

APPENDIX 5 – Representations/Comments & Council Responses

LDP Document: 3 SEA Baseline Scoping

9 Beguildy Community Council

9.E1

Summary: General Comments

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. These general issues will be taken into account when preparing the local development plan where it can influence them. Biodiversity is an assessment area against which the emerging plan will be assessed.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Planning takes into account ecology and biodiversity
In relation to the issue of windfarms, the effects of water tables and transport issues must be considered.
Members felt that hedges should only be removed as an absolute necessity.
Measures to keep the water courses clean must be maintained.

352 Natural Resources Wales - EA - MAIN CONTACT

Summary: Table 4 - Biodiversity

352.E1

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The purpose of the Strategic Environmental Assessment is to consider the broader environmental impacts rather than the more detailed issues suggested. Reference will also be made to the Water Framework Directive.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Table 4 - Biodiversity - Current State of Environment
We recommend that you reference how physical modifications in the county are impacting on biodiversity. This is identified in the Natural Heritage Paper in Section 4.
The following are some resulting impacts of physical modifications, such as weirs and culverts, on biodiversity:
Fish barriers - impact on fish migration, sustainable fisheries;
Variable flows in watercourses - flood risk.
Likely Evolution without the Powys LDP
There can be potential consequences on failing to meet Water Framework Directive objectives in the county.
Late amendment:
Current state of Environment

Biodiversity (Physical Modifications) We recommend comments are included explaining how physical modifications (such as weirs, culverts) in the County are impacting on biodiversity, for example impact on fish migration, variable flows in watercourses etc. This is identified in the Natural Heritage Paper in Section 4.

Likely evolution with without the Powys LDP

Comments should be included in this section explaining the potential risks of failing to meet Water Framework Directive (WFD) objectives.

352.E2

Summary: Table 4 - Human Health

Question: Council Response to SEA Opinions & SA Comments

Council Response: It is recommended that flood risk is incorporated under Climatic Factors in the draft Environmental Report.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Table 4 - Human Health
Current State of Environment
We recommend Flood Risk is considered in this topic. Consideration of existing flood risk and potential impacts in the future due to climate change should be identified.
Late amendment:

We recommend flood risk is considered under at least one of the following topics: Human Health, Water or Climatic Factors. Consideration of existing flood risk and potential impacts in the future due to climate change should be identified.

352.E3

Summary: Table 4 - Soil

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. It is recommended that the term less benefit to society is removed from the likely evolution section in the draft environmental report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Table 4 - Soil

Current State of Environment

"Carbon Storage - Powys contains vast areas of land which are important for Carbon storage. " (See para 9.1 .1 of the Natural Heritage topic paper). We would reference 8.1.4 of the Natural Heritage Paper.

Likely Evolution without the Powys LDP

"Without the LDP these areas of high agricultural value 1 importance for carbon storage may be lost to development with less benefit to society." We recommend you define what is meant by 'less benefit' in this section.

352.E4

Summary: Table 4 – Water

Question: Council Response to SEA Opinions & SA Comments

*Council Response:*Noted. The information included in the Local Evidence Package will be used in preparing the draft Environmental Report accompanying the Preferred Strategy. The likely evolution without the Powys Local Development Plan will be amended to incorporate reference to the potential impact of poorly designed development.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Table 4 - Water

Current State of Environment

We broadly agree with this but strongly recommend that you are more specific at a county level. To help you with this, we recommend that you use our Powys Local Authority Evidence Pack which provides further information and data that can be referenced. This has been sent alongside our response to the Pollution and Flooding Paper.

We would also recommend that Flood Risk is also considered in the Water topic as per human health.

Late amendments:

We recommend that this section should be focussed towards the local state of the environment i.e. within Powys. To help you with this, our Powys Local Evidence Package, which provides further information and data can be referenced.

This has also been sent alongside our response to the Pollution and Flooding Topic Paper.

See comments under Human Health in respect of flood risk.

Likely Evolution without the Powys LDP

We expect to see further consideration of Water Quality in this section. For example potential impact of poorly designed development which could create issues such as poor drainage, unsustainable located development against water bodies. We highlight our Natural Heritage response (Section 7).

Late amendment:

There should be further consideration of Water Quality in this section. For example the potential impacts of: poorly designed development, which could create issues such as poor drainage; or unsustainable developments in close proximity to surface water bodies. We highlight our Natural Heritage response (under Section 7) which details the potential impacts of poorly placed development on Water Quality and the potential to meet WFD objectives.

352.E5

Summary: Table 4 - Climatic Factors

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. It is recommended that flood risk is incorporated in this topic in the draft Environmental Report accompanying the Preferred Strategy as one of the key impacts of climate change which the plan must adapt to and seek to mitigate.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Table 4 - Climate Factors

Current State of Environment

Again, flood risk has not been identified in this topic. We recommend this is considered.

352.E6

Summary: Table 4 - Material Assets

Question *Representation Texts*

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. This issue will be addressed in the draft Environmental Report accompanying the Preferred Strategy by stating that without the LDP, development may take place that will compromise the material assets.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Likely Evolution without the Powvs LDP

We have some uncertainty on how the comments in this column relate to the issues raised in the Current State of Environment column. What is the relationship? We feel this could be explained further.

Late amendment:

How do the comments within this column relate to the issues raised in the Current State of Environment column? This should be clarified.

352.E7

Summary: Table 5 - General comment

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. This will be addressed in the draft Environmental Report.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: General Comment

We feel that table 5 and table 4 do not link well together. They have similar focuses and we feel that some consideration is given to the two tables.

We have yet to provide comments on all of the topic papers within the process. As such, we may need to provide further comments (or amend current comments) in this section after a review of the remaining topic papers.

352.E8

Summary: Table 5 - Biodiversity

Question *Representation Texts*

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. These are detailed policy matters for the LDP to address.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Table 5 - Biodiversity

There have been several relevant matters identified in the Pollution and Flooding Paper which should be included in this table.

These include:

Failing sewerage systems;

Physical Modifications on watercourses;

Light pollution.

Late amendment:

Remove Physical Modifications on watercourses from above list.

352.E9

Summary: Table 5 - Flora & Fauna

Question *Representation Texts*

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted, reference to this will be incorporated into the Table in the draft Environmental Report at the Preferred Strategy stage.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Table 5 - Flora and Fauna

You may wish to specifically reference physical modifications under 'Loss habitat connectivity'.

Late amendment:

Biodiversity, Flora and Fauna

You may wish to specifically reference physical modifications as part of the 'Loss of habitat connectivity' bullet point.

352.E10

Summary: Table 5 - Soil

Question *Representation Texts*

Question: **Council Response to SEA Opinions & SA Comments**

*Council Response:*Noted. Reference to this will be incorporated in the Draft Environmental Report of the Preferred Strategy.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Table 5 - Soil

There is no mention of loss of carbon storage (through development on sensitive habitats) and this should be referenced as a problem; in particular, the loss of carbon storage including impacts on peatland habitats.

Late amendment: There is no mention of loss of carbon storage (through development on sensitive habitats) and this should be referenced as a problem.

352.E11

Summary: Table 5 - Human Health

Question: **Council Response to SEA Opinions & SA Comments**

*Council Response:*Noted. Reference to this will be incorporated in the climatic factors section of the draft environmental report accompanying the Preferred Strategy.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Table 5 - Human Health

We would recommend that Flood Risk is included as a problem in this topic.

Late amendment: We recommend that flood risk is included in this section.

352.E12

Summary: 3.7 Energy Topic Paper

Question: **Council Response to SEA Opinions & SA Comments**

*Council Response:*Noted. Thank you for this information which is useful.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: 3.7 Energy Topic Paper

You have explained that there is limited data in regard to micro generation and small schemes. We are able to provide some broad level data on Hydro Electric Power.

Powys excl. BBNPA

Pre-app enquiry 11

Formal application received 4

Formal application granted 2

Scheme operational 1

Draft Comments to Powys Local Development Plan Consultation: SEA baseline Scoping (HEP) schemes in Powys and in BBNPA. If you feel this information is relevant we will be able to provide further detail. (However, note that pre-application details are confidential).

Information has also been sent to your Authority's consultants AECOM as we understand they are carrying out evaluation work on renewable energy opportunities in Powys.

352.E13

Summary: 3.8 Pollution & Flooding Topic Paper

Question *Representation Texts*

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. The information will be taken into account in the relevant topic paper and the work being undertaken on flooding through the LDP process.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: 3.8 Pollution and Flooding Topic Paper

We strongly recommend that Water Framework Directive (WFD) is mentioned in this section. We acknowledge that there are some limitations in WFD data and this could be noted here. For example, not all waterbodies have been assessed and the reasons for failure are sometimes unknown. Again, we highlight that our Powys Authority Local Evidence Pack should provide information to assist this.

3d Paragraph - Suggested Text

DAMs include areas at risk of flooding from fluvial and tidal sources. Zone C of the DAMs show the extreme 0.1% probability flood outlines. They also show zone B which indicate 'areas known to have been flooded in the past' from evidenced sedimentary deposits. There is a three stage approach to ensure the development plan adopts a sustainable approach to development in areas at risk of flooding. i) All areas at risk need to be identified ii) development should be 'directed away from areas at high risk of flooding' (zone C) and towards suitable land in Zone A, otherwise to Zone B. iii) development that has to be considered in a high risk area needs to be justified on the basis of the tests set out in Section 6 and 7 of TAN15. (Not just a FCA).

Late amendment:

The Water Framework Directive (WFD) should be mentioned in this section. We acknowledge there are some limitations in WFD data and this could be noted here. For example, not all water bodies have been assessed and the reasons for failure are sometimes unknown. Again, we highlight that our Powys Local Evidence Package should provide additional information.

3rd Paragraph- Suggested Text

"The current system for assessing if a proposed development is at risk from flooding is by using the Development Advice Maps (DAMs) as instructed by Technical Advice Note (TAN) 15 and the Environment Agency's

Flood Map. There are limitations to these sources but they are only meant to act as a trigger to the Local Planning Authority for further investigation.

DAMs include areas at risk of flooding from fluvial and tidal sources. Zone C of the DAMs show the extreme 0.1% probability flood outlines. They also show zone B which indicate 'areas known to have been flooded in the past' from evidenced sedimentary deposits. There is a three stage approach to ensure the development plan adopts a sustainable approach to development in areas at risk of flooding: i) All areas at risk need to be identified ii) development should be 'directed away from areas at high risk of flooding' (zone C) and towards suitable land in Zone A, otherwise to Zone B iii) development that has to be considered in a high risk area needs to be justified on the basis of the tests set out in Section 6 and 7 of TAN15."

The above wording provides a comprehensive explanation, capturing all the tests as set out in TAN1 5, i.e. more than just carrying out a strategic flood consequences assessment.

352.E14

Summary: Table 6 - Assessment objectives and indicators

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. An explanation of the process in determining the Strategic Environmental Objectives and indicators will be incorporated into the draft Environmental Report at the Preferred Strategy stage.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Table 6

We feel a short explanation of how the environmental objectives have been derived would be useful in the opening paragraph.

352.E15

Summary: Table 6 - Biodiversity

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The objectives and indicators will however be kept strategic in nature. Furthermore, whilst the issue of alien species has been identified, it is not considered that this forms part of the strategic assessment.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Biodiversity

Strategic Environmental Objective (SEO)

We would question how the SEO will value and enhance ecosystems?

Indicators

There is no indicator suggested for the 'enhance' part of the objective. For example, the creation of new habitats, deculverting of watercourses and implementation of green infrastructure achieved through the planning process.

There is no indicator for Non-Statutory sites which, in some instances can play as important part in the county's ecology as European sites.

There is no detailed indicator for 'alien species' which has been identified as an issue in Natural Heritage Topic Paper.

Information Source

Development Management section of the LPA could provide information on the suggested indicators. For a numerical approach, the LBAP could be used.

Late amendment:

Biodiversity

Strategic Environmental Objective (SEO)

We question the inclusion of the word 'value' as part of the SEO. How would this be measured?

Indicators

There is no indicator suggested for the 'enhance' part of the objective. For example, the creation of new habitats, deculverting of watercourses and creation of green infrastructure achieved through the planning process.

The detailed indicators only cover European sites, Local Nature Reserves and Wildlife Sites. How will the conservation and enhancement of other sites be measured? An additional indicator should be added to ensure that it is possible to monitor the SEO on all sites.

There is no detailed indicator for 'alien species' which has been identified as an issue in Natural Heritage Topic Paper.

Information Source

The Development Management section of the LPA could provide information for the suggested indicators.

352.E16

Summary: Table 6 - Fauna & Flora

Question: Council Response to SEA Opinions & SA Comments

Council Response: There are separate areas for biodiversity, flora and fauna because the regulations specifically refer to these separately. The environmental objective will be used to assess the emerging options, policies and proposals. The indicators help to measure these. It is considered that if LBAP habitats and species reduce in their quality then this is an indication that they are not valued. It is not recommended that

anything further be added to the draft Environmental Report in this respect.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: Fauna and Flora

Again, we would question how the SEO will be able to value and enhance ecosystems. We would also question why there are separate assessment areas for Biodiversity, Flora and Fauna.

Late amendment: Fauna and Flora

Again, we question the inclusion of the word 'value' as part of the SEO. How would this be measured?

We question why there are separate assessment areas for Biodiversity, Flora and Fauna.

352.E17

Summary: Table 6 - Soil

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The indicator will be amended accordingly in the draft environmental report accompanying the preferred strategy. Geodiversity is not an issue specifically referred to by the SEA

Regulations so will not be included in the assessment methodology. It is however an issue for the plan to consider.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: General Points:

Does this assessment area cover Geodiversity?

We would recommend you replace contaminated land with contaminated sites.

Indicator

We suggest that the indicator is replaced with 'number of contaminated sites remediated'. Our reasoning is that, otherwise, if more contaminated sites are identified while others are remediated, it could appear that there has been no change.

This could result in the success of the remediated sites going unrecognised in the monitoring stage.

Late amendment: The term contaminated land, which is a formal definition under Part IIa of the (Environmental Protection Act) (1 990), should be replaced with contaminated sites.

Indicator: We suggest that the indicator is changed to 'number of contaminated sites remediated'. Otherwise, if more contaminated sites are identified while others are remediated, it could appear that there has been no change. This could result in the success of the remediated sites going unrecognised in the monitoring stage.

352.E18

Summary: Table 6 - Water

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted.

An indicator on water quantity will be incorporated linked to information on local water resources and Water Framework Directive groundwater quantitative status. In particular the information used for drought plans will be useful. The reference to good status will be included.

It is considered that the Environmental objective under the climatic factors topic area covers flooding, however a specific indicator on this will be linked to this from the Local Evidence Pack.

The indicator suggested on development permitted in flood risk areas will be considered as a plan indicator rather than an environmental indicator. These have only been used where there is no other source of environmental information on the assessment area. This will no doubt be a monitoring provision for the plan and therefore will not be an environmental indicator.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: Strategic Environmental Objectives (SEO)

How will the impact on water quantity be measured? We understand that this will be looked at in the Utilities Topic Paper and suggest that this is considered further.

There is no SEO for flood risk under this assessment topic. We recommend this is included. You may wish to consider not only new development at risk but also existing communities, infrastructure and businesses that are at risk.

"% of water bodies classified as good". This should be good status.

We recommend that there is an indicator for Water Quantity. This could be linked to water efficiency in new developments.

Late amendment:

Strategic Environmental Objectives (SEO)

How will the impact on water quantity be measured?

There is no SEO for flood risk; we recommend one is included. This should consider including existing flood risk to communities, infrastructure and businesses etc, as well flood risk associated with new development.

Indicator

"% of water bodies classified as good". This should be good status. We recommend that there is an indicator for Water Quantity. This could be linked to water efficiency in new developments, our data on local water resources and WFD groundwater quantitative status.

We note a flood risk indicator is included under Climatic Factors (see comment below) but recommend one is included here instead. In addition, we advise using an indicator that monitors the number of sites that are permitted, contrary to TAN15, with some qualitative analysis linked to this, so the significance of development can be explained. See our response to the Pollution and Flooding paper under monitoring issues.

Information Source

Development Management section of LPA could provide details on water efficiency linked to new development in the county. Regarding water resources, we have data linked to our Drought Plans that measures regional water situation. This data comprises river levels, reservoir stocks, groundwater levels and rainfall. In addition, WFD data can be used to monitor the quantitative status of groundwater.

Development Management should also be able to provide details on new development permitted in flood risk areas, contrary to TAN1 5.

352.E19

Summary: Table 6 - Air

Question: Council Response to SEA Opinions & SA Comments

Council Response: This issue is addressed in broad terms by the biodiversity objective and will also be addressed, if applicable, through the Habitats Regulation Assessment so no further change is considered necessary.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Strategic Environmental Objectives (SEO)

Does this SEO include airborne nitrates? We recommend that it does include airborne nitrates.

Information Source

If this SEO includes airborne nitrates then we would be able to provide data on impacts on Special Area Conservation (SAC) from airborne pollutants.

Late amendment: Strategic Environmental Objectives (SEO)

Does this SEO allow for consideration of airborne nitrates, which has been identified as a problem in Table 5?

352.E20

Summary: Table 6 - Climatic Factors

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. It is recommended that this indicator will be removed and replaced with an indicator on the number of flooding instances where properties are affected in the draft environmental report accompanying the Preferred Strategy.

It is considered that the strategic indicators on footprinting are sufficient to monitor the County's contribution to some of the causes of climate change.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Indicator

The indicator set out, "Numbers of planning consents for development in flood risk areas" does not appear to relate to the SEO listed.

We suggest an indicator related to the granting of planning permission for renewable energy schemes is included.

