfy both the height and the turbine numbers criteria</u>. See the examples on page 0.5". However if a development (such as Hafod) does <u>not</u> satisfy | We hope we have resolved this confusion by making the criteria clearer. Development must meet both criteria. The turbines at Hafod-y- dafal are greater than 109m to blade tip height and must therefore be in the very large typology.<br><br>We have revised the typology tables to try and make this clearer.<br>We have omitted the between ranges for the turbines - which we now realise confused the issue.<br><br>Hafod was incorrectly shown on the plan and described previously. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | both criteria, there is no indication of how to resolve this incompatibility, and the illustrated examples in LVIAR (Figure 1) merely compound this conundrum.<br><br>Since this underpins the determination of any and all conclusions arising from the Landscape Sensitivity and Capacity Study Final Report (LSCS), the report "falls at the first hurdle" and is therefore effectively not fit for purpose. Surely it is not being suggested that every development must comply with both criteria, or otherwise be automatically rejected?<br><br>Interestingly, in LSCS it appears that the authors have "interpolated" between the two typology criteria as in Fig.07 and also Section 4 Hafod appears to be classified as "Medium" (and wrongly recorded as being two proposals) even though this approach is contrary to the aforementioned guidance as laid out in LVIAR. For this reason, we are unsure as to which typology the Hafod development should be classified under and hence the appropriate specifics which apply, both in terms of the standard and extent of information now considered acceptable for the typology in question (LVIAR) and the capacity and sensitivity of the landscape to the typology in question (LSCS). | Plan amended to show Hafod-y-Dafal as Very Large and text changed |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | Disagree | There needs to be greater clarity as to how to determine the typology of a wind turbine development. For example, should a single 109m turbine be classified as a micro, large, or something in between? | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | The typologies include consideration of both turbine height and turbine numbers. We query the interaction between height and number. This can lead to inconsistencies such as, for example, a single turbine of 110m and a group of five turbines at 79m would both be considered a 'very large' development, despite having significant differences in terms of their likely interaction with the landscape. In our experience, turbine height is more critical in judging the principle of wind turbine development within an area (ie sensitivity). Turbine numbers may be more relevant to a consideration of 'capacity'. It is noted that, for operational and consented schemes, only height has been considered (page 11) and the reasons for this difference is not stated. If this is appropriate for operational and consented schemes, it may be appropriate to focus on height for all schemes. | We have addressed this emphasising the fact that this sensitivity study is for smaller scale development and by clarifying the typologies. |
| | | It could be more clearly stated how the cut-off heights were arrived at. Reference is made to the *Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements*, although the consultation draft of this document does not provide this detail either. In defining these typologies, it is not clear if regard was had to the turbines currently operating and planned in the study area, or likely future trends. For example, there are a number of consented schemes in the study area with turbines of 145m, which is significantly greater than the 110m cut-off for the 'very large' category. The document could clarify that the 'very large' category does indeed have no upper limit, and that the conclusions in relation to 110m turbines would remain valid for turbines of 150m+ which may be proposed in the future. | Cut off heights were chose to align with other studies |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Neither Agree nor Disagree | The typologies are simple but seem to be quite restrictive. With most wind energy sensitivity studies, the size of turbine and the number of turbines are separated to allow flexibility in the future with changes in technologies and pattern of development. Single or double turbines over 109m to VBT are now coming forward so it is likely that the Very Large category will be challenged. | Developments in the *Very Large category will be assessed on a case by case basis.* |
| | | It is apparent that the strategy is to concentrate any Large or Very Large developments in SSAs and Medium or smaller developments everywhere else. Whilst this might be true of the HOV study area, we are not sure that this will achieve government policy/targets if applied everywhere in Wales. | This study is only concerned with the landscape sensitivity of the HOV area and not with achieving government policy/targets across Wales. |
| | | The only difficulty encountered with applying the typologies is where one development comprises turbines in more than one height category e.g. 3 at 100m plus 7 at 120m. Splitting the scheme into two typologies results in one Large typology adjacent to one Very Large typology, which should probably be treated as one Very Large typology. A note to cover this situation is needed. | Generally we think that schemes which incorporate different turbines should be discouraged. The scheme described would fall under the very large typology due to the number of turbines involved (10). I believe such situations, which are likely to be rare, can be left to the good sense of the planning officer. In addition the scheme described would be greater than 5MW and we have made it clearer that the study is aimed at under 5MW schemes. |
| **Q3: Do you agree with the proposed definition of sensitivity?** | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Disagree | The inconsistent use of terminology between definitions of sensitivity makes comparisons between them more difficult. For instance, the definitions for “low and high sensitivity” explicitly address the vulnerability of the key landscape characteristics, while the term “vulnerable” is absent from the definition of “medium” sensitivity.<br>It would also be beneficial if there was more consistency between the definitions when describing the impacts on the character of the landscape and the value placed on the landscape. The descriptions currently vary as follows: “significant adverse effects”, “result in change” and “significant effects”. | We have reviewed these and consider that these are not inconsistences in terminology but aim to describe the different kinds of effects that might be expected from landscapes that have low medium or high sensitivity |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | The definitions are broadly correct but there are some amendments that would be helpful and reflect the reality of wind farm landscape assessments. Amongst these small-scale changes are:<br>For Low Sensitivity given that for almost any wind turbine an LVIA would conclude that there would be some significant effects upon landscape character even if these are spatially restricted to the immediate vicinity of the proposed turbine, it is unrealistic to state that this definition only applies to areas (or landscape units) where no significant adverse effects would arise. | This would be true in an English context but TAN 8 explicitly refers to no significant change outside SSAs |
| | | We consider that the use of the terms ‘area’ and ‘landscape’ appear to be used interchangeably. This definition is too vague in the context of this Study and should be replaced by ‘landscape unit‘ as this is the scale at which the Study has been undertaken. | The effect are not just limited to the landscape unit in which the development is proposed but may be on the surrounding or adjacent units - therefore to replace area and landscape with landscape unit would be inaccurate |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | Table 2; Definition of Sensitivity; although the text correctly acknowledges that sensitivity is determined by consideration of both susceptibility and value, the sensitivity criteria in Table 2 are not specifically referred to in the text; make no mention of either susceptibility or value, and appear to "pre-judge" significance of effects; reading in fact more like effects criteria than sensitivity criteria. | The sensitivity definitions are a two sentence summary and cannot include everything. The detailed consideration of susceptibility and value and made clear in the methodology and in the actual study |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | The sensitivity definitions are appropriate and clearly stated. It is generally accepted by planners that all commercial-scale wind turbines are likely to give rise in a change in landscape character at a local scale. It would be helpful for the study to acknowledge this to ensure that these definitions are not read to imply that any change in character, no matter how small, is unacceptable. | TAN 8 explicitly refers to no significant change outside SSAs which is the wording used her for low sensitivity |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | There are 3 definitions (low, medium and high) but 5 different levels of sensitivity identified in the study area. This is confusing and could be contentious at public inquiries. There should be 5 definitions to explain low to medium and medium to high. | It is very common for intermediate assessments of medium/high to be given without a separate definition |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Q4: Do you agree with the proposed criteria for assessing landscape and visual susceptibility to wind turbine development? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Disagree | It is unclear whether cultural heritage features, such as scheduled ancient monuments (SAMs) and listed buildings, form part of the criteria for assessing landscape and visual susceptibility. These heritage features are known to be susceptible to wind turbine development, particularly in respect of harm to their settings. Whilst it is possible that SAMs and listed buildings are considered under the criteria relating to *Built Environment* and *Skylines and Settings*, it is not explicit in the explanatory text. | In this study heritage features are assessed in terms of their contribution to the landscape. A separate cultural heritage assessment of impacts on setting would need to be undertaken. |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | This response will provide brief comments on each criterion.<br>Scale – agree that VS8 is the correct LANDMAP Survey Collector Response to use. Do not agree with the statement that "A large height differential ... by lessening the size of the turbines" as poorly sited turbines in an elevated location close to lower lying areas can increase the sense of the turbines being overbearing in these less elevated areas in the manner that has been identified in some LVIA reviews provided to local authorities in south Wales that have been prepared by White Associates, as is implied in the remainder of the commentary on this criterion in the Study. This sentence could be interpreted as contradicting the justification for the landform criterion. | We think this criterion is clear. They are inevitably very brief description of some quite complex ideas which are likely to be explore in depth for particular schemes. |
| | | Landform – see comment above. Suggest altering so that 'high hills/mountains' is high susceptibility and 'hills/valleys, rolling land undulating' is medium susceptibility. Landcover pattern – broadly agree apart from the statement that the presence of a field pattern will inherently result in high susceptibility: if the field pattern is regular and/or large scale and/or is formed by ditches; low trimmed hedgerows or post and wire fences. | As above<br>A mosaic field pattern, not just any field pattern has high susceptibly |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Built environment – it is agreed that the presence of existing manmade features will generally reduce a Landscape Unit's (LU's) sensitivity to the presence of wind turbines. As is recognised in the supporting text the statement that the frequency of "built form and human intervention" is indicative of reduced sensitivity does appear to contradict the need for visual sensitivity to be considered (as it correctly is later on). The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are weak proxies for considering effect s upon built environment compared with the other three criteria listed under this heading. | Don't understand how this contradicts the need for visual sensitivity to be considered. It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less likely that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.<br>The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are additional information not proxies |
| | | Skylines and setting – generally agree although if it is accepted that wind farms themselves form a distinctive skyline feature then this criterion would mitigate against extending existing wind farms or grouping together wind farm developments thereby reducing the potential for extending existing wind farms. | Whilst turbines are clearly skyline features they are not generally considered to be distinctive features requiring protection. We always have to believe that decision makers will apply common sense when they consider individual applications |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Movement – Generally agree but the criterion needs to be more subtle and specific about different types of movement within an LU and do not agree that the responses to Survey Collector Question VS18: Level of Human Access provides a good indication of the amount of movement in an LU. Had always assumed it was a reference to the density of the PRoW network or presence of Open Access Land. These are not good proxies for the effects that would be generated by the movement of turbine blades. Should rely upon observation during survey. | Question VS18: Level of Human Access provides additional information to observation during survey. The method for assessing VS18 refers to busy roads, motorways, town centres, small villages, rural roads, mountain footpaths etc. and in this respect supported observations during field survey. |
| | | Visibility, key views and vistas – This criterion runs the risk of conflating landscape and visual sensitivity. With regard to landscape sensitivity it is not agreed that a high degree of enclosure and topographical variation and/or high levels of landcover are less susceptible. For VS9: enclosure, the equation of a sense of enclosure with low susceptibility to wind turbine development and exposure with high susceptibility are not in accordance with wind farm design guidance. | The difference here is that we are dealing with smaller scale development where enclosure in some instances may enable a smaller turbine to be accommodated. |
| | | Intervisibility and Associations with Adjacent Landscapes. – This criterion is essentially a repeat of the previous criterion. | It depends on similar physical characteristics but focuses on different aspects |
| | | Typical Receptors – Whilst the comments on the relative visual sensitivities of different broad categories of visual receptors is agreed as they accord with the general approach that has always been adopted in the different editions of the GLVIA, it could be interpreted as being contrary to the earlier built environment criteria. It also effectively requires an outline visual receptor baseline study to be undertaken. | It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Views to and from important landscape and cultural heritage features. – Whilst it is agreed that these are important considerations, they are better considered at the more detailed stage when an LVIA and/or Cultural Heritage Impact Assessment is undertaken. As it is proposed that the response to this criterion is prepared solely upon the basis of site visit(s) it is not clear how this could be meaningfully considered at the scale of LUs and it is best considered under more detailed assessments for individual wind energy developers. | In the actual LU assessments this criteria is very useful as it indicates the features that are important to consider that this should be helpful to both developer and LPAs |
| | | Scenic Quality and Character – at the strategic level at which this Study is concerned it is agreed that Survey Collector Responses VS46-VS48 are appropriate to use although as the supporting text strongly indicates there is a large degree of overlap with the criterion applied for landscape value. Also given that for many of the other criteria suggested the Study correctly advocates that LANDMAP data is supported by observation during study, the same approach should be adopted for this criterion. Simple reliance upon LANDMAP Collector Survey Responses seems to be a broad brush approach even at this 'strategic level'. | Text added |
| | | Remoteness Tranquillity – It is agreed that LANDMAP Survey Collector Response VS24 is useful for reviewing this criterion, it is not the case that inaccessible or remote LUs are inherently of high susceptibility to wind farm development nor are "accessible /frequented /busy" landscapes always of low susceptibility. There is some contradiction with the criteria suggested under the 'movement' and 'built development' headings. Also at the scale of LUs these attributes are likely to vary considerably within individual LUs. | It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | Landscape Value – compared with the 12 separate criteria that are advanced to assess landscape and visual susceptibility the use of just two criteria for landscape value; one of which is solely concerned with historic value could be considered to be unbalanced. Also the approach of using designations as a proxy could be criticised for ignoring earlier statements in the Study (as well as in other guidance) that even some nationally designated areas may have potential in some of their parts to accommodate certain types of landscape change. The statement that local landscape designations, namely SLAs, closely follow very sensitive national designations is disputed especially given that in some parts of the study area SLAs are very extensive covering nearly all the upland areas. | Wording has been amended |
| | | Also it is not agreed that the outstanding or high values for LANDMAP Survey Collector Responses LH45; GL31; and GL33 should be interpreted as these LUs having a high landscape value with regard to wind turbine development. This is because these geological or ecological evaluations are often generated by the presence of one or two RIG sites or a small number of locally rare habitats; phenomena that would be avoided by any well-designed wind turbine proposal. The presence of a RIG site at the other side of an LU should have no influence upon suitability to host a wind turbine development. | This section is not identifying susceptibility to wind turbines. It is identifying indicators of landscape value as recommended by GLVIA3. |
| | | Historic Value – Again even at a strategic scale this approach is simplistic; there should be a consideration of the reasons for the high or outstanding evaluations for the HL38-HL40 Survey Collector Responses to allow a review as to whether these could be affected by wind turbine development. Also from experience of undertaking LVIAs in this part of south Wales we are aware that a high proportion of HLAAs have been ascribed with high or outstanding evaluations thereby making it highly likely that a high proportion of LUs will be attributed with high landscape value in this study. | This criteria is measuring the value placed on the landscape and if a large number of aspect areas have been ascribed a high historic value that it a fact to be taken into consideration. The assessment for each LU has looked in more details at the reasons for the evaluation. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | Table 3 and Stage 1"Landscape and Visual Sensitivity Criteria". LSCS purports to be informed by GLVIA3. However GLVIA3 indicates that landscape and visual assessment should be carried out as two separate but related activities. In this report they appear to be combined. This could lead to some confusion. Whilst we agree with some perceptual attributes such as skylines and settings, key views and vistas and intervisibility can help to determine landscape susceptibility (even though it's wrongly in our opinion listed under "visual criteria") we do not agree with the specific "typical (visual) receptors" criteria. This is because visual assessment relates to point-based rather than generic receptors and its inclusion in the criteria could render the overall conclusions questionable (see below , Q12,for an example of this). | Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap.<br>Typical (visual) receptors is one criteria and we do not consider that it could render the overall conclusions questionable. |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | The criteria are clearly described and their application is explained. There is some doubt as the specific applications of LANDMAP answers: for example under the Landcover Pattern criterion, the answers for VS16 include 'formal' under low sensitivity, although a formal landscape may be more sensitive to interruption. VS16 also includes the possible answer 'organised' which does not fall under any of the sensitivity levels. Other examples could be quoted but generally the approach is both clearly set out and properly grounded in established good practice. | The study does not remove the need for case by case analysis which should highlight a 'formal' landscape that would be harmed by interruption |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jill Kibble Planning Liaison CPRW Montgomeryshire Branch | | We feel this is a very thorough appraisal and that similar work could usefully be done in other LPAs. We are not landscape experts and would not presume to comment on the detailed methodologies. We have considered the response made by CPRW Brecon and Radnorshire Branch and would fully endorse all the points they have cogently made particularly as regards Third Party Consultation requirement with interested stakeholders who have intimate understanding of the area under consideration. We would also emphasise that landscape has an economic component and that in some areas of wales, for example Montgomeryshire, rural tourism and quiet outdoor pursuits are of considerable importance (12% of GDP) and that there is a considerable value to employers in the quality of the environment when recruiting senior staff. Landscape thus has more than an aesthetic value and planning officers must weigh economic value in the balance. Failure to do so has, of course, been the subject of recent applications for Judicial Review in Powys. | The impact on tourism is part of the planning balance but not part of the landscape sensitivity assessment although scenic value is often an indicator of value to tourism |
| | | Our only additional comment over and above those provided by Brecon and Radnorshire would be on Landmap.<br>Landmap can be a useful tool but has a tendency to encourage ' salami slicing' of the landscape into parcels that are not necessarily topographical entities and when considering massive, moving and vertical structures in the landscape the visibility over a considerable area, that probably encompasses a number of Landmap classifications, is essential. It is not the Landmap Visual / Sensory classification of the land on which the turbine itself stands that is of prime importance but the whole context of the landscapes in which it is seen. Landmap is irrelevant to the viewer who has a sensory perception of the quality of the landscape in its entirely. | Our Landscape Units are wider than the LANDMAP aspect areas but the assessment also requires a consideration of intervisibility between landscape units which should encompass the idea of seeing the landscape as a whole. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | The criteria are agreed except:<br>**Landcover pattern:**<br>VS 16 –'formal' is defined in LANDMAP as elements/features with a formal designed relationship with each other. This is clearly sensitive. Suggest that:<br>low susceptibility is regular,<br>medium susceptibility is organised and<br>high susceptibility is random and formal.<br>Aesthetic/perceptual and experiential criteria: | In fact the only time in the study area the answer for VS 16 is formal it is in relation to commercial forestry which clearly does not have high sensitivity |
| | | The use of scenic quality, character and integrity values may be seen as double counting with overall value. | We see it as confirmation rather than double counting as we do not use a scoring system |
| | | VS 24 – safe and settled are duplicated in medium and high susceptibility | Corrected |
| Q5: Do you agree with the proposed Stage 1 Assessment Framework? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Ian Gates<br>Associate Director,<br>Landscape<br>AMEC E&I UK Ltd | Disagree | Whilst we agree with the overarching approach and the need to draw upon LANDMAP Survey Collector Responses and strongly agree that these need to be supported and enhanced by site work there are a number of weaknesses in the approach suggested. In particular some of the criteria are contradictory with regard to attributes such as topography and landform; the relative isolation of the LU with regard the presence of settlements and level of public access; how to deal with relative isolation; and the use of Collector Survey Responses that are determined by the presence of location specific phenomena such as RIG sites. | It is acknowledged in the study that some indicators of susceptibility are contradictory and this has to be considered in the overall assessment |
| | | Also it is important to understand that whilst LANDMAP is a very useful source of information and has the large advantage that it is a quality assured database that extends across all parts of Wales, the Survey Collector Responses were generally compiled on the basis of field work that was undertaken almost a decade ago i.e. before the majority of the present operational wind turbines were present. Although this is acknowledged later in the methodology, it is not clear how they incorporated into the final indicative landscape capacities | They were incorporated into the final indicative landscape capacities through the use of the online WT database & site survey |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | See Above | Noted |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | We broadly agree with the assessment framework as setting out an appropriate approach to landscape sensitivity and capacity evaluation. It is accepted that there is no published guidance on carrying out a landscape sensitivity study. Nevertheless, a widely accepted approach has been developed and implemented by landscape consultants, using a criteria-based analysis of landscape characteristics to determine relative sensitivity. We are content that, in outline, the Heads of the Valleys study follows this approach to arrive at a clear and robust methodology.<br>However, we are less clear as to the way that cumulative effects have been incorporated. This remains the most problematic area of assessing landscape capacity for wind energy. | |
| | | The overview on page 8 states that sensitivity is based on landscape susceptibility, value and presence of wind turbines. This page goes on to state that capacity is based on sensitivity, unit size and presence of wind turbines. Since presence of wind turbines is considered in sensitivity, it is being double-counted in the assessment of capacity. | We see it as confirmation rather than double counting as we do not use a scoring system |
| | | On page 12, the judgement of sensitivity is explained differently. Here it is stated that landscape susceptibility, visual susceptibility, landscape value, and visual receptors are the factors contributing to sensitivity. There is no mention of wind turbines. “Presence of modern structures such as wind farms” is referred to under the ‘Built Environment’ criterion as a factor which may reduce landscape susceptibility. But presence of wind turbines is not set out as a separate factor as indicated on page 8. | It is not possible to mention everything every time. The study must be read as a whole. |
| | | Pages 19-20 detail the sensitivity evaluation process. This describes a desk-based assessment of sensitivity based on susceptibility and value, backed up by field work. In contrast to the overview on page 8 there is no mention of existing wind turbines. However, at Stage 3, | Decisions on those circumstances where adding turbines to a landscape that already contains turbines is acceptable, possibly because the |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | the first paragraph on page 21 states that sensitivity was derived from susceptibility, value and 'the potential for cumulative effects'. It is unclear how this 'potential' was assessed or how it has been incorporated into sensitivity, other than as one factor affecting the 'Built Environment' criterion.<br><br>This lack of clarity continues into the actual assessments. For example, Landscape Unit 1 is assigned medium-high sensitivity in part because of the 'presence of existing large scale wind farm' (page 34). Mention is made of wind turbines in the susceptibility evaluation for this unit, but in the context of the evaluation criteria this would have the effect of reducing susceptibility.<br><br>In summary, it is not clear how the study addresses existing development, and how this affects sensitivity in particular. Our view is that the presence of wind turbines, in common with other forms of development, may affect the susceptibility of the landscape, but should not be additionally considered as a separate 'layer' in the assessment of sensitivity. It is more appropriate to consider this aspect in the evaluation of (remaining) capacity (see our response to Q9). | existing turbines mean that the degree of change is reduced, and where it results in cumulatively adverse effects is a judgement that still needs to be made on a case by case basis. |
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Agree | Generally agree. Suggest that it is important that all the main text paragraphs are numbered as this document is likely to be referred to frequently, especially at inquiries. | It would be quite a task to go back and number all the paragraphs now. This has not been raised before and many sensitivity studies do not have numbered paragraph but rely on page numbers. |
| Q6: Do you agree with the proposed methodology for assessing Landscape and Visual Sensitivity? | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Disagree | As stated in the response to Q5 it is not clear how the key field survey component is taken into consideration in Stage Two. Whilst we agree with all the field survey bullet points that are listed on pages 19-20 with regard to the amalgamation of these with the results of the LANDMAP Desktop review under the 14 separate criteria the methodology merely states in the final paragraph on page 20 that "Based on the results of the field surveys, the draft evaluations of landscape unit sensitivity were refined ...". This absence of methodological clarity is a major weakness. This is reflected in the key comment on page 19 (second text column, second paragraph) in which it is stated that "Sensitivity can vary locally within landscape units and the overall evaluation represents the general sensitivity across the landscape unit to reflect the strategic nature of the study." The corollary of this statement must be that whilst the Study provides some broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any proposed wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA. | It is correct that whilst the Study provides broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any particular wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA. This is always the case with sensitivity studies which cannot assess individual sites or individual proposals. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | See above; in our opinion visual receptors *per se* have no place in a landscape sensitivity and capacity study and may lead to misleading and inaccurate conclusions being drawn (see above qualified explanation under Q4 comments).<br><br>A judgement on the sensitivity to change to each typology is made for each landscape unit. However Table 2 is not referred to and even if it were, we have reservations about the criteria used, and the way in which they may have been used, as aforementioned in Q3.<br><br>Although it is stated that field survey was used to test and refine the findings of the report, it still comes across as a primarily GIS- based desk exercise with little evidence of this "refinement". | Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap. |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | Although we support the overall methodology and the different data sources and criteria used, the weak point in this methodology is that the ultimate judgement on overall sensitivity is subjective. Obviously the judgement is informed by the available information, and made by experts, but this could potentially introduce inconsistency if the methodology is applied elsewhere. | There is no alternative to subjective judgement with regard to wind turbines and landscape impact |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | We comment in Q5 in relation to the inclusion of cumulative effects in this section. Otherwise we accept that this section clearly sets out the process undertaken. | See answer above |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | The methodology omits consideration of the TAN 8 annex D SSA refinement studies, their refined boundaries, and the implications arising from these. | See answer above where consideration of wind farm scale development has been specifically excluded |
| Q7: Do you agree with the use of professional judgement to determine the most appropriate landscape objectives? | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | The use of professional judgement is in line with the overarching approach advocated within GLVIA3 and the manner in which the Landscape Objectives are tied into the TAN8 objectives provides a sense of consistency. | Noted |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Agree | Yes, in principle we agree with the use of professional judgement to determine landscape objectives, but this must be carried out with the help of stated criteria. With this in mind, we have the following query.<br><br>Stage 3; Objective 2 states;<br><br>“Landscape accommodation is applicable to landscapes where the conservation of landscape character and visual amenity has been assessed to be of moderate to high importance”.<br><br>Presumably this is referring to LANDMAP but there is no cross-reference to this and begs the question, in the context of this report, exactly how is this “importance” assessed and using what criteria? | How the importance is assessed and the criteria used are set out in the susceptibility and value criteria tables |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Disagree | It is unclear as to why professional judgement is needed as the objectives are very clearly allied to SSAs, Designated Landscapes, and land outside SSAs and Designated Landscapes. It would be simpler to apply the objectives accordingly. As for question 6, using subjective judgement could potentially introduce inconsistency if the methodology is applied elsewhere. | Professional judgement is always required |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | The application of professional judgement is appropriate, and is an approach advocated by GLVIA3. However, the three objectives are simply applied to protected landscapes (protection), landscapes outside TAN8 search areas (accommodation), and landscapes within TAN8 search areas (change). The use of professional judgement was presumably quite limited. | Noted |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | | Question not clear. | |
| Q8: Do you agree with the Landscape Objectives set for the Heads of the Valleys Area? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Neither Agree nor Disagree | Although as stated above it is agreed that linking in the study to TAN8 is beneficial, the reliance upon TAN8 criteria in the determination of Objectives 2 & 3 does have the consequence that the landscape objectives for the landscape units has essentially been pre-determined by the TAN8 study which is nearly a decade old and whose underlying methodology has been subject to criticism and refinement. | We have now emphasised the fact that the study is not aimed at large scale wind farms i.e. those associated with SSAs |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | Stage 3; Objective 2 states;<br>"This objective aims to retain the overall character, quality and integrity of the landscape, whilst accepting that occasional small to medium scale developments may be allowed. Such development may have an effect on the local landscape *but should not bring about significant adverse changes in character*." Does this latter half of the sentence mean throughout the Landscape Unit? Or would localised significant effects be acceptable? This is not clear. | It would depend on the degree of harm |
| | | "Wind turbines should not become either the dominant or the key characteristic of a landscape". Again is this referring to the whole landscape unit, or is, for example, a two turbine proposal at the extremities of the Unit within which a development is situated and with limited effects elsewhere, likely to be considered acceptable? Again, not clear. | The units have been defined for the purpose of the study so a development at the extremity of the unit could be dominating in an adjacent unit. |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Agree | See Question 7. | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | The introduction of landscape objectives is to be welcomed and provides a clear means by which the study can be applied to planning decisions. The objectives for protection and change appear appropriate as the end points on a continuum of sensitivity, but accommodation must necessarily incorporate a broader spectrum including some sensitive areas and some less sensitive. The statement that only "occasional small to medium scale developments may be allowed" implies blanket restriction rather than recognising this variability. The statement that "wind turbines should not become either the dominant or the key characteristic" is a more appropriate test to apply, rather than a height-based restriction. | This has been changed as the small to medium did not refer to the typologies |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | **Objective 2** states that only up to occasional medium scale developments may be allowed. This effectively means no windfarms or turbines over 80m to VBT outside SSAs. Whilst desirable in many areas this seems highly restrictive overall. | This has been changed as the small to medium did not refer to the typologies |
| | | **Objective 3' s** definition indicate a 'notable amount of wind turbine developments'. This effectively covers the descriptive range of a landscape with windfarms, a windfarm landscape and a windfarm. All these will occur in an SSA and it is suggested that this should be explained. We also suggest that the definition should be changed to a 'notable amount of windfarms'. The reason is that in SSAs different rules apply as the areas are under particular pressure. Smaller developments are causing cumulative impact problems between the larger clusters of windfarms which are there to effectively meet the national targets. | We have added a note referring to the SSA studies and changed the definition to windfarms |
| Q9: Do you agree with the methodology for identifying the indicative landscape capacities? | | | |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Judith Jones<br>Head of Town Planning Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Neither Agree nor Disagree | The four listed criteria are all important in establishing the indicative landscape capacity of each of the 33 LUs. However, once again it is not clear how the four criteria have been balanced in arriving at the final indicative capacity. It is noted that the individual LU sheets contained in Section 4 list the wind farm developments operational, consented or proposed for each LU but it is not apparent how the size of each LU has been taken into consideration. It would be useful if each LU's size in ha were given somewhere on the LU information sheet.<br><br>It is assumed that the Study is relying upon "*professional judgement*" in interpreting the information set out on each LU's sheet to determine that LU's indicative landscape capacity but the structure of the study and the LU sheets means that there is inevitably a strong emphasis upon the first bullet point i.e. the landscape and visual susceptibility and landscape value with the other three bullet points considerations being 'bolted on'. Consequently contrary to the indication that the Study seeks to promote, it is heavily based upon the desktop study of the LANDMAP Survey Collector Responses under its 14 headings which as has been established earlier in this response contains a number of weaknesses, contradictions and double counting.<br><br>This is tacitly acknowledged in another of the caveats that are occasionally inserted into the text; namely in the second paragraph of the second column on page 23 when it is stated that "*The indicative landscape capacity helps to identify the type of developments which* | The study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it. |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| | | *could be potentially accommodated. However, this does not in itself suggest that all planning applications for the wind turbine development of the typology identified will be appropriate to these areas.*" It could also be argued that the corollary of this statement may be to suggest that no developments of a typology identified as being above the capacity of an LU will necessarily be inappropriate in that area. | |
| | | With regard to the untitled and un-numbered figure on page 23 it is helpful to note that the Study concludes that landscapes (or LUs) with low sensitivity have the greatest capacity and that these are described as "*Typically a landscape with a number of wind turbine developments*". However the Study does not make it clear whether the presence of the wind turbine developments contributes to a landscape's low sensitivity. | We have reconsider this figure and omitted it |
| Jeny Rawlings Senior Development Manager Airvolution Energy Ltd | Disagree | See above Comments in Q8. | See response above |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | Agree | | Noted |
| Sergio Zappulo Development Manager REG Windpower | Agree | We broadly agree with the approach taken here, which is adequately set out and accords with accepted good practice. The inclusion of existing and consented turbines is a key factor in determining the remaining | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Neither Agree nor Disagree | Suggest that the landscape sensitivity left-hand column should indicate *higher* sensitivity at the top and *lower* sensitivity at the bottom rather than just high and low which is too definite.<br><br>Also the threshold definitions should have the same wording as the objectives e.g. Typically a landscape with a notable amount of windfarms- on the bottom right column. | We have omitted this figure |
| Q10: Do you agree with the assessment of the Landscape Character Baseline? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |
| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | Factual information with no errors identified | Noted |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Neither Agree nor Disagree | | Noted |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Neither Agree nor Disagree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | This is useful background context which summarises the relevant sensitive landscapes of the study area. | Noted |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Disagree | Second paragraph, page 24- 'Millstone Grit' should be substituted with 'Pennant Sandstone'.<br><br>We suggest that the TAN8 annex D study should be mentioned here if the study ultimately covers this area. The wording could read:<br><br>TAN8 and Strategic Search Area (SSA) F<br><br>An Annex D refinement study has been carried out for SSA F including an assessment of landscape sensitivity for technically feasible areas and the definition of a refined SSA boundary. This boundary is shown on figure X in conjunction with the overall SSA boundary. It should be noted that this study has not reviewed the Annex D study or come to a view on its findings. It does not supersede the definition of the refined boundary, or areas of high landscape sensitivity defined in the Annex D study. | Changed<br><br>Note added to reflect this |
| Q11: Do you agree with the proposed Landscape Types? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Ian Gates<br>Associate Director, Landscape<br>AMEC E&I UK Ltd | Agree | It is agreed that the LANDMAP Visual & Sensory Aspect Level 3 Classification is appropriate. | Noted |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Neither Agree nor Disagree | | Noted |
| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Neither Agree nor Disagree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Agree | We have not examined the proposed landscape types in detail, though they are clearly derived from application of LANDMAP and appear to be appropriate. | Noted |
| Q12: Do you agree with the proposed Landscape Units? | | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | Agree | | Noted |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Ian Gates<br>Associate Director,<br>Landscape<br>AMEC E&I UK Ltd | Neither Agree nor Disagree | It remains unclear as to how the LUs were defined. It is not explained in Section 3 or in Section 2 page 11 where they are introduced.<br><br>These comments are only concerned with the LUs that are relevant to the proposed Pen Bryn Oer Wind Farm which would be located in Caerphilly Borough Council on elevated ground between Tredegar and Rhymney.<br><br>The boundaries of the most relevant LUs (LU16; LU18; LU19 & LU20) are logical and relate to the boundaries of the LANDMAP VSAAs found in this area. | The basis for defining the study units is set out on page 11 |
| Jeny Rawlings<br>Senior Development Manager<br>Airvolution Energy Ltd | Disagree | Landscape Units embody a number of the individual LANDMAP aspect areas (AAs) which can produce potentially misleading and confusing results. For example, Unit 23 (encapsulating the Upland Grazing AA where the Hafod proposals would be located) includes extensive Urban and Amenity AAs which, because of the inclusion of visual criteria in the capacity assessment, results in a much higher sensitivity to turbine development than would be the case if just the Upland Grazing AA was assessed, despite Unit 23 generally being classed as a "medium to large scale landscape" and therefore less sensitive to development. The Unit 23 assessment concludes that it would have " …higher sensitivity to larger development due to the presence of visual receptors and the potential effects on the scale, landform and pattern of the valley". Considering the proposed development is not within the valley itself and has very little intervisibility with it and that, in our opinion, visual receptivity should not feature in the assessment (see Q6), we would question the relevance and accuracy of this conclusion in respect of Hafod. | The definition of the landscape units has taken into account visual links between adjacent aspect areas. As explained above the key impact of wind turbines on landscape character is as a result of visual change |