Late amendment:

Indicator

The indicator: "Numbers of planning consents for development in flood risk areas" does not appear to relate to the SEO listed and we therefore recommend this is deleted and replaced with an appropriate substitute.

We suggest an indicator that will monitor the amount of electricity generated from renewable energy and combined heat and power (CHP) schemes.

352.E21

Summary: Table 6 - Material Assets

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, this will be removed from the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Indicator

We are uncertain as to what the 'ecosystem services' part of the indicator refers to.

We recommend you make this clear and provide comment on how this would work.

352.E22

Summary: Table 6 - Waste

Question: Council Response to SEA Opinions & SA Comments

Council Response: It is considered that waste is a policy area of the Local Development Plan which should be subject to assessment rather than an assessment area. This accords with the SEA Regulations. T

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: We are concerned that there is no Strategic Environment Objective (SEO) and related indicator for waste. We understand that the topic paper is currently being undertaken and would remind you that waste should be an assessment area.

472 Knighton Town Council

472.E1

Summary: General comment - Consideration of Radon Gas

Question: Council Response to SEA Opinions & SA Comments

Council Response: Radon is a natural radioactive gas which cannot be seen, heard, felt or tasted it. It comes from the minute amounts of uranium that occur naturally in all rocks and soils. Radon is present in all parts of the UK, although the gas disperses outdoors so levels are generally very low. It is a requirement under Building Control Regulations to mitigate radon which can accumulate beneath buildings by ensuring sumps / barriers. As such it is not considered a strategic planning matter for LDP purposes. (more info can be found on www.ukradon.org and from the Health Protection Agency).

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Linked to the clean air issue - radon gas emissions seem to be very high in the Knighton area.

472.E2

Summary: Consideration of sewer capacity

Question: Council Response to SEA Opinions & SA Comments

Council Response: The County Council recognises the fact that new development must be served by appropriate infrastructure. The Unitary Development Plan 2001 - 2016 contains policies requiring this. The detailed deposit Local Development Plan will need to ensure that new or intensified development does not compromise existing infrastructure. This can be done by incorporating a detailed policy requiring adequate infrastructure provision and by involving the Water companies over site allocations and policy proposals that distribute housing growth. As the more detailed policies and proposals emerge, this issue will be considered.

In terms of the environmental assessment and sustainability appraisal of the emerging plan a lack of sewer capacity for new development can be considered against the Environmental Objectives 'To ensure the changing needs of Powys' population are met without compromising the environment and 'To protect and improve the quality of water resources and habitats'. The issue can also be considered against the Sustainability Objective 'To support healthy, functioning ecosystems that are biologically diverse and productive and managed sustainably.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: One of Knighton Town Council's observations was sewer capacity

472.E3

Summary: Facilitate public transport to conserve fuel

Question: Council Response to SEA Opinions & SA Comments

Council Response: The County Council agrees with the suggestion to improve public transport to save on fuel. This is an underpinning principle supported by Planning Policy Wales and Technical Advice Note 6 'Sustainable Rural Communities 2010', according to which the Local Development Plan should direct growth to those areas accessible by public transport. However it must be recognised that the Local Development Plan is a facilitating document rather than a service provision/ delivery plan.

Whilst it can support the provision of public transport through appropriate policies and land allocations, it does not directly deliver public transport services.

Supporting public transport will contribute to the reduction of greenhouse gas emissions, which is an identified environmental objective against which the LDP will be assessed. It also falls under the Sustainability Objectives of the Sustainable Development Integration Tool which is how the plan will be assessed for its sustainable performance.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Improved public transport to save on fuel.

472.E4

Summary: Develop brownfield sites before greenfield sites

Question: Council Response to SEA Opinions & SA Comments

Council Response: Again, this is a general planning principle embedded in Planning Policy Wales. The approach conserves land and helps to remediate contaminated land. Furthermore it regenerates land which detracts from its surroundings. A spatial balance has to be struck over where the benefit of redeveloping a brownfield site outweighs any concerns of remoteness and impact on the character of the Countryside. This will be addressed by the LDP itself.

The Local Development Plan will be assessed against its impact on soil, one objective being 'To remediate contaminated sites'.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: An observation of Knighton Town Council was to include develop Brown Field sites instead of Green Fields site.

472.E5

Summary: Consider bird life and habitats

Question: Council Response to SEA Opinions & SA Comments

Council Response: The proposed methodology includes the strategic environmental objective: 'To value, conserve and enhance the diversity of species, habitats and ecosystems.' The emerging plan will be considered for its compatibility with this objective so that decisions taken on its content will be informed on the issue.

Furthermore individual planning applications need to respond to ecological matters which include bird life. The Council's Supplementary Planning Guidance 'Enhancing biodiversity through development proposals' considers this issue in relation to the current Powys Unitary Development Plan. It is an issue that the Local Development Plan will also need to address and is picked up in the Natural Heritage Topic Paper.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: An observation of Knighton Town Council was to include 'Have due consideration to bird life and bird's habitat when making developments'

472.E6

Summary: Management of local brooks

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, however this is more of a land management issue than for the Local Development Plan assessment methodologies.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: More cleaning to be done by Powys County Council on this matter. The Clerk is to write to Powys County Council on improving the Cwm Brook and Pontfaen Brook.

482 Llandrinio and Arddleen Community Council

482.E1

Summary: Concern with timing of the consultation & cumulative impact

Question: Council Response to SEA Opinions & SA Comments

Council Response: The County Council notes the Community Council's comments.

With respects to the tight timescale for responding please note:

1. The County Council is committed to meeting a very tight timetable for delivering the Local Development Plan. This is set out in the Council's Local Development Plan Delivery Agreement. Section 3.5 explains the Council's expectations

of stakeholders throughout the process. It explains that the Council will rely on stakeholders to make every effort to vary meeting cycles to enable timely responses to consultations.

2. Any significant delay to LDP preparation would mean having to negotiate amendments to the Delivery Agreement with the Welsh Government. This would lead to a reduction in the level of Welsh Government funding that is available to the County Council to support preparation of the Local Development Plan. The funding is, in part, reliant on the Council preparing the Local Development Plan in accordance with the original Delivery Agreement.

3. The consultation was part of a regulatory process, namely the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. Regulation 12 (6) states 'where a consultation body wishes to respond to a consultation under paragraph (5), it must do so within the period of 5 weeks beginning with the date on which the consultation begins.'

With respect to cumulative impact, the Environmental Impact Assessment Regulations set out the rules and requirements for cumulative impact assessments to be submitted as part of a wider Environmental Statement alongside planning applications for Windfarm proposals. The SEA regulations require the consideration of 'a plan's' in-combination impact with other proposals.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: On behalf of Llandrinio & Arddleen Community council we would like to make 2 points:

Firstly we are concerned of the timing of this consultation as most community councils do not meet in August.

Secondly we feel that a cumulative environmental impact assessment should be compulsory in respect of any proposed windfarm development.

530 Tawe Uchaf Community Council

530.E1

Summary: Requesting review of timescales for future

Question: Council Response to SEA Opinions & SA Comments

Council Response: The County Council notes the Community Councils comments and thanks it for responding in the tight timescales provided. With respects to the tight timescale for responding please note: 1. The County Council is committed to meeting a very tight timetable for delivering the Local Development Plan. This is set out in the Councils Local Development Plan Delivery Agreement. Section 3.5 explains the Council's expectations of stakeholders throughout the process. It explains that the Council will rely on stakeholders to make every effort to vary meeting cycles to enable timely responses to consultations.

2. Any significant delay to LDP preparation would mean having to negotiate amendments to the Delivery Agreement with the Welsh Government. This would lead to a reduction in the level of Welsh Government funding that is available to the County Council to support preparation of the Local Development Plan. The funding is, in part, reliant on the Council preparing the Local Development Plan in accordance with the original

Delivery Agreement.

3. The current consultation is part of a regulatory process, namely the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. Regulation 12 (6) states 'where a consultation body wishes to respond to a consultation under paragraph (5), it must do so within the period of 5 weeks beginning with the date on which the consultation begins.'

I hope that this helps to clarify the short consultation period and that it does not dampen your Council's enthusiasm to engage with the Local Development Plan process.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The overall information appears to be desirable, however, the timetable is unreasonable. There appear to be no major issues. Please review timescales on future consultation.

537 Welshpool Town Council

537.E1

Summary: General Comments

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for responding and your comments are noted. An executive summary will be included in the draft Environmental Report accompanying the Preferred Strategy. Economic policies will be incorporated within the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: To conduct important consultations in the holiday period is not good practice and the timescales should be extended to allow others to respond.

The paper issued is complicated and for local councils, who often do not have professionals to advise them, such a document is very difficult to follow. An explanation summary sheet would have been helpful. In the case of Welshpool we have had the benefit of such expertise but others may not.

Any regulations should be put in place to aid the development of the economy and such plans should be made available as soon as possible for developers and other land owners to work with. This will aid the time it takes to gain planning consents in Powys, often at this time it takes far too long and it is affecting the local economy

537.E2

Summary: carbon storage

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The assessment of the plan will include an assessment of the impact of the plan's proposals on carbon storage in general.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Carbon storage is an issue which would be affected by concrete in the upland areas created by wind turbines.

537.E3

Summary: Surface water

Question: Council Response to SEA Opinions & SA Comments

*Council Response:*Noted. Flooding issues will be considered in general terms as part of the Plan's assessments.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Surface water is displaced by concrete in the ground such as that for the wind farm turbines, the concrete being left there even when the wind farms have outlived their life.

537.E4/Table 4 (9)

Summary: Material Assets - Natural/Heritage

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. This is a specific issue that will be considered by the Local Development Plan and can be dealt with by the development management process.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Clear night skies have been identified as important, very tall wind farm turbines will need red lights on top which will affect this.

537.E5

Summary: Biodiversity Page 14

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. However the reference to regulation is unclear. The SEA topic area ensures that the potential impacts of emerging Local Development Plan policies and proposals will be assessed and considered and used to inform decisions.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The Town Council supports the regulation on biodiversity and puts a high priority on this subject particularly when applied to wind farm sites where concrete bases will be left following their

construction.

537.E6

Summary: Flora and fauna

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. However the reference to regulation is unclear. The SEA topic area ensures that the potential impacts of emerging Local Development Plan policies and proposals will be assessed and considered to inform decisions.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The Town Council supports the regulation on flora and fauna for the same reason given in E2

537.E7

Summary: Landscape

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. Landscape is one of the assessment objectives which will be used to assess every LDP policy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The council supports the view that windfarms do affect the landscape and sometimes in an adverse way.

537.E8

Summary: Allotment Sites

Question: Council Response to SEA Opinions & SA Comments

*Council Response:*Noted, however this is a suggestion for the Local Development Plan rather than the assessment methodology.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The provision of allotment sites should be included in the plan, however, their location should not be located within housing development sites but adjacent to or away from them.

537.E9

Summary: Leisure and recreation topic paper

Question: Council Response to SEA Opinions & SA Comments

*Council Response:*Noted, although this is a policy matter for the LDP rather than the assessments.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The Council would support the 6 acre rule as the right measure for provision of public open space.

537.E10/7/

Summary: Welsh language topic paper

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The comments have been forwarded to the Council's Welsh Language team who prepare the Welsh Council's Language Scheme.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The council supports the promotion of the Welsh language but would seek to act reasonably in the production of publicity. Too many documents and leaflets (including tourist) or in dual language which costs a lot of public money with half of the document not being read. Leaflets should be produced in both languages but separate so people can choose which one they wish to read. The same applies to statutory documents, they should be provided to organisations in the language they wish, not both. This would not only be more environmentally friendly but save a great deal of public money.

537.E11

Summary: Overall protection of environment

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, however in most cases it is not until a detailed planning application is made that the full details of a development are known so detailed assessments will be necessary at the development control stage to inform the decision making process.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Plans for overall protection of the environment and other planning matters (such as highways) should be completed overall. These can then be used to control development without an assessment

being done on individual sites each time.

644 Burgoyne, Mrs. Joyce Emily

644.E1

Summary: Agreement with plan & proposals

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your supporting comments, they are much appreciated.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Agree with the plan and proposals.

988 Cadw: Welsh Historic Monuments

988.E1/Table 4 (12)/

Summary: Table 4 - Cultural Heritage

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, reference to these will be included in the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: This section could contain references to historic landscapes and parks and gardens as a material consideration in the planning process. There are 51 registered historic parks and gardens in Powys.

988.E2/Table 6 (11)/

Summary: Table 6 - Cultural Heritage

Question: Council Response to SEA Opinions & SA Comments

Council Response: This suggestion will be incorporated as an indicator within the draft environmental report accompanying the Preferred Strategy and information will be sought from Cadw on the indicator.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Indicators are useful - possible reference to number of scheduled ancient monuments affected could also be useful.

988.E3/Table 6 (12)/

Summary: Table 6 - Landscape

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. This indicator will be included in the draft Environmental Report accompanying the emerging Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: This could contain indicators for the number of historic landscapes affected by redevelopment.

988.E4/Table 5 (10)/

Summary: Table 5 - Climate change and its effect on the historic environment

Question Representation Texts

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The risks from flooding are considered in broad terms in the SEA and will be incorporated in the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Climate change, particularly the risk of flooding, is added to the section on problems affecting the cultural heritage of Powys. It is mentioned elsewhere, but it does present particular issues for the historic environment, both directly and indirectly, that will need to be addressed. Risks to registered parks and gardens also include climate change in addition to built development, plant disease and inappropriate agricultural and woodland practices.

988.E5/Table 6 (11)/

Summary: Information on cultural heritage indicators

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The inclusion of local distinctiveness as an assessment objective for cultural heritage is welcome; the paper goes on to recognise that lack of information relating specifically to this is a significant difficulty in gathering detail on the state of the environment and in compiling information on existing environmental problems. Existing indicators relate to those aspects of the historic environment that are designated, whereas the strategic scope of the plan is rightly intended to include historic character and distinctiveness more generally.

988.E6

Summary: Further guidance on the Built Heritage paper

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: If further information is required for the Built Heritage topic paper on registered parks and gardens, it can be found in the Cadw register of Parks and Gardens of Special Historic Interest in Wales (Powys and additional volumes)

1034 Brecon Beacons National Park Authority

1034.E1/3/

Summary: General comments

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments. It is recommended that the wording is amended throughout the document where this is possible although the 2004 Regulations refer specifically to 'problems' (Schedule 2 - Information for Environmental Reports, SEA Regs).

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The tone of the paper needs to find a positive way of addressing environmental issues, designated sites and landscapes; currently the phrase is "existing environmental problems of relevance to the Powys Local Development Plan".
Natural resources and designated sites are international, national, regional and local assets, not "problems".

1034.E2

Summary: General Comment

Question: Council Response to SEA Opinions & SA Comments

Council Response: The topic papers consider links to the One Powys Plan and to the Powys Regeneration Strategy and will be taken into account in plan policies where appropriate. The SEA scoping paper sets out the methodology for undertaking assessments against strategic / broad environmental and sustainability considerations and not against its potential to facilitate the above strategies.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The paper needs to be mindful of and to facilitate the One Powys Plan and Powys Regeneration Strategy, both of which involve close involvement with and mutual provision of services in the BBNP and by the BBNPA.

1034.E3

Summary: General Comment

Question: Council Response to SEA Opinions & SA Comments

Council Response: It is proposed that reference be included in the draft Environmental Report to explain this statutory duty.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The Framework needs to ensure that consideration is made to potential impacts of future development within PCC on the Natural Beauty, Wildlife, Cultural Heritage and Special Qualities of the Brecon Beacons National Park. This is in relation to the duty placed on the Council under s62 (2) of the Environment Act. At present this issues is given insufficient consideration within the framework.

1034.E4/Table 3 (3)/

Summary: Wildlife and Countryside Act

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, however the reference was not intended as a full explanation of the Act. It is considered that for the purposes of the methodology paper that the explanation of the Act is sufficient. The role of the assessments is not the same as the detailed site assessment processes which will inform the candidate sites process. It is a broad 'strategic' consideration of the potential impacts of the plan on the environment and sustainability considerations rather than a detailed assessment of the impacts on particular features. Biodiversity, fauna and flora objectives will consider impacts of plan policies.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The reference to the WACA 1981 (as amended) is wider than is listed. Local planning authorities are legally required to make the public available of Part 1 of the Act (protection of wildlife). Under

Part 2, which the extract given is taken from (Section 28g), a local authority must give notice to CCW if it intends to permit an operation (such as a development) that will damage the designated features of a SSSI.

The appraisal needs to assess impacts on SSSIs, LNRs, NNRs, habitats and species of principal importance to Wales (Section 42 NERC Act) and other protected species covered by the

WACA

1981 (as amended).

1034.E5/Table 3/

Summary: Table 3 - Further reference

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, and reference to the Environment Act (S62) will be included in the draft Environmental Report accompanying the Preferred Strategy. Whilst important, the Countryside Rights of Way Act is not considered directly relevant

as an environmental protection objective of relevance to the assessment of the Powys Local Development Plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: In terms of NP designation and the duties of statutory undertakers etc, the Table needs to refer both to the NPACA 1949 (Section 11A) and to the Environment Act 1995 (Section 62). The Table needs to refer to the CRoW Act, in particular provision of Access, maintenance of public rights of way in relation to road traffic and the designation of AONBs

1034.E6/Table 4 (1)/

Summary: Table 4 - Biodiversity

Question: Council Response to SEA Opinions & SA Comments

Council Response: : Noted. Thank you.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Adjustments being made by the Welsh Biodiversity Partnership to the management of Wales' biodiversity may mean that the role of LBAPs might change in future to being less involved in the achievement of national biodiversity targets locally, and more involved in developing local community-based biodiversity projects. This may have an impact on development and voluntary/mandatory obligations.

1034.E7/Table 4 (6)/

Summary: Table 4 - Soil

Question: Council Response to SEA Opinions & SA Comments

Council Response: The consideration of the likely evolution of the environment without the Local Development Plan will include reference to the importance of soil for carbon storage which may be lost to development. This would include wind energy development.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The reference to carbon-rich soils could also assess the damaging impacts to these finite resources caused by wind farms and associated infrastructure during installation and decommissioning/replacement.

1034.E8

Summary: Additional needs

Question: Council Response to SEA Opinions & SA Comments

Council Response: This is considered through the environmental objective of the assessment relating to Biodiversity which is 'To value, conserve and enhance the diversity of species, habitats and ecosystems. The

loss of habitat and habitat connectivity is recognised as an existing environmental challenge of relevance to the Powys LDP.

With regards to considering the potential impact of the emerging plan on farmland, it is considered that the agricultural land classification is an appropriate indicator at the strategic level.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Additional needs: the paper could make provision for improved habitat connectivity in response to the Natural Environment Framework.

Additional needs: the paper would benefit from an assessment of the county's important ecosystems and the services they provide in order that development retains and enhances these, in response to the Natural Environment Framework and Wales Chapter of the National Ecosystem Assessment.

As well as referring to soil and agricultural land classification, the paper can assure the viability of farmland, retaining productive farmland whilst retaining and enhancing/expanding areas for biodiversity.

1034.E9/Table 4 (11)/

Summary: Landscape

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, it is acknowledged that the Local Development Plan must have regard to the development plan approaches of neighbouring authorities.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: For landscape, the reference to bordering two NPs and two AONBs should prompt accordance with the relevant UDPs and LDPs for those designated landscapes.

1034.E10/Table 5 (1/2/3)/

Summary: Omission of 'problems' similar to climate change

Question: Council Response to SEA Opinions & SA Comments

Council Response: Table 5 explains the existing environmental issues of relevance to the Powys Local Development Plan by environmental topic area. Energy depletion and climate change are significant and are highlighted.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Climate change is listed as a "problem" whereas in reality the likely and predicted effects of climate change will have a significant impact on the future sustainability of rural communities, the same can be said for issues such as peak oil or fuel depletion and the effects that these will have on rural resilience, road travel (availability and affordability of fuel, bitumen and asphalt) and food supplies in a region with the highest ecological and carbon footprints in Wales. The omission of these issues should be addressed.

1034.E11/Table 5 (1/3)/

Summary: Insufficiency of term 'Renewable energy'

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. Fuel depletion is an important issue that will be mentioned in the draft environmental report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Mention of renewable energy in the table is not sufficient to deal with fuel depletion because the two are not the same thing. Powys and rural Wales are facing both an energy gap and a fuel gap in the foreseeable future.

1034.E12/Table 5 (7)/

Summary: Added climate 'problems' that needs addressing

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, these issues will be addressed in the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: For climate "problems", as well as the issues listed, the paper should anticipate increased risk or incidence of soil shrinkage, soil water-logging, heat and cold tolerance of the built environment, avoiding new development in floodplains, the viability of finite water supplies and the effects of heat and water stress, flooding or water-logging on farm production systems and infrastructure changes.

1034.E13/2/

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. This information is much appreciated and will be fed into the 'Natural Heritage Topic Paper' and the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The availability of the new digital Habitats of Wales will assist Powys to undertake a trends analysis of how habitat distribution has changed since the previous Phase 1 habitat survey was completed by CCW during the 1990s.
The Biodiversity Action Reporting System (BARS) would provide a useful means of recording changes to biodiversity caused by planning decisions.

1034.E14/Table 6 (6)/

Summary: Table 6 - Water

Question: Council Response to SEA Opinions & SA Comments

Council Response: It is considered that the existing broad Environmental Objective would cover the restoration of former and creation of new wetlands.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: For water, it would be useful for the SEA objective to include the restoration of former and creation of new wetlands.

1481 The Coal Authority

1481.E2

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for taking time to review the consultation document and for providing the Council with your general guidance which is helpful.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Having reviewed your document, we have no comments to make on the Strategic Environmental Objectives. We have also looked at the draft Minerals Topic Paper and have no specific comments to make at this time.

For general information attached is a document which sets out the Planning Policy Objectives of the Coal Authority. We would expect any LDP to fully address issues relating to mining legacy, future extraction of energy minerals and mineral safeguarding set out in the PPW, MPPW and MTAN2.

1891 Land Use Planning Unit

1891.E1

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Thank you for your supportive comments which are noted and appreciated.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: It is encouraging to see direct reference to the Agricultural Land Classification system and recognition of the presence of high quality agricultural land within the County so early on in the LDP process.

1891.E2

Summary: General Site Allocations

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Thank you for your comments. You may be aware that the Council has called for 'candidate sites' and produced a register of the submissions. A Candidate Sites Methodology will be prepared for consultation alongside the Preferred Strategy and this will set out a process for gathering information on candidate sites including its agricultural land classification. The Council would welcome your input.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: It is recommended that the LPA, within the background papers, clearly demonstrates how policy 4.9.1 was taken into account of when allocating sites for development. Should BMV land be allocated within the plan, national policy requires the loss of BMV land to be fully justified. What weight was attributed to BMV land when considering the distribution of development and how this has influenced the identification of sites. The availability and suitability of comparable alternative sites. What rationale and overriding issues have led to the conclusions.

1891.E3

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Your comments are noted and offer of support welcomed.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Section 3 of the consultation document briefly identifies some of the limitations of the MAFF ALC Provisional Maps produced in the late 1960's/early 1970's. However, the WG remains available to provide information concerning site specific ALC grading either by desk assessment (likelihood of BMV being present) or formal survey work for key strategic sites. The WG welcomes early consultation on candidate sites in order to assist the LPA compile an evidence base and take account of policy 4.9.1

4179 Natural England

4179.E1

Summary: General comments

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. The potential impacts of the emerging policies and proposals of the Powys Local Development Plan on England will be taken into account. This will be made clear in the draft environmental report accompanying the Preferred Strategy.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: We are concerned about the proposed scope of the SEA and SA for the Powys LDP because of the lack of clarity on whether impacts in England will be included.

Please note the Natural England is making limited comments on the scoping document about the impacts on the Natural Environment in England and is not making comments on the sufficiency of the document for the assessment of impacts on the Natural Environment within Powys.

4179.E2

Summary: Methodology

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The information and comments are appreciated.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: We advise that the explanation of the methodology to be used is strong in parts but in other areas further detail is required.

We are pleased to see that Assessments will be prepared for (i) the vision & objectives; (ii) strategic options & preferred strategy; (iii) detailed policies and (iv) detailed proposals (sites).

We are pleased to see reference to the Habitats Regulations and assume that the authority will consult Natural England on the scope of the assessment under the regulations. We draw your attention to the latest consolidation of the Habitats

Regulations - the Conservation of Habitats and Species Regulations 2010. As in earlier versions of the regulations, this confirms that if it cannot be determined that a significant effect will not arise, the plan must then be subject to an Appropriate Assessment (Regulation 102).

Whilst the SEA and HRA processes are separate processes and should be reported upon individually, there are a number of linkages between the two processes. For example, evidence gathered for the HRA on European sites can be fed into the SEA process and the findings of HRA can feed into the SEA assessment.

4179.E3

Summary: Points to consider

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The County Council met with representatives of the Countryside Council of Wales to discuss a draft methodology. At this meeting it was agreed that the Environmental Objectives should be broad, given the strategic nature of both the emerging plan and of the assessments. Page 13 describes the landscapes information available. LANDMAP in particular is a quality assured landscape tool which provides baseline information against which policies and proposals (where relevant and detailed enough) may be assessed at a strategic level. This will be explained in the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Natural England are unclear about how the scope of the baseline information was determined and advise that this should be clarified in the SEA and SA. Furthermore because of the issues described below we cannot support on the sufficiency of the baseline assessments.

It is important that the SEA and SA considers both the negative and positive effects of the plan and thus consider how well in both Powys and adjoin areas the plan will:

- conserve and enhance landscape character and quality;
- conserve and enhance biodiversity and geodiversity;

4179.E4/Table 4 (1)

Summary: Table 4 - Biodiversity

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. It is considered that the strategic nature of the plan and of the SEA process that considering the impact of emerging policies and proposals on European Sites will be sufficeint to consider

the strategic implications of emerging Local Development Plan policies and proposals. This will of course include considering the potential impact on European Sites in England.

Question: Comments & opinione on SEA baseline scoping 2011

Representation Text: We advise that the biodiversity baseline should include impacts on SSSI and non-statutory Local Wildlife sites in addition to European Sites. We are concerned that the wording suggests that the baseline has only considered the impacts on European Sites. We are further concerned that the scoping report does not indicate that there will be an assessment of the indirect impact on European Sites and SSSIs in England. The SEA and SA should include the transnational impacts that could occur through impacts on water quality (surface and ground water) and air quality. This is particularly critical given that a number of sites are riverine and either originate in or form the national border.

4179.E5/Table 4 (4/5)

Summary: Table 4 - Flora and fauna

Question: Council Response to SEA Opinions & SA Comments

Council Response: The emerging policies and proposals of the Powys Local Development Plan will be considered against the strategic environmental objective 'to value, conserve and enhance the diversity of species, habitats and ecosystems. This allows for the consideration of the proposals against impacts on flora and fauna in England, where there is potential for them to be significantly impacted by the Local Development Plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: As above, the document does not make clear that any possible indirect effects on Flora and Fauna in England will be considered. We advise that assessments on Flora and Fauna in England should be included in the SA and SEA.

4179.E6/Table 4 (7)/

Summary: Table 4 - Water

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: The environmental baseline considered for Water is the River basin management plans which are cross border. The emerging policies and proposals of the Powys Local Development Plan will be considered against the strategic environmental objective 'to protect and improve water resources and habitats'. This allows for the consideration of the proposals against impacts on the water environment in England, where there is potential for it to be significantly impacted by the Local Development Plan.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: As above, it is not clear if the impacts on River Quality in England will form the baseline and be included in the assessment. We advise that assessments on water quality in England should be included in the SA and SEA.

4179.E7/Table 4 (8)/

Summary: Table 4 - Air

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: The environmental baseline considered for Air is the Air Quality Management Area. The emerging policies and proposals of the Powys Local Development Plan will be considered against the strategic environmental objective 'to reduce the levels of the UK National Air Quality pollutants across Powys' which will have an indirect impact on air quality in England.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: As above, it is not clear if the indirect impacts on the Natural Environment in England as a result of any changes in air quality will form part of the baseline or the assessment. We advise that assessments on air quality in England should be included in the SA and SEA.

4179.E8/Table 4 (11)/

Summary: Table 4 - Landscape

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Thank you for the comment and information source. The draft environmental report accompanying the Preferred Strategy will include reference to the AONB in England adjoining Powys.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: We are concerned that it is not clear that the impact on designated landscapes (National Parks and AONBs) in England will be included in the baseline. These should be added to the baseline, with further detail provided and included in the assessment of the plan. If further information needed on biodiversity, geodiversity and landscape sites in England search www.natureonthemap.org.uk

4179.E9

Summary: Alternatives

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. The alternatives will be identified at the LDP preferred strategy consultation stage and will be considered in the draft Environmental Report.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: We are pleased to note that alternatives will be considered. It would be helpful to know the scope of the alternatives so that we can advise further.

4179.E10

Summary: Sustainability appraisal framework

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. The assessment objectives are strategic in nature which enables them to address the impacts of the plan proposals in general terms and options on the features mentioned including cross-border issues.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: We note the list of strategic environmental objectives and indicators. Further to the point made above we advise that a) the impact on SSSIs should form part of the assessment and b) impacts on biodiversity, landscape, geodiversity, water quality and air quality in England should be included in recognition that the plan will have effects via indirect pathways on the Natural Environment in England.

4179.E11

Summary: Monitoring

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. Implementation of the Local Development Plan will require annual monitoring. When the detail of the Local Development Plan is agreed, monitoring provisions will be put in place. The Council will also use existing sources of environmental information to monitor the environment. Where there are significant changes in the state of the Environment (either positive or negative) the LDP monitoring information will be of use in determining whether implementation of the Local Development Plan is linked to the change in the environment.

Suggesting environmental targets without the detailed Local Development Plan policy is difficult, however the Council welcomes the information sources for environmental monitoring provided.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: As the SEA progresses, consideration should be given to the monitoring framework that will be used to monitor significant effects and identify any unforeseen effects resulting from the implementation of the plan. We would expect that such a framework would consider effects on both the natural environment and climate change. In any sustainability framework, we would welcome the inclusion of targets and indicators based on the following:

Targets for securing at least no net significant adverse effect on the character or quality of protected landscapes and nature conservation sites, and preferably a net enhancement. We recommend making use of data such as:

Landscape Character Assessment and Countryside Quality Counts for 'landscape' and 'townscape'; (For further advice on landscape indicators for SEAs of LTPs see:

http://www.naturalengland.org.uk/Images/landscapeindicators05_tcm6-10501.pdf)

Biodiversity Action Plan targets;

Habitat and species targets aligned to the work of the West Midlands Biodiversity Partnership: <http://www.wmbp.org/>

4822 English Heritage - West Midlands Region

4822.E1

Summary: General support on SEA

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your response and guidance notes.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: For information I attach guidance English Heritage has prepared on the historic environment in Strategic Environmental Assessment and Sustainability Appraisal. In view of our remit the guidance focuses on practice in England. It is also due to be updated in the context of Planning Policy 5, Planning for the Historic Environment and the draft National Planning Policy Framework. However, the advice and guidance it provides is still likely to be largely relevant particularly with respect to the assessment process and the range of considerations necessary for a robust assessment of potential implications (positive and negative) for the historic environment.

4851 Network Rail

4851.E1

Summary: General

Question: Council Response to SEA Opinions & SA Comments

Council Response: The County Council appreciates your organisation reviewing the draft methodology. Thank you.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Upon the review of this document, Network Rail has no comments to make.

5130 Reynolds, Mr Christopher

Agent: Ian Pryce Property Services

5130.E1

Summary: General

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for taking the time to respond to this consultation. The County Council accepts your view that the cost of submitting a planning application can be prohibitive. In this instance the County Council is adhering, at cost, to regulation by undertaking assessments of the emerging Local Development Plan and its policies and proposals. It is not expected that this assessment process will add any extra expense to the proposers of candidate sites as the County Council is undertaking the broad strategic assessment on these.

It may be of interest to you that the Welsh Government is reviewing the Planning System in Wales to ensure that information requirements are proportional to the development proposed.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I recognise that the County Council must have regard to statutory obligations and regulations emanating from EU, Member States and Welsh Government. I accept that in some areas Powys has little control over these 'obligations'. However I feel bound to point out that the burden of regulation in all its various forms acts as a powerful disincentive to development of any sort. The cost of submitting anything other than the most straightforward of planning applications can be prohibitive. Unfortunately, in my view, the new policies if approved will tend to discourage development by developers such as myself.

5201 Montgomeryshire Wildlife Trust

5201.E1/Table 4 (1)/

Summary: Table 4 - Biodiversity

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments.

Table 4 is intended to provide baseline information at a strategic level rather than at a more detailed level given the strategic nature of SEA. The natural heritage topic paper, part of the LDP evidence base, refers to more specific and detailed matters.

Table 6 provides the broad environmental objectives that the plan will be assessed against.

The reference to conservation management plans will be amended to refer to implementation.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Appropriate biodiversity measures should include the ecological quality (including number and extent) of all protected and second-tier sites, not just European sites. Therefore the following should also be included - Sites of Special Scientific Interest (SSSI), Local Wildlife Sites and Road Verge Nature Reserves.

Consideration should also be given to LBAP priority habitats (including condition and quality) and species (including population extent and distribution). The latter is also dealt with under Fauna and Flora, but the Strategic Environmental Objective for Biodiversity is "To value, conserve and enhance the diversity of species, habitats and ecosystems."

In Table 4 the following statement is given "Conservation management plans and objectives may lead to an improvement in this statistic.": if investment is provided for the implementation of conservation management plans, then this may be the case, but plans alone will not turn sites into favourable condition.

5201.E2

Summary: Table 6

Question: Council Response to SEA Opinions & SA Comments

Council Response: Table 6 provides the broad environmental objectives that the plan will be assessed against.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The indicators relate primarily to conservation and we would welcome the inclusion of indicators for the valuing and enhancement elements of the objective.

5201.E3/3/

Summary: National Heritage topic paper

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. Where emerging LDP policies are considered to have strategic environmental impacts, these will also be considered in-combination with other plans and programmes.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Section 3.1, second paragraph: we feel that is important to stress that there is little consideration of the cumulative effects of development.

5201.E4/Table 6 (13)/

Summary: Sustainability Appraisal

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, however the Council is developing a sustainable development integration tool which will be used to undertake the Sustainability Appraisal for the LDP. This will be explained in the draft Sustainability Appraisal Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Under the Sustainability Appraisal in Table 6, 'Sustaining the environment' is the following Objective statement: "To support a healthy, functioning ecosystems that are biologically diverse and productive and managed sustainably." We suggest the removal of the 'a' in this sentence. In the same row, we suggest the addition of an indicator, namely: 'designated sites in favourable condition or improving.'

5201.E5

Summary: Table 4

Question: Council Response to SEA Opinions & SA Comments

Council Response: It is recommended that 'if they are implemented' is added at the end of the sentence.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: In Table 4 the following statement is given "Conservation management plans and objectives may lead to an improvement in this statistic." if investment is provided for the implementation of conservation management plans, then this may be the case, but plans alone will not turn sites into favourable condition.