| Respondent | Agree / Disagree / Neither Agree or Disagree | Comment | Response / Proposed Change |
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| Sorrel Jones<br>Conservation Officer<br>Gwent Wildlife Trust | Neither Agree nor Disagree | | Noted |
| Sergio Zappulo<br>Development Manager<br>REG Windpower | Neither Agree nor Disagree | We have not examined the proposed Landscape Units in detail, though they appear to be logical in their definition of discrete areas. We note that most of the units incorporate a selection of landscape types. Landscape sensitivity is generally driven by landscape type, with upland moorland types being generally less sensitive than enclosed valley types, for example. There is likely to be significant variation in landscape sensitivity within those landscape units which include a variety of types. It is important that this variation is recognised in the unit-based evaluations. | Noted. We believe it is addressed. The aspect areas which are discrete types were too small to be useful for a strategic study. |
| Phil Ratclifffe<br>Development Planning Officer<br>Rhonda Cynon Taff CBC | Neither Agree nor Disagree | Note that the only ridge top which is not a character area, Cefn y Rhondda, lies between the Rhondda Fawr and Rhondda Fach valleys. This is of concern and even if it is physically omitted it must be properly addressed in the descriptions of the 2 adjoining areas.<br>1: description should include the scarp slopes to the north.<br>2: description should include the scarp slopes to the south.<br>3: mention narrow ridge top<br>4: mention narrow ridge top | Information added in relation to detailed comments below |
| | | 12: Merthyr East Valley Side – these are not the earthworks but a large scale coal recovery scheme (Ffos y Fran) which has about a 15 year life span and then will be completely restored. Does this affect any of your conclusions? | No. Still a man-made earthwork in the landscape |