5313 Natural Resources Wales - CCW - Appraisals contact

5313.E1/2 bullet 4/

Summary: LDP topic papers - point 4.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. The use of the term 'environmental problems' will be reviewed in preparing the draft Environmental Report although the SEA Regulations specifically use this term in Schedule 2, paragraph 4.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: We suggest that environmental 'problems' should be changed to environmental 'challenges'. The reference should be to the Conservation of Habitats and Species Regulations 2010 (as amended) and, as a point of information, more amendments to these Regulations are expected shortly.

5313.E2/Table 1/

Summary: Tabl 1 - Link between topic papers and SEA areas.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. There are potentially many interactions and the SEA Regulations require inter-relationships between issues to be considered in the Environmental Report.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The SEA areas Air and Water are also relevant to the topic paper on Natural Heritage. Cultural Heritage may also need to consider Soil and Water (Elan Valley Area of Historic Interest) and Material Assets.

5313.E3/Table 2/

Summary: Table 2 - links between the topic papers and the sustainability assessment areas.

Question: Council Response to SEA Opinions & SA Comments

Council Response: The comments are noted, however it is not proposed to amend the table as suggested because whilst there is a relationship between these topic areas and the topic of sustaining the environment this is not their focus. The Local Development Plan will be the document that balances the impacts of development on the environment against the need for development rather than the topic papers. Furthermore the Council is moving to a different approach to sustainability appraisal based on work undertaken by Forum for the Future and their 5 capitals approach. This will be explained in the draft Sustainability Appraisal Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The topic paper on Population, Housing and Urban Capacity needs to be linked to Sustainability Assessment area 'Sustaining the Environment', as does the topic paper on Economy, Retail and Tourism and the topic paper on Minerals, Energy and Natural Heritage.

5313.E4/Table 3/

Summary: Table 3 - key environmental protection objectives established at international, community or member state level of relevance to the Powys LDP.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, these will be considered and incorporated where appropriate in both the relevant topic paper and in the draft Environmental Report accompanying the Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: We suggest reference to the following additional Plans, Programmes and Policies:-

- The Birds Directive (the revised version)
- Waste Water Directive
- Ramsar Convention

- Environmental Liability Directive
- Soils Directive
- CROW
- Bern Convention
- Bonn Convention
- Aarhus Convention
- Listed Buildings and Conservation Areas Act (in terms of protection for trees)
- Hedgerows Act
- Tree Preservation Order Regulations
- The EIA Directive (especially in relation to transposing Regulations for pipelines, semi-natural areas etc)
- Air Quality Directive and Regulations
- Wastewater Directive

We also recommend that the Authority refer to CCW's SEA Guidance for Practitioners (8 topic papers, 1 for each SEA topic area) for more suggestions of relevant Plans, Programmes and Policies, as well as considering current Welsh Government initiatives such as The Natural Environment Framework: A Living Wales.

5313.E5/Table 4/

Summary: Table 4 - current state of the environment (baseline environmental information) of relevance to the Powys LDP and the likely evolution without the LDP

Question: Council Response to SEA Opinions & SA Comments

Council Response: Whilst the suggestion is understood the assessment is seeking to follow the SEA regulations (Schedule 2, paragraph 6) which consider biodiversity, flora and fauna separately. Geodiversity is not included by the regulations although it is an issue that will be considered as part of the preparation of the LDP.

Agricultural land classification is relevant to the Local Development Plan, which allocates land for development. Where information on critical loads and carbon sequestration is available and monitored this could be used as baseline information.

Reference will be included to Powys' central role as a net exporter of water and cross reference will be made to the relationship with biodiversity.

Air - transport infrastructure will be referenced.

Material assets - further reference to transport infrastructure will be included.

Landscape - The previous consideration of the Cambrian Mountains as a National Park is not considered current baseline. Should the ANOB for the Radnor Forest be confirmed, it will be included.

Cultural heritage - Reference to the historic landscapes will be made.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Biodiversity: We suggest that Biodiversity is merged with Flora and Fauna. This Topic Area should also include geodiversity.

Flora and Fauna: Merge with Biodiversity.

Soil: Agricultural land classification is not very useful because it is not reactive or relevant to the plan under scrutiny. We suggest that it would be more useful to look at soils in terms of critical loads, carbon sequestration, flood alleviation and in terms of securing water supply.

Water: This should be cross-referenced to Biodiversity (Wye Special Area of Conservation) and to issues of water supply (as well as water quality). The reference to Water Framework Directive quality standards is not necessarily appropriate for the Wye SAC. Reference should be made to Powys' central role as a net exporter of water and/or storage of water (Elan system, Clywedog, etc.).

Air quality: There is a need here to cross-reference to Material Assets (transport infrastructure). This topic should also consider emissions from agricultural units. Climatic factors: This should be cross-referenced to Soils (importance of peat and organic soils in carbon storage).

Material Assets: There should be reference to transport infrastructure.

Landscape: We suggest that there could be mention of the previous consideration of the Cambrian Mountains as a National Park and perhaps also the proposals for an Area of Outstanding Natural Beauty for Radnor Forest.

Cultural Heritage: Areas of the Register of Landscapes of Historic Importance should be mentioned (e.g. Tanat Valley, Elan Valley, etc.). These should also be cross-referenced to Landscape and Natural Heritage.

5313.E6/Table 5/

Summary: Table 5 - existing environmental problems of relevance to the Powys LDP.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, the term 'environmental problems' will be reviewed within the Environmental Report although the SEA regulations use this term (Schedule 2, paragraph 4). Agricultural practices will specifically mention intensification. However, it is not considered appropriate to merge Biodiversity, Flora and Fauna because the regulations list these issues separately.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: We suggest that 'problems' is changed to 'challenges'.
Biodiversity: Agricultural practices should include 'agricultural intensification'. We would also suggest including transport infrastructure and also water resources. Again, we would suggest that Biodiversity is merged with Flora and Fauna. This Topic Area should also include geodiversity.
Flora and Fauna: Merge with Biodiversity.
Landscape: We suggest that there should be reference to light pollution/tranquillity, a lack of protected, designated landscapes and the threat of cumulative impact of development on the Powys landscape.
Soil: It would be helpful to cross-reference this to Air Quality and critical loads

5313.E7/2/

Summary: Table 5 - 3.1 - Natural heritage topic paper.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for the information on landscape which will be taken into consideration.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: We would suggest that the following sources of information may help with the baseline for Landscape:-
1. CCW has draft information available on regional-scale Landscape Character Areas, which we would be happy to provide.
2. Powys CC has commissioned their own information on Landscape Character Areas (based on LANDMAP layers but with additional info too) and this should be a useful point of reference.
3. There is full LANDMAP coverage for Powys.
4. Historic Landscape Characterisation has been carried out for parts of Powys. This information is available from the Clwyd/Powys Archaeological Trust.
5. There are two (1997 and 2010) studies of Tranquil Areas commissioned by CCW that may be useful.
Tracking landscape change requires a careful study of the relationship between (1) the quantitative physical measurable evidence of change and (2) the qualitative evidence that tells us what special qualities are important in that landscape.
Some of CCW's current work in the South Wales Valleys may be useful in demonstrating this approach. This work uses remote sensing to establish what is changing and where. We would be happy to meet and discuss the topic of Landscape in more detail if this would be helpful.

5313.E8/Table 6/

Summary: Table 6 - assessment objectives and indicators.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Having met representatives of the CCW early in the process and discussed this matter at length it was agreed that the strategic environmental objectives should not focus on matters reactive to the plan and that they should be broad so that unforeseen environmental trends which could be related to the plan may be considered against the plan's delivery to find out whether the plan is impacting on that environmental issue.

With regards, to the specific recommendations on the topic areas, it is proposed that a new objective on water quantity is included, that the Clewedog reservoir is mentioned in the material assests indicator. The biodiversity indicator should be changed to be positive.

An historic landscape indicator will be included. It is considered that Agricultural land classification is an important indicator for the environment, since development can reduce this finite resource. Furthermore the biodiversity subject area should not be combined with flora and fauna as the methodology seeks to follow the regulations which does not specifically mention geodiversity. Nevertheless this topic area is covered in the natural heritage topic paper.

Representation Text: We suggest that there needs to be a focus on indicators and objectives that are both relevant to, and reactive to, the Plan itself. For further help with indicators and objectives, we recommend reference to CCW's SEA Guidance for Practitioners topic notes.

Biodiversity: Again, we suggest merging with Flora and Fauna. This Topic Area should also include geodiversity. CCW recommends the adoption of positive indicators – one example would be % of sites in favorable condition (rather than focusing on unfavorable). Biodiversity indicators could include those relevant to the protection of biodiversity/geodiversity, those relevant to biodiversity gain and those concerned with access to biodiversity/geodiversity.

Soil: Hectares of agricultural classification is not relevant to this Plan. It might be useful to consider critical load maps.
Water: There is a need to look at water quantity as well as quality. Material Assets: We suggest that Clywedog is also referenced.
Landscape: We suggest inclusion of Areas on the Register of Landscapes of Historic Importance.

5313.E9/Table 2/

Summary: Table 2 - links between the topic papers and the sustainability assessment areas.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted, however it is not proposed that this change be made. The main topic papers focussed on environmental matters are the Natural Heritage and Built / Historic Environment.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The topic paper on Population, Housing and Urban Capacity needs to be linked to Sustainability Assessment area 'Sustaining the Environment', as does the topic paper on Economy, Retail and Tourism and the topic paper on Minerals, Energy and Natural Heritage.

5825 Elton, Mr Geoffrey

5825.E1

Summary: Need to take into account Strategic search areas in the S.E.A

Question: Council Response to SEA Opinions & SA Comments

Council Response: The assessment methodology is focussed on assessing the impacts of the emerging Powys Local Development Plan and not the Welsh Government's Technical Advice Note 8 which introduced Strategic Search Areas. Nevertheless, the impact of TAN8 and Strategic Search Areas will need to be considered in combination with the impacts of the emerging development plan where relevant impacts are identified. Reference will be included in the draft Environmental Report accompanying the LDP's Preferred Strategy.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: You need to take into account the SSA (Strategic Search Areas) in the SEA as the windfarms and massive infrastructure will destroy most of Powys. Roads will be overloaded, tourism, business and the economy will suffer badly, resulting in a decreasing population, with hundreds of thousands tons of concrete laid in the hills for turbines and infrastructure and the risk of flooding will be greatly increased. The SEA will be a useless document if thee above is not taken into account.

5826 Stretton, Judith K

5826.E1

Summary: Insufficient weight on windfarm proposals

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments which are of use, especially in describing the potential impacts of windfarm developments. The planning system is complex, with various tiers of planning policy and decision making on windfarms. The role of the assessment methodology is to consider the policies and proposals of the emerging Powys Local Development Plan including its in-combination impact with other plans and proposals. The UK Government's National Policy Statements and the Welsh Government's approach of Strategic Search Areas set the policy framework for large scale windfarm development rather than the

Powys Local Development Plan. It is not for the assessment of the Local Development Plan to retrospectively assess the approach of the National Policy Statements or the TAN8 Strategic Search Areas policy approach of the Welsh Government although it should consider in-combination impacts where there is potential for this.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I feel that not enough weight has gone into the effects of the current wind farm proposals on these vital ecosystems, as well as their potential effect on Powys' Biodiversity.

5826.E2

Summary: Effects of wind farms on flooding

Question: Council Response to SEA Opinions & SA Comments

Council Response: Your comments with respects to the potential impacts of windfarm developments are noted. Please also refer to the Council's response to your comment numbered 5826.E1.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Enormous quantities of concrete will be required to anchor the hundreds of proposed huge turbines, together with the bases for ancillary buildings, a massive electricity substation and associated pylons. Impermeable surfaces in the form of hundreds of miles of tracks, across the uplands and linking turbines, and the associated extensive road works to allow access to the area for the turbine components and enormous transformers, etc. will inevitably increase the potential for faster run-off.

In many parts of England, homeowners now have to apply for planning permission to lay impermeable surfaces, such as paving, in recognition of their role in increasing the speed of rainwater run-off. *What is planned for Montgomeryshire equates to permanently concreting over a vital water catchment area!* This could massively increase the flood risk to Mid Wales and bordering English counties.

Non-governmental organisations, such as The Wildlife Trusts and RSPB recognised the value and importance of the uplands in mitigating flood risk some years ago and have many projects in place, such as The Wildlife Trusts 'A Living Landscape,' with initiatives all over Britain, and including The Pumlumon Project in Montgomeryshire, and the RSPB's Life Project around Lake Vyrnwy.

The Centre for Alternative Technology states in its journal, 'Clean Slate,' (Summer 2010);

'soil is crucial to water storage and transportation. Enough water for 1,000 people for one year can be stored and filtered by just one hectare of soil. We are dependent on well- managed soils to soak up rainwater, reducing run-off and lowering the risk of flooding.'

5826.E3

Summary: Wind farms and the depletion of carbon sinks

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. The County Council is also undertaking a Habitats Regulations Assessment to consider whether the emerging policies and proposals in the Powys Local Development Plan have the potential to impact on European Sites (Special Areas of Conservation, Special Protection Areas and RAMSAR sites). Where there is the potential to impact on these important sites, options for avoidance and mitigation will need to be given careful consideration through an Appropriate Assessment before the plan proceeds. Again the assessment of the Strategic Search Areas approach implemented by the Welsh Government is a matter for the Welsh Government to pursue. The level of detail needed to enable development consent for a windfarm proposal is great. The Environmental Impact Assessment Regulations, rather than the Strategic Environmental Assessment Regulations require Environmental Statements to inform decisions on such major developments.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: The uplands here that are under threat from the wind farm proposals are a combination of these habitat types and thus have immense current value as a 'carbon sink.'

The current wind farm proposals, if implemented, will also have a negative effect on the biodiversity of Montgomeryshire; apparently, 'The current state of the environment is that the majority (69%) of the European Sites in Powys have qualifying species that are in unfavourable condition' (CCW Site Management Plans, 2008) and that is now!

An oft repeated statement in the prescription part of this document is that you lack relevant information on these (and other) issues. I suggest that this information is vital before making

decisions

regarding wind farms and associated infrastructure.

5827 Bullock, Mr Nigel

5827.E1/Table 6/

Summary: Consideration of TAN8

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. However, the assessment methodology is focussed on assessing the impacts of the emerging Powys Local Development Plan and not the Welsh Government's Technical Advice Note. However where the LDP might have a significant impact, it will be necessary to consider this impact in-combination with other plans and programmes such as TAN8.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: I consider it is essential for this assessment to also specifically refer and include and take fully into account the strategic search areas contained within TAN8

5827.E2/Table 4 (3)/

Summary: Consider the full range of impacts arising from windfarm developments

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted. However, the assessment methodology is focussed on assessing the impacts of the emerging Powys Local Development Plan and not the Welsh Government's Technical Advice Note. However where the LDP might have a significant impact, it will be necessary to consider this impact in-combination with other plans and programmes such as TAN8.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: I consider it essential for this assessment to assess the effect any development of further wind farms and associated infrastructure requirement would have on the Health and well being of the population, and its social, economic and environmental impact of the area as a whole. The Health risks of such development on people from direct sources, as well as cumulative impact from stress, unrest and depression, loss of habitat for wildlife and also the threat from storm water run off causing flooding, devaluation of property, traffic and noise, loss of tourism income, threat to employment and property market, damage to natural landscape, issues are all included as matters of concern.

5827.E3/1/

Summary: Revise statement

Question: Council Response to SEA Opinions & SA Comments

Council Response: Your comments are noted, however the emerging Local Development Plan is yet to be considered against sustainable development objectives. The draft Sustainability Appraisal Report accompanying the LDP's Preferred Strategy will explain the findings of the sustainability appraisal on the preferred strategy and the finalised methodology.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I also draw your attention to the below para, taken from your consultation as this Welsh Government statement is a complete farce when we look at the current situation facing mid wales from wind farm and infrastructure development. The well being is already affected, the environment is at risk and the life quality is poor, people are stressed and worried about the future and the affects on their homes and life styles. We are being treated shoddily by the Welsh government, not with the respect and the natural environment is not being enhanced.

"In Wales , sustainable development means enhancing the economic, social and environmental wellbeing of people and communities, achieving a better quality of life for our own and future generations:

In ways which promote social justice and equality of opportunity; and In ways which enhance the natural and cultural environment and respect its limits using only our fair share of the earth's resources and sustaining our cultural legacy.

Sustainable development is the process by which we reach the goal of sustainability.

None of this is being considered properly.

5828 Owen, Wendy**5828.E1**

Summary: Assess the cumulative impact of windfarms

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for taking the time to consider the consultation documents. The County Council understands your concerns, however the assessment methodology is focussed on assessing the impacts of the emerging Powys Local Development Plan and not the Welsh Government's Technical Advice Note.

The planning system is complex, with various tiers of planning policy and decision making on windfarms. The role of the assessment methodology is to consider the policies and proposals of the emerging Powys Local Development Plan.

The UK Government's National Policy Statements and the Welsh Government's approach of Strategic Search Areas set the policy framework for large scale windfarm development rather than

the

Powys Local Development Plan.

It is not for the assessment of the Local Development Plan to retrospectively assess the approach of the National Policy Statements or the TAN8 Strategic Search Areas policy approach of the Welsh Government. However where the LDP might have a significant impact, it will be necessary to consider this impact in-combination with other plans and programmes such as TAN8.