| Respondent | Comment | Response |
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| **Q13: If you have any other comments on the Heads of the Valleys assessments, please use this space to report them.** | | |
| Judith Jones Head of Town Planning Merthyr Tydfil CBC | It is recommended that the assessments be tested against previous planning applications and appeals to ascertain whether they are broadly in line with previous decisions. | That is on going |
| | The assessments should also be updated at appropriate intervals in order to take account of landscape change. | Most sensitivity studies are only updated if major landscape change takes place |
| | Finally, it should be noted that Planning Policy Wales was revised in July 2014. | Change made |
| Ian Gates Associate Director, Landscape AMEC **E**&I UK Ltd | As a general comment on the LU sheets it is not clear what the percentage figures quoted in the tables refer to. | Appendix 4 added to explain this |
| | Comments are provided on the two LUs: LU18 – Mynydd Bedwellte and Associated Upland and LU19 – Heads of the Valleys Corridor.<br>LU18 - Mynydd Bedwellte<br>This would be the host LU for the three proposed 110m blade tip height turbines at Pen Bryn Oer Wind Farm. | Sentence reworded to say: a very large development comprising three turbines at the northern end of the unit currently in planning. |
| | Landform – disagree that a broad ridge should be assessed as having a high sensitivity to wind turbine development. If the topography at Bryn Oer Patch were to be reasonably considered to be a plateau as opposed to a broad ridge it would be considered to possess low landscape susceptibility. | This is a matter of professional judgement. VS4 Topographic states 65% hills and valleys which does not suggest plateau. The remainder is high hills/mountains or rolling/undulating. Also the contours do not suggest this is a plateau. The northern end of the unit is broader and it may be argued is more of a hill than a broad ridge but with regard to the unit overall broad ridge is more appropriate. |

| Respondent | Comment | Response |
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| | Built environment –it is acknowledged that LU18 contains only severely limited built development, although there are two properties in the northern part of the LU. In these circumstances little weight can be given to the response to VS20: use of construction materials. The main comment relates to the Study's approach of relating low levels of built development with high susceptibility as the corollary is that wind turbines are better sited close to areas with a high level of built development which is likely to mean a large number of visual receptors, probably including a large number of high sensitivity visual receptors. The explanation of this criterion (Page 14) states that "it is concerned with the presence of built structures and human development present in the landscape." Hence consideration should not be restricted to identifying built development but instead should be extended to fully include indications of human presence. In the case of the northern part of LU18 around the Pen Bryn Oer Wind Farm site the land-use history of the area which has included open cast mining and relatively recent restoration is apparent in landscape and visual terms through the readily discernible presence of restored rough grazing, access tracks and post and wire fencing. | As noted above. The criteria may result in differing susceptibility. The overall judgement is made taking all attributes into account. The detail given in this response is appropriate at detailed LVIA level but not at strategic sensitivity study level. The overriding reason for high susceptibility here is the fact there is little built development and a strong sense of place which could be affected by incongruous development. |
| | Skylines and setting – it is strongly disputed that the skyline formed by the elevated northern end of LU18 is "distinctive". There are no cairns present in the northern part. The Cefn Golau Cemetery does not contribute to the skyline (being on the lower side of the Sirhowy Valley and in LU19) and the Cemetery cannot be seen from the Rhymney Valley to the west. Consequently the medium susceptibility assessed for this criterion should be revised to low susceptibility. | Not agreed. The uplands form very distinctive skylines for the valleys that are not dependent on the presence of cairns. Skyline is an important and valued element of the setting of surrounding settlement.<br>Reworded to make clear that the cairns are not necessarily on the skyline. Distinctive open skyline. Cairns and the Cefn Golau cholera cemetery, seen from the valleys on either side. Upland setting for neighbourhood settled valleys. |

| Respondent | Comment | Response |
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| | Movement – it is reiterated that the level of human access can be assumed to be an accurate proxy for the level of movement. It is disputed that the northern part of LU18 should be described as secluded given the relative proximity of Tredegar, Rhymney and the A465 corridor (with the recently upgraded A465) and if it is accepted that the presence of PRoWs is a proxy for the level of movement it should be noted that there is a moderate density of PRoWs in the northern part of LU18 as well as a car park and an area of Open Access Land. Hence the high susceptibility assessed for this criterion should be reduced to medium susceptibility. | Currently movement may be visible from this LU but within the LU there is very little movement which give it high susceptibility to the introduction of movement. |
| | Visibility, key views and vistas – it is reiterated that the attribution of susceptibility for this criterion is counter intuitive: wind farms are overwhelmingly located in open upland locations and such locations are generally favoured by wind farm siting and design guidance. Consequently whilst it is agreed that the northern part of LU18 is open and therefore has extensive outward views, this attribute applies to all upland areas in the Study Area that aren't under forestry. Consequently the assessment that LU18 has a high susceptibility to this criterion is not accepted and should be reduced to medium. | Disagree with the premise. Wind turbines do tend to be located in upland areas but this does not mean that they will always impact on distinctive skylines. Where there is a possibility that they will impact on distinctive skylines there will be an increased susceptibility |
| | Intervisibility – this is a criterion where a general assessment is of limited value as it will be largely determined by the details of the individual wind farms that are operational, consented or proposed for any LU. As was demonstrated in the ZTV figures that accompanied the LVIA in the Pen Bryn Oer ES, the ZTVs that would be generated by the proposed wind farm would be relatively compact and would not extend as far south as Mynydd Bedwellte itself. | The sensitivity study does not remove the need for a detailed LVIA. |
| | Views to/from landscape and cultural heritage features – the proposed Pen Bryn Oer Wind Farm would not impact upon views to the west or into the (Sirhowy) Valley from Cefn Golau. The aforementioned ZTVs also show that from the southern part of LU18 the proposed Pen Bryn Oer turbines would not be visible in northern views towards the Brecon Beacons national Park. Consequently the assessed medium landscape susceptibility should be reduced to low landscape susceptibility. | The sensitivity study does not remove the need for a detailed LVIA |

| Respondent | Comment | Response |
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| | Scenic quality and character – it is acknowledged that the values quoted are extracted from LANDMAP but with regard to the northern part of LU18 it is strongly disputed that scenic quality and integrity should be assessed as high given that a good proportion of the northern part of LU18 has only recently been restored. Consequently the high landscape susceptibility assessment should be downgraded to medium landscape susceptibility. | VS48 Character is 98% high for the area which demonstrates that although VS46 Scenic Quality is 50% high the unit as a whole has merit in terms of its strength of character and has an important role to play in separating development in the valleys east and west along its whole length. |
| | Remoteness and tranquillity – the description provided for LU18 is not applicable to its northern part around the proposed Pen Bryn Oer Wind Farm. It is disputed that this part of LU18 should be described as "attractive" although the assessment of medium landscape susceptibility for this criterion is accepted. | The sensitivity study does not remove the need for a detailed LVIA |
| | Landscape value – given that a proportion of the northern part of LU18 is located in an SLA (local landscape designation) it is agreed that a medium landscape susceptibility for this criterion is justifiable. Historic value – given that the land-use history of the northern part of LU18 has been associated with open cast mining and restoration it is not agreed that it should be assessed as high for historic rarity and integrity. Reference to the LANDMAP HLAA database shows that most of the northern part of LU18 including the Pen Bryn Oer site itself is not within an HLAA with an overall evaluation that is high or outstanding. Consequently the high landscape susceptibility for this criterion should not be high but should be reduced to low. | The unit is assessed as a whole because of the role it plays in separating the two valleys and associated development. Impacting on part of this unit will affect the unit as a whole. |
| | Summary of sensitivity to wind turbine development– with regard to what the typology defines as large and very large wind turbine development the reasons stated for the high assessed landscape sensitivity are weak. They are primarily derived from the two value criteria (thereby supporting the criticism of the methodology that the number of variables used to derive the value component of the sensitivity is too small and therefore results in it being imbalanced and places too much importance upon the historic value which is a weakly accessed criterion) within which the historic criterion is inappropriately assessed. Aside from the disputed high assessment of LU18's historic value the other stated reason for the LU's high landscape sensitivity to large or very large wind turbines is that they would be seen from the Brecon Beacons National Park. This reason prompts two comments: | The sensitivity criteria explanations were brief for all units because the evaluation against each criteria provides more detailed explanation. The summary of sensitivity points out key reasons where appropriate. |