For information, a cumulative impact assessment is generally required to be prepared as part of environmental statements submitted alongside specific development proposals. This is a requirement of the Environmental Impact Assessment Regulations. These statements are intended to inform decisions taken on major development proposals.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I am greatly concerned, at present, with the increasing number of windfarm proposals in Powys and their associated connection lines to the national grid. Up to now, the cumulative impact of these has not been required to be assessed, and this is a matter of grave concern to myself.

The 'SEA' Strategic environmental assessment would mean the ALL the wind power companies and National grid and Scottish Power would have to work together to do a cumulative environmental assessment on everything (ie the total effects on transport ,tourism, nature, flooding, visual effects, change of land use etc.). It is vital that this should be done before any

decisions

are made.

5829 Jones, Mr Nigel**5829.E1**

Summary: Supports methodology for baseline scoping.

Question: Council Response to SEA Opinions & SA Comments

Council Response: Your support for the proposed methodology is appreciated.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Having reviewed the consultation document I would like to offer my support for the proposed methodology for baseline scoping which I believe to provide a thorough process for the consideration

of the potential environmental impacts associated with development proposals.

5830 Morgan, Mr Huw

5830.E1

Summary: Timing of the SEA scoping consultation

Question: Council Response to SEA Opinions & SA Comments

Council Response: The County Council notes your comments about the timescales, however with respects to the tight timescale for responding please note:

The County Council is committed to meeting a very tight timetable for delivering the Local Development Plan. This is set out in the Councils Local Development Plan Delivery Agreement. Section 3.5 explains the Council's expectations of stakeholders throughout the process. It explains that the Council will rely on stakeholders to make every effort to vary meeting cycles to enable timely responses to consultations.

Any significant delay to LDP preparation would mean having to negotiate amendments to the Delivery Agreement with the Welsh Government. This would lead to a reduction in the level of Welsh Government funding that is available to the County Council to support preparation of the Local Development Plan. The funding is, in part, reliant on the Council preparing the Local Development Plan in accordance with the original Delivery Agreement.

The current consultation is part of a regulatory process, namely the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004. Regulation 12 (6) states 'where a consultation body wishes to respond to a consultation under paragraph (5), it must do so within the period of 5 weeks beginning with the date on which the consultation begins.'

I hope that this helps to clarify the short consultation period.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The first objection I must raise is the timing of the SEA scoping consultation, this currently runs from 29th July 2011 - 2nd September 2011, the busiest time for most residents of Powys considering their involvement in the agricultural and tourism industries. This also coincides with the national school holidays where the majority of the population and specifically families are taking annual leave, commitments with childcare are at their most difficult and time is at a premium. I find this timing wholly unacceptable for a major consultation affecting the future of every resident of Powys. I ask for this to be noted by the communications team at County Hall and ask that consideration to an extension to the deadline and submissions following the deadline

should

be considered.

5830.E2/Table 4 (11)

Summary: Map of planning area

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments. The County Council is only responsible for providing planning services (policy and development management) to those areas of the County located outside the two

National Parks. This position is explained on the Council's website and will be explained in the Local Development Plan with a plan depicting this. Apologies for any inconvenience or misunderstanding caused.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I understand the LDP not to cover the areas of National Park within Powys county boundaries, a map showing boundaries would be helpful for the general public, the information at Llanfair Caereinion Library did not indicate this.

5830.E3/3/

Summary: Table 4 - Additional topic area

Question: Council Response to SEA Opinions & SA Comments

Council Response: The proposed Strategic Environmental Assessment methodology includes the assessment area of Human Health against which the predicted impacts of any Local Development Plan Policy may

be considered before a policy decision is taken over whether to pursue the policy or not. The issues that you have raised are also dealt with as part of the consideration of detailed development proposals by the planning system.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: There should be a requirement to assess the impacts of large scale industrial power developments on children's health, specifically noise and the restriction to outdoor amenity space during construction and future permanent development. Accessible public land with amenity facilities is limited in rural areas. The impact of powerlines on children's health is also a key factor to be considered in the cumulative impact when designating industrial power production.

5830.E4/Table 6 (12)/

Summary: Landscape

Question: Council Response to SEA Opinions & SA Comments

Council Response: LANDMAP is a landscape characterisation and evaluation undertaken by the Countryside Council for Wales and is available through their website.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Under assessment area Landscape, I note the Strategic Environmental objective to be;

“To maintain and enhance the quality and diversity of the natural and historic character of Powys' landscape”.

The indicator to this being maintenance of the current Landscape classification under LANDMAP and its further change in number and extent of tranquil areas. Before any scope is agreed to this

element, I would like to see the detailed breakdown of how and why the landscape is being assessed under the LANDMAP system, I am unable to access the LANDMAP information for Powys and therefore cannot currently give a detailed opinion on the baseline.

5830.E5/Table 6 (12)/

Summary: Clarification on the term 'natural'. Applicable to all 'landscape topic paper'

Question: Council Response to SEA Opinions & SA Comments

Council Response: The landscape of Powys is considered through the Countryside Council for Wales' LANDMAP tool. It has many different characteristics. The landscape is not described as natural; more on the topic of landscape can be found in the 'natural heritage' topic paper (evidence base for the LDP).

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The use of 'natural' throughout the scoping report needs much further clarification. If at this key juncture the landscape is being classified as natural then I feel a major error is being committed. The landscape of Powys is inherently agrarian, all what we see has been established by mans actions and natural processes upon the underlying geological landform.

5830.E6

Summary: Clarification on material assets

Question: Council Response to SEA Opinions & SA Comments

Council Response: Hydro, solar and wind power are considered to be assets and the broad opportunities for utilising these assets is being considered through an ongoing LDP research project called the Powys Renewable Energy Assessment. Should the Local Development Plan develop any policies on these assets they will be considered against the Environmental and Sustainability Objectives (including landscape) and the findings of the assessments will help to inform decisions on the direction and content of policies. Cumulative impact issues relating to specific proposals will be considered through the relevant decision-making process. However, the SEA methodology requires the Council to assess and consider the impacts of the LDP in-combination with other plans and programmes.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I would also like clarification on where hydro, solar and wind power assets sit within the methodology and assessment and what indicators are being addressed in relationship to local community needs and local sustainability criteria.

Future depletion and visual destruction of our agrarian landscape is of major concern, a full understanding of the cumulative impacts of future developments is essential prior to any further sign off.

5830.E7

Summary: Additional material asset

Question: Council Response to SEA Opinions & SA Comments

Council Response: As 'landscape' is considered as a specific environmental assessment area it is not considered necessary to incorporate landscape within another assessment area because the potential impacts

on the primary environmental issue, the landscape, will be considered. In addition to the strategic environmental assessment, the sustainability appraisal will consider the impact of the LDP on the economy including tourism and will also inform decision-making on the LDP.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The agrarian landscape asset crosses all topic areas and has intrinsic relationships between all aspects. The current tourism economy is born out of the visual quality of our surroundings and should be classed as a material asset.

5831 Bellamy, Mr David

5831.E1

Summary: Landscape environment (Argument against windfarms)

Question: Council Response to SEA Opinions & SA Comments

Council Response:

Thank you for taking the time to consider and respond to the draft assessment methodology for the Powys Local Development Plan. It is important to state that the assessments will assess the impacts of the emerging Powys Local Development Plan and not those policies that direct large scale wind developments such as the UK Government's National Policy Statements and the Welsh Government's Technical Advice Note 8 Strategic Search Area approach.

Nevertheless, the Council does recognise the potential for in-combination impacts arising and will need to consider the impacts of the LDP in-combination with other plans and programmes.

The assessments are intended to inform decision making over competing land use interests when they are considered against environmental and sustainability objectives.

Your comments questioning the merits of windfarms and these are material to the debate over what is the best use of land. However those debates have been had at both a Welsh and UK Govt level resulting in the Government policy approaches mentioned above.

The Local Development Plan is important in preparing planning policy for developments where the Council has decision making responsibilities e.g. for renewable energy projects of less than 50MW. Where a policy is incorporated in the Local Development Plan, it will need to be assessed under the proposed methodology to inform a final decision on its incorporation within the Local Development Plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text:

I have been studying landscape professionally for over 30 years and am deeply concerned that our landscape is now under such grave threat from the advent of wind turbines to the point of saturation, that the lives of the local population are going to be severely blighted, possibly for the remainder of our lives. Your report, amongst other items, states your objectives as being:

- a.. residents should be empowered to determine their own lives;
- b.. ensure that we have attractive communities;
- c.. caring for our well-being;
- d.. we should benefit from a thriving diverse economy

Not one of these laudable objectives will be compatible with living in a landscape totally and utterly dominated by massed wind turbines completely out of scale with anything else in the Powys landscape. You cannot fail to be aware of the sense of outrage across Powys that is engendered by the threat of turbines and their associated pylons and other infrastructure, and yet if these developments go ahead then it will be very much against the wishes of the majority of the population, and in effect will be the exact opposite to the first objective.

Powys has much stunningly beautiful scenery even outwith the Brecon Beacons national park, and much of it is superior in landscape beauty than a great deal of some of the English national parks. We are blessed with some lovely towns and villages and smaller communities, but how can we keep them attractive if they become dominated by giant industrial objects at odds with the natural environment?

With regard to the third objective, it is well-known that wind turbines create an insidious ultrasound noise which affects a great many people whose health can deteriorate significantly to the point of becoming insufferable. Some find it impossible to sleep when close to these structures. In certain conditions the turbines cause light-flicker which can become intolerable. Properties lose considerable value, some become unsellable, and there is no compensation for those unfortunates who find themselves in this impossible predicament. The turbines also affect animals and chop up birds, particularly raptors. Our economy currently depends heavily on tourism, although WAG in Cardiff do little for Powys in this respect. Despite a rather amateurish approach to Mid-Wales tourism, Powys speaks for itself and attracts many visitors. Without this income so many would go to the wall. No tourist would want to visit a landscape covered in industrial detritus, or try to drive through roads choked with monstrous trucks transporting huge turbine parts. Through my courses I bring many to the area, but this would dry up if the landscape became adulterated in this way, and this would occur in other tourist-linked businesses.

Wind energy is monstrously expensive, is increasingly making many people much poorer as the cost is hiked onto electricity bills, produces a pathetic amount of intermittent power which in the case of Powys is sent a long distance for the benefit of English consumers and thus losing a considerable amount of power en route to those distant places. Additionally, the composite material of these turbines cannot be recycled and there is a huge waste problem, particularly in Denmark, caused by old and broken turbine parts. Death toll from wind turbines is higher than nuclear: in the US in 2008 there were 57 deaths attributed to turbines. See <http://co2insanity.com/2011/06/12/broken-wind-turbine-blades-create-mountainous-waste-problem/>

The prime minister's in-laws make great profits from wind energy; the deputy prime minister's wife works in the industry; the Westminster government cares little about Wales and most politicians have little knowledge of the industry. WAG doesn't seem to care much about Mid-Wales and will only do what Westminster order. Clearly if we in Powys don't make a stand against this iniquitous situation we are going to lose much more than just our landscape: we will lose our freedom.

We need a new Cambrian Mountain national park, for this glorious area is totally devoid of landscape protection. We need to stand firm and demand that no more turbines are built - we have more than our fair share already. We need desperately to bring back democracy so that our people can determine their own lives.

We have heard people vow at the protest in Cardiff, on television, that they would break the law to defend Powys against this gross injustice. Let's not allow the situation to get that far.

5832 O'Neill, Dr B

5832.E1/Table 3/

Summary: Additional related instruments to be incorporated in table 3

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments. The Table 3 - Key Environmental Protection Objectives established at International, Community or Member State level is derived from the review undertaken through the various topic papers prepared to inform the Local Development Plan. The Unesco Convention concerning the Protection of the World Cultural and Natural Heritage, (Paris, 16 November 1972) will be included in the draft Environmental Report accompanying the Preferred Strategy and cross-referenced in the relevant topic paper. The other instruments are incorporated in the list under Cultural Heritage including Architectural and Archaeological Heritage.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The European Landscape Convention is seen as being complementary to existing international legal instruments, such as:

- the Unesco Convention concerning the Protection of the World Cultural and Natural Heritage, (Paris, 16 November 1972);
- the Council of Europe Convention on the Conservation of European Wildlife and Natural Habitats, (Bern, 19 September 1979);
- the Council of Europe Convention for the Protection of the Architectural Heritage of Europe, (Granada, 3 October 1985);
- the Council of Europe Convention for the Protection of the Archaeological Heritage (revised) (Valletta, 16 January 1992).

It is recommended that the articles within this related instruments are reviewed for incorporation in to the LDP.

5832.E2/Table 3/

Summary: LDP relationship with Welsh Government TAN 8

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments. It is for the Local Development Plan, and not the assessment methodology to consider the County Council's policy approach to windfarms proposals over which it has decision making powers i.e. those proposals under 50MW. The Local Development Plan Delivery Agreement sets out the timetable for the preparation, consultation and involvement on the Local Development Plan. Policies on renewable energy will be considered as part of the Deposit LDP due for publication in April 2013. However, the strategic environmental assessment will need to give consideration to how the LDP's policies and proposals impact strategically on the environment in-combination with other plans and proposals such as the TAN8 strategic search area approach advocated by Welsh Government.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The Welsh Assembly (TAN 8) document identifies seven Strategic Search Areas (SSA) in Wales suitable for large scale Windfarms, two of which are wholly in Powys, with a third spanning across Ceredigion-Powys boundary.

If we consider the proposed Windfarm development by Scottish Power Renewables (SPR) at the Dyfnant Forest, which his between 80 – 120MW, roughly 40 to 60 Wind Turbines with a total height to the blade tip of 185 meters, the LDP methodology must state how such visual impacts on the landscape are classified. For example, this proposed site is an upland afforested area and

the nature and scale of the proposed Windfarm would be out of keeping with the environment by any rational measure. However, fully accepting that the object of TAN 8 is to identify specific areas where Windfarm developments are broadly possible and the implication of TAN 8 is to accept landscape change. The LDP is critical in refining the measures of landscape impact in the local context of Powys and its main asset i.e. its landscape. Therefore in this case the LDP However, for this case the LDP would have to provide critical criteria on whether the scale of development, density of turbine layout and impact on aspect are sufficiently adverse as to merit refusal.

In terms of methodology the LDP must either state clearly its interpretation of TAN 8, or submit a revised interpretation to the Welsh Assembly, which needs to put before the people, groups and organisations, both within Powys and neighbouring areas whose landscape would be impacted by large scale unchecked Windfarm development.

5832.E3/Table 3/

Summary: LDP relationship with Welsh Government TAN 5

Question: Council Response to SEA Opinions & SA Comments

Council Response: It is the role of the Local Development Plan to interpret the requirements of Technical Advice Note 5 and not the assessment methodology. The Natural Heritage Topic Paper explores this Technical Advice and will inform preparation of the Local Development Plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: TAN 5 aims to provide advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. Again the LDP needs to state its position with regards to this TAN document.

5832.E4/Table 3/

Summary: LDP relationship with Welsh Government TAN 10

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: It is the role of the Local Development Plan to interpret the requirements of Technical Advice Note 10 and not the assessment methodology. The Natural Heritage Topic Paper explores this Technical Advice and will inform preparation of the Local Development Plan.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: This TAN covers forest and woodland preservation, which includes forests that are planted and used as amenities by the public, as is the case in the Dyfnant. The TAN states "The trees and woodlands in Powys are important for helping to combat and adapt to climate change, for health and social welfare, biodiversity and the management of water and soil resources." Thought needs to be given in the LDP to how the planning system can help meet the aspirations of the 'Woodland for Wales' and other strategies. This includes ensuring that the environmental benefits of trees in modifying micro-climates and in drainage is fully taken into account in any development proposals.

5832.E5

Summary: Relationship of the UDP with the LDP.

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: These comments are again aimed at the content of the Local Development Plan rather than the assessment methodology the subject of the consultation. Nevertheless, the comments are noted. The Local Development Plan is written to new regulations. One of the key aspects of the preparation of the LDP is that it is based upon and considers the most up to date policy and evidence and as such it is entirely possible for the LDP to differ in approach to the Unitary Development Plan. However it is important to state that the Unitary Development Plan is adopted and will

remain

the Development Plan for Powys (outside the Brecon Beacons National Park) until such time as it is either abandoned or superceded by the Local Development Plan, the latter is expected to take place in December 2014 if the published delivery agreement timetable is adhered to.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: A major comment on the LDP is that it should consider carefully if the UDP is a guidance document from which the LDP is derived, or if major differences in policy must be addressed and changes to the UDP made.

5832.E6

Summary: Cumulative landscape effects

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Noted and agreed. The LDP assessment processes will ensure that cumulative impacts of policy approaches, including impacts on the landscape, are used to inform decision making on policies.

In addition, the Environmental Impact Assessment regulations require cumulative impact to be considered as part of an Environmental Statement submitted with a detailed application, provided the application falls within the scope of the regulations.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Whilst individual developments and proposed changes to the landscape may have large positive and well as negative effects, the LDP needs to recognise that cumulative effects of ad-hoc or distributed developments can have a wholly negative effect on the landscape.

5832.E7

Summary: Clear guidance on future of Powys' windfarms

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: The matters raised are policy issues to be considered as part of the preparation of the Local Development Plan rather than the assessment methodology. All emerging LDP policies will be assessed in due course.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: The LDP need to set clear guidance on what is "acceptable" in order to prevent Powys from becoming a Wind farm industrial sprawl landscape. Cumulative visual impact is an inexact science. It is highly subjective, but most people would accept that having unreasonably large Windfarm developments in visual proximity and forming a significant part of the visual landscape of the Powys uplands it is vital that the LDP has processes that involve the community directly. It is suggested that the LDP includes criteria for identification of cumulative landscape and visual amenity impacts. Two further areas to include for Wind farms are:
•Associated infrastructure links from the energy generating source and the national grid. Good practice states that Windfarm development should be in close proximity to either generated energy

users, or to the national grid.