| Respondent | Comment | Response |
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| | Once again the extent of the ZTV within the National Park will be heavily dependent upon the design and location of an individual wind turbine development. With regard to the proposed Pen Bryn Oer Wind Farm, despite its location in the northern part of LU18 i.e. the closest part to the National Park, the landscape assessment in the ES calculated that its blade tip ZTV only covered 5.2% of the total area of the National Park which does not equate to a high score on this criterion; | The sensitivity study does not remove the need for a detailed LVIA. The importance of the impacts on Nationally designated landscapes are not determined by the proportion of the nationally designated landscape affected. |
| | This is a good example of the problems in the adoption of an unbalanced typology. It remains unclear as to how a reduction in the blade tip height of the proposed wind turbine from 110m (as per Pen Bryn Oer and classified as very large) to 80m (classified as medium) could result in the assessed sensitivity of LU18 dropping from high to low. The reduction in the extent of the ZTV for the same number of turbines at 80m blade tip height within the National Park would be at most a couple of percent less than that for the proposed 110m blade tip height turbines. It is also not agreed that landscape effects upon the National Park would be the same were the proposed wind farm at Pen Bryn Oer to be for 30 turbines of the same height as it is for three turbines yet this is the conclusion that the adopted typology is forced to draw. | Only sensitivity to turbines less than 50m to Blade tip has been assessed as low. Medium turbines have been assessed as low/medium which on reconsidering has been revised to medium<br>The typology has been misunderstood. 30 turbines would result in the same impact and for this reason any development of six turbines or more would be considered very large. |
| | Landscape Objective – the stated landscape objective is Objective 2: “to maintain the landscape character” which is defined in Table 5 as “accepting that occasional small to medium developments may be allowed.” Consequently the critical issue once again is the distorted typology under which the proposed Pen Bryn Oer Wind Farm is assessed on the basis of it being a “very large” development by virtue of it comprising turbines that are over 109m high. It would still be considered to be “very large” even if it were to be comprised of a single 110m high turbine. The adherence to the typology places too great a restriction on potential wind farm development in LU18. Given the detailed assessment that is provided for LU18 it is not clear why if Pen Bryn Oer were to consist of four 80m high turbines it would be acceptable but because it consists of three (or even one) 110m high turbine it is assessed as being unacceptable. A proposed wind farm consisting of four 80m high turbines in the same location would have similar intervisibility to the north and the National Park; would still be intervisible with other upland LUs and the Sirhowy and Rhymney Valleys; would still impact upon the purported distinctive skyline; would still be visible from the Cefn Golau Cemetery and would have the same, if not greater effect upon the moderate number of PRoWs and the open access area. | The wording of the landscape objective has been revised to make it clear that it refers to wind turbine development that is potentially suitable outside SSAs rather than referring to the typologies |

| Respondent | Comment | Response |
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| | Baseline wind turbine development (March 2014) – the veracity of the Study is bought into question by the fact that it does not mention the proposed Pen Bryn Oer Wind Farm despite the planning application being submitted in the Summer of 2013. | Reference added |
| | Indicative Overall Capacity – the Study accepts that there is "some capacity for medium scale development" which once again leads to the issue of the way in which the typology is distorting the results of the Study undermining its credibility. | Hopefully the revised typology descriptions will make this clearer |
| | Guidance on siting – this states that effects upon views from the National Park from the north of LU18 must be considered. The Pen Bryn Oer landscape assessment did assess effects upon the National Park in depth and concluded that landscape effects upon the National Park would not be significant. It should be noted that the National Park did not object to the proposed Pen Bryn Oer wind Farm. Likewise the historic environment assessment concluded that there would be no significant effects upon designated and other cultural heritage features whilst it should be noted that despite extensive consultation on viewpoint selection no consultees considered it necessary for the selection of a viewpoint within or close to Cefn Golau Cemetery. *The* cumulative assessment considered the potential for sequential cumulative effects in detail (using a accurate cumulative baseline) and concluded that there would be no significant cumulative effects and that there would be visual separation with the other single and two turbine wind turbine developments within 10km. It again should be noted that no objection has been raised on cumulative issues. The visual assessment included all the various groups of residential and recreational visual receptors located in the settlements of Tredegar and Rhymney (as well as many other settlements) and broke these receptors down into much smaller groups and concluded that whilst some residential visual receptors located within 1.5km and a smaller number of recreational receptors within 3km would sustain significant visual effects their numbers were relatively low for a wind turbine development and should be considered to be acceptable. Once again no objections were raised in this regard. The only stated reason for refusal was the effect upon the SLA and this will form the basis of the forthcoming appeal. Given the land-use history and baseline characteristics of the northern part of LU18 it is difficult to accord with the statement that this part of the SLA provides a strong example of natural beauty. | As noted this scheme is going to appeal and these site specific issues will no doubt be considered in detail at the appeal. |

| Respondent | Comment | Response |
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| | Hence it is concluded that even when assessed against LU18's siting guidance the proposed Pen Bryn Oer Wind Farm accords with at least four of the five criteria. This conclusion must serve to indicate that with regard to LU18 at least the Study is overly restrictive and does not result in a balanced assessment of landscape sensitivity and capacity. | The sensitivity study does not remove the need for a detailed LVIA |
| | LU19 – Heads of the Valleys Corridor<br>This is located to the immediate north and east of the proposed Pen Bryn Oer Wind Farm which is located in LU18. However a detailed review has been undertaken of the completed assessment sheet for LU19 in accordance with the Study's methodology regarding the inclusion of LUs as set out in the bottom paragraph in the left hand text column on page 11. | |
| | Landform – the landform is more accurately described as hills and valleys as opposed to undulating and rolling (as is demonstrated in the LU's title). Under the criteria set out for this criterion a hills and valleys type of landform would still be considered as being a landform of high susceptibility to wind turbine development but the veracity of this assertion has already been questioned. Based upon numerous site visits to LU19 it is concluded that a more reasonable assessment would be that LU19's landform possess medium susceptibility to this type of development. | LANDMAP VS4 Topographic - rolling undulating 95% |
| | Landcover pattern – it is agreed that LU19's landcover pattern is complex with broken patterns and the juxtaposition of different land-uses but overall it is more accurately assessed as having low as opposed to medium landscape susceptibility. | Our professional judgement concluded that the susceptibility was medium because of potential cumulative effects of further change (not wind turbine development) in this corridor. |
| | Built Environment – the large majority of the Clydach Gorge Registered Historic Landscape is sited outside LU19 and the western end that is within LU19 is outside the proposed Pen Bryn Oer Wind Farm's blade tip ZTV. It remains difficult to understand how the contributory components of this criterion relate to an LU's capacity to accept a wind turbine development e. g. the fact that 51% of the built development in LU19 is apparently considered to be constructed using inappropriate construction materials. | Information has been taken from LANDMAP and the evaluation follows the method agreed with the client group. |
| | Skyline and setting – agree that LU19 does not possess a distinct skyline and that therefore landscape susceptibility under this criterion is low. | Noted |

| Respondent | Comment | Response |
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| | Movement – agree that the key landscape role that is played by the recently upgraded A465 ensures that landscape susceptibility under this criterion is low. | Noted |
| | Visibility, key views and vistas – as LU19 consists primarily of urban development it is more likely that views are generally relatively restricted by nearby built development however on the basis of site visits it is acknowledged that views to the surrounding elevated areas are important hence the medium landscape susceptibility assessment is justified. | Noted |
| | Intervisibility – on the basis of detailed knowledge of LU19 gained through site visits it is difficult to understand how the LANDMAP derived comments utilised in this response can be helpful in determining landscape susceptibility nor how they can act as a proxy for actual on-site observation for this criterion. This is a good example of where less reliance on LANDMAP and greater emphasis upon the field survey component as set out in the bullet points on page 19 would be helpful. Indeed it is difficult to identify where information gathered during the field survey has been utilised in any of the responses in the LU19 survey sheet. | This sensitivity study does not remove the need for a detailed LVIA. It does highlight where and why there is higher susceptibility. |
| | Types of Receptors – it is agreed that there are a large number of visual receptors within LU19 but as the response emphasises a good proportion of these are people at their place of work and using the 'A' roads, especially the A465. Under GLVIA3 (and early versions of GLVIA) these types of visual receptor are usually accorded lower visual sensitivity in comparison to residential and recreational receptors. It is also worth noting that just taking account of the overall number of potential visual receptors in an LU is an unsophisticated approach even at this strategic level; LVIA authors are aware that in settlements the availability of outward views is frequently restricted by nearby built development and/or vegetation and is influenced by the settlement's morphology and aspect. Once again the veracity of the Study would be aided were the observations of the field survey component to be utilised in framing the response to this criterion. Consequently the high assessed susceptibility under this criterion is not accepted and should be reduced to medium susceptibility. | Due to the presence of a large number of residential receptors in this LU we feel the susceptibility remains as high. It is clearly within the scope of any individual application to demonstrate (via detailed LVIS) that due to the location chosen there are no significant residential issues. |

| Respondent | Comment | Response |
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| | Views to/from landscape and cultural; heritage features – given that the main topographical feature of LU19 is a valley and based again on site visits there is only limited intervisibility with the National Park from within LU19, especially once the high level of built development is taken into account (for outward views). With specific regard to the proposed Pen Bryn Oer Wind Farm, its location to the south-west would ensure that its presence would have no effect upon the intervisibility between LU19 and the National Park. Consequently with specific reference to the proposed Pen Bryn Oer Wind Farm the assessed medium landscape susceptibility should be reduced to low landscape susceptibility. | This sensitivity study does not remove the need for a detailed LVIA. |
| | Scenic quality and character – agree with the assessed low landscape susceptibility. | Noted |
| | Remoteness and tranquillity - agree with the assessed low landscape susceptibility. | Noted |
| | Landscape value – given that this is a strategic level study there is little benefit in bringing in site specific sites and features such as Bedwellte Park unless it is in relation to actual field observations (Bedwellte Park is in the midst of Tredegar and contains a high level of mature trees so is unlikely to be affected by wind turbine development and certainly not by the proposed Pen Bryn Oer Wind Farm). The relatively low values quoted for VS50; VS49; LH45; GL31 & GL33 are more indicative of low landscape susceptibility than medium landscape susceptibility. | Specific sites are referenced to ensure that proposals take into account their presence. Not all proposals within an LU are likely to have an impact on the sites identified |
| | Historic value – again would dispute that the quoted LANDMAP evaluations justify the high assessed landscape susceptibility for this criterion. The use of the Tredegar Conservation Area as a justification is an example of an overly deterministic approach and failure to use the field work to add a degree of realism to the Study to make it more accurate and therefore credible. The Tredegar Conservation Area is focused upon the town centre of an industrial settlement and rather than simply stating that its designation automatically results in high value it would be helpful if some consideration were to be given as to how the presence of wind turbine development elsewhere in LU19 could affect the attributes for which the Conservation Area has been designated. | This sensitivity study does not remove the need for a detailed LVIA. |
| | Summary of sensitivity to wind turbine development – the Study's commentary text notes that "although a number of criteria suggest lower or medium sensitivity this area (LU) is densely settled and there will be residential amenity issues which will limit the potential size of wind energy development." This is a sweeping statement which implies that a high | This sensitivity study does not remove the need for a detailed LVIA. |

| Respondent | Comment | Response |
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| | settlement density outweighs not just all the other components included in the sensitivity study but also the other factors purportedly included in the Study as listed on pages 19 and 23. It could be argued that the Study is being wilfully naive in implying that a wind turbine development would ever be sited in close proximity to settlements of the size that are found in LU19. Issues such as residential visual amenity have to be assessed on a site by site basis. Even where a wind turbine development is located in moderate proximity to a number of residential properties as is the case with the proposed Pen Bryn Oer Wind Farm, effects upon residential amenity do not necessarily make the wind turbine unacceptable with regard to residential visual amenity. | |
| | Finally it is again difficult to understand how LU19 would have low assessed sensitivity to a small wind turbine i.e. with a blade tip height of 50m but were the turbine's height to increase to 51m and therefore become a medium wind turbine under the typology, LU19's assessed sensitivity would increase to medium or high. | This sensitivity study does not remove the need for a detailed LVIA. Any development close to the boundary between typologies would be considered against both conclusions. |
| | Landscape Objective 2: Maintain the landscape character – it is not agreed that this is the correct landscape objective for LU19. In the context of the large amount of change that is taking place in parts of this LU, in particular the recent change associated with the A465 corridor itself, low levels of landscape management; the presence of restored landscapes that are only becoming established and the mosaic of sometimes competing land-uses, the objective should be to encourage suitable landscape change although the landscape objectives have been defined so that this landscape objective can only be applied in an SSA. | TAN 8 has been used to determine the objectives which related to wind turbine development - not other forms of development. |
| | Indicative Overall Capacity – same comments as provided for this subject for LU18. | |

| Respondent | Comment | Response |
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| | Guidance on siting – with specific regard to how the proposed Pen Bryn Oer wind Farm would accord with the guidelines for LU19 the following brief comments apply:<br>i) Views into and out of National Park – the location of the proposed Pen Bryn Oer Wind Farm to the immediate south-west of LU19 would ensure that its turbines could have no effect upon these views;<br>ii) No development in Clydach Gorge and National Park - the proposed Pen Bryn Oer Wind Farm fully accords with this guidance<br>iii) Maintain natural beauty of SLAs in the area and their special qualities – SLA in LU19 is restricted to its eastern parts therefore the proposed Pen Bryn Or Wind Farm would have minimal effects upon it;<br>iv) Maintain the role of green wedges – as the only green wedge in LU19 is on the eastern side of Tredegar the limited presence of the proposed Pen Bryn Oer Wind Farm would not have an adverse impact upon its purpose and function;<br>v) Bedwellty Park Registered Park and Garden - as noted earlier the Park's setting and attributes would be unaffected by the proposed Pen Bryn Oer Wind Farm;<br>vi) Tredegar Conservation Area – as noted earlier the Conservation Area's valued characteristics and setting would not be significantly affected by the highly limited presence of the proposed Pen Bryn Oer Wind Farm in this part of LU19 (as demonstrated by the ZTVs in the LVIA in the June 2013 ES);<br>vii) Protect the settings of designated and other important cultural heritage features and key views to and from these features – not enough information to comment;<br>viii) Avoid cumulative effects with other large scale infrastructure – as set out in the assessment sheet for LU19 there are three other proposed single turbines in LU19 and these were all included in the cumulative assessment contained in the LVIA and ES. No significant cumulative effects were assessed and cumulative landscape and visual effects were not given as a reason for refusal;<br>ix) avoid loss of trees and woodland – no trees or woodland would be lost in LU19 (or any other LU). | These responses are appropriate in terms of an individual application they are not relevant to the study itself. However, they do indicate how an individual application can be assessed against the criteria identified. We have not reviewed the statements made here with regard to the Pen Bryn Oer wind Farm and cannot say whether the scheme does or does not comply with the criteria. |