•Turbine height is a problem but swept area is also another landscape consideration. Swept area as being the area of the circle created by the turning blades of each turbine. For example the swept area for the Dyfant forest proposed wind farm development is 97 acres.

5832.E8

Summary: Include societies and various groups' viewpoints

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments. The IPC's comments relate to a specific development proposal where the detailed environmental impacts of the proposal must be considered. The SEA for the LDP is more strategic in its nature in order to ensure it addresses the full range of environmental impacts including any new issues that may emerge during its preparation; hence the assessment objectives are written in broad terms.

Engagement is an important part of the LDP process and the Council welcomes involvement and dialogue.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: It is recommended that views from the various groups and societies be canvassed in the consultation and subsequent approval process. In order to reinforce this statement I have included reviews from the various groups and societies concerning the recent "Scoping Opinion Dyfant Forest Windfarm June 2011" submission response. This shows the value in engaging with these groups in the review process prior to approval of the LDP. The response by the IPC can also be used to inform the LDP in terms of criteria and level of detail against which local development planning submissions should be reviewed.

5832.E9

Summary: General landscape clarifications required by the IPC

Question: Council Response to SEA Opinions & SA Comments

Council Response: The issues that you have raised are deficiencies highlighted by the IPC on an individual application / development proposal rather than the LDP which is still in preparation. The Council welcomes comments and representations on the LDP, as per the LDP Community Involvement Scheme set out in the Delivery Agreement. All comments and representations received through the LDP process will be made publicly available.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The IPC indicated that SPR did not provide information concerning the landscape character of the proposed development site or surroundings. In addition, no specific landscape planning policy was included.

The IPC further indicated that SPR had not included the location and planning status of Snowdonia National Park within the text of the Scoping Report, even though the Scoping Report shows that the National Park is located approximately 1km from the western boundary of the proposed Development site. SPR should therefore assess the potential impacts of the proposed development on this designation. In addition, impacts on other counties, where they occur should be discussed with the relevant bodies.

The submission to the IPC indicated that consultations have taken place with the general public and with the various groups and societies across Mid-Wales. However, no information concerning

the results of those consultations has been included. The LDP needs to ensure that developer consultations are made public and in the case of large development, available to the IPC.

5832.E10/Table 4 (10)/

Summary: Effects of windfarms on visual amenity and night skies

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. This is a detailed issue that the Council will need to be considered in the LDP process when writing the detailed policies for the Deposit Draft LDP which is due to be published for consultation in April 2013 (according to the timetable in the LDP Delivery Agreement).

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: In addition the Aviation Authority (CAA) has provided input in respect of lighting and marking. "The potential effects of the need to install aviation obstruction lighting on the turbines should also be considered in relation to potential effects on visual amenity both during the day and at night."

5832.E11/Table 4/

Summary: Additional topic area to be included in table 4 - Tourism

Question: Council Response to SEA Opinions & SA Comments

Council Response: Noted. These are material planning considerations which should be considered as part of the determination of any planning application or development proposal. Consideration will also be given

to such issues when preparing the detailed policies of the Deposit draft LDP.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: "The IPC recommends that in considering the physical effect of the proposed development, consideration should also be given to tourism and recreational assets such as the nearby caravan parks, guesthouses and hotels."

5832.E12

Summary: LDP Consultation procedures

Question: Council Response to SEA Opinions & SA Comments

Council Response: Preparation of the Local Development Plan is subject to regulation ensuring that all those who are interested may be involved in the process. The Delivery Agreement details consultation and involvement mechanisms. Any individual or organisation may be added to the Local Development Plan mailing list if they so wish and be updated as to the opportunities to comment on the emerging plan.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: The County Council needs to ensure that the views of groups, societies, organisations and individuals are fed into the process.

5875 Take the Power Back

5875.E1/Table 3/

Summary: Include Countryside Act 1968 into table 3

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for your comments. The preparation of the Local Development Plan will have regard to the desirability of conserving the natural beauty and amenity of the countryside, however that is

not to say that in all cases that objective will prevail. It is the role of the planning system to take decisions over competing land use pressures and interests.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: The various statutes and directives listed in Table 3 do not include the Countryside Act 1968 whose relevance becomes apparent from Section 11 of that Act: "In relation to their functions relating to land under any enactment every public body shall have regard to the desirability of conserving the natural beauty and amenity of the countryside". To all except the windpower commercial lobbying industry preservation of the natural beauty and amenity of the countryside is incompatible with windfarm development and its associated visual affronts.

5875.E2/2/

Summary: SEA's role in restricting windfarms on the landscape

Question: Council Response to SEA Opinions & SA Comments

Council Response: The Unitary Development Plan is the adopted development plan for Powys and will remain so until it is either abandoned or superceded by the Local Development Plan, which if the preparation timetable is adhered to will be in December 2014. It is not for the assessment of the emerging Local Development Plan to assess the policy approach to Windfarm/ turbine development of either the UK Government or the Welsh Government. It is the role of this assessment process to consider the potential implications for environmental and sustainability objectives of the emerging local development plan's policies and proposals. Furthermore the outcome of the assessment process is to inform decisions taken on planning policies.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: The Consultation Document, at page 8, cites the Powys Unitary Development Plan adopted in March 2010 as a measure of continuing validity but fails to highlight the passage of greatest relevance to an SEA assessment, viz. Policy E3 of that plan which states that wind farm applications will be approved where "they do not unacceptably adversely affect the environmental and landscape quality of Powys either on an individual basis or in combination with other proposed or existing similar developments". It is inconceivable that a properly conducted SEA exercise

could

reach the conclusion that a massive windfarm presence on the beautiful uplands of Powys would have other than a cataclysmic impact on the environment and the landscape.

5875.E3/Table 1 (7)/

Summary: Table 1 - Energy - Lack of linkage with other SEA relevant areas

Question: Council Response to SEA Opinions & SA Comments

Council Response: Table 1 shows where there are strong links between a topic paper and an assessment area. The Energy topic paper seeks to explain the context of the Local Development Plan in terms of Windfarm/ turbine development policy. The potential impact of Local Development Plan policies will be assessed against all of the Environmental Assessment Areas and not just the Material Assets objective. This assessment will then inform the Local Development Plan's approach on the subject.

Question: Council Response to SEA Opinions & SA Comments

Representation Text: In Table 1 of the Consultation Document the Topic Paper item described as “Energy” is linked only with “Material Assets” as an area of SEA concern. No linkage is made with the many other SEA-relevant areas identified in the European Directive and the Practical Guide. Energy derived from upland windfarm development is uniquely potent and far-reaching in its assault on SEA-relevant considerations and should be treated accordingly.

5875.E4

Summary: Effects of windfarm development on neighbouring authorities

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: Paragraph 2 explains that topic papers outline the relationship of the plan with other plans and programmes. These include cross-boundary matters which will be included in the SEA methodology and Environmental Report so that the impacts of policies in the emerging LDP are taken into account in-combination with other relevant plans and programmes.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Shropshire, Ceredigion and the Brecon Beacons are directly affected by windfarm construction in Powys. Schedule 1, paragraph 2 of the European Directive explicitly enjoins the plan-maker to consider the “transboundary nature of the effects” of its decision. There is no acknowledgement of the Cambrians Mountains Initiative of which Powys County Council is a partner. It is not apparent that this has been incorporated in the Consultation Document.

5875.E5

Summary: Lack of mechanisms to 'identifying unforeseen adverse effects at early stage'

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: The consultation methodology recognises the monitoring requirement. The environmental report that accompanies the deposit Local Development Plan (due to be published in April 2013) will incorporate details on the proposed monitoring framework.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Both in the European Directive (Schedule 2, paragraph 9) and in the Practical Guide (Figure 5, second panel) the responsible authority is required to adopt measures (i.e. measures that are evidence-based and likely to be effective) to “monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action” (Regulation 17(1) of the European Directive). It is notorious that, in any field of activity, actions can have unforeseen consequences. The SEA legislation acknowledges this truth and seeks to ensure that mistakes are recognized before their consequences reach catastrophic levels. The Consultation Document seems not to provide mechanisms for this purpose.

5875.E6/Table 6 (1)/

Summary: Table 6 - Landscape

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: It is important to note the environmental objective is not the declared Local Development Plan objective. The environmental objective stated is to assist the assessment and consideration of Local Development Plan proposals against strategic environmental objectives. Furthermore it is important to note that as the Local Development Plan policies and proposals are yet to be developed it is premature to speculate that the County Council's local planning policy will lead to a proliferation of large scale windfarms on the hills of Powys. It is not the role of this assessment process to retrospectively assess the UK Government's approach in National Policy Statements of the Welsh Government's approach in Planning Policy Wales and Technical Advice Notes.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Declared objective is to value, conserve and enhance the diversity of species, habitats and ecosystems. The proliferation of large-scale windfarms over the hills of Powys will have a significant impact on biodiversity. The Montgomeryshire Wildlife Trust has called for a review of TAN8.

5875.E7/Table 6 (2)/

Summary: Table 6 - Population

Question: **Council Response to SEA Opinions & SA Comments**

Council Response: It is important to consider and understand the role of the Powys Local Development Plan. Large scale energy production is a planning matter retained by the UK Government because it is of national importance. It is not the role of the Local Development Plan to prepare planning policy on such matters of national importance. However it is within the Council's remit to prepare planning policy on smaller scale renewable energy development and policies for these will be considered as part of preparing the Deposit LDP.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Declared objective is to ensure the changing needs of Powys' population are met without compromising the environment. The needs of the people of Powys include, most prominently, the need for employment. One of the most important sources of employment is tourism. In the period 1998-2010 UK employment growth in the caravan and holiday park sector grew by 58%, with Wales

following the trend. Extensive windfarm development would assuredly kill that goose. "Visit our magic panorama of 200 meter high wind turbines" is hardly a winner.

5875.E8/Table 6 (3)/

Summary: Table 6 - Human Health

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to ensure that the natural and built environment support a healthy, active lifestyle.

Mass windfarm development is self-evidently not the way to set about this. The magnificent walking country found in Powys uplands will no longer attract the rambler. Who would wish to brush shoulders with those mighty turbine blades? At close quarters they are not only offensive to the eye but disturbing to the personal comfort of the walker. Moreover, it is a notorious fact that the resonance of the whirling blades (noise and infrasound) can result in dwellings being vacated. A Bill currently pending in the Westminster parliament (Lord Reay's Bill) aims to ban windfarms within 2 kilometers of housing.

5875.E9/Table 6 (4+5)/

Summary: Table 6 - Flora and Fauna

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The proliferation of large-scale windfarms over the hills of Powys will have a significant impact on flora and fauna. The Montgomeryshire Wildlife Trust has called for a review of TAN8.

5875.E10/Table 6 (6)/

Summary: Table 6 - Soil

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to value, conserve and enhance soils that are classified as being important for (a) carbon storage and (b) agriculture. Powys enjoys the presence of vast areas of peat-land – Europe's equivalent of tropical rain forest and a vital component of the planet's natural protection against excessive CO2 in the atmosphere. Peat can be in layers up to 20 metres thick, storing

10

times more carbon per hectare than other ecosystems. It is bewildering to reflect that this vital resource is at risk of attack from thousands of tons of concrete needed as the base for wind turbines.

5875.E11/Table 6 (7)/

Summary: Table 6 - Water

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to protect and improve the quality of water resources and habitats. Windfarm development is inimical to this ambition. Replacing absorbent bog, peat and marshland with Non-absorbent concrete increases flood risk.

5875.E12/Table 6 (9)/

Summary: Table 6 - Climatic factors

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to contribute to the reduction of greenhouse gas emissions. This aspiration is entirely laudable. There are, of course, myriad ways in which the reduction can be achieved. Wind power is both one of many and one of the least efficient. In the last resort, disputes over the extent of permissible harnessing of windpower boil down to pain and gain. There is an increasing appreciation that the environmental destructiveness of large-scale windfarms represent more pain than gain. It is worth recalling the words of the EU Directive on Renewable Energy (Directive 2001/77/EC: "Steps to increase use of electricity from renewable sources must be in proportion to the objective to be obtained".

5875.E13/Table 6 (10)/

Summary: Table 6 - Material assets

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to safeguard nationally (Wales/UK) important primary resources, infrastructure and facilities. Spelled out in greater detail these include the following:

Broneirion – Girl Guides Centre for Wales

Gregynog – Historic and tourist attraction

Glansevern – Historic and tourist attraction Grade II* listed building with 100 acre park registered with CADW as a historic environment. Also location of the annual Welsh Food Festival

Lake Vyrnwy

Hay Festival

Glyndwr Way

Kerry Ridgway

Offa's Dyke

Dyfnant Forest

Stiperstones

Powis Castle

It cannot be seriously contended that windfarms with their associated hubs and pylons are compatible with "safeguarding" these assets or with the good health of the tourist industry which they sustain.

5875.E14/Table 6 (11)/

Summary: Table 6 - Cultural heritage

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to support the use of the Welsh Language and to understand, value, protect and enhance Powys' historic environment including its diversity, local distinctiveness and heritage. The Pevsner Architectural Guide for Montgomeryshire identifies 98 locations of historical/cultural importance. Of this number 76 will be significantly affected by windfarm development. Those responsible for the final version of the LDP are requested to pick up the Pevsner locations and relate them to the multiple windfarm proposals for the purpose of verifying this assertion. Unless that exercise is carried out, PCC will not be able to say that it has taken cultural heritage into account when framing the new LDP. (The 76 affected locations will readily be identified on request).

5875.E15/Table 6 (12)/

Summary: Table 6 - Landscape

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, however the Local Development Plan is not the source of the large scale proposed windfarm developments. The emerging policies and proposals of the Powys Local Development Plan will be considered against this Environmental Objective and the findings will inform decisions taken on the content of the plan.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: Declared objective is to maintain and enhance the quality and diversity of the natural and historic character of Powys' landscape. Any decision-making authority announcing such an objective could only recoil in horror at the proposition that the desired end will be achieved by pressing on with more turbines in the hills. It is taken as self-evident that the industrialisation of upland Powys would

be the very antithesis of the declared objective. To contend otherwise could only give rise to derision. This, in many ways, is the most straightforward of the individual responses offered under tables 4 and 6. A new LDP favouring large-scale windfarm development would be in direct contradiction of the stated landscape objective and matter of shame for PCC. That language is not too strong.

5875.E16

Summary: Summary

Question: Council Response to SEA Opinions & SA Comments

Council Response: Comments noted, the Local Development Plan will be prepared in accordance with the relevant regulations and decisions taken on it will be informed by the results of the assessments. Any Local Development Plan policy on windfarms will have regard to the National Policy Statements and Welsh Government's TAN8 approach and will take into account the impacts of this approach when allocating land and preparing policies.

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: The European Directive, adopted by both the Westminster and the Welsh Government is mandatory, absolute and uncompromising. Its requirements must be observed by all responsible authorities when drawing up any plan or programme related to "agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use." (Regulation 5(2)(a)). It addresses the long-term effects of human impact on the environment and is designed to inhibit precipitate action which may have significant environmental effects. TAN 8 is a policy document and no more than that. Moreover it expressly acknowledges (as, indeed, it was obliged to do) the vital role of the European

Directive

inspired SEA in the drawing up of Local Development Plan. Thus, paragraph 5(1) of TAN 8:

"The local implications for TAN 8, including the SSA's, should be incorporated into local Development Plans in line with the requirements of the LDP process including sustainability appraisal

and

Strategic Environmental Assessment"

It is to be observed that PCC cannot sit on the fence when implementing the very rigorous requirements of the SEA. It must make a positive determination "whether or not" the plan or

programme

is likely to have significant environmental effects (see European Directive, Regulation 9(1)). Given the vast scale of the industrialisation contemplated for Powys it defies belief that PCC could reach a determination that significant environmental effects were not entailed. The conduct of the SEA process will ineluctably bring out the answer that the effects are not merely significant but calamitous.

In light of that verdict it is difficult to imagine that PCC would be so defiant of their own determination and of the conclusion of the SEA process that they would simply ignore the environmental disaster and embrace mass windfarm development in the proposed LDP.

One last observation is made. The bodies submitting this response are not financed by the Welsh Government. In contrast, CCW, Forestry Commission Wales, Environment Agency Wales and the Welsh Tourist Board in its various manifestations depend for their existence on Government funding.

5876 Cranmoor homes

5876.E1

Summary: Support on house builders view on housing growth and location

Question: Comments & opinions on SEA baseline scoping 2011

Representation Text: I would very pleased to provide you with a regional house-builders views on likely housing growth location/s and delivery over the plan period in what is an extremely difficult time for providers and customers. Of course infrastructure capacity and wider issues also need to be considered. Regeneration is one of my past claims to fame and start up industrial and office development another. We have just about completed the change of use and total refurbishment of 97 The Struet a grade 2 listed building in Brecon. There are some key drivers to examine and I am happy to give you my take as a very experienced developer.

5877 Green Dragon Environmental Standard

5877.E1/Table 6 (1)

Summary: Sustainable forestry development

Question: Council Response to SEA Opinions & SA Comments

Council Response: Thank you for considering the document and for your comments highlighting the environmental benefits of sustainable forestry development. Whilst sustainable forestry development is not an

area against which emerging proposals will be assessed, it is nevertheless an area that should generally be supported by the Local Development Plan. It may be of interest that afforestation is expressly stated not to involve the development of land by the planning act. Nevertheless some associated building works may require planning permission and it is these works that the Local Development Plan could potentially support.