| Respondent | Comment | Response |
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| Sorrel Jones Conservation Officer Gwent Wildlife Trust | We feel that this report performs well in assessing landscape sensitivity, but is less clear in terms of landscape capacity for turbine development. One of the most difficult issues faced by planners is assessing cumulative impacts of development, with turbines being a particularly difficult issue.<br>The assessments generally give an indication of the type of wind turbine development that would be acceptable, **but fall short in indicating how much development can be accommodated**. It is clear that many individual, small scale turbines can be as damaging as a large scale development, and local authorities urgently need guidance as to where to draw the line. This is particularly important where turbine development have already been approved and built; some developers feel that once one turbine has been accepted, this provides a green light for more. It would be helpful for local authorities to have some guidance to support their decision, should they need to refuse development when landscape capacity has been reached.<br>We strongly advocate an additional step in each assessment to determine an overall capacity for each landscape unit, whereby the acceptable number of developments as well as the typology is considered. | This is not possible and has not been attempted in other sensitivity studies that have been undertaken outside SSA's. Within SSAs a different approach was adopted where the aim was that they should accommodate the maximum possible. This is not the approach outside the SSAs |
| Sergio Zappulo Development Manager REG Windpower | We have looked in detail at the assessments for Unit 1 and Unit 4, as these are areas in which REG Windpower hold a specific interest. However, based on our review of the document we feel that similar observations may be made in relation to many of the unit assessments. | |
| | We broadly agree with the assessments in relation to the separate criteria for Landscape Unit 1. However, the overall conclusion for sensitivity to 'Very Large' wind turbines states: "Medium - high sensitivity to very large development on account of historic value and presence of existing large scale wind farm". The assessment elsewhere (including in the assessments for built environment and movement) notes that the presence of wind turbines reduces susceptibility; this seems logical. It is therefore not clear why or how the presence of turbines increases overall sensitivity in this unit (see our comments on Q5). | It is commonly accepted that whilst existing turbine development may reduce sensitivity it also has the potential to increase sensitivity due to the potential for cumulative impacts. |

| Respondent | Comment | Response |
|---|---|---|
| | The section on Landscape Capacity is less clear. The 'Baseline wind turbine development' includes the Abergorki 3-turbine scheme (in planning), whereas the approach to the assessment only refers to operation and consented schemes being considered. It is not clear how this scheme influences overall capacity: i.e. does the assessment of capacity consider the capacity of the unit over and above Abergorki, or without Abergorki? | Abergorki is mentioned for information even though it is not yet consented. Any developer proposing development in this unit would have to be aware of the proposed scheme at Abergorki because if it is consented and built it will reduce the capacity for wind turbine development in this unit. |
| | It is not clear how the conclusions of 'Indicative overall capacity' have been reached. The conclusion explains that it is possible that there is little capacity in the northern extent due to developments which are consented but not yet built. However, it does not explain why this is the case for the remainder of the unit. It also states that there is limited capacity for large or very large scale development – this is despite the sensitivity assessment concluding different sensitivities for these two scales of development – a medium sensitivity to large turbines, and a medium-high sensitivity to very large turbines. | Sensitivity and capacity do not correspond directly and the limited capacity of the unit relates to the fact that there is already a large amount of development in the SSA in the unit. |
| | The indicative overall capacity does not make clear the influence of TAN8 SSA F which covers 78% of the area. The landscape objective is to accept landscape change within the SSA – but the overall capacity suggests there is limited capacity for large or very large scale development. | The SSA designation does not influence sensitivity but does indicate acceptance of landscape change within the SSA. This study is not concerned with development within the SSA. Outside the SSA the objective is to maintain landscape character. |
| | We note the final point within the guidance on siting - that proposals should appear separate from existing large scale wind farms. However, we consider this should be expanded to include, alternatively, siting proposed wind farms so that they form a logical and natural extension to existing wind farms. | Not appropriate as this study is not concerned with 'wind farms' that may be proposed for the SSA |
| | For Unit 4 the Summary of Sensitivity states that landform, built environment, sensitive receptors and historic value contribute to "high landscape sensitivity" to large and very large development. However, the adjacent coloured boxes seem to rate these as medium- high. | Wording changed to medium-high to reflect the assessment |

| Respondent | Comment | Response |
|---|---|---|
| | The indicative overall capacity for Unit 4 could be written more clearly to distinguish between the area within the SSA and the area outside the SSA. | Wording has been changed to make this clearer |
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | **Landscape Unit 1:**<br>Landform- should note that plateau less sensitive but areas close to and on scarp slopes/dramatic landforms are very sensitive. | Wording amended |
| | Skylines and settings- as above. | Wording amended |
| | Visibility etc.- there are two scenic viewpoints, at Craig y Llyn and Bwlch y Clawdd, which should be mentioned. | Reference to viewpoints added |
| | Summary of sensitivity- this appears to suggest that medium or large turbines can be accommodated in the area just because very large development can be accommodated. Our experience with various planning applications have shown that these will appear awkward or incongruous in relation to the existing large scale windfarms in the area or visually link them together potentially resulting in complete visual coverage of the whole SSA and its surrounds. We suggest that this should be properly addressed and discouraged. We suggest that these should also be medium to high in sensitivity and text should address the issue in the additional comments and in the guidance on siting in the landscape capacity/guidance. | The issue with regard to potential cumulative impacts where large schemes are seen with smaller development is addressed elsewhere in the study |
| | Other susceptible landscape... Features- these should include dramatic glacial landforms | Wording amended |
| | Baseline turbine development- spellings incorrect | Spellings amended |
| | Indicative overall capacity- suggest that 2nd sentence should read:<br>*'Although the sensitivity to medium to very large scale development ranges from medium to high it is possible that due to the scale and extent of development consented and constructed that this unit has little capacity left for further development.'* | Wording amended as suggested |
| | Guidance on siting- suggest add:<br>Large scale development should be located in the TAN 8 SSA F **refined areas.** | Wording amended |
| | *'Avoid siting single/double turbines where they can be seen in juxtaposition with large scale developments, or where they may visually link large scale developments.'* | Wording amended as suggested |

| Respondent | Comment | Response |
|---|---|---|
| | **Landscape Unit 2:**<br>Scale is actually medium and large – LANDMAP is wrong | Percentage for medium – vast 21%, large 30% Medium 49% |
| | Landform – add to first sentence 'with dramatic glaciated landforms'. | Wording amended as suggested |
| | Landcover pattern – the fieldscapes east of Rhigos are actually reclaimed to very high standard- this should be acknowledged so that the medium susceptibility still takes this into account. | Reference to high standard of reclamation added |
| | Skylines and settings- the distinctive skyline of Hirwaun Common should be stated as being very sensitive. | Reference to the distinctive skyline of Hirwaun Common added |
| | Summary of sensitivity – medium and large and very large- should mention sensitivity in the relationship with the scarp slope as well. | Wording amended |
| | Indicative overall capacity- the proximity of medium, large and very large scale development to the scarp slope, and the juxtaposition with the larger scale development to the south are also issues. | Wording amended |
| | **Landscape unit 3:**<br>Landform should mention narrow Cefn Rhondda ridge top. | Wording amended |
| | Intervisibility etc. – built form in the Valley bottom *sometimes* restricts views.... Also note views over the area from Bwlch y Clawdd viewpoint to the west . | Wording amended |
| | Summary sensitivity- large/very large turbines – add 'and association of the very large windfarm typology with the coalfield plateau, not the valley '. | Wording amended |
| | Guidance on siting- amend first sentence-' large scale development should be located in the TAN 8 SSA F **refined areas.** | Wording amended |
| | Add : Consider cumulative effects of development on both sides of the Valley to avoid 'surrounding' settlement with development. | Wording amended |
| | Avoid siting wind turbines on... add Graig Fach after Graig Fawr... | Wording amended |
| | Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development. | Wording amended |
| | *Add-* Avoid siting single/double turbines where they can be seen in juxtaposition with existing large and very large developments, or where they may visually link those developments.' | Wording amended |

| Respondent | Comment | Response |
|---|---|---|
| | **Landscape unit 4**:<br>Indicative overall capacity- first sentence should read: 'The focus within TAN 8 SSA F and its refined areas is on strategic scale windfarms. Second sentence should read 'the area in and around this area is already developed an overall remaining capacity is very limited' | Wording amended |
| | Guidance on siting – Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development. | Wording amended |
| | **Landscape unit 5:**<br>Summary of sensitivity – suggest that large should also be medium high. 'Proximity to, and intervisibility with, valleys' should also be mentioned in this and the very large turbine comments. | Sensitivity has not been changed but reference to valleys added |
| | Note that sensitivity to large turbines is low on the map- which is hopefully incorrect. | Plan amended |
| | Baseline wind turbine development- note that the area is outside the TAN8 annex D study refined area. | Reference to the refined area added |
| | Indicative overall capacity – suggest that just states that the capacity of the area is limited where there is intervisibility with the adjacent valleys. | Wording amended |
| | Guidance on siting – omit first sentence starting 'larger scale development...' | Wording amended |
| | **Landscape unit 8**:<br>Guidance on siting – 5th bullet – substitute significant adverse for overbearing. | Wording amended |
| **Q14: What status should Landscape Sensitivity and Capacity Assessments have? Should they be adopted as Supplementary Planning Guidance by Local Planning Authorities?** | | |
| Judith Jones<br>Head of Town Planning<br>Merthyr Tydfil CBC | The Landscape Sensitivity and Capacity Assessments have the potential to be adopted as supplementary planning guidance within Merthyr Tydfil as they provide advice on landscape capacity and guidance on the siting of wind turbines which is linked to the landscape related criteria within LDP Policies BW5 and TB7. The Local Development Plan Manual does however state that an SPG should not be used to determine the appropriate type, scale and level of development for particular sites (paragraph 7.3.5). Can the *indicative overall capacity* findings be interpreted as doing this? | The indicative overall capacity findings do not relate to specific sites |

| Respondent | Comment | Response |
|---|---|---|
| Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW) | **1. This is a highly specialised study of one part of Wales** | |
| | We are not professional landscape consultants and do not think we have sufficient expertise to comment in detail on the methodology used. | Noted |
| | Without detailed knowledge of the area, it is difficult to comment on whether the precise findings accord with the public understanding of landscape value and capacity. However we welcome the general advice and methodology, and the clear presentation of capacity in relation to different turbine sizes. We also endorse the emphasis on the role of unbiased professional judgement of experienced landscape architects. | Noted |
| | **2. Extension to other parts of Wales** | |
| | A stated aim is to achieve consistency across local authorities when considering applications for single or multiple applications which fall short of “wind farms”. If this is to be extended beyond the pilot area, it would obviously be desirable for the capacity studies to performed by the same team, or at least by applying the same principles with the same care and similar balance of professional judgement. This is particularly important since the Heads of Valleys region is very different from other areas of Wales which may, for instance, rely more heavily on outdoor pursuits and rural tourism for regeneration. | Noted |
| | In as much as the capacity study protects landscape from inappropriate development and sites development as sensitively as possible, it is right that all LPAs have similar protection. This is both because impacts will be experienced across LPA boundaries and because curbs on irresponsible development in one area of Wales will inevitably divert wind turbine development to anywhere regarded as more permissive. | Noted |
| | However, we fear that, in practice, motivation and cost could prevent extension to the detriment of poorer, less populated rural areas whose LPAs may remain without any such assessment. Perhaps worse, some LPAs may end up with less objective, sensitive and discriminating capacity studies incorporating vested interests of Developers. | Noted |
| | **3. Reaching Capacity and Feed-back Effect of Turbine Development.** | |

| Respondent | Comment | Response |
|---|---|---|
| | Although it is beyond the remit of this guidance, it is unclear whether "capacity" can be reached and, if so, how this will be decided. This will depend upon planning decisions about whether areas with wind turbines are regarded as having a changed "wind turbine" character and can thus "accept" more turbines or whether there is a threshold of cumulative impact of existing turbines which becomes a bar to any more. The capacity assessment assumes that industrialised, populated areas are more suitable for new construction and, if this principle is applied to wind-turbines, turbine construction will have a positive feedback on future development and capacity studies will only have a very limited impact in landscape protection. Similarly, we do not know whether capacity studies done at a future date would prove more restrictive or more permissive. Wind turbine siting is caught in this inherent ambiguity because developers tend to choose prominent skylines in tranquil, sparsely populated rural areas without any vertical buildings over 15m – precisely those areas deemed most vulnerable in the LANDMAP-based capacity assessment. It remains to be seen how the present capacity study will be applied and whether there is a planning will to protect any of these areas lying outside National Parks and AONBs from small and medium wind development. | Noted |
| | The Campaign for the Protection of Rural Wales (CPRW) established in 1928 is Wales' foremost countryside Charity. Through its work as an environmental watchdog it aims to secure the protection and improvement of the rural landscape, environment and the well being of those living in the rural areas of Wales | Noted |
| Sorrel Jones Conservation Officer Gwent Wildlife Trust | We believe that these assessments should be adopted as SPG to ensure that they are used as guidance by developers and Planning Authorities. Adoption will also help to raise overall awareness of landscape sensitivity. This guidance, together with the forthcoming *Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements* will help developers to select appropriate locations for turbines, and also help to protect sensitive and valued landscapes. | Noted |

| Respondent | Comment | Response |
|---|---|---|
| Phil Ratclifffe Development Planning Officer Rhonda Cynon Taff CBC | Should not be as SPG in RCT until the SSA issues are resolved. It would be helpful to have this status elsewhere (outside SSAs). | Noted |
| | **Additional Comments** | |
| | **SECTION 5: GUIDANCE FOR WIND ENERGY DEVELOPMENT**<br>5th para page 164- suggest for sentence should read 'No settlements should have the sense of being surrounded by wind turbines, such as developments on both sides of a valley'. | Amended |
| | Turbine size and scale- the '50% higher' rule would mean that most turbines near buildings should not be higher than 12m tall which seems rather restrictive. | Amended |
| | Factors relating to location – landscape character- topography – suggest sentence is amended to read 'turbines can dominate the landform if not carefully sited'. | Amended |
| | Factors relating to siting – Filling in gaps between clusters of wind turbines- suggest entire text should read:<br>Where there are large scale windfarms in an area, the introduction of single or double turbines between clusters can create visual links between developments. There is also potential for incongruous juxtapositions between the different scales of developments. Therefore, where site analysis indicates that maintaining visual separation between and around windfarm clusters is desirable, the gap between developments should be maintained. | Amended |
| | **APPENDIX 2 REFERENCE DOCUMENTS**<br>SNH visual representation of windfarms guidance should be updated to 2014. Consequently the Highland Council standards should be deleted, as this has influenced the revised SNH guidance. | SNH guidance updated but reference to Highlands Standards retained. Neither of these are proscriptive in Wales and the Highlands council standards are well suited to smaller scale development |

| Respondent | Comment | Response |
|---|---|---|
| | **APPENDIX 3 BASELINE INFORMATION**<br>Add:<br>Consortium of South Wales Valleys Authorities (2006): TAN8 annex D refinement study for strategic search areas E and F: South Wales valleys. Prepared by Arup. | Added to reference documents |

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**Appendix 3**

# CAERPHILLY COUNTY BOROUGH SMALLER SCALE WIND TURBINE DEVELOPMENT: LANDSCAPE SENSITIVITY AND CAPACITY STUDY

## Report of Consultation

## 1 Introduction

1.1 In line with the Council's agreed procedure for the preparation of Supplementary Planning Guidance (SPG), Smaller Scale Wind Turbine Development: Landscape Sensitivity and Capacity Study was subject to a 6-week public consultation between 26 August 2015 and 6 October 2015.

1.2 The consultation was undertaken using the following methods:

- Emails sent to key stakeholders including those that had been consulted as part of the wider 'Heads of the Valleys Smaller Wind Turbine Development' document;
- Letters sent to Community Councils;
- Letters sent to all neighbouring authorities and Elected Members;
- Statutory notice placed in the Caerphilly Observer on 20 August 2015;
- CD copies of the document made available for public inspection at all local libraries and Customer Service Centres in the County Borough and at the Council Offices at Pontllanfraith House;
- The document was available to view electronically on the Council website.

1.3 A total of 4 responses were received from the following external consultees:

- Natural Resources Wales (NRW);
- AJA Associates;
- LDA Design; and
- NATS Ltd; and

Letters were also received from the Coal Authority, stating that they had no comments to make on the SPG document.

| | | | |
|---|---|---|---|
| | AJ Associated | Disagree | SLA Boundary |

**Summary Of Representation**

Previously made representations on behalf of Bryn Quarry Ltd relating to the SLA designation in the Adopted LDP. Believe the SLA boundary should be drawn 1.5km north as the land between the two roads (A472 and B4254) are areas if of a LANDMAP values.

**Officer Response**

All SLA boundaries are to be reviewed as part of the Replacement LDP. In addition, each application and LVIA will be judged on a case by case basis.

**Recommendation**

No change

| | | | |
|---|---|---|---|
| | AJ Associated | Disagree | Inconsistencies in LU1 designation |

**Summary Of Representation**

The boundaries of LU1 reflect many of the SLA boundaries, and like the SLA's it is far from being a homogenous area in terms of landscape character or sensitivity. These Landscape Units are strongly based upon the underlying LANDMAP Visual and Sensory [V&S] data. We observe that there are 5 different V&S aspect areas within LU1, the largest being CYNONVS143 classified as Hillside and Scarp Slope Mosaic [that Bryn Quarry itself lies within].However, the remaining area [approximately 15%] includes V&S areas classified as upland grazing, urban and village, each with different sets of landscape and visual susceptibility criteria – they also differ greatly in overall evaluation, from Low to High. This is mirrored in other LANDMAP Aspects. Concern is expressed that these smaller aspect areas potentially skew the data, which results in a higher overall assessment of sensitivity to wind energy development.

**Officer Response**

The boundaries for LU1 have been established along the same lines as those units defined for the Heads of the Valleys study. The Landscape units are not landscape characters or types, but were determined taking account of place, landform, topography, indivisibility and receptors and were refined using local knowledge. In addition, the study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it. Any variations in the landscape will be addressed as part of the specific LVIA.

**Recommendation**

No change

| | | | |
|---|---|---|---|
| | AJ Associated | Disagree | Disagrees with sensitivity area in LU1 |

**Summary Of Representation**

There are indications that there are also areas of lower sensitivity. Believe criteria has been assessed too highly and the land at Bryn quarry should quantify as a 'Low' sensitivity area.

**Officer Response**

The assessment criteria for all of the landscape units has already been established in the Heads of the Valleys study.

**Recommendation**

No change

| | | | |
|---|---|---|---|
| | AJ Associated | Disagree | Disagrees with capacity assessment of LU1 |

**Summary Of Representation**

Under 'Indicative overall capacity', draft document indicates that there is come capacity for medium scale development and limited capacity for large scale development. However, believe that there is potential land in the vicinity of Bryn Quarry which may well meet the criteria and would be suitable for medium and large scale wind energy developments.

**Officer Response**

The study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it. Should it be deemed suitable for the applicants to wish to place large scale wind turbines in the area, the detailed LVIA will take this into account. Each application will be judged on a case by case basis.

**Recommendation**

No change

| | | | |
|---|---|---|---|
| | Coal authority | | Comment |

**Summary Of Representation**

No specific comments to make.

**Officer Response**

Noted

**Recommendation**

Noted

| | | | |
|---|---|---|---|
| | LDA Design | Disagree | Larger set of criteria used in this landscape sensitivity |

**Summary Of Representation**

Compared to most sensitivity and capacity studies, this uses a larger set of criteria. This could be an advantage except that there is perhaps not enough attention paid to how the criteria interact, and whether the combination and scoring of criteria has unduly affected the results. For instance – a small scale landscape with more complex landform (both rated as higher susceptibility) will nearly always have a high degree of enclosure (rated as low susceptibility). A landscape with more movement because it hosts a major road corridor (lower susceptibility), will nearly always have more visual receptors (higher susceptibility) and lack remoteness and tranquillity (lower susceptibility). The study also appears to place equal weighting on each criterion. In particular this is questionable in respect of the weighting of the three value criteria. LANDMAP has a bias in reporting most areas (nationwide) as being of High or Outstanding historic value; and a similar, though less pronounced, bias in terms of cultural value. This combination of using some 'competing' criteria, and other criteria with an inherent bias towards higher values will tend to produce results in which values tend to medium (as a result of the competing criteria), and perhaps higher (as a result of the criteria with a higher bias).

**Officer Response**

LANDMAP Data was used to provide a consistent, independently verified description of the characteristics of the landscape. The study recognises that there are different receptors, and that different susceptibilities will apply. Whilst it may be perceived that some areas fair better than others, it needs to be remembered that a detailed LVIA will need to take place before a formal planning decision is made on each site.

**Recommendation**

No change

| | | | |
|---|---|---|---|
| | LDA Design | Disagree | Requirement of development sizes needed. |

**Summary Of Representation**

There is a wealth of detail in terms of the analysis of the various susceptibility criteria, but very little in the consideration of suitable development sizes – both in terms of the explanation of the methodology, and in terms of the analysis for each landscape unit. There seems to be a default assumption that all landscapes must have at least Medium-High sensitivity to the Large and Very Large scale of development. It is clear that this is a policy-based assumption (page 6 table 1) – i.e. that such developments are only appropriate within SSAs. Using this as a guiding assumption colours the entire study – instead of being a landscape-led study to which policy is applied, it is a policy-led study. The contrast between the clear, traceable, and analytical approach to the susceptibility and value criteria; and the 'present the answer' approach of the capacity and sizing guidance undermines the capacity and sizing recommendations and suggests an inherent assumption that larger developments are intrinsically unacceptable.

**Officer Response**

Development sizes will be taken account of in a case by case basis. The purpose of the report was to provide guidance on the landscapes, not on the exact scale, form and location of the wind turbines to be placed in the locality.

**Recommendation**

No change

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Understand the title of the Heads of the Valleys study to be ‘Wind Turbine Development’ rather than ‘Smaller Scale Wind Turbine Development’ and suggest the titles reflect each other, for consistency.

**Officer Response**

The title of the Heads of the Valleys document is 'Smaller Scale Wind Turbine Development: Landscape Sensitivity and Capacity study'. The decision was taken to add 'smaller scale' to differentiate the SSA wind turbines defined under TAN8.

**Recommendation**

No change

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Section 6 Fig. 03. It is not very easy to distinguish between the colours of Historic Parks & Gardens Essential Setting and Special Landscape Areas.

**Officer Response**

Noted. This follows the designations in the Local Development Plan.

**Recommendation**

Colours to be amended in final document.

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Fig. 04. Is there a definition of Open Country?

**Officer Response**

As a result of the 2000 CROW Act, all authorities in England and Wales needed to map areas of Open Country. As this document is intended to be read and implemented by professionals, there is an assumed knowledge to the CROW. Part 1(2) of the CROW stipulates Open Country to mean land which—
(a) appears to the appropriate countryside body to consist wholly or predominantly of mountain, moor, heath or down, and (b) is not registered common land. As this definition is enshrined in law, there is no need to repeat it within the maps.

**Recommendation**

No change.

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Fig. 05. It would be useful to have a plan showing related units to ones adjacent in the Heads of the Valleys study.

**Officer Response**

Yes. This will all be pulled into one document for consideration to Full Council.

**Recommendation**

Noted.

| | | | |
|---|---|---|---|
| | NRW | Comment | Clarification |

**Summary Of Representation**

Fig. 06 & 07. The picture with regards to operational, consented, in planning has changed since Nov 14. The study may need to refer to the base line of Nov 14 in its findings, but should acknowledge the changing baseline in the publication, with perhaps a map at a fixed date or link to the Blaenau Gwent cumulative mapping website.

**Officer Response**

Noted. This will be included and updated in the final document.

**Recommendation**

Noted.

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Fig. 11. shows a high sensitivity to large turbines for Unit 9 and Fig.12 shows a medium-high sensitivity to very large turbines for Unit 9, whereas the text indicates no capacity for very large and some capacity for large and medium turbines. Is this correct?

**Officer Response**

This is an error. Figure 11 should show medium-high sensitivity to large turbines for Unit 9 and Figure 12 should show high sensitivity to very large turbines for Unit 9

**Recommendation**

Amend Figures accordingly.

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Is there a case for dividing Unit 1? It includes part of the Gelligaer Common Registered Historic Landscape, an area significant historically and different to other parts of the unit, which is quite large.

**Officer Response**

The boundaries for LU1 have been established along the same lines as those units defined for the Heads of the Valleys study. The Landscape units are not landscape characters or types, but were determined taking account of place, landform, topography, intervisibility and receptors and were refined using local knowledge. No change required as any anomalies within landscape units will be picked up through individual LVIAs.

**Recommendation**

No change.

| | NRW | Comment | Clarification |
|---|---|---|---|

**Summary Of Representation**

Is there an LDP relevant policy regarding cultural heritage (including Registered Landscapes) that would be worth referring to?

**Officer Response**

Noted. This will be included and updated in the final document.

**Recommendation**

Noted. Document will be amended.

| | | | |
|---|---|---|---|
| | NRW | Comment | |

**Summary Of Representation**

Unit 1. There are views across Gelligaer Common and from Gelligaer Common across the area. Question whether this should be high susceptibility, due to the Registered Landscape and presence of SAMs. The adjoining Unit 13 in the Heads of the Valleys study has this as high susceptibility. Should the sensitivity to large scale turbines be high, the text comment says they would be out of scale with the unit and visually prominent?

**Officer Response**

This is an error in the document. The sensitivity for Unit 1 to large scale turbines should be increased to high.

**Recommendation**

Amend the sensitivity for Unit 1 to large scale turbines to High.

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# COUNCIL – 26TH JANUARY, 2016

**SUBJECT:** **ESTABLISHMENT OF AUDIT AND RISK ASSURANCE COMMITTEE/PANEL FOR SOUTH EAST WALES EDUCATION ACHIEVEMENT SERVICE**

**REPORT BY:** **INTERIM HEAD OF LEGAL SERVICES & CHIEF EDUCATION OFFICER**

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## 1. PURPOSE OF REPORT

1.1 To update Members of changes agreed in relation to the company arrangements/structure of the Education Achievement Service for South East Wales (EAS).

1.2 To seek Member nominations to sit on the newly established Committee/Panel.

## 2. SUMMARY

2.1 The EAS was established as a limited Company in July 2012. This Report updates Members on changes to the Company arrangements/structure of the EAS, with relation to the establishment of a new Audit and Risk Assurance Committee/Panel of the EAS, as approved by the EAS at its Board meeting held on 24th November, 2015.

2.2 The Report also asks for two nominations from Elected Members to sit on the newly established Committee Panel.

## 3. LINKS TO STRATEGY

3.1 The five Council's and the EAS collaboration and Members Agreement.

3.2 The Deed of Collaboration.

## 4. THE REPORT

4.1 EAS was established as a limited company in July 2012. Its prime function is to raise education standards across the region: Newport, Caerphilly, Blaenau Gwent, Torfaen and Monmouthshire Councils commissioned the EAS to deliver school improvement service on behalf of each individual Authority and hence across the consortium.

4.2 Since that time, the governance arrangements have been developed and reports presented to Members to approve and implement changes.

4.3 This Report updates Members in relation to a further change to the EAS arrangements with particular reference to the establishment of a new EAS Audit and Risk Assurance Committee/Panel comprising of two non-executive Members from each of the five Authorities.

4.4 The EAS Board approved the establishment of a new EAS Audit and Risk Assurance Committee/panel at its meeting held on 24th November, 2015.

4.5 A copy of the Report to the EAS Board is attached at Appendix 1. The Report at Appendix 1 sets out the reasons for the establishment of the new Committee/Panel. Members will note that the EAS Board consider that the new Committee/Panel will provide a crucial mechanism in ensuring adequate controls are in place to manage the risk obligations of the EAS Board.

4.6 The terms of reference of the new Committee/Panel are set out in the Report to the EAS Board at Appendix 1. However the EAS Board, at its meetings in November approved the composition of the new Committee/Panel with non-executive Members from each of the five participating Local Authorities.

4.7 Further changes to the current governance structure of the EAS are under consideration and will be the subject of further Reports to Members in the future.

## 5. EQUALITIES IMPLICATIONS

5.1 None arising from the Report.

## 6. FINANCE IMPLICATIONS

6.1 None arising from this Report. Proposals will be met from existing budgets.

## 7. PERSONNEL IMPLICATIONS

7.1 There are none arising from this report.

## 8. CONSULTATIONS

8.1 The Report reflects the view of the listed consultees.

## 9. RECOMMENDATIONS

9.1 Members note the establishment of the new Audit and Risk Assurance Committee/Panel in relation to the EAS.

9.2 Members approve the nomination of two non-executive Members to sit on the Committee/Panel for submission to the EAS.

## 10. REASONS FOR THE RECOMMENDATIONS

10.1 To improve the current risk management obligations and arrangements to the EAS.

## 11. STATUTORY POWERS

11.1 Local Government Act 1972.
School Standards and Framework Act 1998.

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Keri Cole, Chief Education Officer, colek@caerphilly.gov.uk
Consultees: Mr. C. Burns, Interim Chief Executive, burnsc1@caerphilly.gov.uk
Councillor K. Reynolds, Leader, reynokv@caerphilly.gov.uk
Councillor R. Passmore, Cabinet Member for Education, passmr@caerphilly.gov.uk

Appendices:
Appendix 1 - Copy Report to the EAS Board – 29th October, 2014

Background Papers:
Cabinet Report – 29th October, 2014

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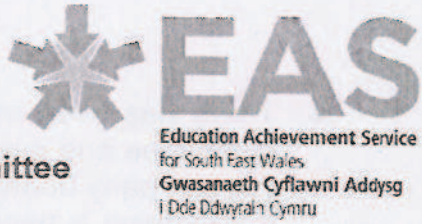
**APPENDIX 1**

Agenda Item




**Report for Company Board: Audit and Risk Assurance Committee**

Written and submitted by: Geraint Willington, Company Secretary
Date of the Report: 24th November 2015

## 1. Purpose of the Report

To understand and approve the formation of an Audit and Risk Assurance Committee to support a crucial mechanism in ensuring adequate controls are in place to manage the risk obligations of the company board.