Question: **Comments & opinions on SEA baseline scoping 2011**

Representation Text: Not sure if I can add much to the debate, but I've read your consultation and feel that from an environmental point of view one key area is sustainable forestry development. This can be used in upland areas to replace intensive livestock and will have the following benefits:

- Reduction in critical loads of both acidity and nutrient nitrogen
- Increase in biodiversity (satisfying Sections 40 & 42 of NERC?)
- Positive impact on LBAP
- Reduction in flooding and pollution
- Reduction in soil erosion
- A positive impact on River Basin Management Plans
- A carbon sink, addressing climate change
- A sustainable fuel source, reducing reliance on imported fuel and transport infrastructure

I know Coed Cymru have done some work on this and have data, so it might be worth contacting Mike Richards.

LDP Document: 5 Strategic Environmental Assessment (SEA) Draft Environmental Report, March 2012

537 Welshpool Town Council

537.S18

Summary: Non-technical summary of the information provided under sections 1 to 9.

Question: 3.ii Representation details

Representation Text: There is overall support for the document as presented. However, the following is set out in response to the consultation:

Ref 1.2.4 Subject TAN8

This policy, although a Welsh Assembly Document is flawed in that it was approved without the minister and Assembly Members understanding what they were approving. Due to this major factor the Town Council does not support in any way the inclusion of any developments related to this policy. In particular the objection relates to Wind Farms, Transport, Hubs and Pylon Lines. Suggestion

The policy contained within TAN8 should be noted in the LDP with a statement seeking its review at the earliest possible date.

Reason

The wind farm policy for Mid Wales is out of scale and has far reaching effects which were not made aware to the Welsh Assembly at the time of the decision. The effects include transport issues, hub locations and pylon lines.

Question: Council's Response

Council Response: Thank you for your general support for the document. Policies on renewable energy will be developed for the deposit plan. The review of TAN8 lies beyond the remit of the LDP. It is not considered appropriate to incorporate a statement seeking the Review of TAN8 in the LDP.

988 Cadw: Welsh Historic Monuments

988.S1

Summary: Non-technical summary of the information provided under sections 1 to 9.

Question: 3.ii Representation details

Representation Text: Cadw would suggest making the following amendments to the Strategic Environmental Assessment Report:

Pages 28-29 (Table 4) & Page 92 (Table 20)

The tables should acknowledge the risk to the setting of all types of heritage asset, including non designated sites, from inappropriate development as this is not properly reflected in the assessment. The number of non-designated historic assets held by the Historic Environment Record could be included. There are also 50 registered historic parks and gardens in Powys.

Question: Council's Response

Council Response: Thank you for your helpful comments. To take the setting of historic assets, e.g. SAM into account through this strategic assessment, the settings need to be defined and justified. This data gap could be added to the section of the Environmental Report which explains limitations with the existing assessment process.

The 50 registered historic parks and gardens in Powys will be included in the assessment process.

The Council agrees that non-designated historic assets in the Historic Environment Record could be part of the assessment where relevant and justified.

4791 British Horse Society

4791.S1

Summary: Non-technical summary of the information provided under sections 1 to 9.

Question: 3.ii Representation details

Representation Text: Horse Riding is omitted from the list of activities to be encouraged. What isn't included is not considered. This is apparent throughout all the topic documents.

Question: 3.iii Desired changes to Document

Representation Text: Add Horse riding to all leisure/recreational activities where these are listed throughout all documents.

Council Response: The Council notes the comments. Whilst preparing the deposit draft Local Development Plan the Council will consider adding horse riding wherever lists of recreational / leisure activities to be promoted are included .

5166 Montgomeryshire Local Council Forum

5166.S14

Summary: Non-technical summary of the information provided under sections 1 to 9.

Question: 3.ii Representation details

Representation Text: There is overall support for the document as presented. However, the following is set out in response to the consultation:

Subject - TAN 8

Response - This policy, although a Welsh Assembly Document is flawed in that it was approved without the Minister and Assembly Members understanding what they were approving. Due to this major factor the forum does not support in

any way the inclusion of any developments related to this policy. In particular the objection relates to Wind Farms, Transport, Hubs and Pylon Lines.

Suggestion - The policy contained within TAN 8 should be noted in the LDP with a statement seeking its review at the earliest possible date.

Reason - The wind farm policy for Mid Wales is out of scale and has far reaching effects which were not made aware to the Welsh Assembly at the time of the decision. The effects include transport issues, hub locations and pylon lines.

Question: Council's Response

Council Response: Thank you for your general support for the document. Policies on renewable energy will be developed for the deposit plan. The review of TAN8 lies beyond the remit of the LDP. It is not considered appropriate to incorporate a statement seeking the Review of TAN8 in the LDP.

5199 Natural Resources Wales - CCW

5199.S45

Summary: Non-technical summary of the information provided under sections 1 to 9.

Question: 3.ii Representation details

Representation Text: There is no reference within the document to either the separate Sustainability Appraisal which has been carried out on the LDP or the Habitats Regulations Assessment. In our opinion, it would be beneficial to include some detail about both processes and how they relate to the SEA.

Non-technical summary @ 5.1

Clarification is required to explain the comment that the LDP "is a piece of a jigsaw made up of pieces which do not fit together". Clarification is also sought concerning the comment that it is not the role of the assessment process "to consider any impacts of the plan on environmental matters of a non-strategic nature". We are not clear what is meant by 'strategic' or 'non-strategic' environmental matters.

Question: Council's Response

Council Response: Thank you for your comments on the draft Environmental Report and for facilitating a workshop with David Tyldesley on 23rd August 2012 which focussed on improving the assessment of the deposit draft Local Development Plan.

The environmental report of the deposit plan will be tailored to the Powys Local Development Plan, recognising that in Powys' deeply rural context relatively small levels of change could be perceived as having significant environmental effects.

Your suggestions and comments will be considered and appropriate changes made whilst preparing the environmental report of the deposit draft Local Development Plan. Should any further clarification be required when undertaking the assessment we will be in touch.

5316 Welshpool Business Forum (Welshpool Projects Ltd)

5316.S9

Summary: Non-technical summary of the information provided under sections 1 to 9.

Question: 3.ii Representation details

Representation Text: There is overall support for the document as presented. However, the following is set out in response to the consultation.

Subject TAN 8

This policy, although a Welsh Assembly Document is flawed in that it was approved without the Minister and Assembly Members understanding what they were approving. Due this major factor the forum does not support in any way the inclusion of any developments related to this policy. In particular the objection relates to Wind Farms, Transport, Hubs and pylon Lines.

Suggestion - The policy contained within TAN 8 should be noted in the LDP with a statement seeking its review at the earliest possible date.

Reason - The wind farm policy for Mid Wales is set out of scale and has far reaching effects which were not made aware to the Welsh Assembly at the time of the decision. The effects include transport issues, hub locations and pylon lines.

No doubt you will let me know if you have any queries regarding our response.

Question: Council's Response

Council Response: Thank you for your general support for the document. Policies on renewable energy will be developed for the deposit plan. The review of TAN8 lies beyond the remit of the LDP. It is not

considered appropriate to incorporate a statement seeking the Review of TAN8 in the LDP.

4791 British Horse Society

4791.S2

Summary: 1. An outline of the contents and main objectives of the plan or programme, and of its relationship (if any) with other relevant plans and programmes.

Question: 3.ii Representation details

Representation Text: 1.3.4 & 1.3.7 I wholly agree. There should have been consultation in 2005

Question: 3.iii Desired changes to Document

Representation Text: Too late even to create the semblance of democracy. WAG and the First Minister stand diminished. Historic routes need to be included for consideration in this section.

Council Response: Thank you for your response to the document. Your comments are noted.

The Rights of Way network will be considered as a key environmental material asset when preparing the environmental assessment of the deposit plan. It is understood that some rights of way are of historic importance.

4791.S3

Summary: 1. An outline of the contents and main objectives of the plan or programme, and of its relationship (if any) with other relevant plans and programmes.

Question: 3.ii Representation details

Representation Text: Table 2. Some RoW should be considered as part of our Heritage and of historic importance. The Monks Trod, routes to mines, Roman roads all chart the development of Powys.

Question: 3.iii Desired changes to Document

Representation Text: Historic routes need to be included for consideration in this section.

Council Response: Thank you for your response to the document. Your comments are noted, historic routes and in particular the Rights of Way network will be considered as a key environmental material asset when preparing the environmental assessment of the deposit plan.

5199 Natural Resources Wales - CCW

5199.S46

Summary: 1. An outline of the contents and main objectives of the plan or programme, and of its relationship (if any) with other relevant plans and programmes.

Question: 3.ii Representation details

Representation Text: 1. An outline of the contents and main objectives of the plan or programme, and of its relationship (if any) with other relevant plans and programmes @ 5.2
Reference should be made within this document to the One Powys Plan, the Single Plan which incorporates the vision and objectives for community strategy, health, wellbeing and other topics

of

vital cross-reference to the Local Development Plan.

Paragraph 1.5.2 - Local Development Plan Objectives @ 5.2

It is not clear whether the LDP objectives listed here include the recommended amendments from the SEA assessment.

Paragraph 1.6.15 @ 5.2

We have some concerns that the comment here seems to 'pre-judge' the outcome of a more complete assessment that has not yet taken place. It cannot yet be stated that the Powys LDP will not have significant environmental impacts, even if the comment is being made in relation to the 'scale' of the LDP compared to National Level Infrastructure Plans. Indeed, paragraph 1.6.16 contradicts this assertion, stating that "the LDP will be considered to see if it gives rise to significant environmental impacts".

Question: Council's Response

Council Response: Please see the Council's response to your comments ref: 5199.S45

5940 Weller, Mr Geoffrey

5940.S3

Summary: 1. An outline of the contents and main objectives of the plan or programme, and of its relationship (if any) with other relevant plans and programmes.

Question: 3.ii Representation details

Representation Text: The SEA highlights large scale windfarm policy as being a key issue to the LDP in paragraph 1.3.7, Page 7. However, the Preferred Strategy does not cover the windfarm issue.

Question: 3.iii Desired changes to Document

Representation Text: Incorporate a section dealing with windfarms in the Preferred Strategy document.

Council Response: Thank you for your comments which have been noted. Policy on renewable energy will be developed for inclusion into the Deposit LDP.

5199 Natural Resources Wales - CCW

5199.S47

Summary: 2. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.

Question: 3.ii Representation details

Representation Text: Paragraph 2.3.6 - Settlements and Places @ 5.3

The Dyfi Biosphere should be included in this list of important sites for nature conservation. Please note that there are 218 Sites of Special Scientific Interest (not 216). For clarity you should define what is meant by 'Wildlife Site'.

Paragraph 2.3.7 - Settlements and Places @ 5.3

The reference to an Environment Agency 'Information Pack' requires further explanation.

Paragraph 2.4.2 – Current state of the environment @ 5.3

We are not clear what is meant by 'strategic' or 'non-strategic' environmental matters.

Paragraph 2.4.3 – Current state of the environment @ 5.3 It cannot yet be stated that the Powys LDP will not have significant environmental impacts, whether or not Powys County Council consider it to be a Plan at a 'relatively small scale'.

Significant environmental impacts are still possible and the assessment process will determine this further. The purpose of the SEA process is to pick up potentially significant environmental impacts of any strategic action (in this case a whole range of strategic actions contained within the LDP) and it should be noted that impacts can occur at a range of different spatial scales and can include those which are secondary, cumulative and synergistic (amongst others).

Table 4 – current state of the environment relevant to Powys LDP @ 5.3

We welcome the information contained in Table 4, which we feel generally offers a good outline of the current state of the environment in Powys. The boundaries between the three separate topics 'Fauna', 'Flora' and 'Biodiversity' are unclear and we would suggest it would make sense to amalgamate the three topics into one. The column 'Likely evolution without the LDP' would benefit from additional information to clarify what might be the future outcome (rather than just listing Plans or Policies of relevance). Under 'Biodiversity', reference should also be made to SSSIs (in addition to European Sites). CCW Management Plans (2008) are correctly cited as the relevant sources of information for European Sites, but we may also be able to assist in providing more up to date information on these sites. Please contact us if further information is required. There is no mention of the condition of habitats (only species). It is not clear whether Special Protection Area (SPA) species are also included. Under 'Air', reference should also be made to the cumulative impact of intensive poultry units on designated sites. Under 'Soil', the impacts of windfarm development on peat should be added.

Paragraph 2.5.1 – Likely evolution without implementation of the Plan @ 5.3 Again, it is unclear what is meant by 'the strategic environment'.

Paragraph 2.5.3 – Likely evolution without implementation of the Plan @ 5.3 The contents of Table 4 are not 'indicators'. They are 'topics' or 'themes', the scope of which is fixed by the SEA Directive. It is still possible for a 'locally focussed plan' to have impacts on these topic areas, and it is the purpose of the SEA assessment process to draw any such significant impacts out.

When

setting indicators (as referred to in section 8) we would very much agree that these need to be relevant and responsive to the Plan under consideration.

Question: Council's Response

Council Response: Please see the Council's response to your comments ref: 5199.S45

988 Cadw: Welsh Historic Monuments

988.S2

Summary: 3. The environmental characteristics of areas likely to be significantly affected.

Question: 3.ii Representation details

Representation Text: Page 32 (Table 5)

The assessment of the impact of development on the environmental quality of the smaller settlements is misleading and should be accompanied by a 'health warning.' Many of the villages and hamlets have significant architectural, historic or archaeological interest, and are of high value for their local distinctiveness as witnessed by the number of conservation areas. For example, the impacts of small scale development could therefore be disproportionate to the size of the settlement.

Question: Council's Response

Council Response: Thank you for your comments. The level of development proposed for the small settlements is very low. Also as the Council is currently seeking not to allocating sites for development in these settlements there is the opportunity for developments to be more 'organic' in nature, better responding to the characteristics of the individual settlements. This approach is supported by strong design requirements of Technical Advice Note 12. Furthermore any development that takes place within the large number of Conservation Areas must enhance them. The high value of the historic environment in Powys' small settlements will be considered a key consideration for future assessments.

5199 Natural Resources Wales - CCW

5199.S48

Summary: 3. The environmental characteristics of areas likely to be significantly affected.

Question: 3.ii Representation details

Representation Text: Table 5 – Environmental characteristics of areas likely to be significantly affected @ 5.4

Explanation is required about the difference between 'rural settlements', 'hamlets' and 'villages'. When the potential for significant impact is considered, it is unclear how development in villages, hamlets and rural settlements has already been determined as not significant when a full assessment has not yet taken place. Similarly, it is not clear how it has already been determined at this early stage that there is no potential for cumulative impacts of development in villages, hamlets and rural settlements (for example, in light of the fact that the location of development is yet to be determined).

Question: Council's Response

Council Response: Please see the Council's response to your comments ref: 5199.S45

988 Cadw: Welsh Historic Monuments

988.S3

Summary: 4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance....

Question: 3.ii Representation details

Representation Text: Page 40 (Table 6, Climatic factors) & paragraph 6.1.2

There seems to be an implicit assumption that older buildings perform badly in terms of their thermal performance. In-situ monitoring by the SPAB and others demonstrate that the majority of traditional buildings (pre-1919) perform significantly better than current modelling techniques suggest. However, one very important and frequently overlooked factor that influences performance is building condition and the need for regular maintenance to ensure that the walls are dry and able to 'breathe'. This highlights the important role that the Council can play through its Buildings at Risk Strategy, grant schemes and other initiatives.

Damage to the setting of scheduled ancient monuments (SAM) by specific large developments, notably wind turbines, pylons and power lines, water treatment facilities etc should be added here.

Page 38 discusses the impact of turbines on landscapes but not on SAMs.

The cultural heritage section should include a bullet point for threats to historic parks and gardens through insensitive and inappropriate development, neglect and climate change.

The degradation of conservation areas is also due to the Council's failure in many cases to protect against incremental changes by removing Permitted Development Rights and taking appropriate enforcement action.

Question: Council's Response

Council Response: Thank you for your helpful comments. The clarification on the assumption on the performance of older buildings will be made in the assessment documents, nevertheless there will be pressure to address the performance of the existing stock over the plan period which may lead to a change in how existing buildings look.

Reference to the impact of developments on the settings of heritage assets (SAMs) will be included.

The cultural heritage section will include a bullet point on threats to historic parks and gardens.

Your comments on the Council's failings with regards to Conservation Areas are noted. The Council is working closely with the Development Management team to ensure that the concerns that you have raised are addressed, as evidenced by the recent Article 4 Direction issued in Machynlleth.

5199 Natural Resources Wales - CCW

5199.S49

Summary: 4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance....

Question: 3.ii Representation details

Representation Text: Table 6 – Existing environmental problems of relevance to the Powys LDP @ 5.5

We very much welcome the information contained in Table 6, which we feel offers a good outline of many of the existing environmental problems of relevance in Powys. We suggest including geodiversity as a topic and also that development (and related land-take) be added as an issue for many of the topics. We also suggest that it would make sense to amalgamate 'Fauna' and 'Flora' with 'Biodiversity'. The column indicating 'How objectives and environmental considerations have been taken into account during LDP preparation' would be much more helpful if there

were

detail about the much-repeated phrase 'Key issues of relevance to the LDP's Preferred Strategy'.