## 2. Recommendation

That the board approve the establishment of the Audit and Risk Assurance Committee and the Terms of Reference (Appendix 1)

## 3. Context

- The UK Corporate Governance Code, issued in September 2014 by the Financial Reporting Council (FRC), outlines the main purpose of an audit committee, saying that "the board should establish formal and transparent arrangements for considering how they should apply the corporate reporting and risk management and internal control principles and for maintaining an appropriate relationship with the company's auditors."

- The company board should ensure that there are effective arrangements for governance, risk management and internal control for the whole company. Advice about and scrutiny of key risks is a matter for the board, not a committee. To support the board's responsibility the board should establish an Audit and Risk Assurance Committee chaired by a suitably experienced non-executive member. Under the HM Treasury handbook on the Audit and Risk Assurance Committee the following 6 supporting provisions are seen as key:

    - The board and accounting officer should be supported by an Audit and Risk Assurance Committee
    - Advising on key risk is a role for the board. The Audit and Risk Assurance Committee should support the board in this role
    - An Audit and Risk Assurance Committee should not have any executive responsibilities or be charged with making or endorsing any decision
    - The board should ensure that there is adequate support for the Audit and Risk Assurance Committee
    - The Audit and Risk Assurance Committee should lead the assessment of the annual Governance Statement for the board
    - The terms of reference of the Audit and Risk Assurance Committee should be made available publicly.

- It is important that the role of the Audit and Risk Assurance Committee is clear to both the company board, the Joint Executive Group and understood throughout the company.

- There has been much research around the size of the Audit and Risk Assurance committee and it is important the size of the committee is proportional to the size of the company board. If the audit committee is too big in comparison there is a risk of it becoming a pseudo-board. If the audit committee is too small in relation to the board then its influence with the board may be impaired.

- A normal company of the size of the SEWEAS would be 3 but as there are 5 partner local authorities all need to be represented.

- An effective Audit and Risk Assurance Committee must have members who are both independent and objective and should possess the requisite knowledge and skills to effectively engage with and challenge the company.

- It is for the audit and risk assessment committee chairman, in consultation with the company secretary, to decide the frequency and timing of its meetings. This will be supported by the Company Secretary.

- Other members to attend on a regular through invite would be the Company Director, Finance Director, Internal Audit and External Audit. In addition there will be times when company members of staff will be requested to attend and officers who support the company through the procured local authority, service level agreement.

- The role of the audit committee is for the board to decide and to the extent that the audit committee undertakes tasks on behalf of the board, the results should be reported to, and considered by, the board. In doing so it should identify any matters in respect of which it considers that action or improvement is needed, and make recommendations as to the steps to be taken.

- The audit committee should review annually its terms of reference and its own effectiveness and recommend any necessary changes to the board. The board should also review the audit committee's effectiveness annually.

## 4. Issues

- Not-for-Profit organisation has substantially increased over the past few years and the SEWEAS being one of them. The role of the audit and risk assurance committee was primarily centered on the financial aspects of an organisation but this has now expanded to equally important non-financial aspects. These can be grouped into the following 6 areas and should form part of the Audit and Risk Assurance Committee
    - Financial reporting, internal controls and external / internal auditors
    - Risk management
    - Compliance with law and regulations
    - Technology
    - Conflict of interest
    - Reporting on impact and value for money

## 5. Risks

- The availability of staffing resources to serve the expectation of three large boards/committees.

- The importance and breadth of matters being discussed may impact on the demands required of the Audit and Assurance Committee.

- Duplication of work through the three boards/committees served.

- Breakdown in communication between the three boards/committees.

- It is essential that the Audit and Risk Assurance Committee understands the company's business strategy, operating environment and the associated risks, taking into account all key elements of the company

## 6. Conclusion

- It is essential the company implement an Audit and Risk Assurance committee in order the company board is far more coherent and focused to enable more informed decision making.

- To avoid duplication a clear defined set of targeted requirements needs to be agreed by board and communicated to both the Joint Executive Group and Audit and Assurance Committee.

- It is essential that the company remains compliant with all aspects of law and regulations. The audit committee will focus and change the way we carry out company business but at the same time the audit committee need to recognise the need to push boundaries that accelerates the outcome of our children and young pupils.

- Keeping the audit committee's agenda focused on financial reporting and related internal control risk is essential to the committee's effectiveness but meeting the workload challenge requires efficiency as well. Committee meetings should be streamlined by insisting on quality pre-meeting materials (and expecting pre-read materials to have been read), making use of consent agendas, and reaching a level of comfort with management and auditors so that financial reporting and compliance activities can be addressed efficiently. This freeing-up time for more substantive issues facing the business.

## Audit and Risk Assurance Committee

### Establishment

The company board to establish an Audit and Risk Assurance Committee to consist of one non-executive member from each of the five local authorities from the South East Wales Education region.

The company board to appoint a Chair of the Committee

### Terms and Reference

The role and responsibilities of the audit committee are set out in these terms and reference and will be reviewed by the Company Board on an annual cycle

1) Financial reporting, internal controls and external / internal auditors
   - to monitor the integrity of the financial statements of the company
   - to review the company's internal financial controls
   - to monitor and review the effectiveness of the company's internal audit function
   - to make recommendations to the board in relation to the appointment of the external auditor and to approve the remuneration and terms of engagement of the external auditor
   - to review and monitor the external auditor's independence and objectivity and the effectiveness of the audit process, taking into consideration relevant UK professional and regulatory requirements
2) Risk management
   - Review and assess the risk management of the company.
   - Review and monitor the processes for assessing the completeness of the risk portfolio and changes thereto and identifying emerging risks, as well as understanding how the risks are managed.
3) Compliance with law and regulations
   - To monitor and review HR policy and procedures and applied across the company
   - To monitor and review compliance with the current Welsh language measures act
   - To monitor and review compliance with the Health and Safety Act and the risk assessments where appropriate.
   - To monitor and review the corporate governance agreement to ensure compliance and fit for purpose. To included members, local authorities, directors and officers

4) Technology
   - To review ICT Polices to ensure compliance across the company
   - To review measures in place to protect against Cybersecurity
   - To review and monitor the measures in place to protect data privacy and compliance with the transfer of sensitive pupil information

5) Conflict of Interest
   - To review the integrity of members, directors and officers are free from conflicts that compromise judgement.

6) Reporting on Impact and Value for Money
   - To review the integrity of systems developed to measure impact and value for money the SEWEAS is having on local authorities, schools and children and young people

7) Report to the board on how it has discharged its responsibilities


# COUNCIL – 26TH JANUARY 2016

**SUBJECT:** **CAERPHILLY COUNTY BOROUGH COUNCIL RESPONSE TO THE DRAFT LOCAL GOVERNMENT (WALES) BILL**

**REPORT BY:** **INTERIM CHIEF EXECUTIVE**

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## 1. PURPOSE OF REPORT

1.1 For Council to endorse the proposed Caerphilly County Borough Council's response to the Welsh Government consultation on the Draft Local Government (Wales) Bill.

## 2. SUMMARY

2.1 This report sets out a proposed Caerphilly County Borough Council response to the Welsh Government consultation on the Draft Local Government (Wales) Bill, which is strongly based on the premise that the best outcome for our communities is that Caerphilly County Borough Council remains as a stand-alone Authority.

## 3. LINKS TO STRATEGY

3.1 The Draft Local Government (Wales) Bill is the Minister for Public Services' vision for Local Government in Wales and is *based on activist Councils, engaged in delivering modern, accessible, high quality public services with their local communities.* The Bill closely aligns with the Well-being of Future Generations (Wales) Act 2015, the Social Services and Well-being (Wales) Act 2014 and the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, and the performance management framework for Local Government in Wales.

## 4. THE REPORT

4.1 The objective of the Draft Bill is to complete the programme of Local Authority mergers and set out a new and reformed legislative framework for Local Authority democracy, accountability, performance, some elements of finance, and establish a statutory Public Services Staff Commission. A round table discussion was held with the political leaders on drafting the Caerphilly County Borough Council response to the consultation. It was emphasised that the starting basis of the response is that Caerphilly County Borough Council wishes to retain its position as a stand-alone Authority. Political Groups and individual Members are able to respond separately to the consultation which closes on 15th February 2016.

4.2 The consultation document sets out the key aspects of the draft Bill under eight parts and the following responses are proposed to the consultation questions under the various parts.

4.3 **PART 1: Local Government Areas and County Councils**

Part 1 of the Draft Bill contains the provisions which will establish new Counties and their Councils, specifying the Local Government areas, the constitution and election of the new Councils and providing for establishment of the new Councils. The following response is made to this section:

Caerphilly County Borough Council wishes to retain its position as a stand-alone Authority as the best outcome for our communities, although the close collaborative work as documented in the consultation being undertaken across the Gwent region is noted and valued by the Council. The Council would also like to keep its *County Borough* status, if *mechanisms to preserve historic ceremonial rights, including city and borough status* could be made as referred to under Part 1 of the consultation document.

On what are your views on the options for 2 or 3 Counties in North Wales, as set out in Schedule 1 to the Draft Bill? It is commented that it is inappropriate for a South East Wales Council to respond to this question on reconfiguration of Local Authorities in North Wales.

On what are your views on the proposed configuration of Local Government areas in Wales? It is recognised that it is appropriate to review the configuration of Local Government in Wales. However, whilst Local Government is well placed to offer a view on the appropriate configuration going forward, we find little evidence of those views being taken into account.

The proposed Gwent Unitary Authority would be the largest in Wales in terms of population, cover a large geographical area, and, more importantly, encompass communities with a diverse socio-economic profile and different needs and priorities. These multiple challenges present a risk which we believe can be mitigated if Welsh Government were to move away from the proposal of a single Authority in Gwent.

This consultation does not clearly demonstrate how local government re-organisation will be a cheaper option than retaining the current system, while encouraging greater collaboration. It is surprising that the consultation is stating - *Ministers have agreed that there "should be a moratorium on the establishment of any new collaborations and partnerships prior to finalising the map"* given the drive by Welsh Government for greater and better collaboration over the years. Appropriate collaboration can lead to greater efficiency of public services, and without the extensive costs of wholesale local government re-organisation.

On what are your views on the procedure for naming the new Counties? It is reiterated that Caerphilly County Borough Council wishes to remain as a stand-alone Authority.

On do you have any general comments on the provisions of the Draft Bill relating to Local Government finance? It is recognised with growing devolution that - *the Welsh Government has to consult on proposals including separate legislation dedicated to the mechanisms for distributing, raising, managing and accounting for the funding of Local Government...to design a system which takes account of wider changes to the powers and fiscal responsibilities of the Assembly, and devolves greater financial independence and responsibility to Local Authorities*. However, the issue of considerable variation of council tax levels across the Gwent region remains a key issue for Caerphilly County Borough Council residents, particularly as Blaenau Gwent County Borough Council's council tax is more than 30% higher than Caerphilly's.

4.4 **PART 2: General Power of Competence**

The provisions of Part 2 relate to County Councils' general power of competence and set out the conditions which Community Councils must meet in order to be Community Councils with competence. The following response is made to Part 2:

While the call for a general power of competence is welcomed, the Council notes that as drafted, it is severely constrained by legal provisions which local authority lawyers would have to carefully consider before the power could be used.

On do you have any comments on our proposals relating to Community Councils with competence? It is responded that we do not oppose Community Councils determining for themselves if they wish to have the *general power of competence*. We note, however, that there is no power of withdrawal until a subsequent election.

4.5 **PART 3: Promoting Access to Local Government**

This Part contains provisions relating to promoting access to Local Government. It gives an overview of the provisions in requiring Local Authorities to encourage public participation in Local Government. It establishes community area committees for ensuring that community interests and priorities are taken into account by the Council. It deals with improvement requests by which a Council enters into discussions with community bodies for the purpose of improving local outcomes. It extends public access to Local Authority meetings and requires Local Authorities to publish a guide to their constitution and publish the official addresses of their members. The following response is made:

The proposal to strengthen Community Councils and introduce Area Committees is, in part at least, a response to the scale of the proposed new unitary authorities. However, the need to strengthen and introduce these additional tiers of local government supports our view that in areas, such as Gwent, for example, the proposed Authorities are too large, and it would be better for Caerphilly County Borough Council to remain as a stand-alone Authority.

Promoting access and public participation in Local Government is welcomed. Caerphilly County Borough Council through its community planning processes has in the past established community area forums for ensuring that community interests and priorities are taken into account by the Council. These area forums were actively used as a means of engagement by the Council. The potential is there to develop this aspect further in the light of the Bill and the requirements of the Future Generations legislation.

We note the suggestion within the Draft Bill that Area Committees may be based on Upper Super Output Areas which may not be sufficiently representative particularly for less populous areas. Clearly, if they are smaller, they become more numerous and therefore more costly.

On do you have any comments on the proposed public participation duty and the requirement to consult on the annual budget. The proposed public participation duty and the requirement to consult on the annual budget are supported. The Council is currently actively engaged with local people and the Voluntary and Community Sector on its budget setting. However, we question the need for local authorities to produce a strategy and suggest that a duty to encourage and promote participation would be sufficient.

It is not clear to us why councils should have such duties and responsibilities over other autonomous *connected authorities* i.e. Community Councils, Fire and Rescue Authorities and National Park Authorities - in producing a *statutory public participation strategy*. This not only has resource implications on councils but also clouds accountability and responsibility for delivering on public participation duties.

On how should community representatives to sit on community area committees be sought and selected? Caerphilly Council would do this through open consultation and engagement with the Voluntary Sector Liaison Committee in the borough, and through the Gwent Association of Voluntary Organisations our local County Voluntary Council.

On do you agree County Councils should be able to delegate functions to a community area committee? Notwithstanding our earlier comments in a scenario where the substantive elements of the Draft Bill are introduced the principle of Councils delegating functions to a community area committee is supported. However, we have the following concerns:

- The proposals as drafted remain complex and could be construed as creating another tier of governance.
- Should council functions be devolved, there are issues in terms of clouding executive/scrutiny roles and accountability.

- Would community/public body *co-optees* be subject to the member code of conduct and proposed new *performance duties* on councillors?
- There is a risk that strengthening the role of unelected *co-optees* will undermine the electoral process and with it the role of elected members; we would be interested to learn how this risk will be mitigated.
- Community Area Committees will place an additional burden on authorities in terms of administration as well as in translation and electronic broadcasting requirements.

On do you have any views on whether transitional arrangements need to be put in place for existing area committees, or is a good lead-in time sufficient? It is noted what appears to be additionally required through the Draft Bill in setting up Area Committees is onerous and would require transitional arrangements.

On do you have any comments on the revised provisions for *improvement requests* or on the interaction between these provisions and those relating to the public participation duty (Part 3, Chapter 2) and community area committees (Part 3, Chapter 3)? In relation to improvement requests the consultation notes that - *The Draft Bill includes provisions which oblige Local Authorities to enter into a dialogue with community bodies about how an outcome can be improved on receiving a request from a community body... The definition of community bodies is widely drawn. The procedure sets out that at the end of a period of dialogue, the Local Authority will publish on its website a summary of the discussions and the actions that have been agreed. We will expect both Local Authorities and community bodies to hold to the matters they have agreed publicly* – while the thrust of this is supported we have the following concerns:

- Councils already initiate and respond to *improvement requests* thus the *improvement requests* proposal as drafted risks over-formalising the process and creating a significant amount of bureaucracy which could impact on the speed of decision-making.
- With the definition of community bodies being widely drawn there is a risk of multiple requests, perhaps regarding the same issue, adding to potential bureaucracy particularly where conflicting requests are made.

On do you have any comments on any of our further proposals relating to access to meetings? It is responded Caerphilly County Borough Council already has in place two of these proposals:

- Electronic publication of notices of meetings.
- Keep and maintain minutes of meetings of the Executive.

There is no objection to:

- Electronic summons
- Removal of the restriction for Community Councils on having meetings in licensed premises on the assumption that alcohol is not available during the meeting.

However, a duty to broadcast *all* public council meetings (including the proposed Community Area Committees) will create an additional administrative burden on councils and require additional resources.

On do you have any comments on our proposals to enhance participation by children and young people through the public participation duty? It is commented that the proposal to enhance participation by children and young people through the public participation duty is both welcomed and fully supported.

4.6 **PART 4: Functions of County Councils and their Members**

Provisions in Part 4 of the Draft Bill deal with the functions of the new Councils and their members. It sets out the duties all Councillors must discharge and how breaches of the duties on Councillors are to be dealt with and makes further provision in relation to these duties. It provides that the Elected Mayor or the Leader must set objectives for the Cabinet and that candidates for Elected Mayor or the Leader must prepare a written manifesto. It also enables Councillors to be appointed as assistants to the Executive. It makes provision about

the appointment of the Chief Executive, setting his or her objectives, as well as making the post of Head of Democratic Services a chief officer. It makes various provisions relating to Overview and Scrutiny Committees and Standards Committees. The following response is made:

The provisions for setting out *performance duties* for councillors are rejected. The proposals are inconsistent with expectations on Assembly Members where no such *performance duties*, standards, or right to recall are in place. For example whilst councillors would have 14 days to respond to correspondence, according to the Welsh Government website, Ministers have 17 working days to respond to correspondence. Unlike councillors Welsh Government Ministers will also have access to substantially more resources at their disposal in making responses.

It is also not clear why any failure to adhere to the proposed performance duties could be deemed as a breach of the code of conduct with sanctions to be imposed by the Standards Committee. The proposals as drafted risks the generation of vexatious complaints, which will affect the reputation of councillors and councils and create additional workload for Monitoring Officers and Standards Committees.

On do you have any comments on the proposed duty on leaders of political groups or the monitoring and reporting roles of the Standards Committee? It is difficult to see how this would be monitored in practice.

On do you have any comments on our proposal to give the Welsh Ministers a power to direct the IRPW to have regard to guidance when reviewing the remuneration framework for Councillors? The proposal to give Welsh Government Ministers a power to direct the IRPW is not supported as it would undermine the independence of the Review Panel.

On do you agree the provisions relating to remote attendance in the 2011 Measure should be made more flexible? This is only supported under exceptional circumstances.

On do you have any comments on our proposal that Shadow Authorities should be required to appoint interim Returning Officers? It is noted that *The Welsh Government is seeking further legislative opportunity to provide - that the Returning Officer role in each Principal Authority should form an intrinsic duty of the Chief Executive, for which no additional personal fee would be payable... Whilst there is no provision in the Draft Bill, we propose that the Shadow Authorities be given powers in the Bill for introduction to appoint Returning Officers to serve until such time as it was convenient* – and this is supported.

On do you have any comments on the desirability of giving Councils the power to dismiss the Chief Executive, the Chief Finance Officer, the Monitoring Officer and the Head of Democratic Services through a vote? Giving councils the power to dismiss the Chief Executive, the Chief Finance Officer, the Monitoring Officer and the Head of Democratic Services through a vote by Full Council is supported, as long as safeguards around counter claims against unfair dismal can be built in.

On do you have any comments on our proposal to change the framework within which Councils and their Executive determine how their functions are to be allocated? It is agreed that the functions of Local Government provided for in regulations made under the Local Government Act 2000 are prescriptive and liable to becoming out dated. Thus the Welsh Government proposal to simplify the system and give greater flexibility to new Authorities following mergers with the repeal of section 13 of the 2000 Act *by a more liberal provision* welcome.

On do you have any comments on our proposals in relation to the disposal and transfer of Local Authority assets? The disposal and transfer of Local Authority assets is supported where appropriate.

4.7 **PART 5: County Councils: Improvement of Governance**

Part 5 of the Draft Bill sets out arrangements for a new improvement regime. It puts a general duty on Local Authorities to make and comply with governance arrangements. Local Authorities are required to have a corporate plan, to consult on it, to keep it under review and report on progress made. Local Authorities are to assess the quality of their governance through self assessment, peer assessment and combined assessment. Welsh Ministers will be able to arrange a review of a Local Authority's governance arrangements and have a power to intervene when these arrangements are inadequate. Provision is made for better co-ordination between the regulators. New functions and revised membership of Corporate Governance and Audit Committees are set out (previously called Audit Committees). It is the Welsh Government's intention to commence the majority of these provisions when the Bill is enacted, in order that the transition to the new regime can start immediately and support the process of mergers. The following response is made:

In broad terms we support the proposed changes to Local Authority performance and planning framework and the Amendment of the Local Government (Wales) Measure 2009. However, there are similar, but not identical requirements in other legislation, most notably the Well-being of Future Generations Act. There is an opportunity to streamline local government planning and performance reporting as well as reinforcing our Well-being Duty as our organising principal by making it clear that Local Authorities can bring these together into a single planning and reporting framework. The importance of different departments across the Welsh Government having a common understanding of the requirements spanning legislation needs to be stressed. Further guidance will be required regarding the criteria for selecting and appointing lay members to the proposed corporate governance and audit committee, particularly the role of Chair.

On do you have any comments on the model approach to peer assessment? It is commented that the model approach to peer assessment is a helpful guide but is rather detailed which could hinder a flexible approach. Turning the current successful voluntary models of peer assessment into a prescriptive statutory assessment and regulatory regime is opposed.

4.8 **PART 6: Community Councils**

The provisions in Part 6 of the Draft Bill relate to Community and Town Councils requiring the Local Democracy and Boundary Commission for Wales to undertake a review of Community Council arrangements. Community Councillors are required to complete training on matters specified by the Principal Council. The terms of Community Councillors elected in 2017 are extended to six years with Community Council terms becoming fixed at five years from 2023. The following response is made:

The provisions relating to Community and Town Councils requiring the Local Democracy and Boundary Commission for Wales to undertake a review of Community Council arrangements are supported. The requirement for Community Councillors to complete training on matters specified by the Principal Council is also welcome, especially in the light of Community Councils being given on choosing the power of competency. We stress the need to make the training of specific relevance to Community and Town Councils.

On do you have any comments on our proposals relating to compulsory training for Community Councillors? Compulsory training for Community Councillors is welcomed in ensuring the highest possible standards in meeting the needs of their local communities, but it is stressed that training needs to be relevant to Community Councillors.

On do you have any comments on our proposal to repeal the legislation relating to community polls and to require instead that Local Authorities should implement a system of e-petitions? It is agreed that this proposal would - *enable communities (of place or interest) to express their views on matters which concern them, without the restrictions and costs which currently apply to community polls* - and is fully supported.

4.9 **PART 7 of the Draft Bill workforce matters**

Part 7 deals with workforce matters enabling Welsh Ministers to publish guidance to public bodies on workforce matters. It provides for the establishment of a Public Services Staff Commission. The non-statutory Public Services Staff Commission has been operating since September 2015 using the Workforce Partnership Council as its primary reference point. The following response is made:

The powers for Ministers to issue guidance which councils must have regard to over such matters of management and staffing is unacceptable, as it effectively gives Ministers more influence over a council's staffing structure.

## 5. EQUALITIES IMPLICATIONS

5.1 A thorough consideration to equality issues is contained within the Draft Bill. There is an accompanying Equality Impact Assessment to the consultation document, and Welsh Language Impact Assessment. The Draft Bill closely relates to the Well-being of Future Generations (Wales) Act 2015, which has A More Equal Wales as one of its 7 national well-being goals.

## 6. FINANCIAL IMPLICATIONS

6.1 If the Draft Bill is implemented there will be significant financial implications. Appendix B to the Bill contains a Regulatory Impact Assessment: Costs and Benefits Calculations.

## 7. PERSONNEL IMPLICATIONS

7.1 If the Draft Bill is implemented there will be significant personnel implications with the move to mergers with other Local Authorities in Gwent.

## 8. CONSULTATIONS

8.1 This report has been sent to the consultees listed below and all comments received are reflected in this report.

## 9. RECOMMENDATIONS

9.1 For Council to endorse the proposed draft consultation response.

## 10. REASONS FOR THE RECOMMENDATIONS

10.1 To enable officers to submit a response to the Welsh Government's consultation to the Draft Local Government (Wales) Bill.

## 11. STATUTORY POWER

11.1 Local Government Act 2000.

Author: Jackie Dix, Policy & Research Manager
Consultees: Chris Burns, Interim Chief Executive
Cllr Keith Reynolds
Cllr Colin Mann

Cllr Dave Rees
Rob Hartshorn, Head of Public Protection
Dave Street, Corporate Director - Social Services
Stephen Harris, Interim Head of Corporate Finance
Gail Williams, Interim Head of Legal Services & Monitoring Officer.


# COUNCIL – 26TH JANUARY 2016

**SUBJECT:** **ELECTION OF CAERPHILLY YOUTH CHAMPION**

**REPORT BY:** **INTERIM HEAD OF DEMOCRATIC SERVICES AND DEPUTY MONITORING OFFICER**

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## 1. PURPOSE OF REPORT

1.1 To seek the support of Council to extend the 2 year term (2014-2016) of the current Caerphilly Youth Champion and support proposals to defer the election for the position of youth champion until after the Local Government Elections in May 2017.

## 2. SUMMARY

2.1 The Youth Champion helps young people to understand the importance of engaging with the democratic process and promotes the priorities of the Youth Forum within the county borough. This report seeks to extend the term of the current Youth Champion until post Local Council Elections in May 2017.

## 3. LINKS TO STRATEGY

3.1 The Youth Champion is a key initiative in discharging the Council's responsibility to increase the number of people who vote at elections and provides the link between young people in the county borough and elected members.

3.2 The Local Participation Action Plan for Children and Young People 2013-2016, recognises the role of the Youth Champion as a key aspect of promoting young people's right to have their voices heard on issues that affect them. Under Objective 2 – Promote children and young peoples right to be heard on a range of issues; the plan clearly outlines the role of the Youth Champion in ensuring the participation of Children & Young People.
2.1.2 – Information for professionals on how & where to take Children & Young Peoples feedback.
2.1.4 – Support and further utilise the role of the Youth Champion, expanding the remit of the role of the Youth Champion to Children & Young Peoples Champion.

## 4. THE REPORT

4.1 In previous years, and in order to elect a Youth Champion, the Council has taken park in a national event called "I'm a Councillor, Get me out of Here!!", which was a web based event and required the Candidates to post their manifestos online and take part in a 2-week question and answer session with young people from Caerphilly CBC. At the end of the "Getting to Know you week", a vote is undertaken at the end of each day, the candidate with the lowest number of votes is eliminated from the competition. This continues until the final remaining candidate is crowned 'Youth Champion'.

4.2 The Company that organised the "I'm a Councillor, Get me out of Here!!" competition has withdrawn its services, and as a result, in 2014, Caerphilly CBC hosted a Youth Champion Election in the form of a ballot. Ballot papers and ballot boxes were provided to participating secondary schools and youth groups, along with all materials required to conduct an election.

4.3 Across the county borough, 5 Comprehensive Schools and 11 Youth Groups took part in the election through the ballot boxes posted within their venues and 200 votes were placed online. After a count of the 3,412 votes, Councillor Mike Prew was elected as Caerphilly Youth Champion 2014-2016.

4.4 Since the last report to Council in 2014, the role of the Youth Champion has undertaken further development and during 2015, a highly successful 'Caerphilly Youth Question Time' was hosted, in which the Youth Champion acted as the host and 'roving mic', and young people from schools and youth groups were invited to ask a variety of questions to politicians such as an MP, AM, Police and Crime Commissioner, Council Leader and Local Councillor about the issues that affect them.

4.5 In light of the impending Local Government Elections in May 2017, it is proposed that the role of the Youth Champion be extended for further 12 months, subject to the approval of the Youth Forum at their Borough Wide Meeting on 21st January 2016. The extension of the term of the current Youth Champion will involve continued attendance and representation in Youth Forum Meetings, visits to Comprehensive Schools in the county borough for assemblies or surgeries, attendance at Youth Groups and continuing the work with the Youth Forum to develop involvement in projects such as Test Purchasing.

4.6 Subject to the continuation of the current Youth Champion within the role. It is proposed that, following the Local Government elections in May 2017, an election in the form of a ballot will be conducted within the participating Comprehensive Schools and Youth Groups, with an electronic voting system also available on the Youth website. The Youth Champion Working Group will continue to meet to consider the role and term of the Youth Champion and any further changes will be reported to Council for approval.

## 5. EQUALITIES IMPLICATIONS

5.1 There are no equalities implications directly associated with this report.

## 6. FINANCIAL IMPLICATIONS

6.1 There are no specific financial implications arising as a result of this report.

## 7. PERSONNEL IMPLICATIONS

7.1 There are no specific personnel implications arising as a result of this report.

## 8. CONSULTATIONS

8.1 There are no consultation responses, which have not been incorporated into the report.

## 9. RECOMMENDATIONS

9.1 Members are asked to note the contents of this report and continue to support the work and development of the Youth Champion.

9.2 Members are asked to endorse the delay of the election of the new term for the youth champion until after the Local Government elections in May 2017 and the proposed extension to the term of the current Youth Champion, subject to the approval of the Youth Forum.

## 10. REASONS FOR THE RECOMMENDATIONS

10.1 To promote the positive role and work of the Youth Champion in the County Borough.

## 11. STATUTORY POWER

11.1 The Electoral Administration Act 2006, Section 69.

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Dave Beecham, Electoral Services Manager
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Chris Burns, Interim Chief Executive
Christina Harrhy, Corporate Director - Communities
Keri Cole, Chief Education Officer
Nicole Scammell, Acting Director of Corporate Services and S151 Officer
Dave Street, Director of Social Services
Councillor Keith Reynolds, Leader of Council
Councillor Mike Prew, Caerphilly Youth Champion

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