Biodiversity – for bullet point 1, we recommend using 'nutrient release' rather than 'nutrient run-off', as part of the problem is from airborne releases. Bullet point 3 (climate change) should be

reworded to read 'However habitats and species at the southern limit of their range may be lost forever...'. Bullet point 4 (renewable energy) needs to be expanded and highlight the potential impacts on habitats of nature conservation interest (and peatland habitats in particular), such as habitat loss and hydrological impacts. It should also mention all protected species, as well as barotraumas for the impacts on bats. Under bullet point 5 (invasive species) American Signal crayfish and Himalayan Balsam are two invasive species important in a Powys context. We also suggest additional problems – vehicle off-roading, commercial coniferous forestry and the need to build flood defence measures to protect towns highlighted for growth. Landscape - the second bullet point is incomplete. Under TAN 8 the associated grid lines should also be mentioned. Tranquil areas should not be mentioned as a problem, but rather as a resource that problems can impact upon that needs to be kept under review. Soils – windfarms need to be mentioned as an issue of relevance to soils because of the potential impacts on areas of peatland and the carbon storage impacts. Peatlands are not just important for carbon storage but support important habitats too. Cultural heritage – an additional issue is the degradation of historic landscape areas through inappropriate allocations and development design that fails to take into account the local sense of place. Windfarms and associated pylon lines also have the potential to impact on historic landscape areas.

Question:

Council Response:

Council's Response

Please see the Council's response to your comments ref: 5199.S45

5706 Bletchley Park Developments Ltd

Agent: **DLP Planning Consultants - Bristol**

5706.S35

Summary: 4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance....

Question: 3.ii Representation details

Representation Text: We note page 28 and its comment that 20.8% of Powys's population are Welsh speakers compared with 20.5% nationally. Therefore there is little reason to impose any county-wide requirement to assess impact on the Welsh language.

We note that Ystradgynlais is mentioned as a centre of Welsh-speaking, but it is our view that the town is large enough to accommodate relatively large levels of growth without having a consequential negative impact upon the language.

Question:

Council Response:

Council's Response

Thank you for your views to the Strategic Environmental Assessment which are noted. The Council is awaiting the publication of TAN20 on Welsh Language, and is also undertaking a small research project in conjunction with NPT Council looking at the relationship between development and language to inform the deposit LDP.

5706.S36

Summary: 4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance....

Question: 3.ii Representation details

Representation Text: We object to the statement on pages 38-39 that "concerns are specifically recognised of the impact of modern housing estates sited on the periphery of traditional market towns" upon the landscape.

It is of course the case that some modern housing has been poorly-designed. However there are many reasons why some new housing has to be delivered on the edge of the towns, including the lack of brownfield sites, the pitfalls of relying on expensive brownfield sites and the need for family homes to meet demand and need. The SEA/SA and LDP can and should encourage

better

homes in these locations, but should not seek to restrict or prohibit them in locations that otherwise would be addressing the plan's objectives and be delivering sustainable (social, economic

and

environmental) development.

Question: 3.iii Desired changes to Document

Representation Text: This should be reworded to be encourage better development not less development.

Council Response:

Your concerns about the statement on pages 38 - 39 are noted. This will be investigated further and linked to evidence. The role of the assessment is to inform the plan, it is not intended to discourage development. Such statements could lead to various approaches in the deposit draft plan without discouraging development.

5940 Weller, Mr Geoffrey

5940.S4

Summary: 4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance....

Question: 3.ii Representation details

Representation Text: Windfarms are described several times in Table 6 on Pages 33 to 38 as a key issue of relevance to the LDP's Preferred Strategy. However, the Preferred Strategy does not cover the windfarm issue.

Question: 3.iii **Desired changes to Document**

Representation Text: Incorporate a section dealing with windfarms in the Preferred Strategy document.

Council Response: Thank you for your comments which have been noted. The Renewable Energy Assessment was not complete in time to inform the Preferred Strategy. This work is now complete and will be taken into account whilst preparing the deposit LDP.

5199 **Natural Resources Wales - CCW**

5199.S56

Summary: 5. The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and....

Document:SEA Draft ER 2012, p.43

Question *Representation Texts*

Question: 3.ii **Representation details**

Representation Text: Table 7 – Key environmental protection objectives @ 5.6

In some topic areas, key Plans, Policies and Programmes have been missed. We would suggest referring to CCW's 'SEA Guidance for Practitioners' (a topic paper for each SEA theme) as an aid to key documents that could be included.

In addition, CCW would recommend that reference is made to the following recent key strategies:-

Welsh Government 'Economic Renewal: a new direction', July 2010

Welsh Government 'Framework for Regeneration Areas', October 2010

Welsh Government 'Climate Change Strategy' and associated action plans, October 2010

The Council also needs to be aware of the Welsh Government's emerging natural Environment Framework 'A Living Wales', which seeks to ensure a more integrated approach to managing the natural environment. The approach is about ensuring that all actions are based on an appropriate understanding of ecosystems and the goods and services that they provide.

Question: **Council's Response**

Council Response: Please see the Council's response to your comments ref: 5199.S45

5199 **Natural Resources Wales - CCW**

5199.S50

Summary: 6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects....

Question: 3.ii **Representation details**

Representation Text: Paragraph 6.1.2 – Potential environmental impacts @ 5.7

It is not clear what 'strategic environmental impacts' and how these differ from the potential environmental impacts listed in Table 6. However, we would suggest adding the following:-

- Negative impacts of development and land-take
- Impacts on soils and potential loss of significant stores of carbon/peatland degradation
- Potential loss of ecological connectivity
- Degradation of historic landscape areas through inappropriate allocations and development design

Paragraph 6.2.2 – Vision @ 5.7

We welcome the incorporation of the SEA assessment recommendations into the LDP vision. We feel that this has improved the vision.

Figure 4 – Spider diagram – assessment of the vision @ 5.7

For this – and for all subsequent assessments and spider diagrams – there needs to be some explanation of the process that has taken place. At the moment, that process is largely unclear. For example, what is the scoring system used?

Why is there a different scale used on each spider diagram? What indicates a neutral impact? We also suggest confirmation that the assessment taking place is an assessment of the vision/objective/policy against each of the SEA objectives. In our opinion, this form of visual representation has not helped to communicate the findings of the assessment that has taken place and, as such, it is very hard to meaningfully comment on the assessment that has taken place thus far.

Paragraph 6.3.2 – Objectives @ 5.7

It is not clear how the LDP objectives listed here are related to those given in section 1.5.2. There are differences both in the numbering of the objectives and in their content. We welcome the amendments made as a result of the SEA process.

Table 8 @ 5.7

This table has no title or explanatory key. It is not clear why objective 15 ('To support regeneration activities') is deemed to be incompatible with all other LDP objectives.

Paragraph 6.3.6 – Objectives @ 5.7

This section refers to objective 16 as the 'Welsh language objective'. However, in the preceding section, objective 16 is 'To facilitate changing models of service provision'. There seems to be some confusion around the numbering of objectives and, as such, it is difficult to make comment.

Figures 6 and 7 – spider diagrams @ 5.7

Figure 6 provides detail of an assessment but, due to the lack of title, it is not possible to tell what the assessment is. Our assumption is that this is an assessment of the strategic policies

against

the SEA objectives but confirmation of this would be highly beneficial. There has, as yet, been no reference to the SEA objectives within this Report.

Table 10 – environmental performance of strategic policies @ 5.7

It is not possible to comment on this assessment of the strategic policies because no name or explanatory detail is given about the policies.

Question:

Council's Response

Council Response:

Please see the Council's response to your comments ref: 5199.S45

5706 Bletchley Park Developments Ltd

Agent: **DLP Planning Consultants - Bristol**

5706.S37

Summary: 6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects....

Question: 3.ii Representation details

Representation Text: We are concerned about the statement in Table 9 (page 63) of the SEA Draft Environmental Report, that "all things equal, less development has less environmental impact."

Sustainability covers social and economic measures as well as environmental. Sustainable development, which is at the heart of planning, is about development as well as about sustainability.

Question: 3.iii Desired changes to Document

Representation Text: The SEA/SA process should give more consideration of social and economic issues than it does at present.

Council Response:

Thank you for your comments. The statement reflects the view of the assessment group. For clarity, the draft Environmental Report focusses on environmental issues, the separate

Sustainability

Appraisal considers social, economic and environmental considerations.

5199 Natural Resources Wales - CCW

5199.S51

Summary: 7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.

Question: 3.ii Representation details

Representation Text: 7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme. @ 5.8

We look forward to seeing further detail in the final Environment Report.

Question: Council's Response

Council Response: Please see the Council's response to your comments ref: 5199.S45

988 Cadw: Welsh Historic Monuments

988.S4

Summary: 8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties encountered in compiling the required information.

Question: 3.ii Representation details

Representation Text: Page 92 (Table 20)

This should include the number of applications in registered parks and gardens and their essential settings.

Page 94 (Paras. 8.9.6-9 Topic Papers)

Cadw is happy to work with the Council where possible to help fill the gaps in knowledge. Detailed comments on the Historic Environment Topic Paper will be sent to the Council by the end of May.

Question: Council's Response

Council Response: Thank you for your comments. (Note: A meeting between CADW and the Council on the Built Heritage Topic Paper has since been held).

The suggested addition to Table 20 is not considered to be a good indicator. Perhaps a better indicator would be the % of planning applications that were permitted, where objections were maintained by the Welsh Historic Garden Trust. Work is underway to improve the information recorded by the Development Management Section so that the Local Development Plan and the

Strategic Environmental Indicators are monitored accurately. Appropriate indicators for monitoring purposes are currently being considered in preparing the deposit LDP.

5199 Natural Resources Wales - CCW

5199.S52

Summary: 8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties encountered in compiling the required information.

Question: 3.ii Representation details

Representation Text: Table 14 – Housing growth options @ 5.9

For Growth option E, it is not clear why the 10% oversupply figure (5,170) is less than the total housing provision (5,200).

Table 15 – Growth options review @ 5.9

For Growth option E, it is not clear why the housing figure given differs from both the total housing provision and the 10% oversupply figure given in Table 14. If housing figures are inaccurate for

this Growth Option, there could be knock-on effects for the assessment that has taken place.

Table 16 – Housing growth options @ 5.9

Figure 6 provides detail of an assessment but, due to the lack of title, it is not possible to tell what the assessment is.

Paragraph 8.5.12 – Preferred spatial option @ 5.9

It would be very beneficial to have a more reasoned justification as to why spatial option 6 has been selected as the preferred strategy. From an SEA assessment perspective, it is noted that

this

spatial option performed less well than option 4. In the final Environment Report, it is important that the Council explain how the environmental effects highlighted for this preferred option will be addressed.

Paragraph 8.7.1 – Assessment objectives and indicators @ 5.9

In light of comments made here and elsewhere, we feel that it would be highly beneficial to meet with yourselves to discuss some of the matters raised. These include the purpose of Strategic Environmental Assessment itself and apparent misunderstanding about CCW's role with respect to the SEA Directive.

Table 20 – assessment objectives and indicators @ 5.9

We welcome this reference to the SEA objectives. We would like to see geodiversity recognised under the 'Biodiversity' objective. While we are encouraged to see water quantity recognised as an issue, it is not clear what the objective for water quantity is. The objectives for 'Biodiversity', 'Fauna' and 'Flora' are all the same – as a result, it would make sense to combine these assessment areas. We also welcome the outline indicators given and look forward to seeing these developed further in the final Environment Report.

Paragraph 8.8 – Difficulties encountered in compiling the required information @ 5.9

We welcome the honest acknowledgement of the difficulties encountered during the SEA process.

Paragraph 8.8.3 - Difficulties encountered in compiling the required information @ 5.9

In light of comments made here and elsewhere, we feel that it would be highly beneficial to meet with yourselves to discuss some of the matters raised. These include some discussion around interpretations of the purpose of the Strategic Environmental Assessment Directive and CCW's role with respect to the Directive.

Question: Council's Response

Council Response: Please see the Council's response to your comments ref: 5199.S45

5199 Natural Resources Wales - CCW

5199.S53

Summary: 9. A description of the measures envisaged concerning monitoring in accordance with regulation 17'.

Question: 3.ii Representation details

Representation Text: 9. A description of the measures envisaged concerning monitoring in accordance with regulation 17'. @ 5.1

We look forward to seeing further detail in the final Environment Report.

Question: Council's Response

Council Response: Please see the Council's response to your comments ref: 5199.S45

LDP Document: 18 Strategic Environmental Assessment (SEA) Environmental Report Deposit Stage (July 2014)

5196 Natural Resources Wales - CCW

5196.D68

Summary: Contents

Question: 3d. (ii) Representation Details

Representation Text: Annex 3: NRW's Detailed Comments on the Strategic Environmental Assessment

©18.1 The Strategic Environmental Assessment does not seem to include any recommendations for amending the LDP. This is surprising given that the Sustainability Appraisal (SA) Report includes recommendations to the Deposit Plan, including recommendations intended to mitigate environmental effects. For example the SA Report makes a recommendation relating to green infrastructure as an amendment to Deposit Plan Policy DM1. We would have expected further clarification to have been provided as to how the findings of the SA Report have been taken into consideration in this Environmental Report.

© 18.4 Baseline Data Context: Biodiversity

The number of SSSIs in Powys is 222, and not 218 as quoted in the Environmental Report. The text should therefore be amended accordingly.

© 18.4 Section 3 Soil

P29. There seems to be uncertainty about whether the soil carbon storage has been mapped. This should be confirmed in any future updates to the SEA.

© 18.4 Section 9 Landscape

P.44 We note the recognition in the Summary of Issue and Constraints that renewable energy development could be incompatible with the protection of Powys's rich and diverse landscape. We would therefore expect the SEA to assess how the Plan mitigates potential adverse effects.

Further, we welcome the acknowledgment that development within Powys can have an adverse impact on protected landscapes outside the Plan area. However, for completeness, the SEA should also recognise that development located outside of the Plan area (and therefore beyond the control of the Powys County Council) may have an impact Powys's landscape, and may need to be taken into account when cumulative effect is considered at project stage.

© 18.7 P.63 Figure 5 LDP Objectives Compatibility Matrix there is an acknowledgement that the LDP objective 1 is not compatible with the SEA objectives 2, 7, 8, 9, 10, 12 or 17. The SEA should recommend that LDP policies will need to be rigorously applied to mitigate potential adverse effects.

© 18.7 P.66: Development Management Policies (DM1, DM2, DM3) We welcome the identification of SEA Objective 2, to "protect and enhance all species and habitats identified in the Powys Local Biodiversity Action Plan or Section 42 List".

The assessment of DM1 finds a major positive effect against SEA Objective 2. However, Deposit Plan Policy DM2 does not, as currently drafted, include a provision to protect protected species, or LBAP species and habitats. Given this omission in the Plan, we disagree with the Environmental Report's conclusion on this particular matter.

The SEA should highlight this omission and recommend that the Deposit Plan Policy DM1 is amended to include such provision.

© 18.7 Figure 8 The Approaches to sustainable Energy Assessment Matrix lists a neutral impact on water. We disagree with this conclusion as wind farms and their associated infrastructure have the potential to impact on peat bog which as a result has the potential to have an adverse impact on ecosystems services and the regulation of water flows. The SEA should be amended accordingly, and highlight how such potential impacts should be mitigated in the Plan.

© 18.10 Appendix 1

Agri-Environment, P.175 The reference to the Tir Gofal agri-environment scheme is incorrect, and reference should instead be to the current scheme, Glastir.

© 18.12 Appendix 3 – Assessment of Site Allocations

Whilst we welcome the SEA assessment of allocations against SEA objectives, it is not clear why sites have been identified as having a negative, neutral, or positive affect against relevant objectives. As a result it is unclear which potential effects have been considered, and what, if any, effects may have been missed. We would have expected the SEA to identify what effects have been considered in determining the identified scores. Any future iterations of the SEA and the final Environment Report should therefore address this matter.

Notwithstanding the above, we note that Appendix 1 to the Deposit LDP identifies issues and infrastructure requirements associated with each allocation. This includes the identification of environmental issues to be considered at project stage. We welcome the clarity provided in this approach.

We would assume that the environmental issues identified in Appendix 1 of the Deposit LDP, have also informed the SEA assessment of allocations. However, further clarification on this matter would be welcome.

Further, a number of environmental interests do not seem to be identified in Appendix 1 of the Deposit Plan. We provide further comment on these in our comments to the Deposit Plan.

However,

if not already undertaken, we also recommend that these environmental issues/ effects inform any further assessment of allocations that is required for any further iterations of the SEA. They

are:

- Llanidloes HA2, Chapel Farm: Potential impact on the registered historic landscape.
- Montgomery HA1, Land at Verlon: Potential impact on the registered historic landscape.

- Caersws HA1, Land North of Carno Road: Potential impact on the registered historic landscape.
- Churchstoke EA1, Land adj to Tuffins Supermarket: Potential impact on the registered historic landscape.
- Employment Sites outside of Settlements EA1, Buttington Brickworks: Potential impact on adjacent SSSI.
- Knighton HA2, Site of former Motorway mouldings factory: Potential flood risk.
- Macynlleth HA3, Mid Wales Storage Depot: Potential flood risk.
- Newton MUA1St Giles Golf Course: Potential flood risk.
- Newton EA1, Llanidloes Road: Potential flood risk.
- Rhayader EA1, Brynberth Industrial Estate: Potential flood risk.
- Ystradglynlais HA5, Glanrhyd Farm: Potential flood risk.
- Arddleen HA1, Land West of Trederwen House: Potential impact on water quality.
- Forden/ Kingswood HA1 and HA2, Land off Heritage Green, and Land between Heatherwood & Kingswood Lane: Potential impact on water quality.
- Kerry HA1, Dolforgan View: Potential flood risk.
- Meifod HA1, Pentre Works and adjacent land: Potential flood risk.

Council Response:
inform,

The Council welcomes Natural Resources Wales comments on the Strategic Environmental Assessment - Environmental Report (Deposit Stage, July 2014). These comments will help to and be addressed by, the Strategic Environmental Assessment - Environmental Report that will be published alongside a revised Deposit Plan in June/July 2015.